
MINUTES
of the
REGULATORY COMMITTEE MEETING
held
1.30 pm, Thursday, 1 April 2021
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Cr D Ogilvie (Acting Chair), Cr K Maling (Acting Deputy Chair), Crs C Butler, C Hill, B Dowler, C Mackenzie, D McNamara, T Tuffnell, A Turley, T Walker

In Attendance: Environment and Planning Manager (D Bush-King), Executive Assistant (J Halsey), Executive Support Officer (L Atkins)

Part Attendance: Resource Consents Manager (T Harris), Regulatory Manager (A Humphries), Team Leader – Natural Resources Policy (L McGlinchey), Environmental Policy Manager (B Johnson), Engineering Services Manager (R Kirby)

1 OPENING, WELCOME

Councillor Ogilvie welcomed everyone to the meeting and Mr Bush-King opened proceedings with a karakia.

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr Turley/Cr Maling
RC21-04-1

That apologies be accepted from Councillor Wensley, Councillor Bryant, Councillor Greening and Mayor King.

CARRIED

3 PUBLIC FORUM

Nil

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

Nil

6 CONFIRMATION OF MINUTES

Moved Cr Tuffnell/Cr Dowler

RC21-04-2

That the minutes of the Regulatory Committee meeting held on Thursday 26 November 2020, be confirmed as a true and correct record of the meeting.

CARRIED

7 PRESENTATIONS

Nil

8 REPORTS

8.1 Resource Consents Manager's Report

Ms Harris' report was taken as read. A question was raised about the Mārahau Special Housing Area subdivision application and Ms Harris confirmed the wastewater and stormwater issues were being addressed but that the legislation under which the application was being processed expires in September 2021.

The delays around water permits was raised and the committee is seeking assurance that this will be up to date by next year. Ms Harris explained that consultants may need to be engaged to assist with the process.

The Tiny Homes Expo was discussed and Ms Harris confirmed the staff experience was positive and there should be an increased understanding in the community that the rules are not as difficult as first thought provided people can put together good proposals. Mr Johnson confirmed both the policy and consenting teams are working closely to see what further guidance can be given but noted that intensification is not just a tiny homes matter. The TEP is the place for any future changes. Ms Harris confirmed her team are continuing to work with Chris Bennett who presented to the Committee in November 2020, looking at modular smaller homes in Golden Bay.

Moved Cr Turley/Cr Dowler

RC21-04-3

That the Regulatory Committee receives the Resource Consents Manager's Report RRC21-04-1.

CARRIED

8.4 Freedom Camping Update

Mr Humphries' report was taken as read. Mr Humphries notes that NZTA with input from iwi, is looking at what else can be done at Waitapu Bridge.

The Committee agreed not to ask staff to undertake a further change to the bylaw, noting that there were still sites in the District available to non-self-contained vehicles. Mr Humphries noted that some Council bylaws are before the Courts and Minister Nash is reviewing freedom camping, the results of which may influence future decision making.

Mr Humphries confirmed, in response to a question, that there has been an increase in aggressiveness towards staff with police prosecuting one case currently. He also noted that homelessness was more notable this year, both homeless by choice and homeless by circumstance. He advised staff will continue to monitor numbers and inform agencies as required.

**Moved Cr Tuffnell/Cr Dowler
RC21-04-4**

That the Regulatory Committee receives the Freedom Camping Update RRC21-04-4.

CARRIED

8.3 Environment and Planning Manager's Report

Mr Bush-King's report was taken as read.

The Richmond Ward Councillors were tasked to consider whether the time has come to partition Richmond into suburbs. Mr Bush-King outlined suggestions in his report - Richmond Central, Hope, Templemore and Waimea. The name Washbourne was suggested in place of Richmond Central.

Mr Johnson was asked to follow up on the letter the Mayors of Tasman District Council, Nelson City Council and Marlborough District Council wrote to Minister Parker regarding a combined plan for the Top of the South.

**Moved Cr Maling/Cr Mackenzie
RC21-04-5**

**That the Regulatory Committee receives the Environment and Planning Manager's Report
RC21-04-3.**

CARRIED

8.2 Chairs Report

Report taken as read.

In Councillor Wensley's absence Councillor Ogilvie highlighted the issue of nitrate levels on the Waimea Plains and asked if there was more information from Council staff on any threats that may be arising from nitrate levels. It was also raised at the Operations Committee meeting in the morning.

Mr Bush-King confirmed Tasman's community water supplies meet the national drinking water standards for drinking water. Ms McGlinchey updated the Committee on other actions to manage nitrates. There is a workshop on Freshwater on 13 May 2021 and a full overview of where the freshwater programme is at will be provided at that time and this will include Waimea. The FLAG group for the Waimea area was put on hold in 2016 until the Takaka process was completed. Staff are now looking at options for progressing the Waimea nitrate issue and recently have been working with growers and industry on Waimea plains. A review of the science regarding groundwater, soil, and land use information for nitrates on the Plains was released last year. A draft 'Issues and Options' report is being developed for further discussion

with growers at a future workshop.

Ms McGlinchey noted staff are working to develop a relationship agreement with Horticulture NZ for joint support of growers on the Plains for their nutrient planning to ensure good practice in preparation for the Freshwater Farm Plans which are expected in the next 12-24 months.

A question was asked about the threshold for taking on new research and how do staff assess the quality of evidence. Ms McGlinchey confirmed there are vast amounts of information available, including the result of the Council's own research. The Ministry of Health sets the guidelines and our position as a council has always been to be compliant with the NZ drinking water standards. The Ministry for the Environment is also setting other national environmental limits and standards which will also form part of the Tasman Environmental Plan review.

**Moved Cr Ogilvie/Cr Turley
RC21-04-6**

That the Regulatory Committee receives the Chairs Report RRC21-04-2.

CARRIED

9 CONFIDENTIAL SESSION

9.1 Procedural motion to exclude the public

**Moved Cr Ogilvie/Cr Mackenzie
RC21-04-7**

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

9.2 Manager's Report - Legal Matters

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

CARRIED

**Moved Cr Ogilvie/Cr Dowler
RC21-04-8**

That Mr Matt Meacham, Account Manager Marsh Ltd and Ms Amy Davison, Principal Lawyer, Rice Speir, be permitted to remain for item 9.2 – Manager’s Report – Legal Matters after the public has been excluded, because of their knowledge of the matter being discussed. This knowledge, which will be of assistance in relation to the matter to be discussed, is relevant to that matter because of background information and advice which will be required by the Full Council when assessing options available to it and in explaining any decision to the community.

CARRIED

Councillor Chris Hill closed the meeting with a karakia.

The meeting concluded at 15.05

Date Confirmed: 6 May 2021

Cr D Ogilvie (Acting Chair)