

MINUTES

TITLE: Environment & Planning Committee
DATE: Thursday, 20 November 2008
TIME: 9.30 am
VENUE: Tasman District Council Chamber, 189 Queen Street, Richmond

PRESENT: Cr S J Borlase (Chairman), Mayor R G Kempthorne, Crs S J Bryant, R G Currie, B F Dowler, J L Edgar, B Ensor, G A Glover, J L Inglis, T E Norriss and E J Wilkins

IN ATTENDANCE: Environment & Planning Manager (D C Bush-King), Policy Planner (R Biss), Policy Manager (G S Markham), Compliance Officer (J Trembath), Regulatory Services Coordinator (G Caradus), Regulatory Manager (J Hodson), Bio Security Officer (R van Zoelen), Administration Officer (B D Moore)

APOLOGIES

Moved Crs Ensor / Norriss
EP08/11/07

THAT apologies for absence from Crs Higgins and Riley and for lateness from Cr King, be sustained.
CARRIED

1. PUBLIC FORUM

Mr B Mosley spoke about the noise from frost fans on the Marr property located between Mellings and Greenacres Road in a vineyard. He provided information to show that noise levels depend on the size and speed of the fans and should include a 5 decibel penalty because of the intrusive nature of the noise.

Ms G Mason referred to the same subject and expressed concern about the noise of frost fans as she owns land at Greenacres Road North. She spoke of the use of water as a frost control method and noted that the grapes on the Marr property had been grown in a frost prone area.

Mr R Heath suggested that when noise limits are set for frost fans that Council considers the situation where sound travels at different speeds at different temperature levels.

2. CONFIRMATION OF MINUTES

2.1 Environment & Planning Commissioner Hearing - 15 September 2008

**Moved Mayor Kempthorne / Cr Borlase
EP08/11/08**

THAT the minutes of the Environment & Planning Commissioner Hearing held on 15 September 2008, be received.

CARRIED

2.2 Environment & Planning Subcommittee - 22 September 2008

**Moved Crs Edgar / Bryant
EP08/11/09**

THAT the minutes of the Environment & Planning Subcommittee meeting held on 22 September 2008 containing resolutions EP08/09/17 to EP08/09/19, be approved.

CARRIED

2.3 Environment & Planning Committee - 9 October 2008

**Moved Crs Inglis / Norriss
EP08/11/10**

THAT the minutes of the Environment & Planning Committee meeting held on 9 October 2008 containing resolutions EP08/10/01 to EP08/10/13, be approved.

CARRIED

2.4 Environment & Planning Subcommittee - 13 October 2008

**Moved Crs Wilkins / Dowler
EP08/11/11**

THAT the minutes of the Environment & Planning Subcommittee meeting held on 13 October 2008 containing resolutions EP08/10/23 to EP08/10/25, be approved.

CARRIED

2.5 Environment & Planning Subcommittee - 20 October 2008

**Moved Crs Norriss / Dowler
EP08/11/12**

THAT the minutes of the Environment & Planning Subcommittee- Development Contributions hearing held on 20 October 2008 be approved.

CARRIED

3. URBAN DESIGN ACTION PLAN - REPORT EP08/11/17

Policy Planner, R Biss, spoke to her report contained within the agenda to which was attached a draft Urban Design Action Plan for Tasman District Council. The Council assigned levels of priority to the tasks in the draft action plan.

**Moved Crs Glover / King
EP08/11/13**

THAT the Tasman District Council:

- 1. Receives report EP08/11/17, Urban Design Action Plan and agrees to forward the amended copy to the Ministry for the Environment;**
- 2. Agrees in principle to the terms for the Urban Design panel.**

CARRIED

- 4. COMPLIANCE MONITORING ON-SITE WASTEWATER SYSTEMS - REPORT EP08/11/18**

Compliance Officer, J Trembath, spoke to this report and responded to Councillors questions.

**Moved Crs Bryant / Edgar
EP08/11/14**

THAT the Environment & Planning Committee receives report EP08/11/18, Compliance Monitoring On-Site Wastewater Systems and notes that staff are continuing to work to ensure better management of on-site wastewater systems in the Tasman District.

CARRIED

- 5. REGULATORY MANAGER'S REPORT – REPORT EP08/11/19**

Regulatory Manager, J Hodson, provided a summary of the key issues and items of interest in relation to the regulatory section of the Environment & Planning Department and attached a statistical summary report on workloads and timeframes for the past six months.

**Moved Cr Wilkins / Mayor Kempthorne
EP08/11/15**

THAT the Regulatory Manager's report EP08/11/19, be received.

CARRIED

- 6. DRAFT AMENDMENT TO TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW: CHAPTER 3: CONTROL OF LIQUOR IN PUBLIC PLACES BYLAW 2004 REPORT - REPORT EP08/11/20**

The agenda contained copies of submissions received following public notification of the draft amended bylaw with the new bylaw maps showing the extended areas and within the report was the detail of editorial changes required to clause 3, Prohibited Acts.

Mr A Mathews spoke to his submission dated 1 October 2008 contained within the agenda. He opposed the extension of the Kaiteriteri liquor ban.

Senior Sergeant Grant Andrew, Officer in Charge Motueka Police, spoke in support of the proposed changes. He reminded the meeting that the ban applies from 9.00 am to 7.00 am the following morning, each day of the week and explained how the police use a common sense approach to the enforcement of the Control of Liquor in Public Places Bylaw. He said that the bylaw provides police with the power to act in a reasonable, sensible and proactive manner to reduce alcohol related offending. He explained how the ban has been very successful in the Mapua area and has not caused a displacement of the problem.

**Moved Crs King / Ensor
EP08/11/16**

THAT the Tasman District Council amends the current 'Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places Bylaw 2004', by:

- 1. Including the editorial changes to Clause 3 and the Bylaw maps detailed in this report EP08/11/20; and**
- 2. Including the amendment to the bylaw detailed in the statement of proposal presented to the Environment and Planning Committee meeting of 16 September 2008 in report EP08/09/05.**

And adopts the Bylaw as amended from 1 December 2008.

CARRIED

Mr A Mathews said that he was very happy with what he had heard at this meeting and did not know that the ban was restricted by time. Mr Caradus advised that the statement of proposal associated with the bylaw amendment included the full detail.

**7. REGIONAL PEST MANAGEMENT STRATEGY ANNUAL REPORT - REPORT
EP08/11/21**

Bio Security Officer, R van Zoelen, spoke to this report of 11 November 2008 contained within the agenda and responded to Councillors' questions.

The Bio Security Act 1993, requires Councils to undertake a review of the operational plan for the previous financial year. The performance indicators set in the 2007/2008 operational plan were met during this first year of the implementation of the 2007/2012 Tasman-Nelson Regional Pest Management Strategy. A copy of the review document was contained within the agenda.

**Moved Crs King / Glover
EP08/11/17**

THAT the review of the 2007/2008 operational plan for the Tasman-Nelson Regional Pest Management Strategy be accepted.

CARRIED

8. ENVIRONMENT & PLANNING MANAGER'S REPORT – REPORT EP08/11/22

8.1 National Policy Statement on Renewable Energy Submission

The agenda contained a copy of the Council's submission following public notification on 6 September 2008 of the National Policy Statement for renewable electricity generation.

**Moved Crs Norriss / Inglis
EP08/11/18**

**THAT the Environment & Planning Committee endorses the submission on the proposed National Policy Statement on Renewable Energy.
CARRIED**

**Moved Crs Edgar / Wilkins
EP08/11/19**

**THAT the Environment & Planning Manager's report EP08/11/22 be received.
CARRIED**

9. ENVIRONMENT & PLANNING COMMITTEE CHAIRMAN'S REPORT – REPORT EP08/11/23

Cr Borlase referred to his report within the agenda and noted the impending Resource Management Amendment Bill promoted by the Minister for the Environment.

**Moved Crs Borlase / Wilkins
EP08/11/20**

**THAT the Environment & Planning Committee Chairman's report EP08/11/23 be received.
CARRIED**

10. RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Edgar / Glover
EP08/11/21**

That the Council acknowledges the presence of Iwi Representative, CEO Wakatu Incorporation Mr K Palmer and with the exception of Mr K Palmer for the item on Motueka West, that the public be excluded from the following parts of the proceedings of this meeting, namely:

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

- Frost Fans Policy Paper
- Motueka West Urban Development Proposals
- Water Allocation Review (Motueka, Dove, Abel Tasman Zones; Community Supplies) Draft Proposed Variation Feedback

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
Frost Fans Policy Paper		
Motueka West Urban Development Proposals		
Water Allocation Review (Motueka, Dove, Abel Tasman Zones; Community Supplies) Draft Proposed Variation Feedback	To receive policy advice	Proceedings where a right of appeal lies to a Court against the final decision
Draft Part IV: Rivers and Lakes		

CARRIED

11. RESOLUTION TO RESUME OPEN MEETING

**Moved Mayor Kempthorne / Cr King
EP08/11/22**

THAT the open meeting be resumed and the business transcribed during the time the public was excluded be confirmed in open meeting, with the exception of the item regarding Frost Fans Policy Paper.

CARRIED

Cr Borlase thanked members for their attendance and closed the meeting at 3.50 pm.

Date Confirmed:

Chair: