

# MINUTES

**TITLE:** Environment and Planning Committee  
**DATE:** Thursday 23 September 2010  
**TIME:** 9.30 am  
**VENUE:** St John's Hall, 15a Courtney Street, Motueka

**PRESENT:** Cr M J Higgins (Chair), Mayor R G Kempthorne,  
Crs S J Borlase, S G Bryant, R G Currie, B F Dowler,  
B W Ensor, G A Glover, J L Inglis, T B King,  
T E Norriss, N Riley and E J Wilkins

**IN ATTENDANCE:** Environment and Planning Manager (D Bush-King),  
Manager Policy (S Markham), Environmental Information  
Manager (R Smith), Consent Planner (R Squire), Policy  
Planner (R Biss), Co-ordinator Compliance – Monitoring  
(C Cheeseman), Resource Scientist (T James), Executive  
Assistant (V M Gribble)

## APOLOGIES

**Moved Crs Glover/Inglis  
EP10-09- 02**

**THAT apologies from Cr J L Edgar for absence and Cr S G Bryant for lateness, be received.**

**CARRIED**

### **1 PUBLIC FORUM**

#### **1.1 D Enersby**

Mr Enersby spoke about the lease of the Mapua Smoke House and his concerns about the way Council dealt with the issue.

#### **1.2 L Kelly**

Lyn Kelly spoke of her concerns with the draft Plan Change No 22 – Mapua and Ruby Bay Development.

#### **1.3 D Gallagher**

Mr Gallagher tabled a report of a submission regarding 32 Broadsea Avenue and draft Plan Change No 22 – Mapua and Ruby Bay Development.

#### **1.4 C Gallagher**

Ms Gallagher spoke about the danger of creating specific land use policies from scientific modelling exercises. She asked that Council reconsider the nature of the

evidence before it progresses the Residential and Rural Closed Zone of the Mapua Structure Plan.

**1.5 F Bannister**

Mr Bannister also expressed concern about the draft Plan Change No 22 – Mapua and Ruby Bay Development.

**1.6 N Morris**

Mrs Morris expressed concern about the draft Plan Change No 22 – Mapua and Ruby Bay Development.

**1.7 D J Ogilvie**

Mr Ogilvie was disappointed that an update report on Central Motueka and West Motueka Strategy was not included in the agenda for today's meeting.

**2 CONFIRMATION OF MINUTES**

**2.1 Environment and Planning Subcommittee (NZ Transport Agency)  
23 July 2010**

**Moved Crs Wilkins/Riley  
EP10-09-03**

**THAT the minutes of the meeting of the Environment and Planning Subcommittee (NZ Transport Agency) held on 23 July 2010 be received.  
CARRIED**

**2.2 Environment and Planning Subcommittee (N J & S Guthrie) 9 August  
2010**

**Moved Crs Ensor/Riley  
EP10-09-04**

**THAT the minutes of the meeting of the Environment and Planning Subcommittee (N J & S Guthrie) dated 9 August 2010, be received.  
CARRIED**

**2.3 Environment and Planning Committee, 12 August 2010**

**Moved Crs Norriss/Borlase  
EP10-09-05**

**THAT the minutes of the meeting of the Environment and Planning Committee dated 12 August 2010, containing resolutions numbered EP10-08-01 to EP10-08-22 be confirmed as a complete record.  
CARRIED**

**2.4 Environment and Planning Subcommittee (Sprig and Fern), 16 August 2010**

**Moved Crs King/Currie  
EP10-09-06**

**THAT the minutes of the meeting of the Environment and Planning Subcommittee (Sprig and Fern) on 16 August 2010, be received.  
CARRIED**

**2.5 Environment and Planning Committee (Gambling Venues Policy Review) 17 August and 2 September 2010**

The Committee asked the manager to write a letter to either the Department of Internal Affairs or the Gambling Societies expressing concern that too little of the funds generated are actually returned to areas from where it came.

**Moved Crs Glover/Borlase  
EP10-09-07**

**THAT the minutes of the meeting of the Environment and Planning Committee (Gambling Venues Policy Review) held on 17 August and 2 September 2010, containing resolutions numbered EP10-08-30 and EP10-08-31 and EP10-09-01 be confirmed as a complete record.  
CARRIED**

**3 REPORTS**

**3.1 Annual Compliance Monitoring Report: 1 July 2009 – 30 June 2010  
REP10-09-04**

Co-ordinator Compliance – Monitoring Mr Cheeseman, spoke to the report contained in the agenda.

The report summarised Tasman District Council's Compliance Monitoring Section's programmes of work and performance for the period 1 July 2009 to 30 June 2010. The report outlined consent monitoring performance, complaint and enforcement responses over the period and served in part to meet Council's obligations under Section 35 of the Resource Management Act 1991.

The annual report did not attempt to report on effectiveness and implementation of the Tasman Resource Management Plan (TRMP) rules, consents or state of the environment monitoring.

**Moved Crs Riley/Borlase  
EP10-09-08**

**THAT the Environment and Planning Committee receives the Annual Compliance Monitoring Report: 1 July 2009 – 30 June 2010 REP10-09-04.  
CARRIED**

### **3.2 Air Quality in Richmond – An Update 2010 – Report REP10-09-05**

Resource Scientist Mr James spoke to the report contained in the agenda.

The purpose of the report was to present results for air quality monitoring for the 2010 year-to-date and compare these results to previous years.

Cr Bryant arrived at the meeting at 10.37 am.

#### **Moved Crs Glover/Dowler EP10-09-09**

**THAT the Environment and Planning Committee receives the Air Quality in Richmond – An Update 2010 Report REP10-09-05.  
CARRIED**

### **3.3 Application for Exemption for Compliance with the Food Hygiene Regulations 1974 Three Rooms Restaurant Report – REP10-09-06**

Environment and Planning Manager Mr Bush-King, spoke to the report contained in the agenda.

The purpose of the report was to discuss the application for Exemption for Compliance with the Food Hygiene Regulations 1974 in regard to Three Rooms Restaurant.

#### **Moved Crs Bryant/Ensor EP10-09-10**

**THAT pursuant to Regulation 6(3) of the Food Hygiene Regulations 1974, on the grounds of undue hardship, the Environment & Planning Committee of Council grants an exemption from the requirement to provide a hand basin in the area of the restaurant bar, on the premises operated by T and A Plotnitski and trading as “Three Rooms Restaurant” at 294 Queen Street Richmond subject to:**

- a) A disposable paper towel dispenser and a liquid soap dispenser being provided in close proximity to the existing sink;
- b) The existing sink being used for the dual purpose of a sink for disposal of liquid waste and pre-cleaning of glassware, and that of a wash-hand basin.
- c) The exemption being specific to T and A Plotnitski and expiring when they cease trading as Three Rooms Restaurant, at 294 Queen Street Richmond.

**CARRIED**

### **3.4 Approval of TRMP – Changes to Part 2 Land and Parts 3, 5 and 6 in Part – Report REP10-09-07**

Manager Policy, S Markham, was in attendance to speak to the report contained in the agenda which recommended the approval and setting of the operative date for several changes to the Tasman Resource Management Plan that are now fully resolved.

Mr Markham advised that the draft plan change for Motueka West and Motueka Central is being worked on currently. It will be presented to the 16 December 2010 Environment

and Planning meeting for approval for consultation with the public and the Motueka Community Board.

**Moved Crs Borlase/Glover  
EP10-09-11**

**THAT the Environment and Planning Committee approves proposed Changes 5, 6, 7, 8, 9 and 11 affecting operative Part 2 Land to the Tasman Resource Management Plan to commence as operative provisions from 9 October 2010 (TRMP Update 37), under Clause 20 of Schedule 1 to the RMA.  
CARRIED**

**3.5 Chair's Report – Report REP10-09-08**

Cr Higgins spoke to his report contained in the agenda in which he reflected on the past three years.

**Moved Crs Higgins/Norriss  
EP10-09-12**

**THAT the Chair's Report – Report REP10-09-08 be received.  
CARRIED**

**3.6 Manager's Report – REP10-09-09**

Mr Bush-King spoke to his report which was included in the agenda.

**3.6.1 Water Meter Regulations**

The Committee discussed the new water meter regulations.

**Moved Crs Bryant/Borlase  
EP10-09-13**

**THAT the Environment and Planning Committee request staff to prepare a case to the Regulations Review Committee on the new water meter regulations, subject to final sign off by the Mayor R G Kempthorne and it be reported to the next Environment and Planning Committee.  
CARRIED**

**3.6.2 National Environmental Standard for Plantation Forestry**

Mr Bush-King advised that staff are preparing a submission on the National Environmental Standard for Plantation Forestry. Cr King asked that staff contact the two local forestry companies to discuss the proposed standards.

Mr Bush-King tabled a copy of the Report of the Land and Water Forum that has just been released.

### **3.6.3 Joint Planning Initiative**

Mr Bush-King advised that it had been suggested by the Executive teams from Nelson, Marlborough and Tasman Councils that there be a single joint resource management plan across the Top of the South.

The Committee discussed the issue and had a consensus view that the maximum value for money can be achieved by aligning each council's plan provisions as and when opportunities arise.

**Moved Crs Glover/Riley  
EP10-09-14**

**THAT the Environment and Planning Committee receives the Manager's Report – REP10-09-09.  
CARRIED**

### **4 RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Glover/Borlase  
EP10-09-15**

**THAT the public be excluded from the following part of the proceedings of this meeting:**

**Proposed Change 23: Mapua and Ruby Bay Development – Report REP10-09-10**

**The general subject of the matter 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 passing this resolution are as follows:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
Mapua and Ruby Bay Development Report	Right of appeal to the Environment Court	Section 48(1)(d)

**CARRIED**

(Refer to Confidential Minute Book resolution number EP10-09-16)

**Moved Crs Riley/Borlase  
EP10-09-17**

**THAT public meeting be resumed and the business transacted while the public was excluded be confirmed in open meeting.**

**CARRIED**

### **4.1 Mapua and Ruby Bay Development Report**

**Moved Mayor Kempthorne/Cr Norriss**

**EP10-09-16**

**THAT the Environment and Planning Committee seek further staff advice regarding the subdivision options in the Rural 1 Closed Zone of the Mapua and Ruby Bay Development area.  
CARRIED**

The meeting concluded at 1.55 pm.

Date Confirmed:

Chair: