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**MINUTES**  
of the  
**ENVIRONMENT AND PLANNING COMMITTEE MEETING**  
held  
**9.30 am , Thursday, 6 September 2018**  
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:** Environment and Planning Manager (D Bush-King), Executive Assistant (G Crichton)

**Part Attendance:** Rural Connectivity Group's Engagement Manager (C Metz), Team Leader – Environmental Health (G Caradus), Regulatory Services Manager (A Humphries), Environmental Information Manager (R Smith), Environmental Policy Manager (B Johnson), Administration Officer – Animal Control (R Connochie),

- 1 **OPENING, WELCOME**
  - 2 **APOLOGIES AND LEAVE OF ABSENCE**  
Nil
  - 3 **PUBLIC FORUM**  
Nil
  - 4 **DECLARATIONS OF INTEREST**  
Nil
  - 5 **LATE ITEMS**  
Nil
  - 6 **CONFIRMATION OF MINUTES**
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**Moved Cr Brown/Mayor Kempthorne  
EP18-09-1**

**That the minutes of the Environment and Planning Committee meeting held on Thursday, 26 July 2018, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**7 REPORTS OF COMMITTEE**

Nil

**8 PRESENTATIONS**

**8.1 Rural Connectivity Group Presentation to Environment and Planning Committee**

The Engagement Manager of Rural Connectivity Group (RCG) introduced herself to the Committee and spoke to her presentation. RCG was established to build and roll out 4G broadband and mobile infrastructure throughout the rural and isolated areas of New Zealand, including 27 sites being planned for the Tasman district.

RCG works with Crown Infrastructure Partners who manage the funds and the infrastructure with the costs being shared by the three mobile network suppliers - Spark, Vodafone and 2Degrees. The regional focus is to support tourism and agriculture, as well as to promote better public safety on State Highway black-spot areas, or where road accidents or search and rescue communications may be required. The RCG was working closely with Tasman District Council staff in the planning and roll out of the Tasman sites.

In response to questions around the map showing the proposed Tasman sites, Ms Metz explained that some areas were constrained by the terrain where the frequency could be interrupted by mountains or forest. She advised that with one cell site to be built every day, they were reliant on sub-contractors in local areas so a Request for Proposal (RFP) had been extended and was in the process of finalisation. Where non-operational towers existed in some locations, these would be reconfigured to fit the requirements of the new panels. She advised that there was a priority to establish towers alongside highways but at this stage they would be 3g towers until the 4g network hits in.

Councillors referred to the Tasman site maps for predicted coverage and noted that a link to the maps would be included in the minutes <https://www.thercg.co.nz/national-broadband-map/>

Councillors noted that in the list of 27 proposed sites, Mangarakau in the north west of the District was not included. Staff will look into this with RCG.

Councillors thanked Ms Metz for her presentation and acknowledged the good work being carried out by the RCG nationally. Also acknowledged was the excellent relationship RCG had with Tasman District Council staff in helping launch this initiative locally.

Cr Canton joined meeting at 9.50am.

## 9 REPORTS

### 9.1 Gambling Venues Policy Review

The Co-ordinator Environmental Health spoke to his report. He explained Council's statutory obligation to review the Gambling Venues Policy every three years and at the time of the last review, the Environment and Planning Committee requested an earlier review. In reviewing the Policy, the law requires that Councils must have regard to the social impact of gambling and Mr Caradus pointed out that the current policy is now well out of date.

Councillors discussed the options and figures provided in the report and the resulting deprivation that problem gambling can cause. They noted the declining popularity of gaming machines due mainly to easy accessibility of modern technology and whether Council should be spending money on something that was declining and, on the other side, that if the gambling machines were taken away, it would be the sports clubs who would suffer funding losses.

In response to questions Mr Caradus advised that he had not had any involvement with Police regarding gambling problems in the community, and had only contacted them recently to discuss this three year review.

Councillors debated whether there should be a move to a sinking lid policy for gaming machines when it was noted that there are less machines than the current cap.

Following further discussion around social deprivation effecting youth in our community a procedural motions for an adjournment to the debate was requested in order to consult with the Youth Council and Oranga Tamariki.

#### **Moved Cr Wensley/Cr Greening EP18-09-2**

**That in accordance with Standing Order 24.3 the Committee agrees to adjourn the debate until such time as advice is received from the Youth Council and Oranga Tamariki and reported back to the E&P Committee on 18 October.**

**CARRIED**

### 9.2 Review of Control of Liquor in Public Places Bylaw

The Co-ordinator Environmental Health, in speaking to his report, added that he had received positive comments to Council from the public and retailers regarding the liquor ban signage seen around the district.

#### **Moved Cr Hawkes/Cr Maling EP18-09-3**

**That the Environment and Planning Committee**

- 1. receives the Review of Control of Liquor in Public Places Bylaw REP18-09-02 report; and**

2. **approves the statement of proposal for the Draft Consolidated Bylaw- Chapter 3 – Control of Alcohol in Public Places 2018 for consultation ; and**
3. **approves the Summary of Information for the Draft Consolidated Bylaw- Chapter 3 – Control of Alcohol in Public Places 2018 for consultation ; and**
4. **agrees the commencement of the special consultative procedure to the draft *Consolidated Bylaw – Chapter 3 Control of Alcohol in Public Places 2018*, shall be by public notice in newspapers and Council Web site ; and**
5. **agrees that the submission period shall commence on 14 September 2018 and will end at 4.30pm on 15 October 2018: and**
6. **approves the hearing of submissions on the draft *Consolidated Bylaw – Chapter 3 Control of Alcohol in Public Places 2018* by a hearing committee on 1 November 2018.**
7. **appoints Councillors Cr Wensley, Cr Maling, Cr Ogilvie, and Cr Brown to the hearing committee to hear and recommend on any submissions, with the Chair having the ability to appoint another Councillor should a member of the panel be unavailable.**

#### **CARRIED**

*The meeting broke for morning tea at 10.30am and resumed at 10.40am.*

*Councillor King, and Cr Wensley did not re-join the meeting. In the absence of the Chairperson Cr Brown assumed the Chair.*

#### **9.3 Dog Control Act Section 10A Report**

Administration Officer – Animal Control spoke to his report and advised of the change of ownership of the dog control contractors whom Council had used for many years. The new owners are Control Services (Tasman) Ltd.

At this point Cr Sangster advised a Declaration of Interest as he was an employee of Control Services (Nelson) Ltd and did not participate in further debate or voting on this matter.

Councillors acknowledged the excellent service Control Services (Nelson) Ltd had provided the Tasman community over their many years in practice. Responding to a request, the Regulatory Services Manager agreed to write a letter of thanks to John Bergman on behalf of Council.

Responding to questions Mr Connochie advised that the lost and found dog figures in his report were taken from service requests and confirmed that there was still some repetition as to the source of many of the barking dog complaints. He advised that there are no particular hot spots in the district for wandering dogs and that there was one prosecution this year which could not be completed because the perpetrator had moved to Australia.

The Regulatory Service Manager advised Councillors that Tasman's dog control rated 94% satisfaction by the public, which compared to Auckland's 20% satisfaction rate and this was proof that the Department was doing a good job.

The Chair thanked the Dog Control Team for the report.

*Cr Wensley and Cr King returned to the meeting at 10.45am and 10.48am respectively. Cr King assumed the Chair.*

**Moved Cr Hawkes/Cr Canton**

**EP18-09-4**

**That the Environment and Planning Committee receives the Dog Control Act Section 10A Report REP18-09-04.**

**CARRIED**

*Cr Kempthorne returned to the meeting at 10.54am.*

#### **9.4 Environment and Planning Manager's Report**

The Environment and Planning Manager thanked the Environmental Information Manager for putting together this report in his absence and through the Chair invited Mr Smith to receive questions from the floor.

Councillors discussed the Old man's beard submission. Mr Bush-King advised that the Environmental Protection Authority (EPA) had rejected Tasman District Council's submission as it had been received one day after submissions closed. EPA did however confirm that the submission was very similar to other submissions, so Tasman's concerns would be noted.

Responding to questions Mr Smith advised Councillors that our current Old man's beard programme involved some targeted spraying in the Buller district as well as providing funding to Project De-Vine Trust in the Golden Bay. He advised that targeted work like that of Project De-Vine was very effective, but because of the vast areas of Old man's beard throughout the district, it would be more realistic to rely on the new bio control programme.

Cr Bryant in his capacity of Chair of the Joint Regional Pest Management Group (RPMG) advised that the Group was looking at a biodiversity control option in its Regional Pest Management Plan. He added that it was disappointing that the Regional Pest Management Plan would not now be coming back to Council until next year. This was because further consultation was required on the Plan, but he took the opportunity to thank those members present who were involved in the RPMG deliberations.

Councillors discussed the Hunters prosecution. The Regulatory Services Manager explained that although there was no point in awarding a financial penalty to a liquidated company, there were other gains to Council in the knowledge that our monitoring was so precise, that we had managed to stop the offending, and that lessons had been learnt as a result of the judge's decision.

Responding to questions Mr Bush-King explained the rebranding of Go Shift to Simpli. He advised that Go Shift is an initiative that involves 22 councils throughout New Zealand and one of its objectives was information sharing, whereas Alpha1 is the digital system we are using for end to end consents, going live on 1 October this year. TDC is moving to a common platform, involving other South Island councils and is doing this work with Nelson City Council.

Councillors questioned the updated delegations register information provided and in particular

item 11.7 where Council does not have a formal diversion scheme as part of its enforcement policy. Mr Bush-King agreed to ask the Regulatory Services Manager what could be done to our enforcement policy to include diversion options.

Referring to questions regarding the difference between the budget and actuals Mr Smith advised Councillors that Environment and Planning had agreed to manage its over and under spends within the department and so where Regulatory and Environmental Information were in surplus, these funds were moved to the activities which were not. He explained that most of the overspends were caused through the necessary use of consultants or the cost of legal cases.

In response to concerns raised regarding a water bottling plant on the Waimea Plains, the Chair advised that this was not an appropriate question for staff to respond in this forum.

Further questions were raised about water restrictions should there be no Waimea Community Dam which Mr Bush-King and the Environmental Policy Manager responded to. They advised that Council did not want to hit irrigators with unreasonable changes for this irrigating season, but that new controls would be initiated in the next irrigation season. Further questions on the Waimea Community Dam were raised, however the Chair advised that these were not appropriate for this forum.

Councillors asked how Council measures its own river quality, including the Marahau catchment. The Environmental Information Manager advised that Ministry for the Environment would be holding a series of workshops on the matter, however given the Tasman region's good quality overall, Council can only highlight any water where it might decline in quality, but to receive further funding for improvements from Government would be doubtful.

#### **Moved Cr Ogilvie/Cr Hawkes EP18-09-5**

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

- 1. receives the Environment and Planning Manager's Report EPC18-09-06; and**
- 2. agrees to amend (as underlined) an existing delegation allowing the initiation of a prosecution, to also allow for a subsequent withdrawal of that charge:**

***In consultation with the Deputy Chair or Chair of the Environment and Planning Committee, the power to initiate, conduct and dispose of prosecution proceedings (including an application for leave to withdraw a prosecution) for offences under any Act, Regulation or Bylaw which involves the Criminal Procedure Act 2011, and to issue injunctions to restrain continuing breaches of the Building Act (under section 381 of the Building Act 2004) or of the Local Government Act or of any Bylaw (under section 162 of the Local Government Act 2002). Any proceeding will be reported to the next available Committee meeting.***

**CARRIED**

#### **9.5 Environment and Planning Committee Chair's Report 6 September 2018**

In response to a question on the ongoing consent for the extraction of gravel, Mr Bush-King agreed to respond via the next meeting's Action List.

Responding to a question Mr Smith explained the new air quality site was in place behind Plunket in Richmond and because of its more accurate equipment, further air quality breaches

could be expected. Currently there had been 12 breaches this winter. Regarding air quality complaints in Brightwater he advised that with budget constraints, not all areas in the district could be monitored, however small discreet units were being considered, perhaps using the old air quality equipment.

Following concerns raised by Councillors on the building levels and floor heights required in central Takaka and other areas of the district, after a full discussion, Mr Bush-King agreed to provide a report to Councillors on the matter.

**Moved Cr Bryant/Cr Maling  
EP18-09-6**

**That the Environment and Planning Committee**

- 1. receives the Environment and Planning Committee Chair's Report 6 September 2018  
REP18-09-05 report;**

**CARRIED**

The meeting concluded at 11.40pm.

Date Confirmed:

Chair: