

MINUTES

TITLE: Environment & Planning Committee
DATE: Wednesday, 1 August 2007
TIME: 9.30 am
VENUE: Council Chambers, 189 Queen Street, Richmond
PRESENT: Cr R G Kempthorne (Chair), Mayor J C Hurley, Crs E M O'Regan, T B King, S G Bryant, E E Henry, M J Higgins, T E Norriss, J L Inglis, N Riley, P K O'Shea and E Wilkins

IN ATTENDANCE: Environment & Planning Manager (D C Bush-King), Compliance Officer (K Bunting), Co-Ordinator Regulatory Services (D R Lewis), Co-ordinator Compliance Monitoring (C Cheeseman), Administration Officer (B D Moore)

APOLOGIES

Moved Crs Borlase / Inglis
EP07/08/01

THAT apologies from Cr Currie for absence and Mayor Hurley, Crs King, O'Shea, and Henry for lateness be sustained.

CARRIED

1. CONFIRMATION OF MINUTES

1.1 Environment & Planning Committee, 11 June 2007

Moved Crs O'Regan / Kempthorne
EP07/08/02

THAT the minutes of the Environment & Planning Committee meeting held on 11 June 2007, containing resolutions EP07/06/01 to EP07/06/03, be approved as a correct record.

CARRIED

1.2 Environment & Planning Committee, 2 July 2007

Moved Crs O'Regan / Riley
EP07/08/03

THAT the minutes of the Environment & Planning Committee meeting held on 2 July 2007, containing resolutions EP07/07/01 to EP07/07/03, be approved as a correct record.

CARRIED

1.3 Environment & Planning Committee, 12 July 2007

**Moved Crs Higgins / Borlase
EP07/08/04**

THAT the minutes of the Environment & Planning Committee meeting held on 12 July 2007, containing resolutions EP07/07/04 to EP07/07024, be approved as a correct record.

CARRIED

2. ANNUAL DAIRY EFFLUENT DISCHARGE COMPLIANCE-MONITORING REPORT - REPORT EP07/08/01

Compliance Officer, Ms K Bunting attended the meeting to speak to her report contained within the agenda.

Co-Ordinator Compliance Monitoring, Mr C Cheeseman attended to respond to questions.

Mayor Hurley arrived at the meeting at 9.35 am.

Ms Bunting explained that in the 2006 / 2007 season, a total of 150 dairy sheds had active discharges in the Tasman district. Of those, 130 farm dairies operated as permitted activities and the remaining 20 held resource consents to discharge treated effluent to the water.

The report stated that at the end of the season, there was 86% full compliance. The non-compliance for a minor adverse effect was 13% and non-compliance for a moderate adverse effect was 1%.

**Moved Crs Bryant / Borlase
EP07/08/05**

THAT:

- 1. The Annual Dairy Effluent Discharge Compliance Monitoring Report EP07/08/01 be received;**
- 2. The annual monitoring fee placed on farm dairy discharge permits, be reviewed in light of the increased costs of monitoring involved with the new consents.**

CARRIED

3. GAMBLING ACTS VENUE POLICY REVIEW – REPORT EP07/08/02

Co-Ordinator Regulatory Services, Mr D R Lewis, spoke to his report contained within the agenda. Mr Lewis said that advertising of the review of the Gambling Act Venue Policy was carried out in accordance with the special consultative procedures and attracted a submission from the NZ Racing Board and Community Action for People and Planet.

Mr Lewis recommended some minor amendments to the Gambling Acts Venue Policy to incorporate an issue raised by NZ Racing Board and to correct existing typographical errors.

**Moved Crs O'Regan / Inglis
EP07/08/06**

THAT the Environment & Planning Committee amends the Tasman District Council Gambling Acts Venue Policy, by adding to the end of Clause 3.1 (b) the words "in accordance with the Special Consultative Procedures" and by amending the words "Clause 2.1(e)" in Clauses 4.2 and 4.3 to "Clause 3.1(e)" and that the policy as amended be adopted.

CARRIED

**4. AMENDMENT TO THE TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW
CHAPTER 3 – CONTROL OF LIQUOR IN PUBLIC PLACES – REPORT
EP07/08/04**

Co-Ordinator Regulatory Services, Mr D R Lewis, referred to the Control of Liquor in Public Places Bylaw. He said that although a review is not legally required for a further two years, the Police have concerns that the bylaw's operation should be extended in both Mapua and Golden Bay. Mr Lewis recommended that a review process be followed rather than just an amendment.

**Moved Crs Higgins / Borlase
EP07/08/07**

THAT

1. That the Tasman District Council Consolidated Bylaw Chapter 3 - Control of Liquor in Public Places be reviewed and as part of the review procedure, the following amendments be promulgated:

i) That the definition of "Specified Period" as contained in Section 2 (Interpretation) be repealed and the following definition be substituted.

Specified Period means from 1 January until the 31 December inclusive every year.

ii) That Schedule A to the Bylaw be amended by adding the area of Mapua to the list of Public Places as follows:

5. Mapua (Map 6)

The public places located in the areas encompassed by State Highway 60 from McKee's Bluff, Stafford Drive, Aranui Road and Tahi Street and the coastline as well as Aranui Park, Grossi Point and between Langford Drive and Tahi Street.

iii) That Schedule A of the Bylaw be amended by adding the areas of Ligar Bay, Tata Beach, and Pohara Beach Golf Club frontage to the list of Public Places.

2. That public comment be called for on Resolution 1. in terms of the Special Consultative Procedures under Section 83 of the Local Government Act 2002 and that any submissions received be considered at a future meeting of Council.

CARRIED

5. AMENDMENT TO TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW - CHAPTER 2 – DOG CONTROL – REPORT EP07/08/03

Report by Co-Ordinator Regulatory Services, Mr D R Lewis described how advertising of the proposed amendment to the Council's Dog Control Bylaw attracted a total of 16 submissions. Mr W G Baigent appeared at the meeting to speak to his submission.

Mr Baigent said that there should be no requirements for a kennel licence for over six dogs on property greater than 3 hectares and that hunting dogs should get the same exemptions as for working dogs. Mr Baigent said that pig hunting should be encouraged so that the number of wild pigs is limited.

Cr Henry arrived at the meeting at 11.00 am.

**Moved Crs Borlase / Norriss
EP07/08/08**

THAT the Environment & Planning Committee recommends that Tasman District Council amends the Consolidated Bylaw Chapter 2 – Dog Control by:

i) repealing Section 7.1 and substituting a new Section 7.1:

7.1 No occupier of any property outside of an urban area shall:

- a) for a property up to and including one hectare in area allow or cause to remain or keep three or more dogs over the age of three months (whether or not such dogs are registered) on the property; and**
- b) for a property that is greater than one hectare in area allow or cause to remain or keep six or more dogs over the age of three months (whether or not such dogs are registered) on the property**

unless any such occupier is the holder of a licence from Council for such purpose provided that this prohibition shall not apply to any dog kept solely or principally for the purpose of herding or driving stock or to any approved property that is used for the business of dog boarding kennels.

Note that in the residential zone a resource consent is required if three or more dogs are kept on a property.

**ii) Amending Section 7.3 by replacing the word “premises” with “property”.
CARRIED**

6. RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Higgins / Riley

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

Richmond West - Draft Variation And Section 32 Report

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

General subject	Reason	Ground(s)
Richmond West - Draft Variation and Section 32 Report	To receive policy advice	Section 48(1)(d)

CARRIED

7. RESOLUTION TO RESUME OPEN MEETING

Moved Crs Higgins / Wilkins

EP07/08/10

THAT the open meeting be resumed and the business transacted during the time the public was excluded be adopted.

CARRIED

8. MANAGEMENT REPORTS AND STATISTICAL DATA FOR THE PERIOD JANUARY TO MARCH 2007 – REPORT EP07/08/06

From July 2006 to June 2007, there has been a 19% increase in applications made for new dwellings. The Richmond Ward has experienced the greatest proportion of growth, with an increase of 35 consents for new dwellings being issued over the last 12 months.

Moved Crs Higgins / Riley

EP07/08/11

THAT the Management Reports and Statistical Data, Report EP07/08/06 be received.

CARRIED

9. PROPOSED NATIONAL ENVIRONMENTAL STANDARDS FOR TELECOMMUNICATIONS FACILITIES – REPORT EP07/08/05

The report contained within the agenda from Policy Planner, N Jackson, proposed a submission in response to a Ministry for the Environment discussion document on proposed National Environmental Standards for telecommunications facilities.

**Moved Crs Riley / Higgins
EP07/08/12**

**THAT the Environment & Planning Committee adopts the proposal in Sections 3.3 to 3.6 of Report EP07/08/05 as its submission to the Ministry for the Environment on the proposed National Environmental Standards for telecommunications facilities.
CARRIED**

**10. KAHURANGI NATIONAL PARK MANAGEMENT PLAN SUBMISSION – REPORT
EP07/08/07**

The agenda contained a copy of the proposed submission to the Department of Conservation partial review of the Kahurangi National Park Management Plan.

Cr O'Shea suggested that the submission contained comments drawing attention to the trouble that Council has maintaining roads to Kahurangi National Park.

**Moved Crs O'Regan / Riley
EP07/08/13**

**THAT Council endorses the submission of 20 July 2007, including comments on the trouble Council has maintaining roads to the park for the Kahurangi National Park Management Plan Partial Review.
CARRIED**

11. LITTER ACT ENFORCEMENT – REPORT EP07/08/08

The report recommended that Council resolve to adopt an increase in infringement fees under the Litter Act.

**Moved Crs Higgins / Borlase
EP07/08/14**

THAT:

- 1. Report EP07/08/08, Proposed Changes to Council's Infringement Fines under the Litter Act 1979, be received;**
- 2. That Council adopts the provisions of section 13 of the Litter Act 1979 as amended by the Litter Amendment Act 2006;**
- 3. That in accordance with sections 13(2A) and (3) of the Act public notice be given of Council's intention to increase the litter infringement fee from \$100 to \$400 as per the notice attached as Appendix 1;**
- 4. That Council observes the Litter (Infringement Notices) Order 2006 prescribing the new forms for infringement notices under the Act and amends the infringement notices it uses.**

CARRIED

12. CHAIRPERSON'S REPORT – REPORT EP07/08/09

Cr Kempthorne referred the Committee to his report contained within the agenda.

**Moved Crs Kempthorne / Borlase
EP07/08/15**

**THAT the Chairperson's report EP07/08/09 be received.
CARRIED**

Cr Kempthorne thanked members for their attendance and closed the meeting at 3.15 pm.

Date Confirmed:

Chair: