

MINUTES

TITLE: Environment & Planning Committee
DATE: Wednesday, 28 March 2007
TIME: 9.30 am
VENUE: Tasman Council Chambers, 189 Queen Street, Richmond
PRESENT: Crs R G Kempthorne (Chair), T B King, R G Currie, N Riley, S J Borlase, E J Wilkins, P K O'Shea, T E Norriss, J L Inglis, E M O'Regan, E E Henry, M J Higgins

IN ATTENDANCE: Golden Bay Community Board Chair (J Bell), Environment & Planning Manager (D C Bush-King), Minute Secretary (V M Gribble)

1. PUBLIC FORUM

1.1 J Hilson, on behalf of Aranui Road Trust

Aranui Road Trust has purchased the property at 102 Aranui Road, Mapua and is concerned about deferrals that could be going to be considered for the land. They asked that a decision about the deferral be delayed for six weeks to enable them to present a report on water availability.

2. Speaking Rights – Golden Bay Community Board Chairman, Mr J Bell

Moved Crs O'Regan / Borlase
EP07/03/12

THAT the Golden Bay Community Board Chair, Mr J Bell, be granted speaking rights at this meeting.

CARRIED

3. CONFIRMATION OF MINUTES

3.1 Environment & Planning Consents Subcommittee (Kaimira Ventures) – 11 December 2006

Moved Crs O'Regan / Henry
EP07/03/13

THAT the minutes of the Environment & Planning Consents Committee held on 11 December 2006 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

**3.2 Environment & Planning Consents Subcommittee (Hoddy Development) –
19 January 2007**

**Moved Crs O'Regan / O'Shea
EP07/03/14**

THAT the minutes of the Environment & Planning Consents Committee held on 19 January 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.3 Environment & Planning Committee - 7 February 2007

**Moved Crs Borlase / Inglis
EP07/03/15**

THAT the minutes of the Environment & Planning Committee held on 7 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.4 Heritage Subcommittee – 16 February 2007

**Moved Crs Wilkins / O'Shea
EP07/03/16**

THAT the minutes of the Heritage Subcommittee held on 16 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.5 Environment & Planning Consents Subcommittee (Sampson) – 19 February 2007

**Moved Crs Wilkins / O'Regan
EP07/03/17**

THAT the minutes of the Environment & Planning Consents Subcommittee held on 19 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

**3.6 Environment & Planning Consents Subcommittee (Hume and Jarrett) –
19 February 2007**

**Moved O'Regan / Wilkins
EP07/03/18**

THAT the minutes of the Environment & Planning Consents Subcommittee held on 19 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.7 Environment & Planning Consents Subcommittee (Smith) – 26 February 2007

**Moved Crs Wilkins / O'Regan
EP07/03/19**

THAT the minutes of the Environment & Planning Consents Subcommittee held on 26 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.8 Environment & Planning Consents Subcommittee (Horncastle / Mear) – 26 February 2007

**Moved Crs O'Regan / King
EP07/03/20**

THAT the minutes of the Environment & Planning Consents Subcommittee held on 26 February 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

3.9 Environment & Planning Committee – 28 February 2007

Mr Bush-King advised that after the Environment & Planning Committee meeting of 28 February 2007 where the Minutes of the Environment & Planning Consents Subcommittee of 18 December 2006 were adopted, it was found there was an error in those minutes.

**Moved Crs King / O'Regan
EP07/03/21**

THAT resolution EP07/02/43 be rescinded because of an error on page 1 where 22.56 should read 25.26.

CARRIED

**Moved Crs O'Regan / Borlase
EP07/03/22**

THAT the minutes of the Environment & Planning Consents Subcommittee meeting held on 18 December 2006, as amended, be confirmed as a true and complete record of the proceedings of that meeting.

CARRIED

**Moved Crs O'Regan / Borlase
EP07/03/23**

THAT the minutes of the Environment & Planning Committee meeting held on 28 February 2007 be confirmed as a true and complete record of the proceedings of that meeting.

CARRIED

3.10 Environment & Planning Consents Subcommittee (Holland) - 5 March 2007

**Moved Crs Norriss / O'Regan
EP07/03/24**

THAT the minutes of the Environment & Planning Consents Subcommittee held on 5 March 2007 be confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

4. STATE OF WATER QUALITY IN MOTUPIPI CATCHMENT – REPORT EP07/03/05

Mr Trevor James, Resource Scientist, was in attendance and gave a powerpoint presentation on the water quality in Motupipi Catchment.

Cr Higgins arrived at the meeting at 10.00 am.

**Moved Crs Currie / Borlase
EP07/03/25**

THAT the Council receive the report entitled “State of Surface Water Quality in the Motupipi Catchment” Report EP07/03/05.

CARRIED

5. SUMMER 2006/2007 RECREATIONAL WATER QUALITY SAMPLING PROGRAMME – REPORT EP07/03/06

Mr James presented his report which outlined the results of monitoring four popular beaches/water ski areas over the 2006/2007 summer (Kaiteriteri, Mapua and Rabbit Island Main Beach and Back Beach).

**Moved Crs Norriss / Wilkins
EP07/03/26**

THAT the Council receive the report entitled “Summer 2006/2007 Recreational Water Quality Sampling Programme” Report EP07/03/06.

CARRIED

6. REPORT ON DOG CONTROL POLICY AND PRACTICES – REPORT EP07/03/07

D Lewis, A Brown and J Bergman were in attendance for consideration of this item.

Mr Bergman spoke to the report on Dog Control Policy and Practices which was contained in the agenda.

Cr Higgins commended Mr Bergman and his staff on the work they do with dog owners.

**Moved Crs King / Henry
EP07/03/27**

THAT:

- a) **the Report EP07/03/07 on Dog Control Policy and Practices, required pursuant to Section 10A of the Dog Control Act 1996, be received and adopted;**
- b) **the adopted report be publicly notified and be made available on the Council's website with a copy being sent to the Secretary for Local Government.**

CARRIED

7. TAKAKA – EASTERN GOLDEN BAY DRAFT PLAN VARIATION – REPORT EP07/03/10

Sonya Leusink-Sladen, Policy Planner, was in attendance for discussion on this item.

Ms Leusink-Sladen spoke to her report contained in the agenda which sought Committee approval to release a draft proposed Takaka Eastern Golden Bay Variation for community input.

Cr Riley congratulated Sonya for her work involved with the community and the Community Board. He believed the lack of submissions is because the community is happy with the work done to date.

Ms Leusink-Sladen said the planning process was for the purpose of articulating a future vision, regardless of whether demand may change. Golden Bay is a popular place to live and has values that need protecting.

Cr King asked how people will respond to some of the “considers” and “provides” without knowing what the provisions and considerations are.

Ms Leusink-Sladen said this is a draft variation and the feedback will come as a result of this.

Cr Kempthorne said applications within the Takaka township have come in, with residentially zoned land and there is nowhere else for them to go. This process will remedy that situation.

Cr O'Regan said in applications that have come to Council, without exception there has been assessment of the flooding risk done professionally and some have been assisted by people who were present in the 1983 flood.

Cr Borlase said if a prescriptive plan was presented the community would have considered it a “done deal” and by doing it in stages means we have the community on side and believes the right sort of decisions will be made.

Mr Bell said there has been both formal and informal feedback from the community and the proposal is generally supported. He acknowledged that it is the next step in a very inclusive process.

Cr O'Regan said the proposition needs a very clear map to define the area subject to the policies.

**Moved Crs Henry / Borlase
EP07/03/28**

**THAT the Committee receive Report EP07/03/10 report and release the draft proposed Variation for Takaka Eastern Golden Bay for community consultation.
CARRIED**

Mr Bell left the meeting at this stage.

**8. STORMWATER MANAGEMENT – PROPOSED VARIATION 56 – REPORT
EP07/03/11**

D Ley, Development Engineer, was in attendance for this item.

The report contained in the agenda sought approval from the Committee to notify the proposed Variation 56 – Stormwater, the Tasman Resource Management Plan.

Ms Leusink-Sladen highlighted the proposed change that where stormwater is being designed and constructed as part of a new subdivision, Council will be requiring a resource consent as well as engineering plan approval. Currently that is unclear in the plan.

Cr Higgins sought an assurance that the right to harvest plantation forestry remains.

Ms Leusink-Sladen said none of the proposed changes will affect land disturbance rules or the harvesting of forestry anymore than the current TRMP

Ms Leusink-Sladen said one of the key feedback points was in relation to what Council is doing as a whole with stormwater management, e.g. relationship between TRMP and Engineering Standards.

**Moved Crs Norriss / Wilkins
EP07/03/29**

**THAT Report EP07/03/11 Proposed Stormwater Variation 56 be adopted by the Committee for public notification.
CARRIED**

Cr Kempthorne thanked Sonya for the work she has undertaken for Council and wished her all the best for the future.

**9. ENERGY AND CLIMATE CHANGE – COUNCIL SUBMISSION ON GOVERNMENT
DISCUSSIONS DOCUMENTS – REPORT EP07/03/12**

N Jackson, Policy Planner, was in attendance for discussion on this item.

Mr Jackson spoke to his report on Energy and Climate Change which recommended submissions by Council in response to central government discussion papers on policy options relating to Energy and Climate Change.

**Moved Crs O'Regan / Borlase
EP07/03/30**

THAT Council amend the proposed submissions as discussed to the following documents:

- **Draft New Zealand Energy Strategy to 2050;**
- **Draft New Zealand Energy and Conservation Strategy;**
- **Sustainable Land Management and Climate Change;**

for submission to the relevant central government agencies and the wording of submissions be finalised by Mr Jackson, Crs Currie, Higgins and Kempthorne.

CARRIED

10. CHAIRPERSON'S REPORT – REPORT EP07/03/09

**Moved Crs Borlase / Henry
EP07/03/31**

**THAT the Chairperson's report be received.
CARRIED**

11. MANAGER'S REPORT – REPORT EP07/03/08

11.1 Staffing

Mr Bush-King advised that Colin Michie retires on 2 April 2007 and Claire Webster and Sonya Leusink-Sladen are both finishing with Council in April 2007. Matt Feely has commenced work as Building Inspector.

11.2 Legal Proceedings

Mr Bush-King said three appeals have been received. Seifried and Baigent have appealed the Baigent water permit application and Hoddy Development Ltd have appealed conditions on its subdivision application.

Mr Bush-King advised that a declaration by David Mitchell in relation to Aranui Park redevelopment has been received concerning the road and car park at Aranui Park. An enforcement order application by Wakatu Incorporation in relation to water investigations in Motueka has also been received.

Cr Kempthorne suggested that Messrs Bush-King, Cuthbertson, Thomson and Thomas address the Council on the issues surrounding the Motueka water and Wakatu Incorporation.

11.3 Building Act – Accreditation

Mr Bush-King reported that staff are making good progress towards compiling all the documents required in order to make an application which we hope to do late April 2007.

Cr King was concerned about staff spending time preparing these documents instead of doing their principal work of issuing building consents.

Mr Bush-King observed the increased number of complaints received and said Councillors should refer the complaints to Ms Hodson or himself if they do not get satisfaction from staff.

Mayor Hurley arrived at the meeting at 1.55 pm.

Mayor Hurley asked if more work can be contracted out so Council can catch up.

Mr Bush-King said Council is using all the contractors available in the area. Another option is to send them to a firm in Auckland. He advised that when contractors were used they do not work any faster than Council's own staff. He said staff worked one Saturday and he was happy to authorise another day to help.

Mayor Hurley said that Council supported all reasonable efforts to reduce the backlog.

**Moved Mayor Hurley / Cr King
EP07/03/32**

**THAT the Environment & Planning Manager take whatever initiatives he can to catch up on the backlog of consents.
CARRIED**

**Moved Crs O'Regan / Currie
EP07/03/33**

**THAT the Environment & Planning Manager write to the Minister, with a copy to the Chief Executive Officer of Local Government New Zealand expressing Council's concern regulations in place in time to have accreditation achieved by 30 November 2007.
CARRIED**

Cr King reiterated Council's frustration is not with staff.

11.4 Parking Warden Attendance In Richmond

Cr Henry said that in Richmond a cavalier attitude to parking has developed and suggested that a parking blitz be held. Mr Bush-King said he would follow the matter up.

11.5 Sustainable Farming Fund Independent Audit

Ministry of Agriculture and Forestry have conducted an audit of the Waimea water Augmentation Project. The conclusion was that it is an extremely well run project and an excellent model of what can be achieved with the right structure, people and processes in place.

11.6 Richmond West Update

Mr Bush-King's report gave Councillors an update on the number of submissions received to date.

11.7 Departmental Performance And Progress

Mr Bush-King said Environment & Planning Department is still running in a deficit situation, albeit the recoveries have improved over the last two months.

Crs Henry and O'Shea left the meeting at 2.25 pm.

Mr Bush-King reported that at 66% of the year expenditure is 72% and income recoveries is 63%. He has instituted some changes in practice to improve recoveries, but believes the Department will still have a deficit of about \$150,000 at the end of June 2007. The review of some of the consent processes have highlighted that some staff are budgeted to do more recoverable time than what is actually happening.

11.8 Log Burner Consents

Moved Crs King / O'Regan
EP07/03/34

THAT Council supports the Environment & Planning Manager's recommendation that log burners to not attract an annual charge.
CARRIED

11.9 Infringement Regulations

Mr Bush-King advised that infringement regulations has been enacted enabling Tasman District as a regional council to enforce compliance with the Navigation Bylaw. The infringement regulations are passed by the Minister of Transport. The Manager will draw up a press release to advise the public.

Moved Crs Borlase / Inglis
EP07/03/34

THAT the Environment & Planning Manager's report be received.
CARRIED

12. RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs O'Regan / Currie
EP07/03/36

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

Sutton Subdivision
Mapua-Ruby Bay Development Update 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 of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Sutton Subdivision	To receive advice	Section 48(1)(d): any proceedings where a right of appeal lies to any court against the final decision of Council.
Mapua-Ruby Bay Development Update Report	To receive policy advice	Section 48(1)(d): any proceedings where a right of appeal lies to any court against the final decision of Council.

CARRIED

(Refer to Confidential Minute Book resolutions numbered EP07/03/ to EP07/03/)

**Moved Crs Currie / Borlase
EP07/03/37**

THAT the open meeting be resumed.

CARRIED

The meeting concluded at 3.50 pm.

Date Confirmed:

Chair: