

MINUTES

TITLE: Environment and Planning Committee
DATE: Thursday 6 October 2011
TIME: 9.30 am
VENUE: Tasman Council Chamber, 189 Queen Street,
Richmond.

PRESENT: Cr S G Bryant (Chair), Mayor R G Kempthorne,
Crs M F Bouillir, J L Edgar, B W Ensor, G A Glover,
J L Inglis, Z S Mirfin, T E Norriss, E J Wilkins

IN ATTENDANCE: Acting Chief Executive Officer (D C Bush-King)
Environmental Education Officer (R Francis)
Strategic Development Manager (S Edwards)
Policy Manager (S Markham)
Regulatory Services Manager (A Humphries)
Resource Scientist (T James)
Policy Planner (M Honey)
Policy Planner (R Biss)
Co-ordinator Environmental Health (G Caradus)
Environment Information Manager (R Smith)
Co-ordinator Biosecurity (L Vaughan)
D Ogilvie - Chair, Motueka Community Board
M Symmons - Golden Bay Community Board member
Administration Officer (G Woodgate)

APOLOGIES

Moved Crs Glover/Mirfin
EP11-10-01

THAT apologies from Crs C M Maling and B F Dowler for absence and
Cr M L Bouillir for lateness be sustained.
CARRIED

1 CONFIRMATION OF MINUTES

1.1 Environment and Planning Subcommittee (Wakatu Incorporation) -
Monday 27 June 2011

Moved Crs Ensor/Glover
EP11-10-02

THAT the minutes of the Environment and Planning Subcommittee (Wakatu
Incorporation) meeting held on Monday 27 June 2011 be received.
CARRIED

1.2 Environment and Planning Subcommittee (G D Wylie, A J Wylie & D G Beatson) - Monday 11 July 2011

**Moved Crs Bryant/Norriss
EP11-10-03**

**THAT the minutes of the Environment and Planning Subcommittee (G D Wylie, A J Wylie & D G Beatson) meeting held on Monday 11 July 2011 be received.
CARRIED**

**1.3 Environment and Planning Committee - Commissioner Hearing -
Tuesday 26 July 2011**

**Moved Crs Norriss/Wilkins
EP11-10-04**

**THAT the minutes of the Environment and Planning Committee - Commissioner Hearing meeting held on Tuesday 26 July 2011 be received.
CARRIED**

1.4 Environment and Planning Committee - Thursday 25 August 2011

**Moved Crs Inglis/Ensor
EP11-10-05**

**THAT the minutes of the Environment and Planning Committee meeting held on Thursday 25 August 2011 be received.
CARRIED**

**2 POLICY REVIEW: RURAL SUBDIVISION AND LAND USE - REPORT
REP11-10-01**

Policy Planner, Mary Honey, was in attendance to present the report contained in the agenda.

The purpose of the report was to:

1. Re-acquaint the Committee with the background to, and reasons for, this review project; and
2. Obtain Committee approval for the scope of the review and commencement of the work programme.

The report described the context and background to the Policy Review: Rural Subdivision and Land Use.

Mr D Ogilvie, Chair, Motueka Community Board arrived at the meeting at 9.33 am.

Cr M F Bouillir and Mr M Symmons, Golden Bay Community Board member arrived at the meeting at 9.35 am.

The following matters were discussed:-

- Second dwellings on a farm
- Diminishing use of Class 1 & 2 soils due to subdivisions
- Protection of river corridors
- Rural Futures Project
- Protection of the best rural land.

**Moved Crs Edgar/Mirfin
EP11-10-06**

THAT the Environment and Planning Committee:

- Receives the Policy Review: Rural Subdivision and Land Use REP11-10-01 and**
- Approves the scope of the review and the commencement of the work programme.**

CARRIED

3 PRELIMINARY ASSESSMENT OF THE SEISMIC LIQUEFACTION HAZARD IN THE TASMAN DISTRICT - REPORT REP11-10-02

Environment Information Manager (Rob Smith) was in attendance to present Resource Scientist Glenn Stevens' report contained in the agenda.

Mr Smith advised that:

- Liquefaction tended to occur in new sediment valleys with high water tables after a major earthquake
- No-one died from liquefaction in the recent Christchurch earthquakes.

**Moved Crs Glover/Edgar
EP11-10-07**

THAT the Environment and Planning Committee receives the report Preliminary Assessment of the Seismic Liquefaction Hazard in the Tasman District REP11-10-02 and the appended Johnston Report (Preliminary Assessment of the Liquefaction Hazard in Tasman and Nelson Regions).

CARRIED

**4 ENVIRONMENT AND PLANNING CHAIRPERSON'S REPORT -
REPORT REP11-10-07**

Cr Bryant spoke to his report contained in the agenda. He advised that another successful Field Day had been held in the Sherry River region the previous day and that Fish & Game NZ had attended.

Cr Bryant noted that five/six Marlborough District Councillors were scheduled to attend the River Health Roadshow on 16 November 2011 and then to speak with Councillors but this was found to clash with two other meetings.

**Moved Crs Glover/Edgar
EP11-10-08**

**THAT the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report REP11-10-07.
CARRIED**

The meeting adjourned for morning tea at 10.20 am and resumed at 10.40 am

**5 TASMAN-NELSON REGIONAL PEST MANAGEMENT STRATEGY -
REPORT ON THE 2010/11 OPERATIONAL PLAN AND THE REVIEW OF
2009-2010 OPERATIONAL PLAN REPORT - REPORT REP11-10-03**

Co-ordinator Biosecurity, Lindsay Vaughan, was in attendance to present the report contained in the agenda.

The Annual Biosecurity Report proposed a process for the Review of the Tasman-Nelson Regional Pest Management Strategy and presented the Operations Plan for the current financial year and reviewed the Operations Plan for the previous financial year.

Mr Vaughan gave an overhead presentation entitled "Annual Biosecurity Report".

The following matters were then discussed:-

- Spread of Didymo - there seemed less information and news on this pest recently
- PSA on kiwifruit within Tasman
- Varroa Mite
- Gorse and broom.

**Moved Crs Ensor/Norriss
EP11-10-09**

THAT the Environment and Planning Committee:

- a) Approves the commencement of a review of the RPMS that will result in an unchanged RPMS and then undertake a second (in-depth) review following promulgation of the Bill and National Policy Direction as it appears likely that the Bill will not be passed before June 2012
- b) Approves the Regional Pest Management Operations Plan for 2011/2012
- c) Accepts the Review of the Operations Plan for 2010/2011.

CARRIED

6 ENVIRONMENTAL EDUCATION REPORT - REPORT REP11-10-05

Environmental Education Officer, Rob Francis, was in attendance to present the report contained in the agenda.

The Environmental Education Report covered a number of general matters concerning the activities of the Environmental Education team as well as an overview of current status.

Mr Francis advised that 58 entries had been received for the Tasman Nelson Environment Awards 2011.

Mayor Kempthorne noted that support from schools to the Enviroschools Programme was very pleasing.

**Moved Mayor Kempthorne/Cr Bouillir
EP11-10-10**

**THAT the Environment and Planning Committee receives the Environmental Education Report REP11-10-05.
CARRIED**

7 ENVIRONMENT AND PLANNING MANAGER'S REPORT - REPORT REP11-10-08

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

The report covered a number of general matters concerning the activities of the Environment and Planning Department.

7.1 Submission to the Minister for the Environment

**Moved Crs Norriss/Wilkins
EP11-10-11**

**THAT the Environment and Planning Committee endorses the submission to the Minister for the Environment on his report "Measuring up environmental reporting - a discussion document" as contained in REP11-10-08 Appendix 1
CARRIED**

7.2 Delegation to Nominated Staff Positions

**Moved Crs Glover/Ensor
EP11-10-12**

THAT the Environment and Planning Committee agrees to delegate to the nominated staff positions, the following powers under the Freedom Camping Act 2011:

Section 32 - Power to appoint enforcement officer	Environment and Planning Manager
Section 39, 40 - Power to return or dispose of property	Environment and

seized or impounded

Planning Manager
Regulatory
Manager

CARRIED

7.3 Draft Environmental Management and Public Health and Safety Activity Management Plans

**Moved Crs Norriss/Glover
EP11-10-13**

THAT the Environment and Planning Committee endorses the draft Environmental Management and Public Health and Safety Activity Management Plans attached as Appendix 5 and 6 to report REP11-10-08 for inclusion in the LTP discussions.

CARRIED

**Moved Crs Edgar/Inglis
EP11-10-14**

THAT the Environment and Planning Committee receives the Environment and Planning Manager's Report REP11-10-08

CARRIED

8 PRESENTATION FROM FONTERRA - OPPORTUNITIES FOR PARTNERSHIP

Mr Todd Muller, Manager Local Government and Regional Relations for Fonterra, Mr Victor Gahamadze, Fonterra Regional Accounts Manager and Mr Evan Baigent, Farmer and Fonterra Shareholder arrived at the meeting at 11.16 am.

Mr Todd Muller gave a verbal and overhead presentation.

Fonterra:-

- Is the world's leading dairy exporter with 1/3 of the global trade
- Is NZ owned, has an annual turnover of \$20b and employ 16,000 staff
- Is a farmer co-operative owned by 10,500 farmer shareholders
- Markets to over 100 countries and has offices in 33
- Influences the entire dairy supply chain from their farmers to its customers
- Focus on control and quality testing of its products
- Processed 21.3b litres of milk last season
- Spends \$100m annually on research
- Has a debt equity ratio of 40%.

In the Tasman region, Fonterra:-

- Has two factory sites - one in Takaka and one in Brightwater
- Has 131 farms and 462 employees (providing 2.5% of regional employment)
- Locally purchased 15m kg of milk solids @ \$7.60 per kg last season. Next year, the price for milk solids is expected to drop from \$7.60kgMS to \$6.75kgMS.

Fonterra are involved in:-

- Corporate sponsorship
- Kick Start Breakfast Programmes
- Fonterra Science Roadshows
- Water quality projects (one currently in Golden Bay)
- Waste management efficiency and efficient energy consumption programmes.

Mr Muller then showed a video on the recent Christchurch earthquakes that highlighted Fonterra's response with water deliveries and emergency response teams. Fonterra donated \$5m to the Christchurch disaster funds.

A "Food for Thought" video then followed.

Mr Muller advised that the future for Fonterra was to grow dairy in a way that minimised its footprint. More cows, land and increased productivity were required and discussion on the growth of the China market ensued. Mr Muller added that in the short term the prospects for Fonterra are "quite volatile" and in the medium term the outlook is "positive - with debt being the key risk".

In a question and answer session, the following matters were raised:-

- Water quality improvement within Tasman
- Best dairy practice coupled with latest innovations
- Nutrient management
- Dairy's built-in high level of debt
- Stock effluent disposal units for Takaka
- The Chinese market
- The organic dairy market
- NZ's clean, green standards and image
- Clean Streams Accord.

The Chair and Mayor Kempthorne both thanked Messrs Muller, Gahamadze and Baigent for their excellent presentation.

The meeting adjourned for lunch at 12.40 pm and resumed at 1.15 pm.

The Chair opened the meeting to Public Forum at 1.16 pm.

9 PUBLIC FORUM

9.1 Paddy Brennan

Ms Brennan briefly outlined the complaint she forwarded to the Ombudsman and added that motocross noise is intermittent but very intrusive, that motocross is a recreational sport and not farming and then outlined the steps the Ombudsman suggested Council should undertake. Ms Brennan requested Council's help to resolve this issue.

9.2 John Salmon

Mr Salmon felt the District Plan noise rules were inadequate and asked for an independent noise expert monitor the noise duration and levels from this site.

9.3 Russell Pringle

Mr Pringle outlined the effect the motocross noise had on his wife and himself. He added that he had approached the neighbours to no effect, paid \$12k on double glazing and now felt that his property had been devalued by around \$60k. Mr Pringle added that one nearby B & B business had sold up and another was struggling due to the intermittent noise. Mr Pringle requested Council's help to resolve this issue.

9.4 Patrick Riddett

Mr Riddett advised that he lives 800m from the motocross track and close to a sawmill business and an Engineering business. Mr Riddett added that he has had no issues with either the sawmill or engineering businesses but the motocross noise was loud and very intrusive.

9.5 Karen Pringle

Ms Pringle advised that this was a very emotional issue for her and had been going on for six years. She requested Council send out a Noise Control Officer to stop the noise upon request.

9.6 Max Faulkner

Mr Faulkner requested Councillors come to the right decision over this issue.

10 OMBUDSMAN'S RULING - MOTUPIPI MOTORBIKE NOISE - REPORT REP11-10-04

Policy Planner, Rose Biss, was in attendance to present the report contained in the agenda.

The report informed of the findings of the Ombudsman's report on noise complaints from neighbours of a motocross track that has been developed at Packards Road, Motupipi. It also considered some options for future management of recreational motorcycling noise for Council direction.

Ms Biss advised that the Code of Practice required alterations to improve its enforcement capabilities. She added that the regulatory and educational approaches had failed in this instance and that Council can only act on a complaint.

The following matters were then discussed:-

- This item should be considered a noise issue and not an activity issue
- Frequency and duration of noise and what is considered a reasonable level of noise
- Does motorcycle noise fit into the rural activity?
- Noise protection from frost protection devices
- Existing activity versus new activities
- Clarifying "Commercial" and "Commercial Recreational" in the TRMP
- Two methods to control noise ie. RMA via the Code of Practice and the TRMP.

Councillors were advised that on 5/6 November 2011 a major motocross event is planned at Packards Road with dozens of bikers expected to attend.

Mayor Kempthorne:-

- Accepted the affects motocross noise in Motupipi is having on its rural neighbours
- Reminded Councillors that this issue came up four years ago and that this had helped develop Council's current Code of Practice
- The noise level set in the Code of Practice has not fixed this problem in this instance
- Council needed to progress this issue and to get further legal advice.

The Chair reminded everyone that the motorcyclists also needed to be listened to.

After general discussion, Item a) was amended and Item c) was added to the Resolution.

**Moved Cr Norriss/Edgar
EP11-10-15**

THAT the Environment and Planning Committee:

- a) Receives the Ombudsman's Report on Motocross Activities REP11-10-04 and asks that legal advice will be sought on the status of "recreational motorcycling" and the applicability of rural noise rules**
- b) Directs staff to bring back a report on the implications of altering the definition of "commercial" to include "commercial recreation" in the Tasman Resource Management Plan**
- c) Directs staff to prepare a report, upon receipt of legal advice as requested in (a) above, further analysing the options outlined in Section 4 of report REP11-10-04, including, but not limited to, resources available, time frames, costs and implications thereof.**

CARRIED

Cr Inglis left the meeting at 2.20 pm

**11 AIR QUALITY IN RICHMOND - AN UPDATE 2011 - REPORT
REP11-10-06**

Resource Scientist, Trevor James, was in attendance to present the report contained in the agenda.

**Moved Cr Ensor/ Mayor Kempthorne
EP11-10-16**

THAT the Environment and Planning Committee receives the Air Quality in Richmond - An Update 2011 - REPORT REP11-10-06.

CARRIED

The meeting concluded at 2.27 pm.

Date Confirmed:

Chair: