

25 August 2017

Record No: 17158207
File Ref: D050-001-E01
Ask For: Nicole Chauval

Notice of Committee Meeting – Thursday 31 August 2017

A meeting of the Environment Committee will be held in the Council Chambers, District Council Administration Building, 15 Seymour Street, Blenheim on **Thursday, 31 August 2017 commencing at 9.00 am.**

BUSINESS

As per Agenda attached.

**MARK WHEELER
CHIEF EXECUTIVE**

**Meeting of the ENVIRONMENT COMMITTEE
to be held in the Council Chambers, District Administration Building, Seymour Street,
on THURSDAY, 31 AUGUST 2017 commencing at 9.00 am**

Committee

Cllr D D Oddie (Chairperson)
 Cllr G A Hope (Deputy)
 Cllr J A Arbuckle
 Cllr T E Hook
 Cllr C J Brooks
 Cllr L M Shenfield
 Cllr N P Taylor
 Mayor J C Leggett
 Mr E R Beech (Rural representative)
 Mr R Smith (Lwi representative)

Departmental Head Mr H Versteegh (Manager, Regulatory Department)

Staff Nicole Chauval (Committee Secretary)

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1. Apologies

An apology from Cllrs N P Taylor, M A Peters has been received.

2. Declaration of Interests

Members are reminded of the need to be vigilant to stand aside from decision making when a conflict arises between their role as a member and any private or other external interest they might have.

3. Resource Hearing Sub-Committee and Commissioner Decisions

(also refer to separate attachment)

1. Resource Hearing Sub-Committee Hearings held on 30 June 2017 (U161343), 19 July 2017 (U170111), 11, 12 & 13 July 2017 (U170212), 18 July 2017 (U170131) and 24 July 2017 (U161243)

Full copies of the Decisions are **separately attached** to the Agenda.

A summary of these Decisions follows:

Schedule of Resource Hearing Sub-Committee Decisions

Pages	Date	Subject	Decision
1 - 27	30 June 2017	Ling Hai Group Limited - Application for Resource Consent - Water Permit (Take Water) x 2, Water Permit (Use Water), Land Use (Dam) and Water Permit (Dam Water) - 166 Castles Road, Lower Dashwood (U161343)	GRANTED Water Permit (Take Water) x 3, Water Permit (Use Water), Land Use (Dam) and Water Permit (Dam Water) to take A Class Awatere River FMU water from two intake sites (Grid Ref 1696141E 5393146N & 1696670E 5393100N) up to a maximum rate of 3542.4 cubic metres per day; to use water for the irrigation of up to 153 hectares of vineyard, 50 hectares of pasture and crops and for use in commercial accommodation on Lot 1 DP 328591, Lot 2 DP 328591, Lot 2 DP 440416, Lot 3 DP 440416; to take C Class Awatere River FMU water from two intake sites (Grid Ref 1696141E 5393146N & 1696670E 5393100N) up to a maximum rate of 3500 cubic metres per day; to construct a dam on Lot 2 DP 440416 with a maximum wall height of approximately 17 metres; to dam up to 54,000 cubic metres of water in a dam on Lot 2 DP 440416; and to take A Class Awatere River FMU water from two intake sites (Grid Ref 1696141E 5393146N & 1696670E 5393100N) up to a maximum rate of 19.2 cubic metres per day outside the irrigation season.
28 - 31	19 July 2017	Paul John and Sheila Davidson - Application for Section 357A Objection to Certain Decisions or Requirements – Subdivision (Boundary Adjustment) and Land Use (Activity) - 760 Middle Renwick Road, Woodbourne (U170111)	UPHELD Section 357A Objection to certain decisions or requirements for resource consent application U170111.
32 - 64	11, 12 & 13 July 2017	Burkhart Fisheries Limited - Application for Resource Consent – Land Use (Land Disturbance) and Coastal Permit - Ward Beach to Chancet Rocks, East Coast of Marlborough (U170212)	REFUSED Land Use (Land Disturbance) and Coastal Permit to form an existing paper road from Ward Beach approximately 1.5 kilometres north to Chancet Rocks and to construct a parking area in the vicinity of Chancet Rocks, including associated vegetation clearance and earthworks, and to undertake boat launching activities in the coastal marine area adjacent to Chancet Rocks, including incidental disturbance of the foreshore and seabed.
65 - 80	18 July 2017	Camilla Obel and Matthew Edmund Hall for the Obel-Hall Family Trust - Application for Resource Consent - Coastal Permit - Moetapu Bay, Inner Pelorus Sound/Te Hoiere (U170131)	REFUSED Coastal Permit to construct a new 5.4 metre wide x 8.6 metre long x 3.1 metre high boatshed with a mechanised boat lift adjacent to existing jetty 5675 (resource consent U031360) and Lot 2 DP 382901 in Moetapu Bay.
81 - 128	24 July 2017	Jonathan Tester - Application for Resource Consent – Coastal Permit - West of Te Uira-Karapa Point (Clay Point), Tory Channel/Kura Te Au (U161243)	GRANTED Coastal Permit to establish and operate a new 2.9 hectare marine farm west of Te Uira-Karapa Point (Clay Point) in Tory Channel/Kura Te Au, using conventional surface longline techniques.

2. **Resource Hearing Commissioner Hearings held on 14 June 2017 (U150453) and 31 July 2017 (U160598)**

Full copies of the Decisions are **separately attached** to the Agenda.

A summary of these Decisions follows:

Schedule of Resource Hearing Commissioner Decisions

Pages	Date	Subject	Decision
129 - 159	14 June 2017	Awarua Farm (Marlborough) Limited - Application for Resource Consent - Water Permit (Take Underground Water & Use Water) - Rarangi Road, Rarangi (U150453)	GRANTED Water Permit (Take Underground Water & Use Water) to take and use underground water from well P28w/4735 up to a maximum rate of 1,900 cubic metres per day for the irrigation of up to 38 hectares of pasture on Lot 1 DP 357876.
160 - 188	31 July 2017	Queen Charlotte Yacht Club Incorporated - Application for Resource Consent - Coastal Permits and Land Use Consents - Shelley Beach, Picton (U160598)	GRANTED Coastal Permits and Land Use Consents to replace the Queen Charlotte Yacht Club's existing clubrooms, boatshed and jetty with a new two-storey building, extended launching ramp and fixed and floating jetties on the foreshore at Shelley Beach, including clubrooms, boat storage space, a mezzanine floor and reconfigured car parking area.

4. Biological and Shoreline Monitoring of Ship-Wake Effects (also refer separate attachments)

(Clr Hope) (Report prepared by Dr Steve Ulrich and Neil Morris)

E325-001-001-01,
E325-007-002-01-03

Purpose

1. To provide the Committee with an outcome of 20 years of monitoring the effects of ship wake on shoreline erosion and biological communities in Kura Te Au/Tory Channel and Tōtaranui/Queen Charlotte Sound.
2. Separate **attachments**: 1. Shoreline Monitoring in Tory Channel and Queen Charlotte Sound. Dr Kevin Parnell. 2. Biological monitoring of the ferry route in Tory Channel and Queen Charlotte Sound: 1995-2017. Davidson Environmental Ltd.

- | | |
|----|--|
| 3. | Rob Davidson, marine biologist, will give a presentation summarising the biological monitoring report (10 minutes). |
|----|--|

Background

4. The introduction of fast ferries in the mid-1990s resulted in significant effects in Kura Te Au/Tory Channel and Tōtaranui/Queen Charlotte Sound. The high energy waves caused concern for public safety (Figure 1), and resulted in environmental changes to shorelines from erosion and accretion, and to the ecology of inshore biological communities as marine invertebrate species were thrown out of the water.



Figure 1 - Examples of wave energy from fast ferries.

5. Council implemented long-term monitoring to examine the effects on beach and shoreline morphology (erosion and accretion), and to the habitats of marine invertebrates (eg; paua, kina). The monitoring has continued to the present. Over the course of the 20 years, there have been multiple changes to vessels on the ferry route between Picton and Wellington (Figure 2).
6. The speed of the fast ferries was effectively slowed by the implementation of the Navigation Bylaw in December 2000. This reduced the intensity of the wave profiles. As a result, monitoring has shown associated changes in shoreline profiles and general recovery of biological communities.
7. Given the length of time to monitoring, it was determined that each scientist should review the respective monitoring in its entirety and make recommendations for future monitoring. The same lead scientists have been involved over the duration of each study.

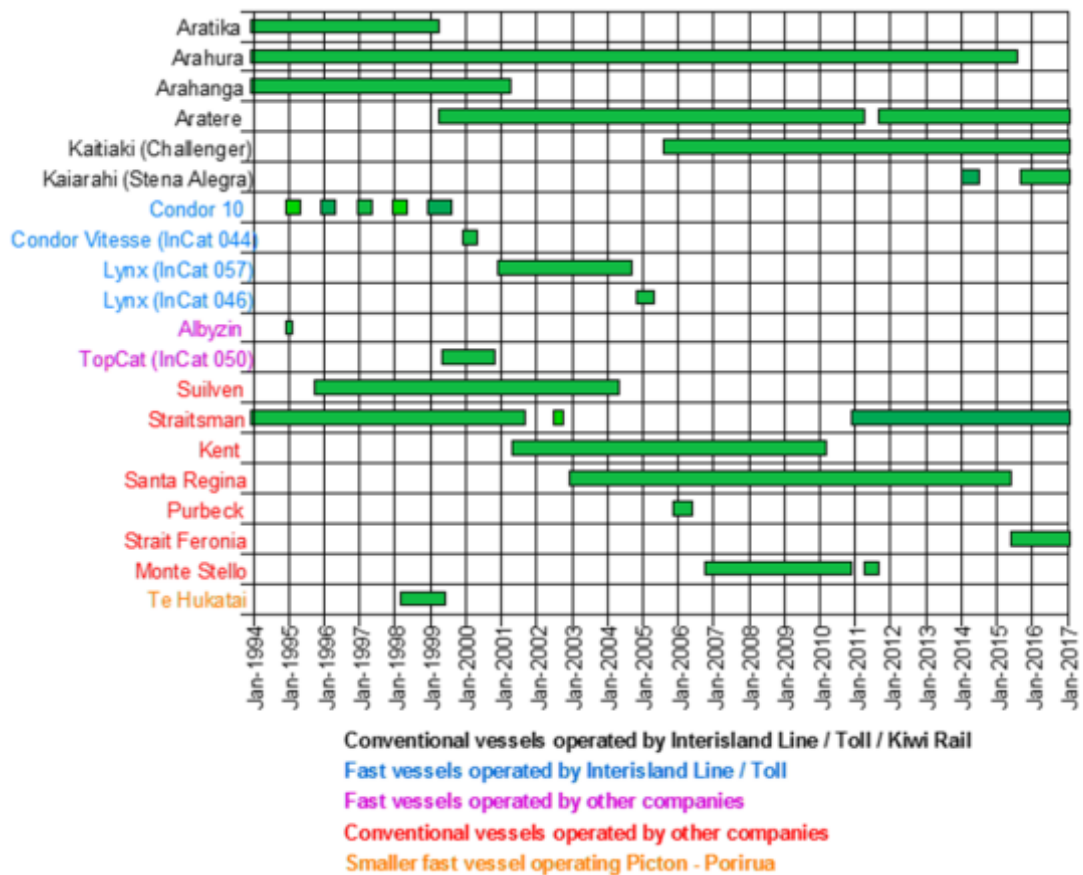


Figure 2 - List of ferries in service on the Cook Strait route since 1994

Shoreline erosion

8. Twenty-one monitoring locations were established along the ferry route and in the Outer Queen Charlotte Sound as reference sites (Figure 3). Cross-sections were taken by registered surveyors (Figure 4) at each site at six month intervals until 2012, when the frequency was reduced to annually.
9. The reference sites in the outer Queen Charlotte Sound have been generally stable, with some minor and slow erosion at some sites, and fluctuating erosion and accretion (expansion) at others. By contrast, there have been a range of impacts at the sites along the ferry route.
10. Blackmore's at Waikawa (site 5) had the sediment stripped down to bedrock by the fast ferries (Figure 3). The sand has not replenished due to insufficient wave energy to return the sediment. Bob's Bay (site 8) has shown a trend of consistent erosion to the present time, which may be related to the high numbers of boats of all types passing the site.
11. For other sites along the ferry route, the report states that the Navigation Bylaw restricting speeds to 18 knots has resulted in changes to sediment dynamics. *"Although a definitive conclusion may never be possible, the results support the understanding that the fast ferry wakes resulted in rapid sediment build-up at the top of the beach on most beaches along the ferry route. However, it is now clear that under the current vessel operational regimes, either stability (with the newly inherited morphology remaining) or a return to pre fast ferry morphology is occurring or has occurred. This conclusion was first reached in 2009 and has been reinforced by surveys since that time"*.
12. Dr Parnell concludes that the monitoring programme has been effective in demonstrating the effects of fast ferry operation on beaches, and the increased sediment availability along the route. He advises that an equilibrium state exists with respect to beach morphology and drivers of coastal processes, with the current vessels operating the route.

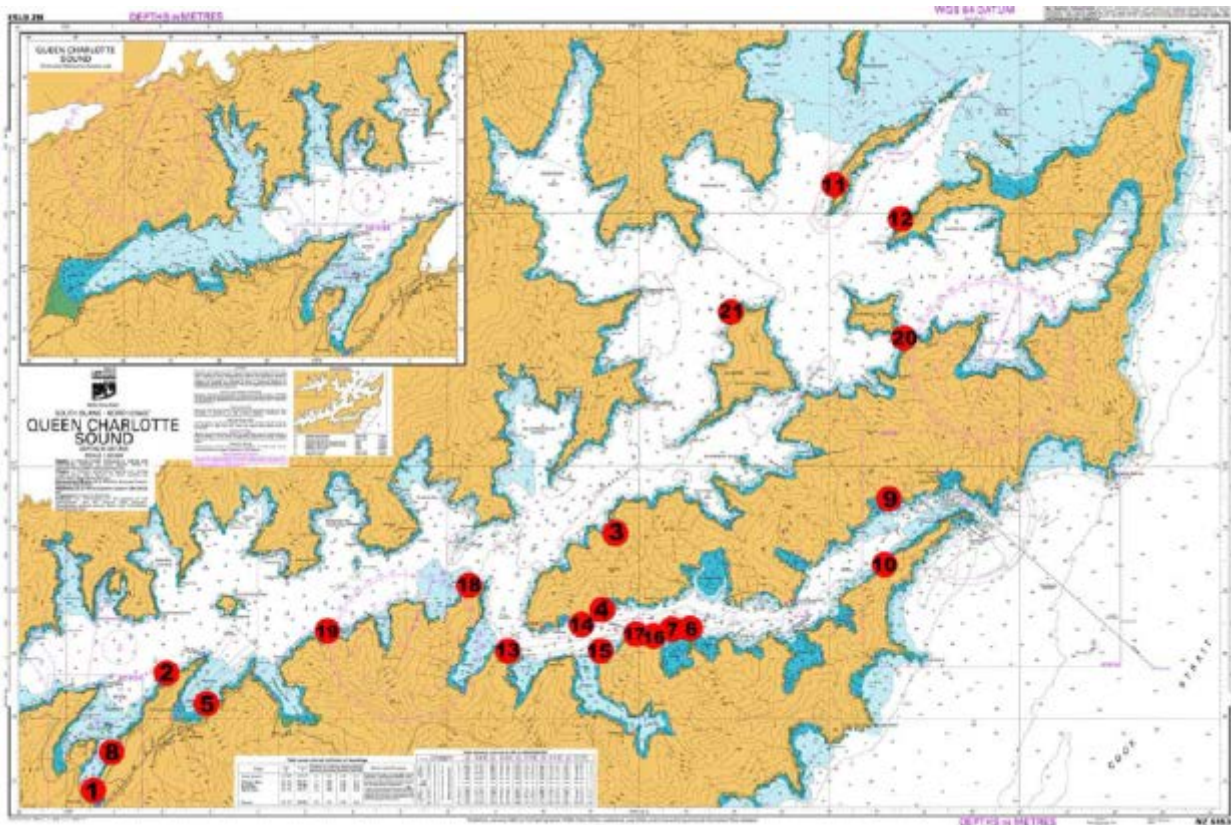


Figure 3 - Shoreline erosion sites monitored since 1997

13. In that light, he suggests that if the purpose of the monitoring programme remains as it was when it was established, to determine the impacts of vessel-wakes, then it can be suspended. This is on the proviso that it could be reactivated should there be a need based on changes in vessel operation. This is because the survey marks at each site were benchmarked to a common datum in 2013.
14. If the purpose of the monitoring programme is for a more general state of the environment purpose, then he suggests it should continue, perhaps at a reduced frequency. The number of sites could be reduced by a third for those sites which Dr Parnell sees little value in continuing monitoring.
15. Given the relatively low cost of the shore line erosion monitoring (~\$10K per annum), a change to biennial (two-yearly) monitoring is favoured. This retains the value of the long-term data-set for state of the environment purposes, and safeguards the investment in monitoring made over the past 20 years.



Figure 4 - (Left) Shoreline survey assessment at Bob's Bay (site 8); (Right) Blackmore's in Waikawa (site 5)

Biological monitoring

16. Monitoring sites were also established on rocky shore and subtidal habitats in the mid 1990s. These have been monitored annually up to 2013 by Davidson Environmental Ltd, when the monitoring of the cobble and bedrock communities was shifted to alternate years until 2017.
17. The monitoring included reference sites in outer Queen Charlotte Sound and impact sites on the ferry route in Tory Channel and inner Queen Charlotte Sound. The monitoring occurred during the period when fast ferries were operating, and following the 2000 Navigation Bylaw. The monitoring design therefore enables inferences to be drawn about changes as consequence of the bylaw.
18. The slowing of the fast ferries reduced the intensity of disturbance to intertidal and shallow subtidal communities. This resulted in the ecological recovery at most, but not all, impact sites. As similar changes were not recorded at reference sites, the most plausible explanation is the reduction in wave energy from slowing vessel speed.
19. This is supported by the measured increase in invertebrate species numbers and density at impact sites following the bylaw. Prior to the bylaw, regular strong wave action resulted in a jumbled, loosely packed intertidal shore. In these conditions, the biota living on and under cobbles was rare or absent. In contrast, at reference sites where the cobbles were usually stable and surrounded by fine substrata such as pebbles, sand and broken shell, there was a variety of intertidal organisms.
20. There was also a reduction in numbers of invertebrates cast up onto the shore by wave action along the ferry route. The numbers of invertebrates cast ashore at impact sites was highest at the beginning of the fast ferry operation (eg; Figure 5), but declined after the initial months. This reflected the effects on invertebrate survival from the frequent buffeting of high energy waves.



Figure 5 - Kina (sea urchins) cast up at the high tide line at Te Weuweu Bay, Tory Channel in 1995 (red arrows). Note: spines and flesh are intact for most individuals suggesting recent relocation from the subtidal zone.

21. The limited recovery at some intertidal bedrock and cobble sites is attributed to the continued waves from conventional vessels. This is because the recovery of some species metrics levelled out, or declined, coincident with the introduction of the Kaitaki in late 2005. According to the report, regular waves from conventional ferries suppress recovery at certain locations and tidal heights.
22. Davidson Environmental recommend that monitoring of shoreline communities continues to ensure that any further changes in the Cook Strait ferry fleet can be properly assessed. They suggested

that the intertidal and shallow subtidal sampling intensity could be reduced to every second summer, given the long-term data-set and amount of variation detected. They recommend that the deep subtidal bedrock monitoring can be dropped as these are not sensitive to ship wake effects.

23. Given the relatively low cost of the biological monitoring (~\$15K per annum), a change to biennial (two-yearly) monitoring is favoured. This retains the value of the long-term data-set for state of the environment purposes, and safeguards the investment in monitoring made over the past 20 years

Summary

24. The ongoing shoreline and biological monitoring has been effective in demonstrating the effects of fast ferry operation on beaches. For the *shoreline monitoring*, measurements of wake characteristics showed that the fast ferries generated sufficient energy to transport sediment in both alongshore and cross-shore directions. It has also demonstrated the importance of sediment supply, and how fast ferries contributed to increased sediment availability along the route. The monitoring has also shown that the beach profiles in the outer Queen Charlotte Sound, not affected by regular large vessel traffic, are generally very stable. The stability of these reference sites is also evident in the *biological monitoring*. At most impact sites, ecological recovery was documented following the implementation of the 2000 Navigational Bylaw. As similar changes were not recorded at reference sites, the most plausible explanation is that the bylaw was not only effective in reducing wave energy for public safety, but also alleviated the disturbance to intertidal and shallow subtidal biological communities. The scientists that have undertaken each study have made recommendations for reducing the frequency of monitoring and rationalising sites. These are supported by Council staff for the continuation of state of the environment monitoring. The relatively minor cost savings will be reallocated into other priority coastal monitoring projects.

RECOMMENDED

1. That the report be received.
2. That both the shoreline monitoring and biological monitoring programmes be reduced to bi-annual programmes.

5. Ecologically Significant Marine Site Monitoring 2017 (also refer to separate attachment)

(Clr Hope) (Report prepared by Dr Steve Ulrich)

E325-002-004-01

Purpose

1. To provide the Committee with the results from the survey and monitoring of ecologically significant marine sites in the outer Marlborough Sounds over the 2016/2017 summer season.
2. **Separate attachment:** Significant marine site survey and monitoring programme (survey 3): Summary report 2016-2017. Davidson Environmental Limited, Nelson.

- | | |
|----|--|
| 3. | Rob Davidson, Marine Biologist, will give a presentation summarising the report (20 minutes). |
|----|--|

Background

4. In 2011, the Council and the Department of Conservation commissioned Davidson Environmental Limited to lead an expert group to collate information about marine sites which were known to be important ecologically and as habitat for threatened species. These sites were then assessed against a number of criteria for significance. 129 sites considered significant were identified.
5. This information was published and is available on the Council's website (Figure 6).
6. Significant marine sites are protected by a prohibition on dredging and bottom-trawling in the Marlborough Environment Plan, notified on 9 June 2016. This is because the Council has a statutory responsibility under sections 6 and 30 of the Resource Management Act 1991 to protect the habitats of significance to indigenous fauna and to maintain indigenous biological diversity. The extent of these powers is currently the subject of judicial proceedings in the Court of Appeal.

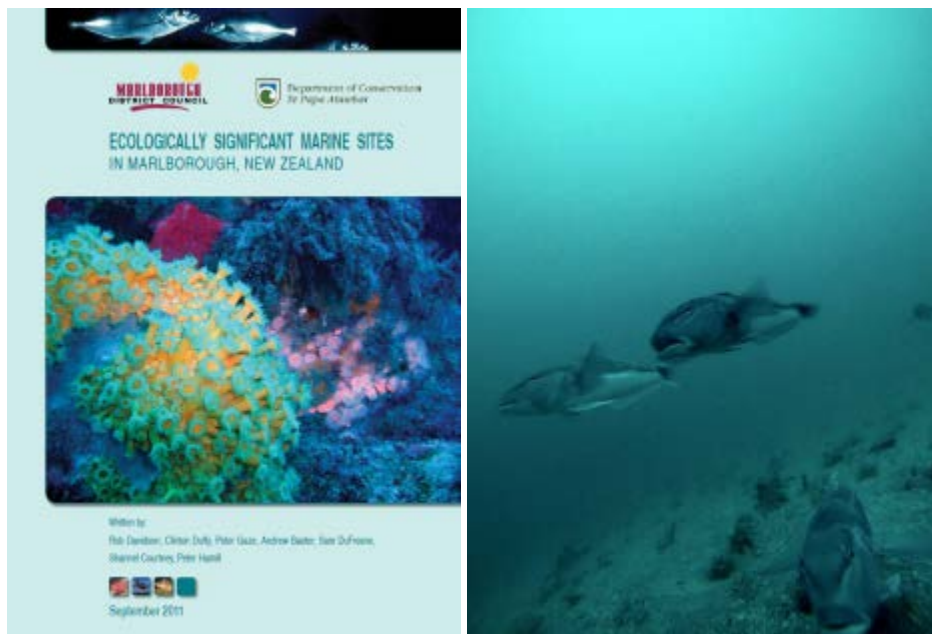


Figure 6: Ecologically significant marine sites publication

<https://www.marlborough.govt.nz/environment/coastal/coastal-ecosystems/significant-marine-sites>

7. A survey and monitoring protocol for these significant sites has been developed. All sites are planned to be visited at least once every ten years. A subset of sensitive biogenic (living) habitats is being monitored more frequently. Estuaries are monitored in a separate project.
8. The protocol includes surveying sites which are poorly known, such that an assessment of significance could not be undertaken in 2011. New or candidate sites will also be progressively visited. The 2011 report is planned to be revised once sufficient information has been gathered.
9. The Council and the Department of Conservation are co-funding the annual survey and monitoring programme, and jointly set the priority areas for monitoring. The Committee will recall that the first year of survey and monitoring in 2015 was focused on Tōtaranui/Queen Charlotte Sound, Kura Te Au/Tory Channel and Te Anamahanga/Port Gore; and the 2016 monitoring focused on Croisilles Harbour and off eastern D'Urville Island/Rangitoto ki te Tonga.
10. Davidson Environmental will present the findings of the third year's monitoring, conducted last summer. This includes information on better defining the boundaries of each area (spatial extent) along with a comparison with previous information and data on the condition of each site.
11. The 2017 summer survey continued the monitoring in Croisilles Harbour and off eastern D'Urville Island, and included sites in outer Pelorus Sound and Port Gore. A number of fragile biogenic communities, including rhodolith (calcified algae) beds, tubeworm mounds, sponge gardens and bryozoan (coral-like) communities, were identified (Figure 7)

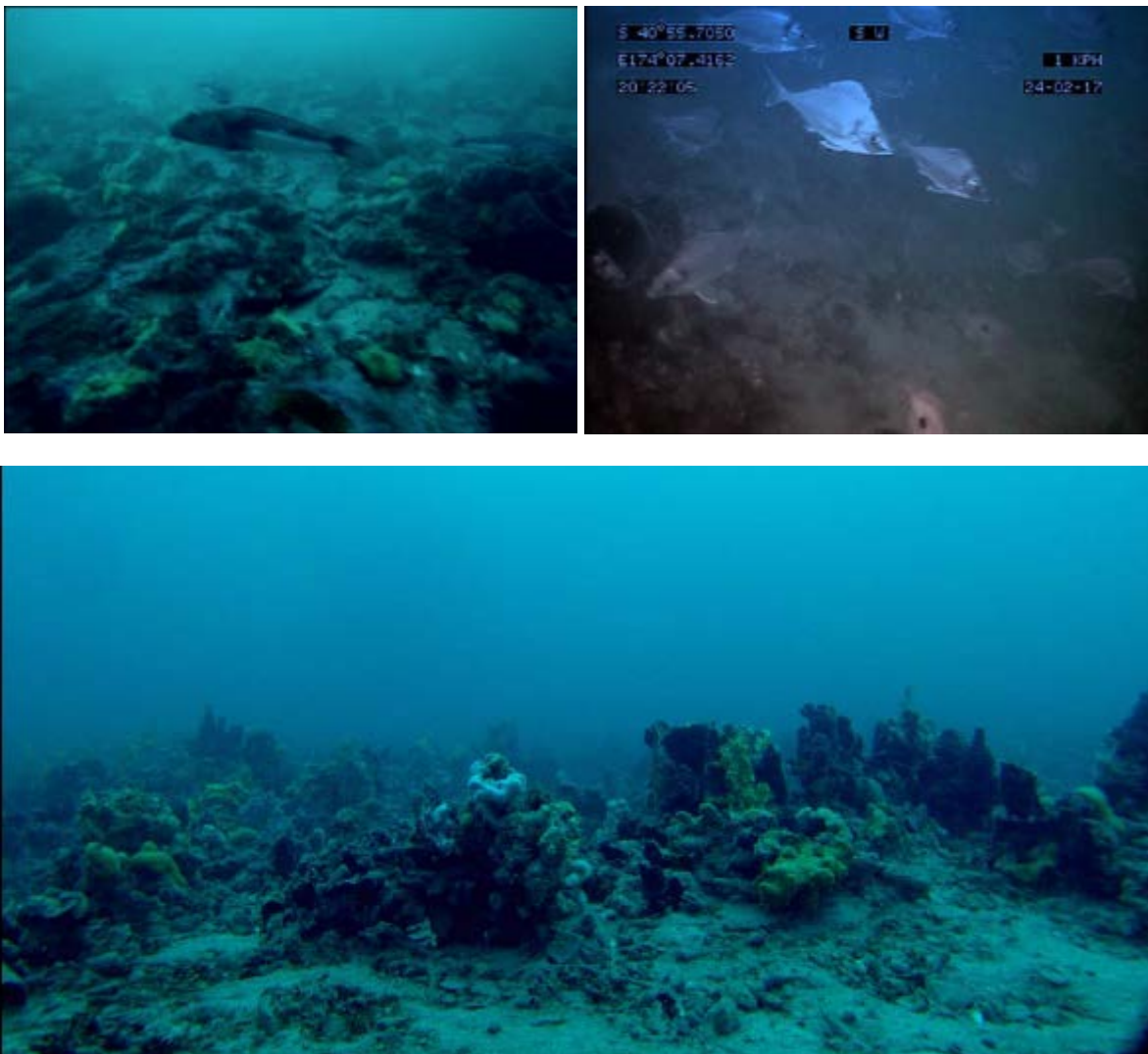


Figure 7: Examples of habitats and species from the year three significant marine sites study

12. A total of 15 sites and sub sites were investigated (Figure 8). Three sites increased in size by a total of 583 hectares as a result of an improved level of sampling. Four sites declined by a combined total of 459 hectares. This was due to a combination of improved information and, in two cases, a loss of habitat due to physical damage.
13. The sensitivity of sites to physical contact from dredging and bottom-trawling can result in severe damage and destruction, with consequent loss of biodiversity. The ecosystem value of these habitats is highlighted by the invertebrates and fish that congregate at these sites. These habitats are relatively old and slow growing, which means they take a long time to recover, if at all.
14. Davidson Environmental advises that these habitats are now relatively scarce, meaning those that remain are even more important. The Committee has received previous reports on the reduction in size and distribution of habitats in Marlborough's coastal waters over the last 150 years, due to direct damage from fishing and smothering by sedimentation, including very recently.

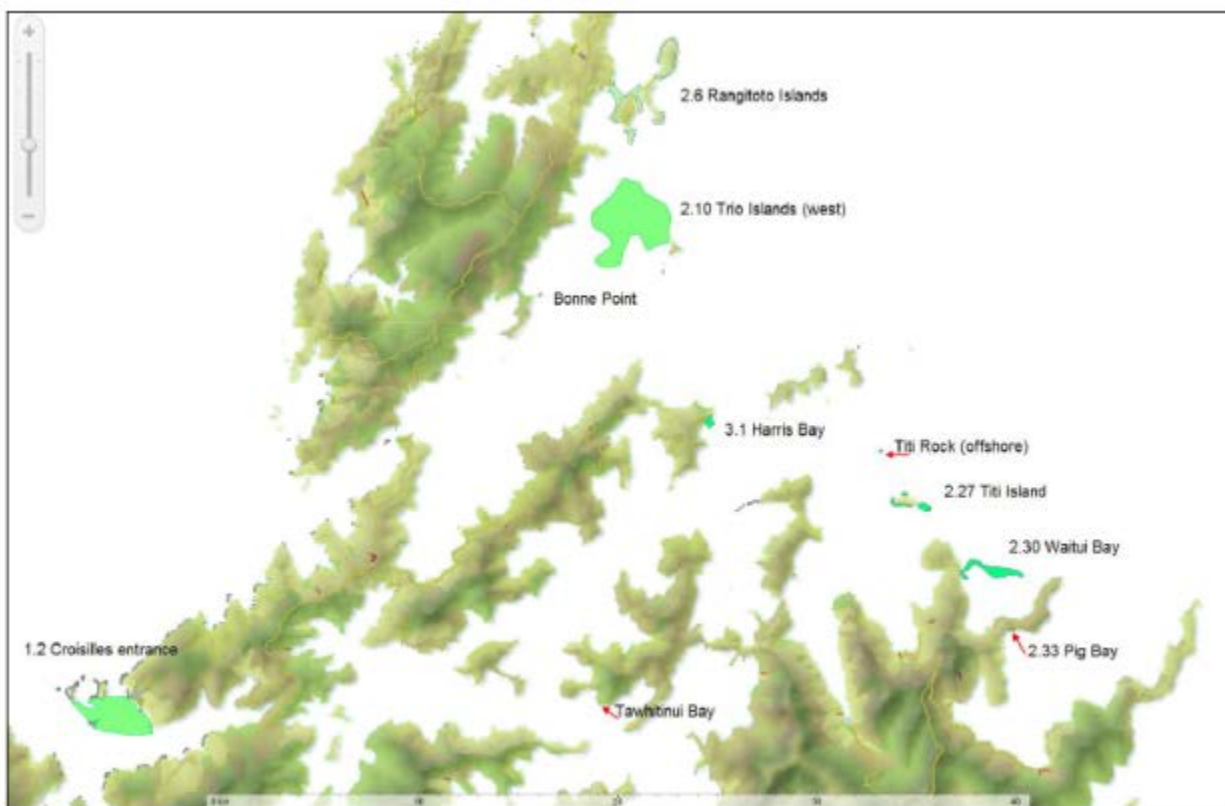


Figure 8: Habitats surveyed by Davidson Environmental in early 2017

15. Davidson Environmental makes a number of recommendations to protect the sites surveyed in the **separately attached** report (set out in Table 1 below). These include protection from dredging and bottom-trawling at most sites, to protection from all forms of disturbance, including preventing anchoring at some sites.
16. These recommendations are consistent with those made after the first and second year's monitoring by the Significant Marine Sites Expert Panel (Expert Panel). The two Expert Panel reports have also been considered by the Environment Committee.
17. The Expert Panel identified different categories of sites based on their susceptibility to different types of disturbance, and the degree of risk to those sites. Some sites can withstand anchoring and recreational dredging, others are not resilient to any forms of dredging and the most fragile cannot tolerate even light boat anchors, such as tubeworm mounds, rhodolith beds and bryozoans.

18. The Expert Panel report also called for buffers to be established around significant sites to prevent accidental incursions caused by GPS errors or strong currents dragging dredges and trawls equipment over habitats. That report was referred to the Council's Regional Planning and Development Committee to consider in 2016.
19. The recommendations and data presented in the **separately attached** Davidson monitoring report are also to go before the Expert Panel. The Expert Panel will report back to the Council and the Department of Conservation by November 2017. That information will then be presented to Council's Environment Committee for consideration.

Attribute	Values
Area based on 2011 and 2015 (ha)	1742.2
Area in 2017 (ha) *	1872.64
Potential new sites*	3
Potential site removed*	0
Increase in area (ha) *	589.34
Decrease in area (ha) *	-458.9
Overall change (ha) *	130.44
Sites	Work conducted/recommendations
Site 1.2 Croisilles Harbour Entrance	Quantitative survey of lancelet abundance to investigate impacts of recreational dredging
Site 2.6 Rangitoto Passage	Adjust boundaries, protect significant sites from all forms of physical disturbance
Site 2.10 Trio Islands (west) (biogenic community)	Adjust boundaries, protect significant sites from all forms of physical disturbance
Site 2.27 Titi Island (biogenic community)	Adjust boundaries, protect significant sites from all forms of physical disturbance
Site 2.30 Waitui Bay (biogenic community)	Adjust boundaries, protect significant sites from all forms of physical disturbance
Site 2.33 Hunia Coast (tubeworms)	Adjust boundaries, protect significant sites from all forms of physical disturbance
Site 3.1 Harris Bay (algae)	Adjust boundaries, protect significant sites from all forms of physical disturbance
Titi Island Rock (biogenic community)	Establish significant site and protect from all forms of disturbance
Bonne Point (rhodolith bed)	Establish significant site and protect from all forms of disturbance
Tawhitinui Bay (king shag)	Establish a new site and establish an approach distance guideline for colony

*Recommended but subject to expert peer review

Table 1: Summary of sites and sub-sites investigated during the present study and main recommendations

Summary

20. The Council has an inventory of significant marine sites as part of its statutory responsibility for protecting and maintaining biodiversity. These are being progressively monitored and surveyed. The third year of the monitoring programme has been completed. Davidson Environmental has produced a report outlining the extent and condition of the sites visited. A number of high value ecological habitats were identified. The Davidson report will be referred to the Expert Panel for confirmation of the site assessments and recommendations.

RECOMMENDED

1. That the report be received.
2. That the Committee note that a Significant Marine Sites Expert Panel report on the year three monitoring results will be presented in the near future.

6. State of the Environment Surface Water Quality Monitoring Report 2017

(The Chair) (Report prepared by Steffi Henkel)

E375-001-003

Purpose

1. To present the 'Surface Water Quality - Monitoring 2017' Report Card.

Background

2. Good water quality in Marlborough's rivers and streams is not only important for the thriving of aquatic ecosystems, but also essential for a prosperous economy and the wellbeing of the region's people. Enjoying clear, clean water is a vital part to many recreational activities.
3. In order to keep an eye on the health of our waterways, 35 river and stream sites are monitored on a monthly basis. This monitoring consists of field measurements and analysis of samples by an independent laboratory.
4. Of the many parameters measured, nine of the most important to the health of ecosystems and recreational activities are used to report on the state of water quality.
5. Because water quality changes with the seasons and as a result of rainfall or drought, monitoring results are naturally quite variable. In order to smooth out some of this variability, data over a period of three years is combined for the reporting on the state of water quality.
6. Reporting is done using the Canadian Water Quality Index (WQI). The WQI is a number between 0 and 100, with higher numbers representing better water quality. Based on the WQI, water quality can also be categorised into the classes. The classes 'excellent', 'good' and 'fair' are considered acceptable, while 'marginal' and 'poor' water quality needs to be improved, where possible.

Summary of Results

7. This year's annual reporting on the state of surface water quality is done in the form of a Report Card (Refer Appendix 1) shows the WQI for the period 2014-16.
8. The majority of sites monitored have water quality in the 'fair' category. Ten sites have 'marginal' or 'poor' water quality, but for some of these sites naturally high turbidity is the main cause for low WQIs.
9. The right hand side of Figure 2 on the Report Card displays which parameters are contributing to the reduction in the WQI.
10. Mostly it is a variety of parameters impacting on water quality at the individual sites.
11. For many sites, Soluble Inorganic Nitrogen is the parameter causing the greatest reduction of the WQI. Soluble Inorganic Nitrogen is the form of nitrogen easily taken up by plants, such as algae. Therefore, high concentrations, combined with a lack of shading vegetation along the stream banks, lead to excessive algae growth on the stream bed. This growth does not only represent a recreational nuisance, but also degrades the habitat for aquatic animals.
12. Most Soluble Inorganic Nitrogen in our waterways originates from fertilizer and animal excrements. Excess nitrogen that cannot be utilized by pasture and crop plants is leached through the soil into subsurface flow and groundwater, which eventually reappears as surface water in streams and rivers.

13. Nitrogen leaching is highest under high intensity farming (particularly dairy and beef) and cropping. Because groundwater can move a long distance before reappearing in spring-fed streams, such as Murphys Creek and Mill Creek, the sources of Soluble Inorganic Nitrogen can be a long way from the affected waterways.
14. Figure 2 on the Report Card also displays changes of the Water Quality Indices compared to the preceding three year period (2011-13).
15. The majority of sites show improvements, however, a longer dataset is required to determine if these changes are a result of better management or represent natural variability. Therefore, it is imperative that monitoring of the current sites is continued.

RECOMMENDED

That the report card be received.



Key Points

- A number of water quality parameters are measured at 35 river and stream sites across the region on a monthly basis
- Three years of monitoring data is combined to calculate Water Quality Indices, which allows reporting on the state of water quality using categories, ranging from excellent to poor
- The majority of sites have good or fair water quality
- Naturally high turbidity causes poor water quality in some rivers
- The majority of sites show improved water quality, but we do not yet have enough data to determine what caused these changes
- Soluble inorganic Nitrogen is the main cause for water quality deterioration at a number of sites.

What is Marlborough District Council doing?

Every month, Council monitors water quality at 35 sites across the region. Land use activities, such as agriculture, horticulture and residential development have the greatest impact on water quality. Most monitoring sites are therefore located in lowland areas, where most of these activities occur.

A number of monitoring sites are also located in catchments with limited human influences to provide background information.

The monitoring data is used to improve management of Marlborough's streams and rivers by informing the development of regional rules. Additionally, the data allows Council to identify streams and rivers with significantly deteriorated water quality. Waterways with poor water quality are the focus of catchment-wide investigations to determine the sources of contamination. Council then works with landowners on eliminating or minimising contamination sources.



Figure 1: Map of sampling sites in Marlborough.

What we measure and why

At each site a number of parameters are monitored. Some parameters are measured in the field, while others are analysed from samples sent to an independent laboratory.

Nine of these parameters are used for the reporting on the state of water quality:

- **Water Temperature and Dissolved Oxygen**

High Water Temperatures and low Dissolved Oxygen levels effect the survival of aquatic insects and fish.

- **pH**

Deviations from natural pH values can impact the growth and reproduction of fish, and in extreme cases cause fish kills.

- **E. coli concentration**

E. coli are an indicator for faecal contamination, which has negative affects on aquatic ecosystems and presents a health risk to recreational users.

- **Soluble Inorganic Nitrogen and Dissolved Reactive Phosphorus**

These are the forms of Nitrogen and Phosphorus that are easily taken up by plants. High concentrations lead to excessive algae growth, which impacts aquatic habitat quality and oxygen levels.

- **Nitrate-Nitrogen and Ammonical Nitrogen**

High concentrations of these forms of Nitrogen are toxic to aquatic life.

- **Turbidity**

High Turbidity affects the growth of aquatic insects and fish and degrades their habitat. It also impacts on the recreational values of rivers.

Recently a number of heavy metals were also added to the parameter list. High concentrations of heavy metals are toxic to aquatic life.

The Water Quality Index

To report on the state of surface water quality, data from three consecutive years is used to calculate a Water Quality Index for each site. The index is a number between 0 and 100, with higher values representing better water quality. The index allows categorisation of water quality into five different classes. The classes "fair", "good" and "excellent" represent acceptable water quality, while water ways in the "marginal" and "poor" categories need to be improved where possible.

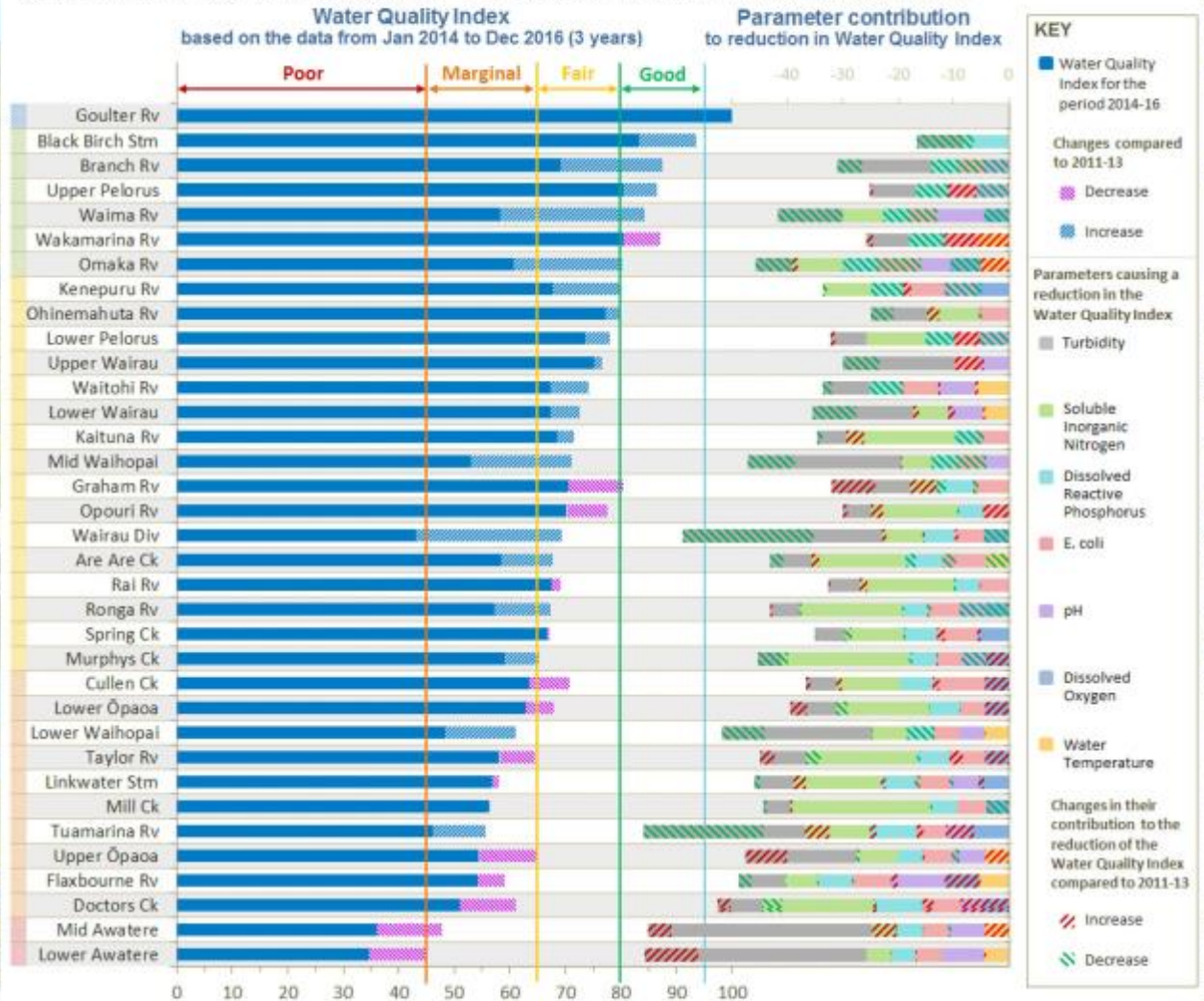


Figure 2: Water Quality Indices for the period 2014-16 and changes compared to the period 2011-13.

Although the majority of sites have good or fair water quality, some of the 35 sites monitored are in the marginal or poor water quality category. For some of these sites, however, the main cause for a low Water Quality Index is naturally high turbidity (Awatere and Waihopai River sites).

For most rivers water quality has improved in the last three years. The greatest increases in the Water Quality Index are seen for the Wairau Diversion, the Mid Waihopai, the Omaka River, Waima River and Branch River. The improvements are generally due to better results for a number of parameters. Unfortunately we do not yet have long enough monitoring records to determine if these improvements are due to

better management practices or if the changes are a result of natural variations in water quality. It is therefore essential to continue the monitoring of these sites and if possible add sites in areas of the region that are currently not well covered.

For the majority of sites high Soluble Inorganic Nitrogen concentrations are the main reasons for degraded water quality. The cause is nitrogen from animal faeces and/or fertiliser that leaches through the soil into subsurface and groundwater flows. Nitrogen concentrations are particularly high in spring-fed streams, such as Mill Creek, and waterways draining high intensity pastures and crops.

7. Regional Pest Management Strategy - Operation Plan Report 2016/2017

(also refer to separate attachment)

(Rural Rep Ross Beech) (Report prepared by Jono Underwood) E315-002-004-07, E315-002-004-06

Purpose

1. For Council approval of the Regional Pest Management Strategy Operational Plan Report for 2016/2017 (**separately attached**) and approve amendments (if any) to the Regional Pest Management Strategy Operational Plan contained within the report.

Background

2. In accordance with Section 100B(2) of the Biosecurity Act 1993, a management agency must prepare a report on the Operational Plan and its implementation not later than five months after the end of each financial year.
3. In accordance with Sections 100B(1)(b) and (c), the Operational Plan must also be reviewed annually and a decision made on appropriate amendments, if necessary.

Summary

4. A review was carried out by Biosecurity staff on 17 August 2017 and any proposed amendments to the Operational Plan are documented in section 12 of the Operational Plan Report.

RECOMMENDED

1. **That the report be received.**
2. **That the annual report on the Regional Pest Management Strategy Operational Plan for the 2016/2017 financial year be approved by the Council.**

8. Road Name Request - Boulevard Park on Taylor (Stage 6)

(Cllr Brooks) (Report prepared by Ian Sutherland)

U170477M

Introduction

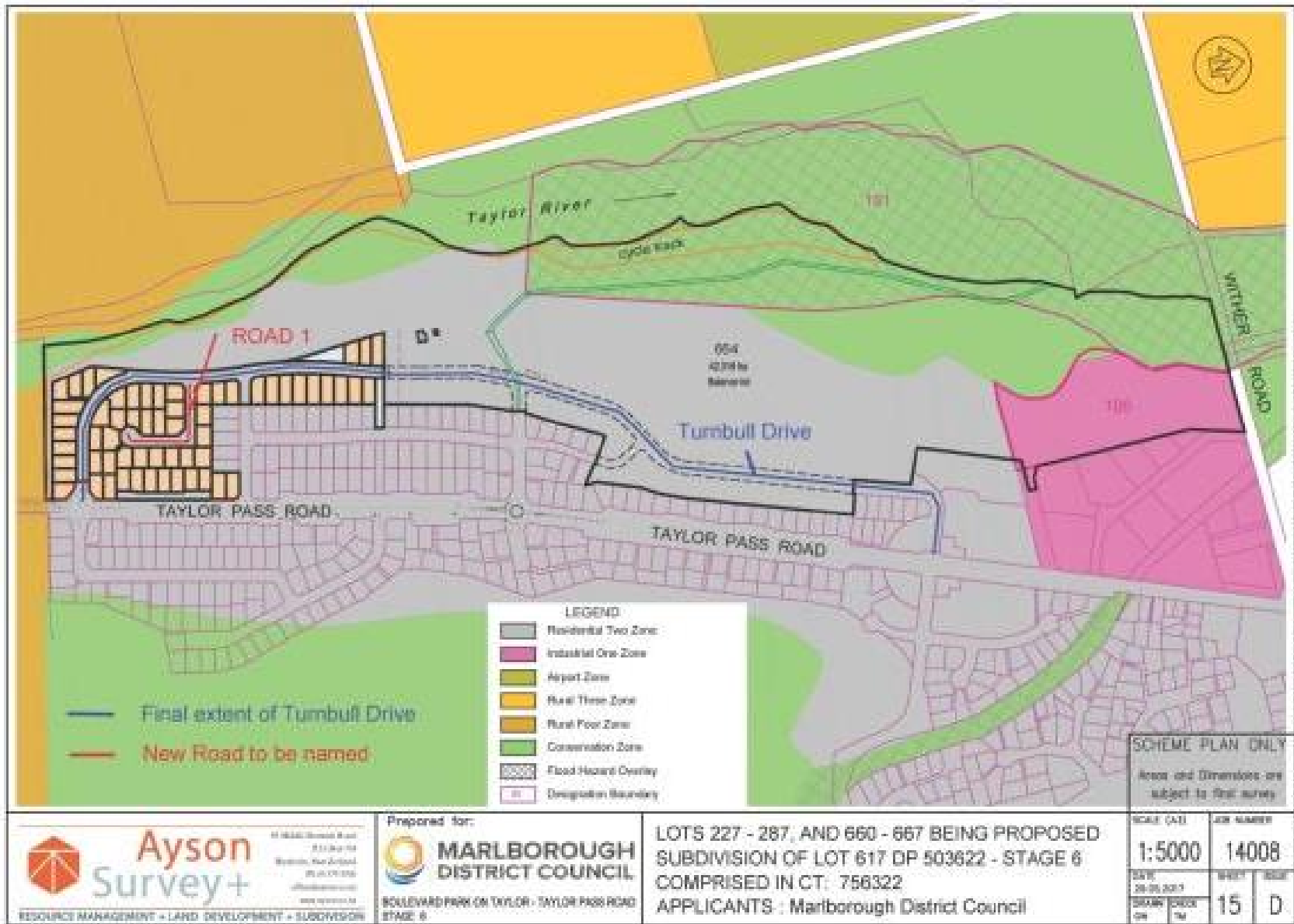
1. A new cul-de-sac is to be created in Stage 6 of the development in Boulevard Park on Taylor, and this requires a new road name to be approved by the Council. This is likely to be the last new road requiring a name in this development.
2. Another main road is also to be formed. This will eventually connect to the Turnbull Drive constructed in Stage 5, and therefore, it is proposed that the same name of Turnbull Drive will be adopted for this new portion.

Background

3. The developer consulted with the Marlborough Historical Society back in 2008, who helpfully provided a list of past and present landowner names that could be considered for road naming, including those associated with the Taylor Pass area.
4. The Council has subsequently approved road names based on this list for previous stages of Boulevard Park on Taylor subdivision. It is proposed that this theme continue.

Proposal

5. The project manager for the subdivision, Jamie Lyall, has presented the following two suggestions for naming of the new cul-de-sac. The new cul-de-sac is shown labelled in red as "Road 1" on the scheme plan overleaf.
6. The two options being presented for consideration were from the list provided by the Marlborough Historical Society.
7. In order of preference, the proposed name options for the new cul-de-sac are:
 - **McNabb Place** - (The McNabb family owned land in the Taylor Pass area).
 - **Pratt Place** - (The Pratt family also owned land in the Taylor Pass area).
8. The existing road name "Turnbull Drive" will extend along a new road also being constructed as part of Stage 6. This is shown as the blue line on the scheme plan overleaf.





<p>Ayson Survey+ RESOURCE MANAGEMENT • LAND DEVELOPMENT • SUBDIVISION</p>	<p>Prepared for:</p> <p>MARLBOROUGH DISTRICT COUNCIL</p> <p>BOULEVARD PARK ON TAYLOR - TAYLOR PASS ROAD STAGE 6</p>	<p>LOTS 227 - 287, AND 660 - 667 BEING PROPOSED SUBDIVISION OF LOT 617 DP 503622 - STAGE 6 COMPRISED IN CT: 758322</p> <p>APPLICANTS : Marlborough District Council</p>	SCALE (AS)	JOB NUMBER
			1:1500	14008
DATE 28.08.2017	DRAWN C2008 JH	ISSUE 10	E	

Consultation

9. The proposed names were circulated by the Council to all iwi, local historians, and Marlborough Roads for comment. There were no comments received from iwi, and Frank Porter from Marlborough Roads commented that he has no issues with the proposed names.
10. Comment was also received from John Orchard, supported by several of his colleagues from the Marlborough Museum, pointing out that several earlier landowners in this area plus a more recent one have not been commemorated. The historic ones being William Eyes, his brother Henry Eyes, and their partner Charles Empson, plus Thomas Carter. Carter lived for a time in a grand home called Burleigh, on New Renwick Road, and was to become the third Superintendent of Marlborough. A more recent farming family who owned the Bluegums Block was the Haack family.
11. Mr Orchard was of a strong view that any of these names, but more particularly Carter, would be more important to use as the road name rather than Pratt or McNabb.
12. Mr Lyall considered these suggestions, but requested that his two proposed names of McNabb and Pratt be put to the Council for consideration.

Evaluation against Road Naming Policy

13. The following are relevant matters from existing Road Naming Policy, and also the proposed new Road Naming and Addressing Policy (presented to the Council on 10 August 2017).
14. **Duplication:** *(That duplication of names not be allowed where the same or similar name occurs within the Marlborough District).*
 - Met - there are no other road names that are the same or similar to McNabb and Pratt in Marlborough.
15. **Length of Names:** *(That names to be short (as a guide - 15 characters or less), single words, which are readily pronounced and spelt to satisfy the requirements of emergency services, and chosen in proportion to the length of the road).*
 - The proposed names comply with this requirement.
16. **Road Type:** *(That road type terms be used in circumstances appropriate to the physical situation with the definitions acting as a guide). There are several types in the definitions that could be used, these being:*

Place: being a no exit road with a turning circle at its blind end

Close: being a no exit road, short in length serving a small number of properties, similar to a Place

Street: being any road

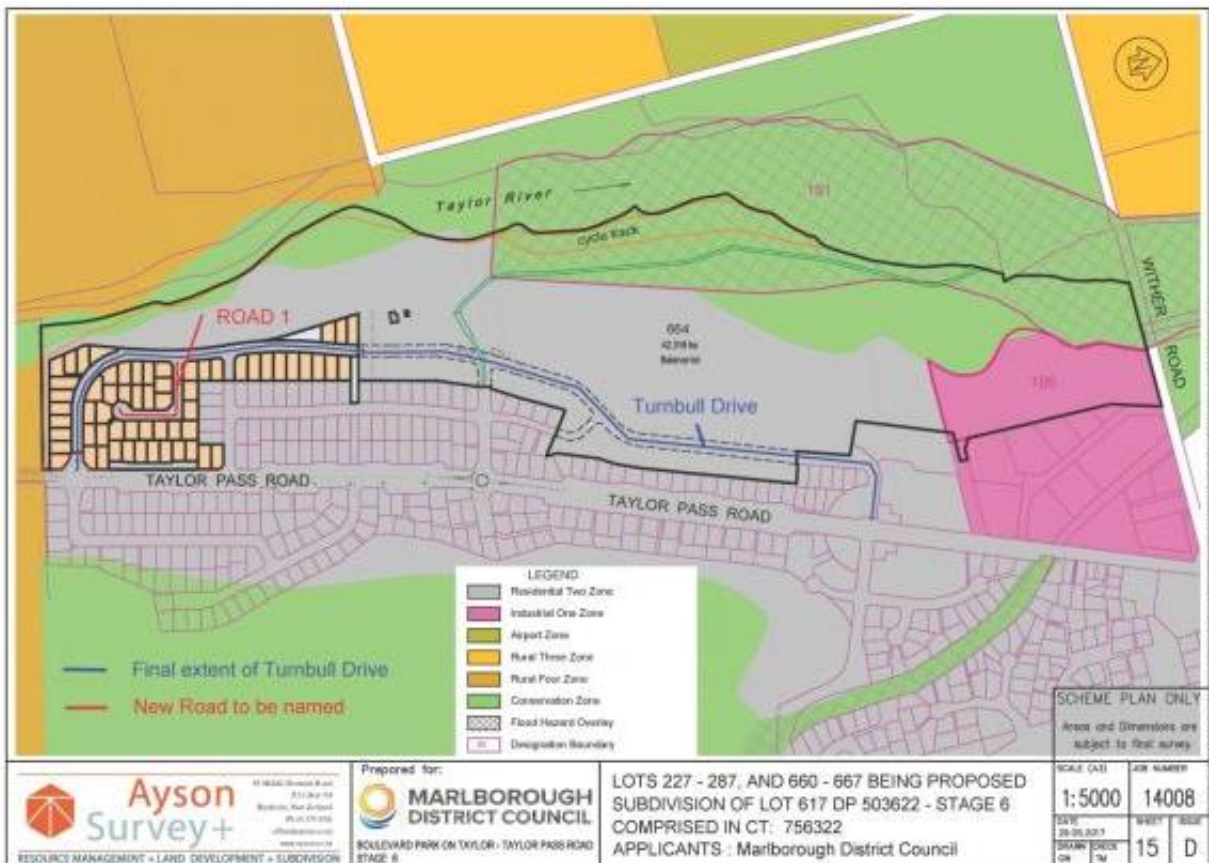
The suggested use of 'Place' would best match the situation as it is a no exit cul-de-sac road with a turning circle at the end.
17. **Theme:** *(That where more than one road is being created in a subdivision, a common theme is recommended for the names).*
 - The use of the names of families with a current or historical association with the area is consistent with those used on previous stages and would therefore meet the policy.
18. **Personal Names:** *That personal names be discouraged unless the name submitted has an historical connection with the property being subdivided, or is that of a well know local identity or prominent Marlburian or New Zealander.*
 - Mr Lyall confirms that each of the family names has a connection with the area. While there may not be a historic connection with the property being subdivided in each of these cases, there is a connection of these families with land in the local Taylor Pass Road area.

Conclusion

19. The proposed McNabb and Pratt names meet the evaluation criteria of the Policy. I note that Carter would also comply with the policy had it been proposed as an option by the developer.
20. The theme of using local family names with recent or historic connection to farms in the area is consistent with the road names approved in previous stages of the Boulevard Park on Taylor development.
21. McNabb Place is the preferred option of the developer, and complies in all respects with the current and proposed road name policy.
22. Extending the road name Turnbull Drive to include the other key road being created on Stage 6 would comply with AS/NZS 4819:2011 and was anticipated to occur when approved by the Council on Stage 5.

RECOMMENDED

1. That once vested in Council the proposed new Road 1, as shown on the scheme plan below (Stage 6), be named “McNabb Place”.
2. That the existing road name “Turnbull Drive” be adopted for the other main road being created.



9. Appointment of Hearings Commissioners

(The Chair) (Report prepared by Abbey McMillan for Anna Eatherley)

R450-004-02

Purpose

1. The purpose of this report is to present the following person for inclusion on the list of Hearings Commissioners.

Background

2. Under the Marlborough District Council Resource Management Act 1991 Instrument of Delegation the Council may delegate its function as a consent authority to a Hearings Commissioner.
3. Hearings Commissioners can be called on to hear and determine applications for resource consent pursuant to section 34A of the Resource Management Act, 1991.

Comments

4. This list of Hearings Commissioners (refer Appendix 1) can be beneficially extended with the inclusion of the following person as below:

Mary O'Callahan

5. Mary is currently working for GHD Limited as a Principal Planner/Services Group Manager Planning – Wellington and Christchurch.
6. Mary holds a Bachelor of Planning and Bachelor of Science and is a member of the New Zealand Planning Institute.
7. Mary worked for the Marlborough District Council as Strategic Planner/Consents Planner from 1994 to 1998.
8. Mary's 20 years of experience has focussed on consultation and planning work for major infrastructure projects, as well as consultation strategies and policy work for government agencies. Mary's broad experience gives her a sound strategic outlook and an ability to illustrate a detailed approach, investigating all options and solutions available to her clients and presenting them with a clear route in which to proceed. She provides strong leadership across GHD's national planning team and is GHD's global technical leader for planning, which gives her ready access to a range of specialist planners and environmental consultants for clients with specific project needs.
9. Please find the attached CV for further consideration. (Refer Appendix 2)

Summary

10. The Council has the discretion to decide who they employ as an independent Commissioner. The above person meets the accreditation requirements of section 39A of the Resource Management Act 1991 and is not a member of the Council or Council staff.
11. Any further expressions of interest to be included as a Council Hearings Commissioner will be forwarded to the Environment Committee for consideration.
12. The Council is not bound to employ the services of a Commissioner once they are appointed before Full Council.

RECOMMENDED

That Ms Mary O'Callahan be appointed to act as a Hearings Commissioner as and when required and that she be advised accordingly.

LIST OF CURRENT HEARINGS COMMISSIONERS

(Last updated - August 2017)

Legal
Planning
Maori
Engineering & Transport
Science & Environmental

	Name
	Mr Richard Fowler QC
	Ms Camilla Owen
	Mr John Maassen
	Mr Ron Crosby
	Ms Shonagh Kenderdine (Judge)
	Mr John Milligan
	Mr Paul Rogers
	Ms Margo Perpick
	Mr Brian Fletcher
	Mr Warwick Heal
	Mr Kerry Smith
	Mr Trevor Shiels QC
	Cindy Robinson
	Julian Ironside
	Judge Gordon Whiting
	Ms Prudence Steven QC
	Mr David Caldwell
	Ms Andrea Halloran
	Mr Gary Rae

	Name
	Mr Rob van Voorthuysen
	Mr Jeremy Butler
	Dr Phil Mitchell
	David Jackson
	Sharon McGarry
	Mr Murray Palmer
	Mrs Glenice Paine
	Ms Jennie Smeaton
	Mr Alan Bickers
	Mr Jeffery Jones
	Mr Andy Carr
	Mr Steve Abley
	Mr Graham Macky
	Dr (Robert) Bob Wear
	Mr Ken Fletcher
	Ms Kathleen Ryan
	Mr D Wren
	Dr J G Cooke
	Mr Mike Freeman

Mary O'Callahan

Planning Service Group Manager



Qualifications | Bachelor of Planning, Bachelor of Science, MNZPI
Training | RMA Commissioner Training; Job Management and Project Director training, Service Group Manager training, GHD Business School
Technical Skills | Project Management, Structure Plans, AEE Preparation, Consultation
Knowledge | RMA processes, consenting / consultation strategy, programme management
Relevance to project | Mary's 20 years of experience has focussed on consultation and planning work for major infrastructure projects, as well as consultation strategies and policy work for government agencies. Mary's broad experience gives her a sound strategic outlook and an ability to illustrate a detailed approach, investigating all options and solutions available to her clients and presenting them with a clear route in which to proceed. She provides strong leadership across GHD's national planning team and is GHD's global technical leader for planning, which gives her ready access to a range of specialist planners and environmental consultants for clients with specific project needs.

Relevant roles and projects

Project Manager/Planner | Christchurch City Council | 2009 – 2011 and 2013 to present

Mary managed the preparation of an urban design study of an elderly persons housing units to assess amenity standards and advise whether the current plan provisions were achieving objectives and policies relating to build form and residential amenity. Mary then carried out the preparation of a draft plan change and Section 32 report for review of elderly persons housing provisions.

Mary has drafted Section 32 material (consideration of alternatives) for the current District Plan Review and completed a multi criteria analysis for determining a suitable location for the Halswell Key Activity Centre required under the Land Use Recovery Plan for Canterbury. Mary has also led the review of land use options for the Ferrymead Special Purpose Zone looking at issues of flooding and other site constraints and she is currently engaged by CCC as the reporting officer for Plan Change 84 relating to the Christchurch Airport.

Planning Manager | Christchurch Southern Motorway (Stage 2) | NZ Transport Agency | 2010 - present

As planning manager for NZ Transport Agency's Christchurch Southern Motorway Stage 2 project, Mary led the team responsible for securing all RMA approvals for this major \$220 million infrastructure project. Mary led the compilation of the consents lodged with the Environmental Protection Authority (EPA) and was responsible for managing and reviewing technical reports and all engineering and environmental expert evidence prepared in support of the EPA application. In addition Mary was involved with consultation, including leading the preparation of a Cultural Impact Assessment for the project in conjunction with Mahaanui Kurataiao Ltd (MKT). All consents were approved. Mary's key achievements for this project included the draft conditions of consent prepared for the project being accepted without change by the consent authority; the collaborative approach towards stakeholder engagement significantly reduced initial community concern expressed – this success has been independently recognised through GHD receiving a **New Zealand Planning Institute best practice award** for this project; in addition, significant cost savings to budgeted consent authority and expert witness/legal fees were achieved due to effective team collaboration and stakeholder consultation.

Planner | Central Plains Water Ltd | 2009- 2010

Mary was responsible for the preparation of submissions relating to GHD's role as project managers for the Central Plains Water Enhancement Scheme, including submissions, further submissions and expert planning evidence on Proposed Plan Change 1 to the Waimakariri River Regional Plan relating to water takes and submissions on the Canterbury Water Management Strategy. She has prepared submissions on resource consent applications for projects potentially affecting Central Plains Water and assisted the client with negotiating suitable outcomes.

Mary also prepared a number of consent applications and variations for water takes, to enable shareholders to gain early access to water secured for the scheme.

Environmental Management | Central Plains Water Ltd | 2013

Mary was seconded in house to Central Plains Water to prepare a suite of construction environmental management plans necessary to enable the commencement of construction works in late 2013 for Stage 1 of this major irrigation scheme. The management plans related to the intake structure, headrace canal and piped distribution network for the first 20,000 hectares of the scheme.

With the support of one of her staff, she prepared 11 environmental management plans in a tight timeframe drawing on inputs from the clients' expert advisors and project staff, together with her own environmental consenting experience and knowledge of the project. The plans covered a range of topics including the overarching environmental construction management plan, construction programme, air quality and dust, noise and vibration, contamination remediation, traffic management, hazardous substances, diversion and discharge management, dewatering, erosion and sediment control and waste management.

Consultation Manager | Christchurch City Council River and Flood Tidal Protection 2012

Mary led the preparation of a consultation strategy for the Council's River and Flood Tidal Protection project in 2012.

Planning and Consultation Manager | Western Belfast Bypass I&R Phase | NZ Transport Agency | 2009 – 2011

Mary managed the planning and consultation inputs for the Scheme Assessment Report and oversaw the preparation of the environmental inputs for this Road of National Significance project. Mary provided extensive and high quality consultation and key stakeholder engagement on behalf of NZ Transport Agency. This included identifying stakeholder issues, working with clients to develop and implement effective stakeholder consultation strategies and working with a talented team to present high quality communication material.

Planning and Consultation Manager | SH74 Dyers Road D&PD Phase | NZ Transport Agency | 2009

Mary managed the planning and consultation inputs for the Scheme Assessment Report, led the consultation with directly affected land owners, and secured their agreement to the project. This included written approval being obtained from a difficult landowner who was initially opposed to land being acquired, though careful discussions Mary listened to what the landowner issues were and was able to provide solutions in addition to explaining the process, enabling her to successfully gain the landowners' support. She then secured an alteration to the designation and outline plan approval for the project.

Project Manager and Lead Planner | Port Otago dredging disposal | 2013

Mary prepared the AEE for Port Otago's dredging disposal and provided expert planning evidence for the hearing and managed the inputs required from technical witnesses including briefing and reviewing all evidence preparation.

Project director / technical review | Springvale Structure Plan | Wanganui District Council | 2012

Mary worked closely with another planner in leading the delivery of a structure plan for an urban fringe area of Wanganui. The structure plan was a study on a 93 hectare rural-residential area to establish an appropriate density for residential development that included a proposed street network that maximized connectivity, integrated seamlessly with the surrounding area, and encouraged walking and cycling. The team, under Mary's leadership, identified key servicing and infrastructure requirements for council.

Project Manager | Allied Foods Ltd | 2009-2010

Job management and technical input to Tip Top bakeries new workshop (building consent work); job manager for drainage alterations and modifications to boiler room. Briefing and overseeing water, structural and architectural services for these projects. Mary gained the trust of this client and brought together a well skilled team to sort out a number of Building Act compliance issues.

RMA Commissioner | Resource Consent Hearing Commissioner | Wellington City Council | 2011

Mary was the sole commissioner for a Wellington City Council hearing for a bus shelter proposal involving residential amenity and traffic safety issues. Her skills in applying the detailed requirements of the RMA,

knowledge of case law, and understanding of broader local government considerations relevant to council projects contributed to a thorough hearing and a comprehensive decision.

Expert Witness / Consent Management | Hutt City Council Planning | June 2007 – May 2008

Presentation of planning evidence at the Environment Court on behalf of Hutt City Council in respect of a subdivision and land use consent in York Bay and management/review of overflow consent processing for subdivision and land use consents.

Lead Planner | Mt Munro Wind Farm | Meridian Energy Ltd | July 2010 to 2011

Preparation of resource consent application and AEE for a major wind farm near Ekatahuna in the central north island.

Lead Planner | Project Central Wind | Meridian Energy Ltd | July 2007 to 2009

Preparation of resource consent application and AEE for a 120-130 megawatt (MW) wind farm located near Taihape in the central North Island, including review of all specialist reports. Preparation and presentation of planning evidence for council and Environment Court hearings, including review of engineering and other specialist evidence prepared for the hearing.

Lead Planner | Project Mill Creek | Meridian Energy Ltd | July 2007 to 2008

Preparation of resource consent application and AEE for a 71.3 megawatt (MW) wind farm located in Ohariu Valley, to the west of Wellington City. Preparation and presentation of planning evidence for council, including review of specialist engineering, ecology, traffic, landscape, noise and other evidence.

Principal Planner | Consentability assessments | Meridian Energy Ltd

Initial consenting advice on consent requirements, potential issues, planning risks and the identification of any potential fatal flaws for new renewable energy projects under investigation.

Project Manager | Environmental Protection Authority | 2011

Processed nationally significant proposal application (notice of requirement) relating to the expansion of the Queenstown aerodrome.

Lead Planner | Greater Wellington Regional Council | April 2006-May 2009:

Consent processing and presentation of expert planning evidence (Council and Environment Court) in relation to two major building developments in Wellington, being the Hilton Hotel and Overseas Passenger Terminal applications on the Wellington waterfront.

Department of Corrections | Blenheim Probation Centre | 2008

Review and overseeing resource consent application and coaching colleague preparing and presenting expert evidence at (their first) hearing.

Cashmere Eleven Trust | 2006

Consultation, preparation and lodgement of subdivision and land use consents for Cashmere Eleven Trust for a 19 lot residential subdivision in Khandallah, Wellington.

Private clients | 2005-2008

Provision of planning advice and preparation of land use applications for a number of private clients undertaking residential developments within Wellington. Presentation of hearing evidence and negotiation with objectors.

Central Government Policy Work | Ministry for the Environment | 2005-2011

Mary has been involved in a broad range of policy and research projects for the Ministry, including preparation of a paper to establish a charging policy for pre-application processes for the new Environmental Protection Agency (2010), Phase II Reform of the RMA Notices of Requirements and Outline Plans (2010), Phase II RMA Reforms: Research into Alternatives to Designations Project (2009-2010), Research into the

Use of Designations (2005), Certificates of Compliance Guidance Note (2008), Research on Consent Duplication for Works in and around Streams (2006), RMA skills shortage work (2006).

Planner | Manukau City Council Plan Change | 2006 – 2008

Mary prepared plan change 19 to the District Plan for Manukau City Council relating to Colin Dale Park. The plan change included specific rules to manage the effects of motor sport activities and a new marae on recently acquired reserve land. In addition to preparing the plan change and Section 32 report, this commission involved consultation with statutory agencies and affected parties, the preparation of committee reports, preparation of the officer report for the council hearing and reviewing specialist reports. Environment Court evidence was prepared, prior to the case being resolved via mediation.

Secondment | Wellington City Council | 2007

Mary was contracted to provide "mentoring clinics" to the consents team and was later seconded to fulfil the consents manager role while a vacancy was filled. Her consent processing experience and ability to train and develop planners contributed to technical up-skilling and confidence building within the Council's consents team.

Submissions on Horizons One Plan | Meridian Energy Ltd | 2008

Assisting Meridian with the preparation of its submission on the Proposed Horizons One Plan, an overall planning document for the Horizons (Manawatu-Wanganui Region). This included preparation planning evidence on the biodiversity (ecology) and land disturbance components of the submission and presentation of evidence at the Council hearing.

Submissions on Ruapehu District Plan | Meridian Energy Ltd | 2010-2011

Assisting Meridian with the preparation of its submission and further submissions on the Proposed Ruapehu District Plan. This included preparation planning evidence for the Council hearings on this plan.

Waitaki District Council | Moeraki Slip Stabilisation Works | 2010

Consultation with private landowners and statutory stakeholders for extensive drainage works proposed to stabilise the Moeraki slip and preparation of district and regional consent applications.

Wellington City Council | Global Bus Shelter Project | 2006-2007

Project management, preparation of planning evidence, and overseeing AEE preparation for a publicly notified resource consent application for a major bus shelter rollout throughout Wellington City, involving 128 sites.

Marlborough District Council | Planner | 1994-1998

Research and development of resource management policy for the Marlborough Sounds Resource Management Plan (combined district, regional and coastal plan); rule drafting for the Wairau/Awatere Plan; processing of a significant number of coastal permit applications for marine farms (aquaculture) in the Marlborough Sounds; presentation of evidence at the Environment Court and iwi consultation associated with marine farm development.

Work history

2005 – present	GHD Limited, Principal Planner / Service Group Manager Planning – Wellington and Christchurch
2000 – 2005	Wellington City Council, Team Leader Resource Consents
1998 - 1999	Contract Planning Work, London
1994 – 1998	Marlborough District Council, Strategic Planner / Consents Planner

10. 2016/2017 Regulatory Budget Carryovers

(The Chair) (Report prepared by Christine Leslie)

R450-002-G01, F045-07

Purpose

1. The purpose of this report is to request that the **attached** carryovers for the Regulatory Department be incorporated into the 2017/2018 budget.

Background

2. A number of works scheduled for completion in 2016/2017 did not proceed (or were not completed) for a variety of reasons.
3. Details of these works are recorded on the schedule **attached** (refer Appendix 1).
4. There is no rating impact arising from the "carryover" action.

RECOMMENDED

That the 2017/2018 budget be amended to incorporate the Regulatory Department 2016/2017 carryovers.

Request for Regulatory 2016/2017 Budget Carryovers to 2017/2018

Environmental Review Projects

Sounds Storybook (biodiversity)	50,000
Taylor River Enhancement Fund	30,000
Marlborough Landscape Group	20,000
Environmental Network review	40,000
Environmental Network development	46,480

186,480

Environmental Policy Projects

Proposed Marlborough Environment Plan report writing	80,000
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80,000

Biosecurity - Regional Pest Control

Marine biosecurity	30,000
Biosecurity fixed term contract while Biosecurity strategy developed	25,000
Chilean Needle grass	10,000

65,000

Harbour Control

Risk Assessment Report to mitigate harbour hazards	44,000
Database development	30,000
Moored Instruments	506,800

580,800

Dog Control

Signage	75,800
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75,800

Compliance

Regulatory database development	250,000
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250,000

11. Dangerous, Earthquake-prone and Flood-prone Dams

(Cllr Shenfield) (Report prepared by Bill East)

R450-006-01

Purpose

1. The purpose of this report is to update policy (**separately attached**) for “Dangerous, Earthquake-prone and Flood-prone Dams”. The policy was introduced as statutory requirement pursuant to the Building Act 2004 specifically to be operational mid 2006 and updated at five yearly intervals.

Background

2. Regulations in force were anticipated to be amended but were summarily revoked in 2015. Thereafter the only provisions are the guidelines to be found in the New Zealand Society for Large Dams. The regulations and the Building Act 2004 previously referred to separate policies, but from 2015 requires the policy to contain the three contingencies.
3. Under the Local Government Act 2002 the Council has the authority to give effect to the decisions it makes pursuant to the Act, subject to sufficient consideration of all options.
4. Dams of consequence have been within the management of Council’s assets operations previously, but more recently the impounding of water has been important for grape plantings. The Building Act 2004 required the Council to have a specific policy in this context. The risk of failure is seen to be of a low order of probability and it is not considered there is any requirement for specific funding, and therefore, no implication for the Annual Plan. Section 162 of the Building Act 2004 requires that there be consultation complying with the directions of section 83 of the Local Government Act 2002.
5. It is not seen that the policy has any direct implications for the Long Term Plan; all matters being equal the next review will be 2022.
6. The Local Government Act 2002 leaves it for the Council to exercise its discretion about compliance with the decision making process. In making any judgement there are various aspects to be assessed, one of which is the principles in section 14 of the Act.

Comments

7. Most dams are of minor character. Those posing significant risk are under the control of the Council. Other dams that might come under the description of major are located in areas posing minimal, if any, life threat. Notwithstanding, there has been a heightened awareness of the presence of dams generally and it is considered appropriate that the policy be published for public input.

Summary

8. The draft policy introduced in 2006 and update of 2011 have not previously drawn submissions. There has been an event giving rise to concerns for safety posed by a damaged dam recently.

RECOMMENDED

1. **That the Dangerous Dams Policy 2017 be received.**
2. **That the Dangerous Dams Policy 2017 be notified for the opportunity for public submission.**

Building Act 2004

**POLICY 2017
DANGEROUS, EARTHQUAKE-PRONE AND FLOOD-PRONE
DAMS**



Photo: Haldon Dam, source MDC

Document Control

Project	Dangerous, Earthquake-prone and Flood-prone Dams Policy 2017
Author	Neil Morris
Document Status	Working
Distribution	General
File Reference	R450-006-01

Version	Date	Description	Pages
1.0	25/07/2017	Updating of the 2010 Policy	10 pages

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Policy 2017

1. Introduction and Policy Context

This document sets out the Marlborough District Council dangerous dams, earthquake-prone dams, and flood-prone dams policy prepared for the purposes of observing the requirements of Section 161 of the Building Act 2004.

Council is a unitary authority and has regional as well as district functions. The Building Act 2004 ('the Act') requires Council, in discharging its Regional Council functions, to adopt a policy in respect of Dangerous, Earthquake-prone and Flood-prone Dams.

The policy (*Draft Dangerous Dams Policy 2006*) was adopted by Council to meet the requirements of the Building Act. That Policy was updated in 2010 and adopted under minute C.09/10.597.

This policy updates the 2010 Policy and outlines the approach Marlborough District Council ('the Council') will take to require an owner of a dangerous, earthquake-prone or flood-prone dam to reduce or remove the danger posed by a dam which has been determined to be dangerous, earthquake-prone or flood-prone. It is to be particularly noted that there is no Statutory Regulation in respect of dangerous, earthquake-prone or flood-prone dams having been revoked 31 July 2015.

1.1. Requirement for a Policy

It is a mandatory requirement of the Act at Section 161 that Council implements specific policy and **Section 162** sets out the procedures for the formation and introduction of the policy.

The policy must state:

- (a) the approach that the regional authority will take in performing its functions under this Part; and
- (b) the regional authority's priorities in performing those functions; and
- (c) how the policy will apply to heritage dams.

Meaning of Dangerous Dam, Earthquake-prone Dam and Flood-prone Dam

A dangerous dam

A dam is **dangerous** for the purposes of this Act if the dam—

- (a) is a high potential impact dam or a medium potential impact dam; and
- (b) is likely to fail—
 - (i) in the ordinary course of events; or
 - (ii) in a moderate earthquake (as defined in the regulations); or
 - (iii) in a moderate flood (as defined in the regulations).

An Earthquake-prone Dam or a Flood-prone Dam

(1) A dam is an earthquake-prone dam **for the purposes of this Act if the dam—**

- (a) is a high potential impact dam or a medium potential impact dam; and
- (b) is likely to fail in an earthquake threshold event (as defined in the regulations).

- (2) A dam is a flood-prone dam for the purposes of this Act if the dam—
 - (a) is a high potential impact dam or a medium potential impact dam; and
 - (b) is likely to fail in a flood threshold event (as defined in the regulations).

1.2. Policy Development Process

In developing and adopting this policy, the Council will follow the special consultative procedure set out in Section 83 of the Local Government Act 2002, and will have regard to the principles in section 4 of the Building Act 2004 and any relevant changes arising from the Building Amendment Act 2008. This policy will have to be reviewed every five years and may be reviewed if changes to the Act or Regulations have relevance for the Policy. It is to be noted that this document, as adopted, overtakes the 2006 Policy.

2. Dangerous Dams, Earthquake-prone Dams and Flood-prone Dams Policy

2.1. Policy principles

Council notes that provisions of the Building Act, in regard to dangerous, earth-quake-prone and flood-prone dams reflect the Government's broader concern with the health and safety of the public.

2.2. Background and overall policy approach

In the Marlborough region, for the most part, dams are minor structures posing little risk due to the location, small volumes and style of construction (that is with a large proportion embedded below the surrounding ground level). A small number of dams fall to the medium and high impact category as described in Section 134B of the Building Act 2004. No dams are on the principal waterways (Te Hoiere/Pelorus, Wairau, Awaterere rivers) and five dams occur on secondary waterways, one operates through a side channel off take to harvest overflow. One dam functions as a flood control structure, the remaining dams are water supply storage dams and allow surplus water to overflow.

Marlborough lies within the zone of highest earthquake risk in New Zealand. This is because the district overlies the southern portion of the subducting Pacific Tectonic Plate and transected by a series of fault lines associated with the relative movements of the Pacific and Australian tectonic plates that New Zealand sits across. Ground shaking in the region has increased following a lengthy period of infrequent activity evidencing significant damage to some earth dam structures.

The on-land active faults that have planning and development significance for Marlborough have been recorded in a Council database.

The policy approach provides a basis for Council to act in the interests of public safety in the event that a dam has been found to have a significant risk for life safety or property loss.

2.3. Identification process

Historically, there have been very few dams in the district having a potential for serious consequence upon failure; these have been either in the control of Council or a power generating company. Quite a number of private dams have been constructed recently in response to the demand for irrigation capability for vineyards and these have been through resource consent processes requiring appropriately qualified engineering inputs.

Owners are statutorily bound to address the continuing state of structures under their control where Resource Consent conditions apply otherwise there is a common duty to save other parties from harm.

Council will have to react when it becomes known, for whatever reason, that a structure poses a threat to the safety of persons or infrastructure.

2.4. Response to complaints

In the event it is required to address a potentially dangerous situation, Council officers, assisted by appropriately qualified technical specialists will carry out investigation to establish the state of the subject dam.

2.5. Assessment criteria

The definition of dangerous, earthquake-prone or flood-prone dams is given in Sections 153 – 153B of the Building Act 2004.

In the event a situation arises, Council will utilise the best technical expertise available and require the best technical practices to be followed in every instance.

A key guide to best technical practice, to be used when making assessments of dams, is the *NZSOLD New Zealand Dam Safety Guidelines*.

2.6. Guiding principles for dealing with dam owners

Before exercising its powers under Sections 154 to 160, the Council will seek to discuss options for action with owners, the objective being to obtain a mutually acceptable approach for dealing with the danger. If time permits Council will consider a formal proposal from owners for strengthening or replacement or removal of the subject dam. Council will at all times place considerable weight on the potential impacts for the public in its dealings with owners.

In the event that discussions do not yield a mutually acceptable approach and proposal, Council will serve a formal notice as outlined above under the section "Taking Action on Dangerous Dams".

Upon notice being served, Council will adopt an approach that encourages a dam owner to pursue voluntary compliance with any notice that has been served. It will pursue legal outcomes if so required as it has statutory obligations to take all practical measures to ensure public safety and well-being.

2.7. Taking action on dangerous dams

Council, on being satisfied that a dam is dangerous, will:

Provide information

Provide to the owner all information or reports obtained as a result of inspections or investigations.

Advise and liaise with owner

Advise and liaise with owners of dams identified as dangerous to discuss action to be taken, unless upon technical advice danger is clear, present and necessitating immediate response. Notwithstanding, every endeavour will be made to liaise with the owner.

Erect a hoarding or a fence and warning notice

If necessary and practical, Council will put up a hoarding or a fence to prevent people approaching the dam; and / or attach a notice to the dam that warns people not to approach the vicinity of the structure.

Issue Notice requiring work to be carried out

Where the Council is satisfied that a dam is dangerous and the owner has not taken steps to secure or make good then a Notice may be issued pursuant to Section 155 of the Act.

Notices served on dam owners will:

- specify the work that needs to be carried out;
- the time in which it is to be completed; and
- whether the owner of the dam is required to obtain building consent in order to carry out the specified work.

When setting a timeframe for action, Council will consider the nature of the issue and the classification of the dam under the priorities established in this policy. The timeframe will, generally, not be less than 10 days after the notice is given under section 155. Clearly, there could be instances requiring a much more urgent response and common sense dictates that in those instances much shortened periods may be required. That situation is seen to be one arising in quite exceptional circumstances.

Council will ensure any notices will be fixed to the dam or at an appropriate location near the dam, and that copies will be sent to the owner of the dam, any occupier and any party with an interest (being a financial or legal interest as recorded on the certificate/s of title) in the land on which the dam sits.

Copies of notices will also be sent to interested parties such as Civil Defence, Department of Conservation, and the New Zealand Historic Places Trust when appropriate.

At the end of the time in which the remedial work is to be completed, Council will inspect the property.

Liaise with Civil Defence

The Council will liaise with Civil Defence directly if necessary.

Council to carry out work

Council may carry out the work required in a notice issued under Section 154 itself or via contractors if any work required under the notice is not completed within the time frame given in the notice. Any such works will be at the cost of the owner of the dam.

Council may grant extension to time frames specified in Notices upon receipt of a request from the dam owner where this request is supported by an opinion by a Recognised Engineer acceptable to Council.

Situations when Notices will not be given

Where it is considered measures are necessary to avoid immediate danger Section 157 gives power to Council to take swift action to remove immediate danger without first serving notice on owners.

Without limiting this section, Council will undertake reasonable effort to contact the dam owner prior to taking action.

Dispute by owner of classification

The Policy does not provide for an appeals process in the event of the classification of a dam as dangerous, earthquake-prone or flood-prone.

Should an owner dispute the classification, however, an application for a "Determination" pursuant to Section 176 of the Act may be made to the Chief Executive of the Department of Building and Housing as set out in the Building Act 2004. The determination of the Chief Executive is binding on the Council.

Danger Removed

Where Council has advised people of a dam having a potential to be dangerous and it is satisfied, subsequently, that the danger has been removed then those persons are to be advised accordingly.

2.8. Recording a dam's status

Council will record all documentation of its dealings with a dangerous, earthquake-prone or flood-prone dam on the relevant property file, noting the status of requirements for improvement or the results of improvement, as applicable. In addition, the following information will be placed on the LIM or PIM for each dangerous dam:

- the address and legal description of the dam and the land which supports it;
- a statement that the dam is considered to be dangerous;
- the date by which strengthening or demolition is required (if known); and
- a statement that further details are available from the Council property file.

This information will be kept on the property file until the matter is resolved.

2.9. Availability of information

Information concerning the status of a dam will be contained in the property file and Council's electronic mapping system. If a notice under section 154 is issued in respect of any dangerous dam then a record of that will also be available on the relevant property file and be included in all LIMs that might be applied for.

In granting access to information concerning these dams, the Council will conform to the requirements of the relevant legislation.

2.10. Economic impact of this policy

No economic impact analysis has been carried out to assess the effect of this policy nor is any proposed. The opinion is that, in the context, if a dam is deemed dangerous the priority in most if not all instances will be public safety. It is considered that it is improbable that an economic argument could be sustained if life safety is in question. Further, it is considered that only in the light of particular cases can decisions be made to balance off economic issues.

2.11. Approach for dams and associated buildings having heritage status

A heritage dam (including associated structures) includes all dams listed as a heritage resource in the Marlborough District Plan and/or those registered by the New Zealand Historic Places Trust.

Section 4(2)(l) of the Building Act recognises the "need to facilitate the preservation of buildings of significant cultural, historical, or heritage value". The Marlborough District Plan also requires resource consent to alter or demolish a heritage building. Dams, presently, are not specifically identified but it should be noted that a dam is a building for the purposes of the Act as specified in the "Interpretation".

The resource management plans also require resource consent to alter or demolish a heritage building. (Note that the resource management plans are currently being reviewed and the appropriateness of this requirement will be considered as part of the review process). The Building Act does not override the resource management plans on the need for a planning application to be made by a building owner, even if the building is to be demolished for public safety reasons. Any actions will, however, always be mindful of public safety.

2.12. Abandoned dams

An abandoned dam will at all times be the responsibility of the landowner.

2.13. Dams on public land

In the first instance dams on public land will be considered the responsibility of the Crown in terms of Section 6 of the Act.

2.14. Priorities

In the event of there being a dangerous dam, earthquake-prone dam or flood-prone dam Council will prioritise the requirement to remove or reduce the danger by, first, ensuring public safety at all times then have regard for economic welfare followed by any heritage matters that might be present.

2.15. Availability of information

Any information acquired in the course of investigation or inspection will be publicly available upon request and will be provided in Land Information Memoranda or Project Information Memoranda.

12. Alcohol Special Licences

(Cllr Taylor) (Report prepared by Rachel Mercer)

E350-005-008-02

Purpose

1. The purpose of this report is to provide the Committee with an overview of the purpose and process for issuing special licences under the Sale and Supply of Alcohol Act 2012.

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| 2. | Rachel Mercer will provide a short presentation on special licences under the Sale and Supply of Alcohol Act 2012. |
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Background

3. The Sale and Supply of Alcohol Act 2012 requires special licences be sought for events when no licence for the location or type of event is already held.
4. Three agencies are involved with processing and reporting on special licence applications: Territorial Authorities, Medical Officer of Health and the Police. Each agency may inquire into an application and report on the application if they have any matters in opposition. The territorial authority licensing inspector must inquire and report on an application.
5. There are three levels of special licences (class 1 – class 3) that can be sought which are associated with the size of an event. For larger events there is expectation on applicants to have greater means of managing alcohol related harm.
6. Applications must be lodged 20 working days prior to an event in accordance with the Act. Both the Police and Medical Officer of Health have 15 working days to complete their inquiry or report. Applications may still be accepted within the timeframe but without guarantee that it will be processed in time.
7. Applications received in the year 1 July 2016 – 30 June 2017 totalled 183. Of all applications received in the year, one application was declined due to insufficient processing time and another application was withdrawn. Application numbers received are consistent with those of the last two years: year ending 30 June 2016; 187 applications were received. In the year ending 30 June 2015; 171 applications were received.
8. Council licensing inspectors undertake inspections of alcohol sites at large events in combination with inspections of food stalls. Compliance with the Act and the conditions of licences is checked.

Comments

9. Alcohol Licences continue to be processed in a timely fashion. The Licensing Team undertake a collaborative approach with the other agencies; this is consistent with the Act and its purpose to reduce alcohol related harm.

RECOMMENDED

That the information be received.

13. Animal Control Sub-committee

(Cllr Arbuckle)

D050-001-A04

The minutes of the Animal Control Sub-committee meeting held on 31 July 2017 are **attached** for ratification by the Committee.

RECOMMENDED

That the minutes of the Animal Control Sub-committee meeting held on 31 July 2017 be ratified.



**Minutes of a Meeting of the
ANIMAL CONTROL SUB-COMMITTEE
held in the Kenepuru Room, 15 Seymour Street, Blenheim
on MONDAY, 31 JULY 2017 commencing at 9.00 am**

Present

Cirs J A Arbuckle (Chairperson), L M Shenfield and N P Taylor

In Attendance

Ms J Robertson (MDC Animal Control – Contract Manager), Ms K O’Hagan and Mr P Murphy (Maataa Waka/Animal Control), Ms N Chauval (Committee Secretary), and Sue McDonald (Renwick Smart & Connected)

1. Welcome

Clr Arbuckle welcomed everyone and advised that a meeting is proposed before the next sub-committee meeting to discuss specific items. He also noted that an indepth discussion on dog registration fees and dog parks will be included under PE for the next meeting. Comments would be sought from Animal Control and a determination made on whether their attendance would be required.

Clr Arbuckle thanked Jane Robertson for organising the recent SPCA, dog park and pop up dog park visits. Councillors found it very informative.

2. Apologies

Nil

3. Confirmation of Previous Minutes – 3 April 2017

	Description	Who’s Responsible	Action Update
1.	Organise site visit to the Powell property for Committee Members including Jane Buckman & Sue McDonald.	Ms Robertson	Completed
2.	Report on cat population. Discuss further with SPCA and approach Compliance for a way forward.	Clr Shenfield Ms Polkinghorne	Site visit organised 19 June 2017 Cats – on today’s agenda
3.	Contact number for Doggy Doo stand contractor to Mr Murphy (Maataa Waka).	Ms Robertson	Completed Downers to be contacted to organise keys.
4.	Contact details for schools. Letter of endorsement for the programme be sent to.	Mr Murphy Ms Robertson	Carol has visited a number of schools. 60 letters have been sent so far. Contact SPCA for confirmation of their next meeting date and verify whether Carol visited.
5.	Email information on the SPCA school programme to Animal Control, Mr Murphy.	Ms Polkinghorne Mr Murphy	Follow-up required.

	Description	Who's Responsible	Action Update
6.	Alec McNeil/Stuart Donaldson to provide a report to the Committee costings for Foxes Island.	Ms Robertson	Completed
7.	Reserves be invited to the next meeting to report on concerns on establishing a dog park next to the Giesen Sports Centre.	Ms Robertson	Invite Jane Tito to next interim meeting.
8.	<p>Site visit to proposed Renwick pop up dog park be organised. Invitations be extended to Jane Buckman, Sue McDonald and Rosie Bartlett (Jane Tito).</p> <ul style="list-style-type: none"> • Following site visit a site plan be drawn up for presentation to the Committee for approval, then presented to landowner. • Start documentation on a lease arrangement initially for one year with a two year right of renewal for a total of three years. • That contact be made with Marlborough Roads to discuss parking options on Inkerman Street. 	<p>Ms Robertson</p> <p>Jane Buckman Sue McDonald</p> <p>Ms Robertson</p> <p>Ms Robertson</p>	<p>Completed</p> <p>Waiting on detailed costings. Jane Robertson to discuss with Jamie Lyall. Members in favour of 3-5 years renewal.</p> <p>Not an issue as parking on site.</p>
9.	<p>Organise DSI for proposed Blenheim Dog Park.</p> <p>Provide a report to the committee on potential surfaces for the area.</p>	<p>Ms Robertson</p> <p>Jane Buckman and Sue McDonald</p>	<p>Completed</p> <p>Sue McDonald to contact Christchurch manufacturer to obtain quotes and options on what would be the most suitable surface.</p> <p>Sue McDonald to forward quotes to Jane Robertson.</p>
10.	Identify hot spots for bylaw review to Jane Robertson.	Mr Murphy	Robin Dunn identified hot spots. Noted it is still open for anyone to identify further hot spots – bylaw not up for review until 2022.
11.	Rarangi DOC Land - report back at the next meeting.	Ms Robertson	Contact person Matt Flood at DOC still to make contact
12.	Report on fees charged by different councils identifying fees, categories and what they get for that fee.	Ms Robertson	Completed

Cirs Taylor/Shenfield

That the minutes of the meeting held on 3 April 2017 be taken as read and confirmed as a true and correct record.

Carried

ATTENDANCE: Rob Besaans joined the meeting at 9.45 am to speak to this item.

ATTENDANCE: Gina Ferguson joined the meeting at 9.52 am.

4. iDog App

Members were advised that the current iDog app is being updated to a web based model which means that information will be available to the user immediately. It was noted that due to the Trim upgrade development has just started with completion in potentially one and a half months.

It was noted that by providing a web based model it can be deployed across all devices and it decreases the testing times for developers so can get it out a lot faster.

Screen shots were circulated to members on how it is envisaged that the information will look.

Peter Murphy noted that the app will enable them to have access to all dog owner information on the spot rather than having to go back to the office which will enable them to make informed decisions on the spot.

Clr Taylor noted that all information contained in the app is subject to LGOIMA guidelines and this should be considered when writing memos/file notes.

Clrs Shenfield/Taylor
That the information be received.

Carried

ATTENDANCE: Alec McNeil joined the meeting at 9.55 am.

5. Blenheim Dog Park Update

Clr Arbuckle noted that a PSI and DSI was undertaken by Mark Davies and the report has been received.

It was noted that the report advised that extensive remediation is not required for the site and this is positive.

Alec McNeil gave members a brief history of the site and noted there are some issues due to it being an old landfill. Members were advised that they have dug into the top capping level of the land fill and it is clean, however, if you dig down then you get to the blue bags which are still biodegrading.

It was noted that where the proposed public entrance Works Ops have their gravel storage area which would potentially need to be relocated. It was noted that there another site has been identified.

The Taylor Pass sub-division is expanding and it is likely resident will be drawn towards the facility. Alec noted that there are a number of large trees in the area and these are likely to be felled. It was also noted that the whole area would become a managed area which would mean that Council would go in once or twice a year to service the park. It was suggested that a strategy be developed for this submit to the LTP and stage it to develop the rest of the site.

Members requested that Alec provide a report, including costings, on the entrance way and submit to the appropriate Committee.

Clr Shenfield noted that LOS workshop are currently being held and whether this could be a starting point to get it discussed to then take it through to the general fund.

Gina Ferguson noted that she is looking at Levels of Service (LOS) and did require an indication from the Committee whether they were looking at increasing any of those LOS. Noted she had

brought draft documents and required input from the Committee on whether such things as dog parks would be included as this would increase the LOS.

Clr Arbuckle noted that there is some funding available but this doesn't mean there would be money to provide ongoing funding for the park. It was noted there would be two budgets one for Blenheim and one for Renwick. Clr Shenfield suggested that consideration should be given on whether the Renwick dog park could be considered under the Small Townships Programme.

Sue McDonald queried whether because the site is a contaminated site it would allow for the posts to be put in. Alec noted that if you start digging around in the ground then there are protocols to follow.

In response to a queried raised by Clr Taylor on the Chilean Needle Grass (CNG) that has been identified on site, Alec advised that he will work with Jono Underwood and Stuart Donaldson to provide a plan that includes processes to deal with the CNG.

It was noted that the Committee will progress with a design for the parks.

Clr Arbuckle/Shenfield
That the information be received.

Carried

6. Renwick Dog Park Update

It was noted that Councillors participated in a site visit to Foxes Island on Thursday, 20 July. It was reported that an outcome of the visit is that Councillors do view the site as a multiuse site and further discussions need to be had.

Members were advised that the original PSI reported that there was no need to go to a detailed site investigation. The author of that report is now recommending that a Detail Site Investigation (DSI) on Foxes Island.

Following general discussion members agreed that it would be good information to have which could be used by all departments. Alec noted that it would be good to undergo a similar exercise for Blenheim. It was agreed that a DSI be undertaken as soon as possible so any works can be included in the LTP.

In response to a query regarding funding, Alec noted he would speak to David Craig to clarify whether there is funding available from the Landfill Aftercare budget.

Clrs Arbuckle/Taylor

- 1. That a DSI to be completed for Foxes Island by Mark Davies.**
- 2. That up to \$5,000 be allocated from Animal Control Sub-Committee budget and Alec McNeil's (Landfill Aftercare) budget for a DSI on Foxes Island.**

Carried

ATTENDANCE: Alec McNeil withdrew from the meeting at 10.27 am.

6.1. Inkerman Street

Clr Arbuckle tabled a quote from Murray Newman for the works at the dog park. It was noted that an idea on the potential cost for the works was sought so only one quote was requested.

There was general discussion on other items that needed to be considered such as tidying up of the site and water. It was noted that Council would have to supply the drinking fountain, doggy doo station which would need to be added to the total cost. Jane advised that the

price quoted by Mr Newman could potentially take half the budget. It was suggested that this be discussed in detail at the interim meeting in September.

It was noted that this could potentially be a large outlay so it was suggested that the lease considered for the park should be at least 3-5 years. Once total costings are provided discussions on the lease can be progressed.

In response to a query from Cllr Taylor it was noted that the maintenance of the dog parks will be handed to Reserves which will need to be budgeted for. It was noted this is likely to create discussion on the 80/20 dog fees and whether there would be money from Animal Control.

Sue McDonald noted that the visit to Renwick was very successful and wanted to congratulate the Council and Animal Control for undertaking the dog survey. Noted the establishment of the dog parks is very positive.

Members were advised that the dog survey will be discussed at the interim meeting and Sue McDonald will be invited. Sue McDonald to Update Renwick S+C on developments to date.

**Cllrs Arbuckle/Taylor
That the Renwick Dog Park be included on the agenda for the interim September meeting of the Animal Control Sub-Committee.**

Carried

ATTENDANCE: Meeting adjourned at 10.38 am and resumed at 10.43 am.

ATTENDANCE: Kelly O'Hagan and Paul Murphy withdrew from the meeting at 10.43 am

7. LOS Review

Gina presented a draft LOS which was circulated to members for what Compliance will be doing for each group. Members were advised that this needs to be completed by the end of this week for presenting to Councillors in August.

Cllr Arbuckle noted that there is little chance of a reduction in LOS as we do want dog parks. Noted there is work being undertaken to obtain a figure for the LTP. Gina noted the other consideration is how the money is funded with consideration given to whether it is from a split between ratepayers and dog registration or it is ratepayer funded.

Members discussed other potential avenues for funding and noted that Reserves and possibly the landfill aftercare fund. It was noted that all sites are potentially multi use so they would fit within the Reserves budget.

It was also noted that ongoing operating costs need to be taken into consideration ie; cutting grass, emptying doggy doo stations.

Members discussed whether Animal Control pick up a 50-50 split for the ongoing maintenance of the dog park but noted that the Blenheim and Foxes Island sites are old land fill sites which have a budget allocated for their long term maintenance.

Members noted that capital would be funded at 100% from Reserves and then ongoing costs to be split 1/3 1/3 1/3 between Reserves/Dog Registration/Land Fill Maintenance.

Jane Robertson noted some of the feedback received from the dog owner satisfaction survey identified concern regarding signage and queried whether a signage review is required and if agreed to then capital would be required to update the signage. Gina advised that she will confirm whether there is a budget line for signage maintenance.

It was noted that there is some reserves in the budget and this could be carried over for signage. It was also noted that the Animal Shelter's floor requires repair due to earthquake damage.

Clr Arbuckle requested that Gina email the bottom line in the budget to members for their information.

Clrs Shenfield/Taylor

- 1. That the balance of the dog control budget be carried over for the purposes of signage and Animal Shelter repairs.**
- 2. That ongoing maintenance is budgeted for on a 1/3 basis between Reserves, Dog Registration and Land Fill Maintenance.**

Carried

Gina noted that there could be the potential for an increase in budget for the Cat Management Strategy. Clr Shenfield noted that we have a care and custody agreement with the SPCA for dogs but we don't have one for cats.

There was also a query regarding who is responsible for cats in reserves. Jane noted that she had spoken to Murray Morgan who patrols the reserves and he advised that he had not had any issue with cats.

Considerable discussion on the Management Strategy ensued and members agreed that education and desexing is important. It noted that this does not currently have a budget and would therefore require a budget line. It was also noted that micro chipping is important as it provides information to determine whether a cat is owned.

Clrs Taylor/Shenfield

That \$20,000 for education be included in the LOS and budgeted from rates.

Carried

Clr Arbuckle queried whether Marlborough Roads is still paying \$48,000 to Council for stock on roads. It was noted that any call outs Council gets that are over the contracted amounts and identified as either State Highways or local roads. It was noted that we need to make sure this is reimbursed from Marlborough Roads. Staff to monitor to ensure money is being reimbursed accordingly.

Gina advised that she will follow-up to ensure that any over spend is reimbursed by Marlborough Roads.

General discussion on the 80/20 split and noted that it doesn't look like that the whole 20% has gone into the budget. Gina to confirm whether this is the case. If it hasn't then there will be an opportunity to increase the LOS without increasing the dog fees.

Clr Jamie requested an update to members be provided when completed.

ATTENANCE: Gina Ferguson withdrew from the meeting at 11.26 am.

8. Bylaw Review

No information has been received from the BBA on dogs in town. Noted this be put on next year's agenda and an invitation be extended to Jane Tito as Reserves Manager to discuss.

Clrs Arbuckle/Shenfield

Bylaw review ongoing with information being gathered.

Carried

9. Signage Issues

Picton (Coathanger Bridge Area, Victoria Domain)

Clr Taylor advised members that she has been approached by a member of the public who had recently been harassed by a dog that was off lead in an on lead area. The woman in question had advised that the current signage is quite old and run down and consideration should be given to having it replaced.

Jane circulated images of dog signage currently in use around New Zealand. It was reported that there has been feedback from other members of the public regarding signage.

Following general discussion it was agreed that Jane and Clr Taylor undertake a full audit of signage to be completed by September 2018. It was agreed that as a matter of urgency Jane to investigate the signage in question and report back to the next meeting with a recommendation.

It was noted that Reserves have indicated some concerns regarding the amount of signs and it was suggested that Jane Tito be included in any discussions/site visits as an opportunity to work together to get the best outcome.

Ms Robertson advised members that when Animal Control undertake their patrols they are requiring to identify any issues with signage and note this in their monthly contract reports.

Clrs Arbuckle/Shenfield

- 1. That a site visit to Victoria Domain to carry out a signage audit be undertaken by Jane Robertson and Clr Taylor and a report be available for the next meeting.**
- 2. That a signage audit be undertaken for Marlborough to be completed by September 2018.**

Carried

10. Doggy Do Stations

Jane advised that the Taylor River has had issues with a lack of bags and Harling Park there is no doggy doo station. It was suggested that discussions with Janet Tito regarding a doggy doo station for Harling Park be undertaken.

It was noted signage and doggy doo stations was quite a hot topic in the dog owner satisfaction survey. Jane advised that a summary of the Dog Satisfaction survey will be on the agenda for the next Environment Committee.

Clr Taylor suggested that any signage comments needed to be included with the signage audit.

11. Animal Control Patrols

Jane noted that the issues with the Taylor Reserve and Taylor Dam are ongoing. It was noted that while undertaking patrols this be used an opportunity to provide advice and education for dog owners. Members were advised that post registration a campaign will be undertaken on the Taylor River focusing specifically on dog owner requirements.

It was suggested that Karen Fisher produce an article to support this campaign.

Jane advised that she is currently in discussions with Glyn Walters regarding a 12 month Communications Strategy.

12. Dog Registration 2017/18 Update

Members were advised that there are 1707 unregistered dogs this year this doesn't include any registrations completed over the weekend or today. It was noted that Animal Control will actively

pursue the outstanding registrations. It was reported that there is one month's grace before a penalty is triggered.

Jane advised members on the process for the escalation of non-payment of registration. It was noted that Jane has received a few calls from dog owners seeking a delay in paying the fee. It was noted that an agreement has been reached to have the fees paid with no penalty incurred. Members were advised that there is no facility for people to pay off the fee.

Cirs Arbuckle/Taylor
That the information be received.

Carried

13. Cat Update

Clr Shenfield advised members on her and Jane's 19 June meeting with Casey SPCA and Bridget Graney to discuss cats.

Members were advised that SPCA charge \$200 for cats/kittens to be rehomed. It was noted that SPCA have received \$7500 Council Community Grant for a cat desexing and education programme from the. Programme has commenced and runs for first two weeks in August and the public will be charged \$50 to have their cat desexed and microchipped using Springlands Vet clinic. It was noted that there is a criterion that needs to be met for eligibility.

It was noted that the SPCA have asked for an amended letter of support to go with their lotteries grant application.

It was noted that they were unable to provide information on the amount of Marlborough cats registered on the companion animal register. Members requested that Jane send an email to the Companion Animal register asking what information they do keep to assist us in managing cats.

Members were advised that she has forwarded the poster on to Karen Fisher about the desexing programme.

Cirs Arbuckle/Taylor
The information be received.

Carried

14. General Business

14.1. 2019 National Dog Show

Clr Arbuckle advised members that we have the opportunity to host the 2019 National Dog Show. He noted that an invitation will be sent to Sam Young to attend one of the meetings prior to the end of year. Clr Arbuckle advised that Peter Dunn, Secretary of the National Dog Show, is very supportive of holding the show in Marlborough. It was noted that the RDA has been suggested as the venue of choice along with the Omaka Kennel Club.

Members were advised that the Mayor has been informed and the Sub-Committee will be provided with regular updates. It was noted that the event has the potential to bring 5,000 people in to the region.

14.2. Letters to the Editor

Clr Arbuckle advised that there had been a number of letters to the Editor that were criticising the dog registration fees, a copy of the letters had been supplied to Jane. He suggested that a united response from the Committee advising that we are one of the lowest dog fee structures in NZ and that we are undertaking a review of the fees.

It was noted that the key point from the letter is that owners are wanting a responsible dog ownership fee introduced to the fee structure. He noted that it is something that we are looking at.

Members agreed that a response was prudent and requested that Jane draft a response in conjunction with Karen Fisher. A draft to be circulated members for approval and sign off. Noted the letter to be signed from Clrs Taylor, Shenfield and Arbuckle.

- 14.3. Clr Taylor advised that there a members of the Picton community who querying whether there is scope for consideration of a dog park in Picton.

It was noted that there is a popular area by the skate park called Auckland Street Reserves. Costs involved would possibly be fencing and parking.

It was reported initially a group would need to be formed to champion the idea of a dog park in Picton and indicate a proposed site.

Members were advised that Picton S+C were happy to put a working group together purely to look at potential sites.

Clr Arbuckle noted they could then look at a design/layout and present to the committee. It was noted that this is likely to be a process of approximately six months discussion funding being sought through the annual plan budget.

Clr Taylor queried whether the committee was happy for her to continue to work with the S+C group to liaise with the working group and put them in contact with Renwick S+C (Jane Buckman and Sue McDonald) to help them with the process.

15. Decision to Conduct Business with the Public Excluded -

Clrs Arbuckle/Shenfield:

That the public be excluded from the following parts of the proceedings of this meeting, namely:

- **Pound Maintenance**
- **Desexing dogs rehomed from the Pound**
- **Companion Dog Status request**
- **Review of Dog Registration Fees for 2018/2019**
- **Ongoing Issues**

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
<ul style="list-style-type: none"> - Pound Maintenance - Desexing dogs rehomed from the Pound - Companion Dog Status request - Review of Dog Registration Fees for 2018/2019 - Ongoing Issues 	<p>In order to protect the privacy of natural persons, as provided for under Section 7(2)(a).</p>	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.</p>

Carried

There being no further business the meeting closed at 12.56 pm.

Action Items

	Description	Who's Responsible	Action Update
1.	Contact Downers to organise keys for Doggy Doo stand.	Jane Robertson	As soon as possible
2.	Email information on the SPCA school programme to Animal Control, Mr Murphy	Jane Robertson	As soon as possible
3.	Report, including costings, on the Blenheim Dog Park entrance way and submit to the appropriate Committee.	Alec McNeil	November 2017
4.	Invitation to Alec McNeil and Stuart Donaldson to attend next meeting to provide costings for Foxes Island.	Jane Robertson	As soon as date for next meeting confirmed.
5.	Ms Tito be invited to the next meeting to report on concerns with establishing a dog park next to the Giesen Sports Centre.	Jane Robertson	Invite Jane Tito to next interim meeting to discuss.
6.	Discussions to be held with Jamie Lyall on the proposed lease arrangement for the Renwick pop up dog park. Members in favour of 3-5 years renewal.	Jane Robertson	As soon as possible
7.	That the Renwick Dog Park be included on the agenda for the interim September meeting of the Animal Control Sub Committee.	Jane Robertson	Completed – 18 September 10am has been scheduled.
8.	Gina Ferguson to confirm whether there is a budget line for signage maintenance.	Jane Robertson	As soon possible
9.	Animal Control budget circulated to members.	Gina Ferguson	As soon as possible
10.	Follow-up to ensure that any over spend for stock on SH/local roads is reimbursed by Marlborough Roads.	Jane Robertson/Gina Ferguson	As soon as possible
11.	Check whether the 20% from the 80/20 split has gone into the budget line.	Jane Robertson	Advise members when information available.
12.	Include Dogs in CBD as an agenda item for 2018 meeting. Invitation sent to Jane Tito Reserves Manager to discuss.	Jane Robertson	By 2018 meeting.

	Description	Who's Responsible	Action Update
13.	Undertake a site visit to Victoria Domain to carry out a signage audit. Invitation extended to Jane Tito to attend site visit for Reserves input.	Jane Robertson Clr Taylor	Report to be provided at next meeting.
14.	A signage audit be undertaken for Marlborough to be completed within September 2018.	Jane Robertson	By August 2018
15.	Email Companion Animal Register seeking the information they keep on cats.	Jane Robertson	As soon as possible

Item Meeting Date

The following date has been sent for the interim meeting - 18 September 2017, 10.00 am.

Draft Agenda items –

1. Jane Tito Reserves & Amenities Manager – concerns with establishing a dog park next to the Giesen Sports Centre
2. Dog Signage Picton and Marlborough
3. Renwick & Blenheim Dog Parks
4. Dog Fee Review

Record No: 17151711

14. Dog Control Policy and Practices Annual Report 2016/2017

(Cllr Arbuckle) (Report prepared by Jane Robertson)

E305-003-003-01

Purpose

1. The purpose of this report is to request that the Committee approve the Dog Control Policy and Practices Report for the 2016/2017 year. A copy of the report is **attached** (Refer Appendix 1).

- | | |
|----|---|
| 2. | Jane Robertson, Environmental Protection Officer/Contract Manager will provide a short presentation on Animal Services (15 minutes). |
|----|---|

Background

3. Section 10A of the Dog Control Act 1996 requires the Council to prepare an annual report on its administration of dog control policies and practices in respect of each financial year. The report is to contain certain specified information such as the number of dogs registered, the number of dogs declared dangerous and menacing, and the number of probationary or disqualified owners.
4. This report focuses on the 2016/17 financial year which is the period 1 July 2016 - 30 June 2017.

Proposal

5. Once the Council has approved the report, a copy of the report must be:
 - Publicly notified; and
 - Provided to the Secretary for Local Government, within one month of its release.

RECOMMENDED

1. **That the Dog Control Policy and Practices Annual Report for the 2016/2017 year be approved.**
2. **That the report be publicly notified and a copy be provided to the Secretary of Local Government.**

Appendix 1



***Dog Control Policy and Practices Annual Report –
1 July 2016 to 30 June 2017
(Section 10A of the Dog Control Act 1996)***

Background

Section 10A of the Dog Control Act 1996 requires the Marlborough District Council (Council) to report on its administration of Dog Control Policy and Practices in respect of each financial year.

This report focuses on the 2016/17 financial year which is the period 1 July 2016 - 30 June 2017.

The objectives of this report are to:

- Report on Council's administration of dog control policies and practices;
- Provide information on dog control activities.

This report will be provided to the Secretary for Local Government and will be publicly notified within one month of its release.

Operations

The Dog Control function has been contracted out to Maataa Waka Ki Te Tau Ihu Trust since 1998. Council and the Contractor are parties to a contract, under which the Contractor provides animal control services to the Council (original contract).

- Commencement Date - 1 April 2015
- Expiry Date - 31 March 2018
- Maximum Contract Term - Seven Years

Council retains the administration of the contract, makes decisions on classifications of dog owners, objections to classifications and infringements, and on prosecutions.

Dog Control Policy

As required by the Dog Control Amendment Act 2003, the Council has adopted a Policy on Dogs.

Council adopted a new Policy and Bylaw which came into force on Monday 1 October 2012.

This Policy deals with various matters, as required by Section 10 of the Dog Control Act including dog areas, fees and education. The next review date of the Bylaws will be 01 October 2022.

A copy of the current Policy can be viewed on the Council's website www.marlborough.govt.nz.

Dog Areas

Dog areas are set out in the Policy on dogs and in Council's Dog Control Bylaws.

Dogs are allowed off leash in dog exercise areas, provided they are kept under control at all times. There are a total of 34 dog exercise areas in the Marlborough District.

Dogs are prohibited from areas that have an intense public use, where dogs may compromise the enjoyment of the area, where ecological or economic values would be threatened, where space is limited on narrow walkways and pedestrians may be threatened.

Currently there are 39 dog prohibited areas in Marlborough, the majority being sports grounds, reserves and/or domains and wetland areas.

Dogs are allowed in, but must be kept on leash, in any public area that is not identified as a dog prohibited area or dog exercise area.

Blenheim Central Business District (CBD) is dog-free, while Picton's CBD allows dogs on a leash.

A copy of the current Dog Control Bylaws can be viewed on the Council's website www.marlborough.govt.nz.

Fees

The registration fee structure for the 2016/17 year was:

- \$57 fee for non working dogs (Category 1)
- \$86 fee for non working dogs (Category 2)
- \$24.50 fee for working dogs
- A fee for dogs classified as dangerous that is 50% above the standard fee
- A rebate for owners of more than 6 dogs that have no recent recorded breaches of the Dog Control Act 1996

Non working dogs:

Category 1

Dog: Neutered, microchipped and not classified as dangerous or menacing.

Owner: Not classified as probationary or been disqualified, not convicted of an offence or committed an infringement offence under Dog Control Act.

Category 2

Any non-working dog that does not meet the criteria for a Category 1 non-working dog.

Funding

Dog control is 80% funded from dog registration fees and 20% rates funded. The fees are set to cover the budgeted cost of the dog control function.

Education

A dog safety education course is available to schools and groups of primary school and preschool aged children. The purpose of this course is to promote safety around dogs as well as responsible dog ownership and care. This programme is provided free of charge.

Each year presentations are carried out to adults who provide property and in-home services to the public on dog safety and dog behaviour. E.g. Meter Readers, Courier Drivers, Probation Officers.

Information on various aspects of dog behaviour, care and responsible ownership are available from Animal Control. Information on relevant topics is distributed to owners of dogs that come to Animal Control's attention.

There is regular material regarding dogs in the Marlborough local newspaper. These features include articles on dog owner responsibilities, dog health and dog behaviour. These features can also be viewed on the Council website.

Animal Control is also involved in a collaborative interactive safety programme that has developed from within the Marlborough Child Safety Group and is based on the "Clued up kids" project developed in Strathclyde, Scotland (2001). The pilot Marlborough Clued-Up Kids project was held at Brayshaw Park in November 2006 and was designed to instil confidence and develop life skills through the practical hands-on application of safety messages. Year 5/6 students from Marlborough/Kaikoura Schools are taken in small groups of 4/8 on a 15 minute rotating circuit of eight safety sets scattered around Brayshaw Park i.e. Police, St Johns, Rail safety, Water safety, Emergency Response, Personal safety, Dog safety, Cycle safety, ATV safety, Home Hazards and Fire safety. This event goes for one week in November each year. In 2016, 80 presentations were presented at this event.

Dogs and Owners

There were 10,701 dogs registered in the Marlborough district. 1,949 dogs were registered as working dogs (including disability assist dogs and Police dogs) and 8,752 were registered as nonworking dogs.

Disqualifications and Probationary Owners

Marlborough currently has no disqualified or probationary dog owners.

Menacing and Dangerous Dogs

There are currently 13 dogs classified as dangerous and 92 dogs classified as menacing.

Enforcement

Infringements

A total of 297 infringement notices were issued in the 2016/2017 year. 209 of these notices were for unregistered dogs and 62 were for uncontrolled or roaming dogs. The remainder were for a variety of other breaches.

Complaints

A total of 2,524 complaints were received in the 2016/17 year. The majority related to lost or found dogs or dog nuisance. 59 complaints related to a dog attack or rush. All complaints were attended to and investigated.

Impounded/Unclaimed/Surrendered Dogs

There were 367 dogs impounded for various reasons. The majority of these dogs were released to their owners and the ones that were not claimed were sent to the SPCA, re-homed from the pound or destroyed, depending on temperament and characteristics.

All dogs unclaimed from the pound go through a temperament and characteristics test to make sure that they are suitable for re-homing to the SPCA or to members of the public. Members from the public who want to apply for a dog from the pound must complete an application form and have a back ground check of no previous breaches to the Dog Control Act 1996 to make sure they are suitable for Animal Controls rehoming programme.

There is an agreement between Council and the SPCA with respect to the costs of caring for these dogs.

During 2016/2017 a total of 53 dogs were rehomed either to the members of the public or the SPCA.

Unregistered Dogs

Animal Control runs projects to identify and address unregistered dogs, being the Unaccounted for Dog Check Project.

As part of these projects dogs were found that had been previously registered, but not re-registered for the 2016/17 registration year. Dogs that were still in Marlborough and alive were correctly registered. Records were also updated for those dogs that had died, changed address or were gone with no contact address. Owners of unregistered dogs received an infringement notice under section 42 of the Dog Control Act 1996.

Prosecutions

On 14 September 2016, a dog control officer undertook a property inspection for the purpose of conducting a dog check of three unregistered dogs. A charge was laid for wilful obstruction or hindering a dog control officer while carrying out his duties as a dog control officer under section 18 the Dog Control Act 1996. The person was convicted and found guilty for wilful obstruction of a dog control officer in the Blenheim District Court on 9 August 2017. They were fined \$1200 and also had to pay towards service costs, solicitor costs and court costs.

On the 21 June 2017, a dangerous, classified dog bit a person on the back of his leg. The attack was not reported by the victim until over a month later on the 24 July 2017. The incident report is to be reviewed by the Council Enforcement and Prosecution Committee, pending potential prosecution seeking destruction of the offending dog.

Copy to: Secretary for Local Government
Department of Internal Affairs
PO Box 805
Wellington 6140

15. Aids to Navigation

(The Chair) (Report prepared by the Harbour Master)

H100-005-14

Purpose

1. The purpose of this report is to update the Committee of the on-going management of Aids to Navigation (AtoNs).

Background

2. The Council is responsible for the provision and servicing of 98 AtoN in the region which include beacons, buoys, channel markers and leading lights. The collective replacement cost of these units is estimated at \$1.5 million.
3. These AtoN are a critical component of the Harbour Safety Management System and their operation must comply with international standards as set by the International Light House Authority (IALA). Requirements include minimum response times to rectify light failures, prescribed inspection routines and the establishment of an accurate performance data recording programme.
4. The management of AtoNs was brought 'in house' and carried out internally by the Harbour Master's Team.

AtoNs Update: August 2017

5. A total of four navigation aid failures have occurred since the last report. Failures occurred at Allports Island, Shakespeare Bay inner and outer harbour and Dieffenbach Pt. All of these failures were responded to and repaired within the required time frames.
6. The number #17 Havelock channel mark has been replaced.
7. A temporary buoy remains on Keep Clear Rock (unlit) following destruction of the previous navigation aid from boat strike. A permanent replacement buoy has now been constructed but remains to be installed. This depends on contractor availability.
8. A green light will be installed on Scott Point in Queen Charlotte Sound to clear up confusion over the lighting scheme presently in place. In addition a lit buoy is proposed for north of Long Island.

Conclusion

9. IALA standards for all lit navigation aids have been achieved for the past six weeks but there was a number of failures leading up to winter.

Note: IALA specifies 3 categories for AtoN. 'Category 1' AtoNs are defined as being '*of primary navigational significance*' and have the highest availability requirement. Tory Channel Leading lights are the only Category 1 AtoN under the Council control. Over 90% of AtoNs under the Council control are listed Category 2 being defined by IALA as '*of navigational significance*'.

RECOMMENDED

That the information be received.

16. Marine Farm Light Audits

(The Chair) (Report prepared by the Harbour Master)

H100-004-003-17

Purpose

1. The purpose of this report is to update the Committee of the ongoing marine farm light audits that are being carried out.

Background

2. Conditions of consent attached to individual marine farm consents dictate the lighting requirement for each farm.
3. The Harbour Master audits every marine farm in the waters of the Marlborough Harbour at least once every three years. This requires a site visit of at least 200 marine farms annually.
4. No marine farm audits have been undertaken since the last report to the committee.
5. The establishment of a marine farm lighting audit systems has resulted in improved compliance all areas of the Sounds.

Discussion

6. Work is being undertaken to ensure that the cumulative lighting requirements of multiple farms in a bay do not exceed navigational safety requirements. Crail Bay provides the first example of a bay wide lighting solution.
7. The MFA has sought comment on additional areas where a bay wide solution to lighting could be beneficial including Nydia Bay and Kauauora Bay. The draft proposal is well reasoned and could improve navigability in the aforementioned bays.
8. Rationalisation of the requirements in relation to orange buoys is also underway. As with lighting, a farm by farm approach does not necessarily allow for proper consideration of the broader environmental context within which the farm sits.
9. Discussions have commenced with the MFA to see how the MFA and Harbourmaster can better align with their respective audit regimes to enable better efficiencies.
10. Audits of Marine Farms 2016/2017 financial year -
 - 204 farms audited mostly in the central Pelorus area - Clova, Crail, Ta Whitinui, Hallem, Kauauora, Beatrix Bay plus Croiselles Harbour, Waikawa and Okuri Bay
 - General state of farms has been slowly improving over the past few years. However, we feel this year that this continued improvement has plateaued off a little.

RECOMMENDED

That the information be received.

17. Information Package

RECOMMENDED

That the Regulatory Department Information Package dated 31 August 2017 be received and noted.

18. Decision to Conduct Business with the Public Excluded

Decided That the public be excluded from the following parts of the proceedings of this meeting, namely:

- Confirmation of public excluded minutes

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Minutes	As set out in the Minutes and Reports	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under Section 7 of the Local Government Official Information and Meetings Act 1987.