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**MINUTES**  
of the  
**ENVIRONMENT AND PLANNING COMMITTEE MEETING**  
held  
**Thursday, 7 March 2019**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillor T King (Chair), Mayor R Kempthorne, Councillors S Brown, S Bryant, P Canton, M Greening, P Hawkes, K Maling, D McNamara, D Ogilvie, P Sangster, A Turley, T Tuffnell, D Wensley

**In Attendance:** Environmental Policy Manager (Barry Johnson), Technical Lead – Building Assurance (P Beck); Resource Consents Manager (P Doole); Executive Assistant (J Jar; G Crichton)

**Part Attendance:** Environmental Policy Planner (Tania Bray); Team Leader – Biosecurity (Paul Sheldon)

**1 OPENING, WELCOME**

The Chair welcomed Julie Jar as the new EA to Environment and Planning and farewelled Glenda Crichton

**2 APOLOGIES AND LEAVE OF ABSENCE**

NIL

**3 PUBLIC FORUM**

**Phil Kirk**, Senior Policy Analyst for MPI, based in Nelson spoke on the classification of the drought as a Medium-Scale Adverse Event. This covers the entire Tasman District and provides the Rural Support Trust with approval to spend up to an additional \$100,000 of funding. This money is being drawn on to support activity associated with the recent Civil Defence Emergency with the fire and the response to the district's drought. Mr Kirk updated the Committee on how people could access the assistance.

**Maxwell Clark** asserted that there had never been any salt intrusion into the Waimea aquifer and tabled a map on the Richmond water supply area North (Waimea water treatment & supply

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wells). He questioned why bores 10 and 11 had not been used to date. He believed that the bores on the plains had never gone dry and questioned the water rights that had been allocated and also suggested that the next drought meeting be postponed until after the rain that is forecasted for the next week.

**Richard Johns** raised a complaint regarding Council staff and their handling of various resource consents. He believed that Council had used Consultants and an Independent Commissioner who had a conflict of interest. Mr Johns provided written copies of his complaint and requested he be contacted by someone from Council within 10 days or he would be taking further action.

**Graeme Walker** believed that the decision on the Waimea Community Dam had not been reached democratically and should have been put to a referendum.

#### **4 DECLARATIONS OF INTEREST**

Cr Canton declared his interest as a submitter in the Talley's Motueka Consent and Crs Sangster and McNamara declared their interest in the earthquake prone section of the Agenda.

#### **5 LATE ITEMS**

The Chair advised that incorrect papers had been circulated with the Agenda. **Attachment One:** Identification of Priority Earthquake-prone Buildings and **Attachment Two:** Public Submissions on Priority Earthquake-prone Buildings were provided at the meeting and will be attached to the Minutes.

#### **6 CONFIRMATION OF MINUTES**

**Moved Cr Tuffnell/Cr Brown**  
**EP19-03-1**

**That the minutes of the Environment and Planning Committee meeting held on Thursday, 29 November 2018, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Cr Brown/Cr Sangster**  
**EP19-03-2**

**That the Confidential minutes of the Environment and Planning Committee meeting held on Thursday, 29 November 2018, be confirmed as a true and correct record of the meeting.**

**CARRIED**

#### **7 REPORTS OF COMMITTEE**

Nil

#### **8 PRESENTATIONS**

Nil

#### **9 REPORTS**

On behalf of the Committee, Cr Tuffnell expressed his appreciation of the work that Chairman King provided during the recent Civil Defence Emergency fire event and drought.

### **9.1 Priority Earthquake-Prone Buildings**

Mr Phil Beck, Technical Lead – Building Assurance commenced by acknowledging there was an administrative error and the wrong attachment was sent out to the Committee members, and uploaded on the TDC website. The Correct attachment was uploaded prior to the meeting.

Mr Beck spoke to his report which was taken as read and expressed the need to make a decision on this matter due to the requirement to meet the first statutory deadline of 1 January 2020 to assess all potential priority earthquake-prone buildings in high seismic risk areas.

In response to a question, Mr Beck confirmed that in nearly all cases a tall single storey building (e.g. hall) would be treated as a single storey building.

In response to a question about heights of buildings, Mr Beck confirmed the assessment “rule of thumb” was 1½ times the height of the building and this was based on past experience and engineering advice, and based on buildings being located on level or gently sloping ground. Mr Beck used the example of a building that was 6m high, and confirmed that using the “rule of thumb”, the horizontal distance would be 9m away from a road or other thoroughfare. Mr Beck confirmed this approach had been checked with three Structural Engineers, including NCC’s in-house Engineer.

Mr Beck confirmed what were considered “priority” buildings (i.e. hospitals, schools, childhood services, and emergency services), and that all ‘other’ unreinforced masonry buildings were also required to be assessed, excluding those listed in the Building Act (i.e. bridges, tunnels, detached residential dwellings etc).

Cr King confirmed we have a responsibility to meet certain timeframes and the issuing notices, and sought reassurance that Council had the appropriate resources to meet the requirement of the legislation. Mr Beck confirmed that currently we did have the necessary resources, and that the timeframes in the report could be achieved.

The Committee asked staff to report regularly on the project to identify earthquake prone buildings.

### **Moved Cr Maling/Cr Hawkes EP19-03-3**

#### **That the Environment and Planning Committee**

- 1) receives the Priority Earthquake-Prone Buildings REP19-03-01; and**
- 2) approves those roads and thoroughfares of importance as listed in sections 2.1 and 2.2 of Attachment 1 to REP19-03-01; and**
- 3) approves those roads listed in table 5.1 of Attachment 1 to REP19-03-01, that will not be included in the identification of any potential priority earthquake-prone buildings.**

**CARRIED**

The Committee adjourned for morning tea at 10.30 and reconvened at 10.50.

### **9.3 Coastal Birds of the Tasman/Nelson Region – A review of Current Information**

Tanya Bray spoke to the report by Trevor James and introduced Rob Schukard and David Melville. Paul Sheldon was also present for this item.

Rob Schukard briefed the Committee on the work of the Onocological Society and Birds NZ in monitoring various sites across the Nelson Tasman Coastal area. The results from the project have identified the biodiversity along the coastline and a large proportion of the coastal birds in Tasman were classified as threatened and or at risk. The report was prepared to enable Council to meet its State of the Environment Monitoring targets as well as supporting the need to protect indigenous biodiversity in the coastal environment under the New Zealand Coastal Policy Statement 2010.

David Melville then spoke regarding the recommendations in the report. He focussed, in particular, on issues surrounding the Rototai Sand bar in Golden Bay (Caspian Tern). The bar is currently a dog prohibited area under the Dog Control Bylaw, but there are other disturbances ie horses, quad bikes etc. Further consideration is required as the sandbar is moving and there is potential for the adjacent landowner to claim rights. It is an opportune time for Council and DOC to discuss how these management issues might be resolved. There are other mobile sand bars around the coast which are suffering the same uncertainty.

A second issue was raised about the urgent attention required for the considerable loss of coastal margins to development and coastal sea rise and Council needs to plan for coastal realignment and support habitat creation. .

Dr Melville said climate change is the biggest threat to coastal birds with land getting tight for the birds, especially at high tides. Council needs to ensure space is provided in the coastal environment for coastal and shore birds as the sea level rises. He recommended there be some kind of education about safe dog walking by TDC.

#### **Moved Mayor Kempthorne/Cr Wensley EP19-03-4**

**That we ask Council staff to work with the Department of Conservation to identify improvements that can be made in the management of key coastal areas to ensure the safety of birds.**

**CARRIED**

#### **Moved Cr Ogilvie/Cr McNamara EP19-03-5**

**That the Environment and Planning Committee receives the Coastal Birds of the Tasman/Nelson Region – A review of Current Information REP19-03-03**

**CARRIED**

### **9.2 Resource Consents Manager's Report**

Mr Phil Doole spoke to his report which was taken as read.

He responded to questions about the water permit renewals process underway noting the drought is distracting staff because of requests around water sharing. The process will resume but in the meantime permit holders will be able to continue operating under their existing

permits.

In response to a question on consents being at risk if they have not been used for five years, Mr Doole advised no decisions had been made yet, however it was correct that under the RMA if it lapses it can be cancelled.

In response to a question in relation to staffing levels, Mr Doole advised the team is still understaffed and he is still recruiting for one more position.

There was discussion about whether Council should revisit how water is allocated in consents. Mr Johnson spoke on the plan review process but can't do everything at once. Allocation is a very challenging area and constrained by the RMA, but the law supports first in first served.

Also discussed were notification decisions and Councillors were encouraged to talk specifics with Mr Doole.

**Moved Cr Brown/Cr McNamara**

**EP19-03-6**

**That the Environment and Planning Committee receives the Resource Consent Manager's Report - July 2017 to January 2018 report EPC18-02-01.**

**CARRIED**

**9.4 Environment and Planning Committee Chair's Report 7 March 2019**

It was noted the number of staff involved in running the Emergency Management Centre and the significant impact this was having on Council and staff hence the delay in work. Thank you to all those people involved and Cr King highlighted there will be things which will be significantly impacted.

Councillors discussed the need to have a climate change policy for Council and if a climate change committee needed to be set up. Council workshop to be held to further the discussion.

Cr Brown left the meeting at 12.00pm

**Moved Cr McNamara/Cr Maling**

**EP19-03-7**

**That the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report 7 March 2019 REP19-03-04 report;**

**CARRIED**

**9.5 Environment and Planning Manager's Report 7 March 2019**

Mr Barry Johnson spoke to the report.

In response to a question on the complaint on the consenting process raised in public forum, this is to be escalated to the CEO to be actioned.

In response to a question on the Hill Country Erosion fund, Mr Johnson spoke on the funding, and what it covers. Advised of the need to recruit for that position and Council is working with

MPI and adjoining councils.

**Moved Cr Bryant/Mayor Kempthorne  
EP19-03-8**

**That the Environment and Planning Committee**

- 1. receives the Environment and Planning Manager's Report 7 March 2019 REP19-03-05; and**
- 2. approves the preparation of annual rather than quarterly reports on the National Policy Statement on Urban Development Capacity monitoring.**

**CARRIED**

The meeting concluded at 12.18pm.

Date Confirmed:

Chair:

Confirmed