



**Minutes of a Meeting of the
ENVIRONMENT COMMITTEE
held in the Council Chambers and via Zoom, 15 Seymour Street, Blenheim
on THURSDAY, 21 JULY 2022 commencing at 9.00 am**

Present

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

Also Present

Councillors J L Andrews, C J Brooks, N P Taylor and M A Peters

In Attendance

Mr H R Versteegh (Environmental Science and Policy Group Manager) and Ms G Ferguson (Consents and Compliance Group Manager), Mr M J Porter (Democratic Services Manager/Zoom Management) and Ms N Chauval (Committee Secretary)

Apologies

Cllrs Hope/Arbuckle:

That the apologies for absence from Mayor J C Leggett and Cllr D Oddie be received and sustained and the apology for non-attendance from Cllr F D Maher be noted.

Carried

Cllr Hope acknowledged and expressed his sadness at the recent passing of Richard Bradley, Rangitāne o Wairau.

Env-0722-14 Declaration of Interests

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No interests with items on the agenda were declared.

ATTENDANCE: Jake Oliver, Council's Harbourmaster, was present for the following item.

**Env-0722-15 Marlborough Sounds Common Passage Plan
Project**

H100-001-01

Mr Oliver advised that the purpose of the report was to brief members on the proposed common passage plan project currently being undertaken in collaboration between the MDC Harbourmaster, Port Marlborough, Interislander and StraitNZ. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146760).

It was noted that the project stemmed from a need to define the required water space for commercial shipping within the Sounds and from separate navigation risk assessments conducted for MDC and Interislander.

Members were advised that as part of the project the Harbourmaster had commissioned a ship simulator model to be built of the new Interislander ferries to understand the amount of space required for manoeuvring larger vessels in the Sounds.

Mr Oliver demonstrated the Transit Analyst software and the MetOcean View software. The demonstration provided members with an overview of the common passage plan concept, how the MDC network aids the system, and overview the ship simulation component of the work conducted.

It was noted software will enable Council to, with data and evidence, monitor vessel transits accurately within the Marlborough Sounds. This is enabled by the previous work done by Marlborough District Council to build a data network within the Sounds.

Mr Oliver noted that ultimately the passage plan will be published so that everybody in Marlborough has access to it with users being able plan their travel and events around where shipping movements will be with consistency.

Cllrs Hope/Sowman:
That the information be received.

Carried

ATTENDANCE: Oliver Wade, Council's Principal Coastal Scientist – Nautical and Coastal Team, was present for the following item.

**Env-0722-16 Significant Marine Site – Operational Review of
and 5 year Plan for the Ecologically Significant
Marine Sites (ESMS) Programme (2022)**
E325-002-004-01

Oliver Wade advised that the purpose of the report was to re-present "The significant marine site survey number 7 and the Expert Panel Review (2020-2021)" report and to provide an update on the recently completed operational review of the Ecologically Significant Marine Site (ESMS) programme. Both reports were available on Council's website for members information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146759).

It was noted that the report describes the findings of the 2021 ecologically significant marine sites (ESMS) programme fieldwork conducted by Davidson Environmental and the recommendations of the expert panel relating to those sites.

Members were advised that 11 sites were surveyed during this monitoring two in Te Whanganui/Port Underwood, five in Pelorus Sound/Te Hoiere and four in Queen Charlotte Sound/Totaranui. Four new sites in Pelorus Sound/Te Hoiere are recommended for inclusion in the ESMS programme and the boundaries of two sites were recommended for adjustment due to new survey information.

It was reported that many of the sites surveyed exhibited damage by human activity or an unexplained ecological shift in the seafloor community. Members discussed whether marine reserves were an option in regard to protecting and halting the damage to the Sounds Environment. It was noted that there is a marine reserve near to East Bay but what is being seen in East Bay, particularly the arrival of parchment worms, was being observed in the reserve.

It was noted that the Nautical and Coastal Team are investigating a number of ways with the assistance of the Harbour to protect the Sounds and educate users. The multi beam survey has been an integral part in that as it provides a visual understanding of what is happening on the seabed.

Members were advised that the Expert Panel Review report identified the findings and recommendations of the operational review of the ecologically significant marine site (ESMS) programme conducted by Pisces Consulting and Marlborough District Council (MDC) staff. This review assessed the current ESMS programme and whether it was fit for purpose to achieve the identified goals and objectives. The ESMS programme was split into a number of workstreams to do this and the main achievements and challenges were detailed in the report.

It was noted that the report had identified that a core challenge was the ability to access meaningful information and data for internal and external users and it was queried whether there was a KPI or solution around that piece of work. Mr Wade advised that he is currently working with Council's IT team on how this can be improved but reported that it is a significant piece of work.

In response to a query on resourcing members were advised that a Coastal Scientist has recently been employed and will be introduced at the next meeting. This position is very much welcomed but the team remains under resourced to deal with the work that is required.

Mr Wade noted that the report identifies five-year priority actions and KPI's to transition to a fit-for-purpose ESMS programme and sets the foundation for how Council can take the Significant Marine Site Programme to the next level.

Cllrs Hope/Croad:
That the report be received.

Carried

ATTENDANCE: Pete Davidson, Council's Environmental Scientist Groundwater Quantity & Quality, was present for the following item.

Env-0722-17 Review of National Rules for Piling and Deep Foundations to Prevent Damage to Wairau Pressurised Aquifers E345-007-001

The purpose of the report was to present the report entitled 'Coastal Wairau Plain, Marlborough Piling, Excavation and Foundation Review. The report was available on Council's website for members' information.

Mr Davidson noted that few New Zealand councils have rules that deal with the risk of deep excavations on groundwater and most relate to dewatering rather than aquifer contamination or uncontrolled leakage of groundwater. It is currently not common practice for resource consents to be applied for piling activities.

It was noted that given the confined structure of the aquifers underlying the coastal Wairau Plain, their importance and potential risk of damage leading to uncontrolled waste or pollution of groundwater, more regulatory control over geotechnical systems by Council can be considered.

Mr Davidson noted that the construction of foundations for bridges, wharves and large buildings/structures has the potential to generate uncontrolled leakage of naturally pressurised groundwater, and/or allow transmission of contaminants into the aquifer. Contaminant transport and or leakage could develop via preferential pathways created by the construction of deep geotechnical excavations, such as piles. It was reported that there is a precedent for regional councils in New Zealand to have activity rules relating to the control of excavations over or into aquifers which generally aim to assess and manage any potential adverse effects associated with water leakage and/or contamination.

Members noted that the report's recommendations will be available for MDC to consider an activity rule in the region-wide rules section of the pMEP that addresses the potential risk of leakage and/or contamination of confined aquifer due to the construction of deep geotechnical excavations.

Cllrs Hope/Croad:
That the report be received.

Carried

ATTENDANCE: Zeke Hoskins, Council's Environmental Science Technician, was present for the following item.

Env-0722-18 Working for Nature / Mahi mō te Taiao E390-003-20-02

Mr Hoskins noted that the purpose of the report was to provide an update on the Mahi mō te Taiao/ Working for Nature grant 2021/22 upon its conclusion on 1 June. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146758).

Members were advised that the Working for Nature/ Mahi mō te Taiao grant for 2021/22 officially closed on 1 June with the majority of the applicants succeeding in achieving their project goals prior to the 1 June cut-off. Several extensions were granted for invoicing later into June and applicants had been affected by limited plant availability, Covid-19, and a particularly dry planting season.

Applications for the next grant round will be open from 1 August to 31 August 2022 and successful applicants will be notified by October 2022. It was noted that as there had been a number of delays with the last round different options are being explored to improve project success through lengthening the grant duration.

Members noted that the requests for financial assistance greatly exceeded the allocated funding and queried whether the money granted reduced the scope of their projects. Mr Hoskins advised that some applicants were able to add funding and others lessened what they were able to achieve for their projects.

It was noted that if applicants have an ongoing project they can apply each year to the fund.

Cllrs Croad/Hope:
That the information be received.

Carried

ATTENDANCE: Rachel Russell, Council's Catchment Care Officer, was present for the following item.

Env-0722-19 Update – Catchment Care for At-Risk Catchments in Marlborough E355-021-04-06

Members noted that the purpose of the report was to provide an update on the Catchment Condition Surveys as part of the Catchment Care programme. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146756).

Ms Russell advised that to date Catchment Condition Surveys have been completed across 6,381 hectares and have identified 343km of waterways, 62% of these waterways are greater than one metre in width and are potentially subject to NES FW rules. Further analysis of the waterways determined that there were 105km unfenced on both sides and 61km of waterways fenced on one side only. This equates to 271km of fencing that may be required to improve water quality and meet the requirement of the recent Section 360 RMA Stock Exclusion Regulations.

Individual landowner meetings continue across all catchments to plan fencing, planting and other mitigation work. To date in Year Two 7.8km of fencing has been completed. A further 5.05km has been agreed to be built but will be completed in Year 3.

Members were advised that this year's planting target was to get 8,000 plants in the ground, this autumn finished with a total of 9,259 plants planted across properties in Are Are Creek and Tuamarina. In Year 3 (2022-23) 14,933 plants have been agreed to be planted this is nearly three times the annual target. There is an additional 7,364 plants targeted for planting in Year 4 (2023-24). Ten dung beetle farm packs have been ordered, two of these farm packs have completed all releases and three have now completed their first releases. The next dung beetle releases will likely start in December as the beetles become available.

It was reported that work with catchment groups is ongoing. A community meeting was held in Tuamarina in May, supported by Landcare Trust and the MDC Rivers Department. Flooding and riverbank erosion was discussed. In the Flaxbourne officers continue to attend meetings to support the development of the catchment group.

It was noted that there are catchment leaders within communities that coordinate the dissemination of information out to the respective communities and back to Council.

Members were advised that a consultant has been engaged to develop a long-term Erosion and Sediment Management plan for Are Are Creek.

Cllrs Hope/Sowman:
That the information be received.

Carried

ATTENDANCE: Cllr Andrews withdrew from the meeting at 10.51 am at the conclusion of the above item.

ATTENDANCE: The meeting adjourned at 10.51 and resumed at 11.03 am.

ATTENDANCE: Mike Ede, Council's Team Leader Environmental Information, was present for the following item.

Env-0722-20 Environmental Monitoring Network – Update E365-000-002

Mr Ede advised that the purpose of the report was to present an update on the operation and status of the Council's environmental monitoring network over the period 1 July 2021 and 30 June 2022 and provide a status report on the achievement of annual plan performance targets for the year. (To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146754).

By way of background members were advised that the Marlborough District Council's Environmental Monitoring Team operates an environmental network comprising around 200 sites that provide a range of continuous and static data for measuring the state of the environment of the regions Freshwater, Air, Land and Coastal resources.

It was reported that a total of 270 river flow gaugings were completed for the year of which 265 were at river level stations and 5 at non-station locations. An additional 12 discrete water quality monitoring sites were added to the network in the year taking the total to 47 sites sampled. This is in response to the monitoring requirements under the National Policy Statement for Freshwater. This also included an expansion in monitoring lakes for the first time with two lakes being sampled.

Members noted that the environmental monitoring team have implemented electronic field sheets using the ESRI ArcGIS product Survey 123 during the year. This interfaces directly with the Hilltop Data Management System with field observations and sites inspection now automatically uploaded creating efficiency and reducing error. This will be made publicly available in due course.

Members were advised that five stations were damaged during the July 2021 storm. The damage was subject to an insurance claim and stations have been reinstated and repaired during the year, this has affected the team's annual plan targets for 21/22 year. Improvements to the network resilience, development and improvement of data and forecasts is being undertaken.

The implementation of the National Environmental Monitoring Standards (NEMS) is expanding and has resulted in a general increase in the quality of information collected from the network. Areas of focus for NEMS are in the continuous water quality area with the installation of the continuous water quality sites as part of the NPS for Freshwater reporting requirements.

Cllr Hope/Mr R Beech:
That the information be received.

Carried

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

Env-0722-21 Soil Quality Monitoring Report 2021 E355-001-001-21

Members noted that the purpose of the report was to receive the Soil Quality Monitoring report for 2021. The report was available on Council's website for members' information. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146751).

Council's Environmental Scientist – Land Resources, Mr Oliver, advised that the Soil Quality Monitoring Programme has been operating for 22 years and is a nationally significant dataset. In this investigation, soils

were sampled from 23 monitoring sites that included one pasture site, three native bush sites and 19 dairy sites. There are 96 sites overall and these are on a five yearly rotation.

It was reported that this year's results were 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. Hot water carbon (HWC) testing introduced last year showed that 39% of samples failed to reach the target; indicating Marlborough soils may have low microbial activity and face risks of structural degradation.

The programme continues to document the decline in quality of Marlborough's soil resource. To aid in addressing this, a series of soil quality recommendations have been made to help improve the soil quality indicators.

Alongside this report, Council is developing a proposal for a soil health improvement programme. This programme will look to provide education and advice to farmers around soil health and improving practice on farm to help prevent the decline of this precious resource. It is proposed to hold education workshops in 2023.

Members were advised that a review of the Soil Quality Programme is currently underway. The programme is now 22 years old and there has been a great deal of landuse change during this time. This has been reflected in the SQM programme with 20 from 96 sites (21%) changing landuse from pastoral farming to vineyards (11 of the original 25 sites have changed -44%).

It was noted that the results of the review will lead to change in the SQM programme. The aim of any changes is to retain the valuable data the SQM programme has captured over 22 years and to ensure the programme maintains its applicability into the next decades. The details of this change will be reported to the next Environment Committee.

Cllrs Hope/Fauls:
That the report be received.

Carried

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

Env-0722-22 Significant Natural Areas Programme Annual Report 2020/2021 E310-006-001

Mr Aviss noted that the purpose of the report was to provide an update on the results of the Significant Natural Areas Programme 2021/2022. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146750).

Members were advised that the total number of SNA sites mapped in the database is now 771. The survey programme of SNAs is ongoing as landowners agree to provide access to their land. 12 new SNA sites were identified on 5 properties, 5 in Flaxbourne and 2 in Kekerengu.

It was noted that 25 new Covenants within SNAs has been achieved. The total is now 114 covenanted SNAs with ten of the 30 projects funded in 2021/22 having covenants. Members acknowledged the landowners for achieving the legal protections which inevitably gifts something back to the environment and to future generations.

Members were advised that since 2003 the Landowner Assistance Programme has provided funding assistance to 143 sites. Currently there are 32 projects active, with \$194,192 of Council funding spent on managing sites during this reporting period. With other contributions, including from landowners, this amounted to \$332,046.

It was reported that there is targeted ecological restoration on threatened land environments, eg lowlands, wetlands and dunelands with 18 of the 30 assisted projects within Threatened Land Environments. Eight wetlands received funding for restoration, including fencing, weed control and planting and 6800 seedlings of spinifex, pingao and coastal trees planted along the Katipo Coast as part of the Beach Aid Project.

Council has joined with the Community on tree planting days with 2000 trees planted at Mussel Point as recognition of the resilience of the local community after the 2016 Earthquake.

It was noted that the East Coast beaches are a critical corridor for migratory and resident shore birds, and other, often threatened, plants and animals. 65% of this 80km coast is SNA (29 sites south of the Awatere River mouth). Council is part of a long-term restoration project with volunteers and landowners south of Marfells Beach; killing pests and weeds and planting indigenous species. There are 16 SNAs along this coastal section including high species, habitat and landscape values.

Cllrs Hope/Fauls:
That the report be received.

Carried

ATTENDANCE: Cllr Peters withdrew from the meeting at 12.15 pm during the following item:

ATTENDANCE: Jono Underwood, Council's Biosecurity Manager, was present for the following item.

Env-0722-23 National Wilding Conifer Control Programme – 2021/2022 Season Overview E315-019-001-01

Members noted that the purpose of the report was to provide the Committee with an overview of the wilding conifer control programmes delivered over the 2021/2022 season in Marlborough. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146749).

Mr Underwood provided a demonstration of the WCIS Reporting dashboard to members. The software provides information on the national data and funding for Marlborough and provides a clear and accurate picture on what is being accomplished with wilding pines and total funding expended to achieve that.

Mr Underwood noted that in the 2021/2022 season, the four programmes receiving NWCCP funding were implemented successfully, despite continued challenges and disruptions from the Covid-19 pandemic.

The final planning for the coming 2022/2023 season is almost complete, including endorsement for the full range of partners and stakeholders across these four programmes. Next years' programme across Marlborough is based around ~\$5.2M of NWCCP funding and an additional ~\$480k of local funding, making it the largest season of activities to-date.

It was noted that there remains a significant amount of uncertainty for 2023/2024 onwards given Central Government funding for the NWCCP drops to a baseline amount of \$10M nationally. While a baseline is valuable, at that investment level, it is almost certain that many programmes, including those in Marlborough, will not get infestations to maintenance levels where long-term locally managed control is feasible.

Cllr Croad/Mr Beech:
That the information be received.

Carried

Env-0722-24 Noise Control Contract Performance 2021/2022 E350-007-009-02

Members noted that the purpose of the report was to provide an update on the performance of the Noise Control Contractor from 1 July 2021 to 30 June 2022 and explain how they perform their function. To highlight this report a powerpoint presentation was shown (presentation filed in CM Record No. 22146745).

It was noted that Armourguard is Council's contractor to deal with excessive noise complaints. They have continued to provide the required service to ensure any noise complaints are dealt with professionally and promptly.

The process of what happens with a complaint was explained and a flow diagram was included in the presentation that highlighted the process. It was noted that there is a subjective assessment tool which Noise Control Officers use, this enables consistent judgements to be made.

For the period 1 July 2021 to 30 June 2022 869 complaints were received and responded to; 102 Excessive Noise Directions issued and 4 seizures were undertaken.

Members were advised that Environmental Health Officers will continue to have input into the training of the Contractor's Noise Control Officers to ensure consistency in assessing excessive noise.

Cllrs Faulls/Croad:

That the information be received.

Carried

Env-0722-25 Appointment of Hearings Commissioners

R450-004-02

Members noted that the purpose of the report was to present Hilke Giles and Ma-Rea Clayton for inclusion on the list of Hearings Commissioners. Summary CVs for the proposed commissioners were attached to the item for members' information.

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

Cllrs Arbuckle/Brooks:

1. That the report be received.

2. That Hilke Giles and Ma-Rea Clayton are appointed to act as a Hearings Commissioner as and when required and that they be advised accordingly.

Carried

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

Env-0722-26 Appeals Update

R450-004-22

As at 6 July 2022 Council is engaged in eight proceedings either as respondent or s274 party (excluding Abatement Notice appeals and enforcement proceedings) – three relate to resource consent decisions and two relate to costs, one relates to compliance/consents, one relates to building and one relates to policy.

Ms Mead provided members with an explanation on what 'set down for a backup fixture' is.

Cllrs Hope/Arbuckle:

That the information be received.

Carried

Env-0722-27 Information Package

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Cllrs Hope/Arbuckle:

That the Regulatory Department Information Package dated 21 July 2022 be received and noted.

Carried

The meeting closed at 12.38 pm.

Record No: 22150368