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**MINUTES**  
of the  
**ENVIRONMENT AND PLANNING COMMITTEE MEETING**  
held  
**9.30 am, Thursday, 27 April 2017**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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

**In Attendance:** Environment and Planning Manager (D Bush-King), Executive Assistant (G Crichton)

**Part Attendance:** Regulatory Services Manager (A Humphries), Environmental Policy Manager (B Johnson), Coordinator – Urban & Rural Development (M Day), Environmental Information Manager (R Smith), Coordinator – Biosecurity / Biodiversity (P Sheldon)

**1 OPENING, WELCOME**

Acting Chair, Cr Sue Brown welcomed everyone to the meeting.

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Moved Cr Maling/Cr Greening**  
**EP17-04-1**

**That apologies be accepted for absence from Crs King and Wensley.**  
**CARRIED**

**3 PUBLIC FORUM**

Nil.

**4 DECLARATIONS OF INTEREST**

Nil.

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## 5 LATE ITEMS

### **Moved Mayor Kempthorne/Cr Ogilvie EP17-04-2**

**That the late item, 5.1, be considered at today's meeting. This report could not be included in the agenda at the time of publication as the content is a consequence of a meeting that took place on 24 March, after the date of publication. Consideration of this matter can not be delayed, as this would cause delays to the Freshwater Land Advisory Group process.**

**CARRIED**

## 6 CONFIRMATION OF MINUTES

Nil.

## 7 REPORTS OF COMMITTEE

Nil.

## 8 PRESENTATIONS

Nil.

## 9 REPORTS

### **9.1 Applications for Council consent to increase gaming machine numbers**

This report was taken as read. Regulatory Services Manager, Adrian Humphries was present to answer questions.

In relation to the two applicants, Mr Humphries explained that while the Gambling Act 2003 enabled Councils to deny an application, the current Policy of Council does not provide grounds to refuse additional gaming machines requested at an existing site. Councillors expressed an appetite for the Policy to be reviewed to enable Council to exercise full discretion of its powers under the act. Mr Humphries said that the Policy was last reviewed in September 2016 and that the Council at that time asked for a full review of the Policy to be revisited in approximately 12 months time.

### **Moved Cr Canton/Mayor Kempthorne EP17-04-3**

**That the Environment and Planning Committee**

- 1. receives the Applications for Council consent to increase gaming machine numbers report REP17-04-03; and**
- 2. approves the minor variation from the required process by allowing the recently received Police reports on the applicants that are already on Council records to be used in support of these applications; and,**
- 3. Gives consent to Pub Charity Limited pursuant to section 100(1)(b)(i) of the Gambling Act 2003 for the number of gaming machines operated at the Brightwater Motor Inn to be increased to a maximum of nine; and,**

4. **Gives consent to New Zealand Community Trust pursuant to section 100(1)(b)(i) of the Gambling Act 2003 for the number of gaming machines operated at the Tapawera Hotel to be increased to a maximum of four.**

**CARRIED**

#### **5.1 Takaka Freshwater Management - Council commitment to work with Manawhenua ki Mohua**

Environmental Policy Manager, Barry Johnson was present to speak to this item. Mr Johnson gave Councillors a brief account of what he said had been a successful hui with Manawhenua ki Mohua on 24 March, 2017.

Councillors noted that the Freshwater Land Advisory Group (FLAG) process had started early, which would promote smoothness and willingness and that staff were keen to progress work quickly with iwi on the FLAG process.

In response to a question, Mr Johnson advised Councillors that under Treaty Settlements there had been a statutory Freshwater Advisory Committee set up and that Council had written to that committee, but had not yet heard back.

#### **Moved Mayor Kempthorne/Cr Maling EP17-04-4**

**That the Environment and Planning Committee**

1. **receives the Takaka Freshwater Management - Council commitment to work with Manawhenua ki Mohua report; and**
2. **approves in principle, the proposal for the Council to formally commit to working in partnership with Manawhenua ki Mohua on freshwater management proposals for the Takaka area; and**
3. **instructs staff to report back on times frames and resourcing implications of supporting Manawhenua ki Mohua in contributing to the development of the freshwater plan for the Takaka catchments.**

**CARRIED**

#### **10 Confidential Session**

##### **10.1 Procedural motion to exclude the public**

#### **Moved Cr Sangster/Mayor Kempthorne EP17-04-5**

**That the public be excluded from the following part(s) of the proceedings of this meeting. 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 follows.**

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:

### 10.1 Environment and Planning Manager's Report - Addendum Weathertight Homes

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.	<p>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <p>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.</p>

### 10.2 Tasman Housing Accord

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)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	<p>s48(1)(a)</p> <p>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.</p>

### CARRIED

The meeting resumed in open session at 11.52am.

### 9.3 Environment & Planning Manager's Report

Environment and Planning Manager, Dennis Bush-King spoke to this report. Councillors requested an explanation of the additional expenditure for wage related expenses, which Mr Bush-King agreed to provide following the meeting.

#### Moved Mayor Kempthorne/Cr Hawkes EP17-04-6

That the Environment and Planning Committee:

1. receives the Environment & Planning Manager's Report REP17-04-07; and

2. endorses the submission on the Government's Clean Water package included as Attachment 1 to report REP14-04-07 subject to minor edits approved by the Chair; and
3. approves the scope of the Wakefield Plan Change - Stage Two (Plan Change 65) as outlined in paragraph 8.2 of Report REP17-04-07.

**CARRIED**

## 10 Confidential Session

**Procedural motion to exclude the public**

**Moved Cr Bryant/Cr McNamara  
EP17-04-7**

That the public be excluded from the following part(s) of the proceedings of this meeting. 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 follows.

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:

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**CARRIED**

The meeting resumed in open session at 12.30pm.

## 9.2 Small Scale Management Plan for Mediterranean Fanworm

This report was taken as read. Coordinator – Biosecurity / Biodiversity, Paul Sheldon was present to answer questions. Councillors asked whether staff had considered any other funding options to the Council's Disaster Fund. Mr Bush-King advised that Council did not budget for any emergency incursions such as this. As the Disaster Fund is general rates funded, the case has been put forward to utilise the fund for this emergency work. The alternative would be for

Council to authorise an overspend of the biosecurity fund or approve a biosecurity emergency works contingency fund, which would be an additional emergency fund to the existing Disaster Fund.

**Moved Cr McNamara/Mayor Kempthorne  
EP17-04-8**

**That the Environment and Planning Committee**

- 1. approves the notification of a Small-scale Management Plan for Mediterranean fanworm (*Sabella Spallanzanii*) report REP17-04-04 within the entire coastal marine area of Tasman District and coming into force on 1 July 2017; and**
- 2. approves non budgeted expenditure of \$110,000 spread over three years to fund the operational implementation of the Sabella Small-scale Management Plan; and**
- 3. recommends to full Council that the funding of the Council share under Recommendation 2 come from the Council General Disaster Fund and notes that in so doing, the Council will have to agree to change the eligibility criteria for use of the emergency fund.**

**CARRIED**

#### **9.4 Environment & Planning Chair's Report**

This report was taken as read. No questions were raised by Councillors.

Environment and Planning Manager, Dennis Bush-King asked Councillors to note that an application had been received by the Minister for the Environment relating to water management at Te Waikoropupu Springs. Mr Bush-King said that he Minister now needs to engage a tribunal to establish a process for rules and regulations for taking water. Councillors noted that a draft Freshwater Management Plan for Takaka might be in place by then.

**Moved Mayor Kempthorne/Cr Hawkes  
EP17-04-9**

**That the Environment and Planning Committee**

- 1. receives the Environment & Planning Chair's Report REP17-04-06.**

**CARRIED**

The meeting concluded at 12.50pm.

Date Confirmed:

Chair: