



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers, 15 Seymour Street, Blenheim
on THURSDAY, 4 FEBRUARY 2021 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 Fauls and T P Sowman

Also Present

Councillors J L Andrews, C J Brooks, B G Dawson, F D Maher, N P Taylor and M A Peters

In Attendance

Mr H R Versteegh (Environmental Science and Policy Group Manager) and Nicole Chauval (Committee Secretary)

Apologies

The Mayor/Clr Arbuckle:

That the apology for absence from Mr E R Beech (Rural representative) be received and sustained.

Carried

Env-0221-214 Declaration of Interests -

No interests with items on the agenda were declared.

Env-0221-215 Resource Hearing Commissioner Decisions -

Cllrs Oddie/Arbuckle:

That the Resource Hearing Commissioner Decisions as contained within the reports dated 2 September 2020 (U200218), 22 September 2020 (U190483) and 13 October 2020 (U200049) be received and the recommendations adopted.

Carried

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

**Env-0221-216 Freshwater Improvement Funding – Te Hoiere
Project E355-021-01-001**

Members were advised that the purpose of the report was to provide an update on the recent allocation of funding from the Ministry for the Environment Freshwater Improvement Fund. The Catchment Care – Catchment Condition Survey brochure was attached to the agenda for members' information.

It was noted that Council has been successful in securing \$1,000,000 in funding from the Freshwater Improvement Fund to enable work to begin on the Te Hoiere Project. The new funding will be used to fund a Catchment Condition Survey and commence other on-ground remediation work in the Te Hoiere/Pelorus area once the survey is completed in June 2021.

The survey work will identify quick-fix and longer-term fix work to be done. Work will be carried out by an existing Council contractor once training has been completed and under supervision from staff. Initial trial surveying indicated that fencing and correction of 'critical source areas' (concentrated sources of sediment and other pollutants connected to waterways) are areas of most need and these will present many quick-fix opportunities. Members were advised that longer-term fixes will be addressed by the Integrated Catchment Enhancement Plan which is currently being completed.

Councillors congratulated Matt Oliver and the Environmental Team on the excellent work they have done to-date and the professionalism shown in getting this project off the ground.

Members were advised that post-survey, landowners will be consulted regarding the results and assistance will be given to draw up action plans for their properties. Items from the action plans will be prioritised across the catchment to access incentives for on-ground mitigation work. Incentives of up to 50% may be available to complete work beyond regulatory requirements.

It was noted that the funding is expected to generate approximately 22,000 person hours of work as part of the Jobs for Nature Programme. The positions will be wide ranging from highly skilled to more manual type roles and will create significant stimulus to the area.

Upon completion of the full Deed of Funding agreement between Council and MfE, funds will be available from June 2021 for the on-ground work.

It was reported that all MfE funding comes with an increased reporting requirement for Council and where possible this being handled via new electronic systems. These systems have been developed in-house and are essential to manage the work efficiently. They are described by the Government analysts as innovative and welcome technological developments.

Cirs Hope/Fauls:
That the information be received.

Carried

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

Env-0221-217 Working for Nature / Mahi mō te Taiao E390-003-20

The purpose of the report was to provide an update to the Committee on the sub-committee's decisions regarding the allocation of Mahi mō te Taiao /Working for Nature grant funding.

Members were advised that the Working for Nature/Mahi mō te Taiao grant round was officially launched on Monday 2 November 2021 and closed Friday 27 November 2021. There were a total of 20 Habitat Marlborough applications and 14 Protecting Marlborough applications received. The combined requested total of both categories far exceeded the \$70,000 budget that was allocated and as a result not all applications have been funded.

It was reported that 10 Habitat Marlborough and 10 Protecting Marlborough applications were successful. Letters will be sent to the successful applicants. The work outlined in each project must be completed by 1 November 2021. A list of the applications and grants allocated were detailed in the agenda item.

There was general discussion on how to grow this fund as it is a good way for Council to help communities where there has been a gap in the past. It was suggested that a paper on future funding streams be brought back to this Committee for consideration.

Cirs Oddie/Croad:
That the report be received.

Carried

ATTENDANCE: Liam Falconer, Council's Biosecurity Officer, was present for the following item.

Env-0221-218 Biosecurity Programme Update - Mediterranean Fanworm E315-003-019

The purpose of the report is to provide an update to the Committee on the management of a key marine biosecurity threat Mediterranean Fanworm (fanworm). To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2124224).

It was noted that fanworm was first detected on a vessel in Marlborough in February 2014. Since then, there have been 12 separate detections of fanworm on vessels and four different locations where it has been found on structures or in the environment.

Council has responded by escalating an operational programme but there remains a constant risk of introduction from vessels carrying fanworm as biofouling on their hulls. While the response to this threat has been increasing, particularly in conjunction with Marlborough Sounds marinas, detections continue to be made.

Members were advised that active ongoing surveillance in the water by commercial divers is necessary but does not cover all key risk areas or intercept all the potential inward risks.

It was noted that there are positive signs that the intensive ongoing work in Picton and Waikawa, plus rapid response to detections is paying off with fanworm not found to be established as a result of any of the detections to-date.

The big pressure is the arrival of fanworm as biofouling on vessels. If this occurs, and there is a substantial amount of time before being detected and response initiated, established infestations in the environment will be highly likely affecting ecosystems, food gathering or the aquaculture industry.

It was noted that Council's Biosecurity team will continue to implement the RPMP programme for Mediterranean fanworm aiming to prevent establishment of this pest in Marlborough waters. Through the annual reporting cycle on the RPMP, continual assessments will need to be made regarding the progress of this programme and whether the type and level of interventions are adequate.

Cllrs Croad/Oddie:
That the information be received.

Carried

ATTENDANCE: Cllr Maher withdrew from the meeting at 9.50am during the following item.

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

Env-0221-219 State of the Environment Surface Water Quality Monitoring Report 2020 E375-001-001-03

The purpose of the report was to present the 'Surface Water Quality - Monitoring 2020' report to the Committee for approval. A link to the report on Council's website was included in agenda item. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 2124127).

Members were advised that the report is one of a series of annual reports on the state of the environment of the Marlborough District. The focus of this report is the state of surface water quality in the region's rivers and streams.

It was noted that monthly measurements of chemical and physical parameters at 35 sites across Marlborough are summarised using the CCME Water Quality Index. The Index combines data of the last three years (2017-2019) and allows categorisation of water quality into five classes excellent, good and fair which represent acceptable water quality, marginal and poor water quality needs to be improved, where possible.

Members were advised that the majority of Marlborough sites have good or fair water quality. 14 sites are in the marginal category, indicating unacceptable water quality in these waterways. Sites in the marginal category generally show the greatest number of parameters. In Doctors Creek, as many as seven parameters exceed guideline values. Apart from the mid Awatere, all rivers in the marginal category are listed in the Marlborough Environment Plan as degraded or at risk from degradation.

It was reported that Council has been successful in securing central government funding for a number of projects that aim to improve water quality in these waterways. These projects include the Taylor River Improvement Project (TRIP) and Catchment Care Programme. The Te Hoiere Project also aims to improve water quality and ecological health in a number of these waterways.

It was queried how long it would take before we could see the improvements in the Taylor River from the work being undertaken. Mr Hamill advised that it will depend on the completion of infrastructure works to the pipes which were damaged as a result of the 2016 earthquake. It was noted that planting has been carried out in Drs Creek to assist in bank stabilisation and once established this will assist in improving the water quality. It was also noted that the new National Environment Standards for Freshwater and regulations for stock exclusion released in 2020 will significantly aid the improvement efforts.

To bring the monitoring programme into alignment with the requirements of the NPS-FM, a programme review was carried out in 2020. It showed gaps in the regional coverage of the monitoring network and identified additional parameters that need to be added to the programme. The final configuration of the revised programme depends on a number of factors, including the implementation of the many new requirements of the NPS-FM.

Members were advised that Marlborough is in the top 5% of districts in regards to water quality.

Cirs Hope/Arbuckle:
That the information be received.

Carried

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

Env-0221-220 Environmental Health: Development of the Food Control Plan Diary E350-004-009-02

Members were advised that the purpose of the report was to provide information to the Committee on work the Environmental Health Team has undertaken to update the Diary currently used by our food businesses operating a Template Food Control Plan (FCP) within Marlborough. An example of the Diary was shown to members.

Georgia Murrin noted that with the previous Plan the Ministry for Primary Industries (MPI) created a diary that food businesses could use to document the daily records that were required to show compliance. With the implementation of this new Plan the Environmental Health Team were seeing repeated corrective actions being issued for missing records resulting in further costs to the businesses. To assist businesses the Environmental Team developed a Food Control Plan Diary. This was initially sent out to four different food businesses to get feedback on its usefulness. The feedback was very positive with only a few minor adjustments suggested.

The plan is now finalised and the food businesses have been advised it is available to purchase. The charge for the diary remains at \$10 to cover the in-house production costs. It was noted that helpful hints are provided throughout the diary to improve food safety.

Cirs Faulls/Croad:
That the information be received.

Carried

ATTENDANCE: Anna Eatherley, Council's Resource Consents Manager, was present for the following item.

**Env-0221-221 Annual Review of Resource Consent Fees –
Resource Management Act 1991 R450-002-R02**

The purpose of the report was to consider an increase to the existing fee schedule for charges associated with the Resource Management Act 1991 (the Act).

It was noted that the current fees were last increased in July 2020. The current fees have been reviewed and it is recommended that there is a 1.4% increase to the Resource Consent charges for the 2021/2022 financial year in line with the Consumers Price Index (CPI) December Annual CPI figure reported by Stats NZ.

The Marlborough District Council Resource Management Act 1991 - Charging Policy was changed in 2020 to allow for CPI adjustments to Monitoring Fees and Charges on an annual basis from the 1 July each year.

It was noted that the increase would allow the Resource Consent fees and charges under the Resource Management Act 1991 to assist in covering the cost of the Resource Consent Team's function in line with Council's Revenue and Financing Policy.

The proposed increase to fees will maintain the group's ability to meet statutory and customer demands by maintaining the group's level of service. It will also avoid additional burden on Councils rate payer's fees to keep pace with CPI.

The Resource Consent Fee Schedule was included in the agenda for members' information.

Cllrs Oddie/Arbuckle:

That Council adopt the proposed increases to existing fee schedule for charges associated with consent processing activities under Resource Management Act 1991 (RMA) effective from 1 July 2021.

Carried

ATTENDANCE: Bill East, Council's Building Control Manager and Brendon Robertson, Council's Senior Building Control Officer, were present for the following item.

**Env-0221-222 Annual Review of the Building Control Group
Fees & Charges – Building Act 2004 R450-002-B01**

The purpose of the report was to seek adoption of the proposed increases to the existing fees and charges for Building Control activities under the Building Act 2004 to take effect from the 1 July 2021.

It was noted that the current fees were last increased in July 2020 using the CPI. The current fees have been reviewed and it is recommended that there is a 1.4% increase to the Building Control Group's Fees and charges for the 2021/2022 financial year which are in line with the Consumer Price Index (CPI) December Annual CPI figure reported by Stats NZ.

The Marlborough District Council Building Control Group's Flat fee and charges was changed in 2020 to allow for CPI adjustments to charges on an annual basis from the 1 July each year.

Members were advised that the increase will allow the Building Control Group fees and charges to align with Council's Revenue and Financing Policy. The proposed increase to fees will maintain the group's ability to meet statutory and customer demands by maintaining a fully resourced group. It will also avoid additional burden on Council's ratepayer's fees to keep pace with CPI.

The Schedule of Fees & Charges were included in the agenda for members' information.

Bill East advised members that this would be the last report he would be making to the Committee as he will shortly be retiring. Members thanked Bill for all his hard work and effort for Council over the years and extended their best wishes on his upcoming retirement.

Cllrs Oddie/Sowman:

That Council adopt the proposed increases to existing flat fee and miscellaneous fee schedule for charges associated with activities under Building Act 2004 effective from 1 July 2021.

Carried

ATTENDANCE: Jamie Clark, Council's Compliance Manager, was present for the following two items.

**Env-0221-223 Annual Review Resource Consent Monitoring
Fees & Charges - Resource Management Act
1991 E360-006-02**

The purpose of the report was to seek adoption of the proposed increases to the existing fees and charges for consent monitoring activities under Resource Management Act 1991 (RMA) for the financial year 2021/22 and approve the Consumer Price Index (CPI) adjustments to Monitoring Fees and Charges from 1 July 2021.

It was noted that the current fees were last increased in July 2020 using the CPI. The current fees have been reviewed and it is recommended there is a 1.4% increase to the Resource Consent Monitoring charges for the 2021/2022 financial year. This is in line with the Consumers Price Index (CPI) December Annual CPI figure reported by Stats NZ. Members were advised that the Marlborough District Council Resource Management Act 1991 - Monitoring Charging Policy was changed in 2020 to allow for CPI adjustments to Monitoring Fees and Charges on an annual basis from the 1 July each year.

Members were advised that the increase will assist in covering the costs of the Environmental Protection Teams function in line with Council's Revenue and Financing Policy and will maintain the group's ability to meet statutory and customer demands by maintaining a fully resourced group. It was reported that the increase will avoid additional burden on Council's rate payer's fees to keep pace with CPI.

The Schedule of Fees & Charges were included in the agenda for members' information.

Cllrs Oddie/Sowman:

That Council adopt the proposed increases to existing fee schedule for charges associated with consent monitoring activities under Resource Management Act 1991 (RMA) effective from 1 July 2021.

Carried

**Env-0221-224 Proposed Monitoring Fees & Charges -
Resource Management Act 1991 - NES Fresh
Water E360-003-001**

The purpose of the report was to provide the Council with the proposed schedules of charges for monitoring permitted activities under the NES-Fresh Water and Resource Management Act 1991 (RMA).

Members were advised that it is proposed to charge property owners for monitoring permitted activities as set out in the Resource Management (National Environmental Standards for Fresh Water) Regulations 2020. It is considered that the proposed charges adhere to the criteria in section 36AAA of the Act and the sole purpose is to recover the actual and reasonable costs incurred by the Council in respect of the activity.

It was noted that monitoring NES-FW permitted activities undertaken by the Environmental Protection group incur a cost to Council, if the cost is not recovered from the property owner it would be borne by the general ratepayer. In addition the proposed fees will maintain the group's ability to meet statutory and customer demands by maintaining a fully resourced group.

It was noted that the proposed fees are to be publicly notified and members queried whether specific approaches were being made to groups that will be affected by the increase. Mr Clark noted that they were and there is also a comprehensive mailing list that will be utilised. Members agreed to provide a further list of groups that would benefit from a direct approach.

Members discussed the recommendation to appoint three Councillors to the sub-committee to hear and determine submissions. It was discussed whether the memberships of the sub-committee should solely be made of councillors or whether consideration be given to have Ross Beech the Rural Representative on the Committee. It was noted that it was appropriate that it be councillors and that the sub-committee can seek advice from whomever they think appropriate.

Cllrs Faulks, Croad and Hope accepted their nominations to be appointed to the Sub-committee.

During discussion it was suggested that consideration be given to changing the 'student environmental protection officer' name contained in the table for NES-FW Permitted Activity Monitoring to something more reflective of the responsibility of the role.

Cllrs Hope/Oddie:

- 1. That the report be received.**
- 2. That approval is given for Council to consult on the proposed NES-FW Permitted Activity Monitoring Charges using the special consultative procedure under section 83 of the Local Government Act 2002.**
- 3. That a sub-committee is formed to hear and determine any submissions received on the proposed fees and policy through the consultation process.**
- 4. That Councillors Faulks, Croad and Hope be appointed as members to the sub-committee to hear and determine any submissions received on the proposed fees and policy through the consultation process.**

Carried

ATTENDANCE: Sue Bulfield-Johnston, Council's Administrator and Hearing facilitator, Advocacy and Practice Integration, was present for the following two items.

Env-0221-225 Resource Consent Hearings Update

R450-004-22

The purpose of the report was to provide the Committee with 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 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.

Ms Bulfield-Johnston's report covered detailed information on the 14 hearings that have taken place since 1 July 2020 and listed the eight hearing dates for resource consent applications. It was noted that there has been one hearing postponed.

Cllrs Oddie/Arbuckle:

That the information be received.

Carried

Env-0221-226 Appointment of Hearings Commissioners

R450-004-02

The purpose of the report was to present Michael Durand for inclusion on the list of Hearings Commissioners. Dr Durand's Summary CV was attached to the item for members' information.

Members were advised the Dr Michael Durand will serve as an Independent Commissioner on matters such as hearings on applications for resource consent as he has accumulated technical expertise in resource management, environmental law and management of land, water air, and coastal resources.

Cirs Arbuckle/Croad:

- 1. That the report be received.**
- 2. That Michael Durand is appointed to act as a Hearings Commissioner as and when required and that he be advised accordingly.**

Carried

Env-0221-227 Information Package -

Val Wadsworth, Council's Environmental Scientist – Hydrology provided updated hydrological information which was circulated to members and will be uploaded to the website. Document filed in CM Record No. 2122063.

Cirs Oddie/Arbuckle:

That the Regulatory Department Information Package dated 4 February 2021 be received and noted.

Carried

The meeting closed at 10.37 am.

Record No: 2124856