

MINUTES

TITLE: Environment and Planning Committee
DATE: Thursday 20 September 2012
TIME: 9.30 am
VENUE: Tasman Council Chamber, 189 Queen Street, Richmond.

PRESENT: Cr S G Bryant (Chair), M L Bouillir, B F Dowler, J L Edgar, B W Ensor, J L Inglis, T B King, C M Maling, Z S Mirfin, T E Norriss, P F Sangster, E J Wilkins.

IN ATTENDANCE: Chief Executive (L McKenzie)
Environment and Planning Manager (D Bush-King)
Manager Policy (S Markham)
Environmental Information Manager (R Smith)
Environmental Education Officer (R Francis)
Co-ordinator Environmental Health (G Caradus)
Co-ordinator Compliance & Enforcement (C Cheeseman)
Resource Scientist (T James)
Harbourmaster (S Hainstock)
Compliance Officer (K Bunting)
Policy Planner (S Noble)
Policy Planner (M Day)
Policy Planner (R Biss)
Policy Planner (N Jackson)
Policy Planner (S Leusink-Sladen)
Motueka Community Board Chair (D Ogilvie)
Golden Bay Community Board Chair (M Symmons)
Administration Officer (G Woodgate)

APOLOGIES

Moved Crs Ensor/Sangster
EP12-09-01

THAT apologies for absence from Mayor R G Kempthorne and Cr G A Glover and apologies for lateness from Cr M L Bouillir be received.
CARRIED

LATE ITEM RESOLUTION

The Environment and Planning Manager asked if the Committee would consider dealing with a late item concerning a matter arising from and Environment Court mediation and that because a decision was requested Standing Order 3.2 would need to be invoked to decide the matter.

Moved Crs Edgar/Dowler
EP12-09-02

THAT in order to deal with a matter arising from and Environment Court mediation, the Environment and Planning Committee agree to receive the Hunter Nominees and the Richmond West Plan Change for Beach Road Industrial Landowners report for discussion 'In Committee' later in the meeting.
CARRIED

1 PUBLIC FORUM

No-one spoke in Public Forum.

2 CONFIRMATION OF MINUTES

2.1 Environment and Planning Committee – 9 August 2012

**Moved Cr Inglis/Ensor
EP12-09- 03**

THAT the minutes of the Environment and Planning Committee meeting held on 9 August 2012, be confirmed as true and complete record.

CARRIED

3 2011-2012 FARM DAIRY EFFLUENT COMPLIANCE - REPORT REP12-09-01

Compliance Officer, Kat Bunting was in attendance for discussion on her report.

The purpose of the report was twofold. Firstly it was to present the results of compliance for the 2011/2012 dairy season with respect to those farm dairies that hold Resource Consent to discharge treated dairy effluent to water. Also compliance with respect to those farms that operate under the Permitted Activity Rule 36.1.2.3 of the Tasman Resource Management Plan (TRMP) - Discharge of Animal Effluent to Land.

Secondly the report served to update where Tasman District lies with respect to the five national targets as set out in the Clean Streams Accord (the Accord).

Discussion on a recidivist significant non-compliant dairy farm owner ensued. The Compliance Officer was requested to follow-up with the company the farm owner supplies to hasten dairy farm effluent compliance.

**Moved Crs King/Norriss
EP12-09-04**

THAT the Environment & Planning Committee receives the 2011-2012 Farm Dairy Effluent Compliance Report REP12-09-01.

CARRIED

4 ENVIRONMENTAL EDUCATION REPORT - REPORT REP12-09-02

The Environmental Education Officer, Mr Rob Francis was in attendance for discussion on his report.

The Environmental Education Officer's report covered the following matters:-

- The Environmental Education Team
- Ecofest
- Enviroschools
- Schools
- Waste Education in Schools
- Community Gardening
- Environmental Events

- Focus until next Environmental & Planning Meeting.

**Moved Crs Mirfin/Edgar
EP12-09-05**

**THAT the Environment and Planning Committee receives the Environmental Education Report REP12-09-02.
CARRIED**

5 ANNUAL MARINE ACTIVITY REPORT 2011-2012 - REPORT REP12-09-03

Harbourmaster, Steve Hainstock was in attendance for discussion on his report.

The report addressed matters arising from report REP11-08-06, and reported on actions under delegated authority by the Harbourmaster during the period 1 May 2011 to 30 April 2012.

10.01 am: Motueka Community Board Chair Mr David Ogilvie arrived.

Discussion on the following matters ensued:-

- Re-installing a boom in the Kaiteriteri Lagoon
- Boat ramp at Grossi Point, Mapua
- Problems between swimmers and skiers at Tata Beach.

10.11 am: Cr Bouillir arrived.

Cr Inglis moved, seconded Cr Sangster, an amendment to Resolution 2(b) to extend restricting the priority use by water skiers to three hours either side of high tide time instead of the two recommended by staff. The amendment was Lost.

**Moved Crs Inglis/Sangster
EP12-09-06**

THAT the Environment & Planning Committee:

2. **AGREES that:**

- (b) A Special Direction be issued restricting the priority use by water-skiers of the area labelled "Water Skiing Area" to three hours either side of high tide time as published for Port Nelson, for the period 15 December 2012 to 28 February 2013.

LOST

Cr King abstained from voting.

**Moved Crs Mirfin/Ensor
EP12-09-07**

THAT the Environment & Planning Committee:

1. **RECEIVES the Annual Maritime Activity Report 2011-2012 – REP12-09-03.
and;**
2. **AGREES that:**

- (a) For the 2012-2013 summer, buoys be used to mark the boundary between the “Power Craft Prohibited” area at Kaiteriteri lagoon entrance and the “Water skiing Area”; and
- (b) A Special Direction be issued restricting the priority use by water-skiers of the area labelled “Water Skiing Area” to two hours either side of high tide time as published for Port Nelson, for the period 15 December 2012 to 28 February 2013.

CARRIED

Cr King abstained from voting.

6 AIR QUALITY IN RICHMOND- AN UPDATE 2012 - REPORT REP12-09-04

Resource Scientist, Trevor James was in attendance for discussion on his report.

The purpose of the report was to present results for air quality monitoring in Richmond for the 2012 year-to-date and compare those results to previous years.

The Resource Scientist proposed inviting the 85 property owners and tenants identified as having ‘offensive or objectionable’ air emissions in Richmond to a meeting where targeted education on their air pollution issues and options would be discussed.

Cr Edgar requested Councillors be invited to the meeting.

Discussion on the following matters ensued:-

- The National Environmental Standard (NES) for air quality and the high standard for log fires
- Rising power costs
- The need to enforce the Regulations
- Encouraging people to get their firewood now to allow it to dry out ready for next winter.

10.31 am: Chief Executive arrived.

- Firewood storage.

**Moved Crs Maling/Wilkins
EP12-09-08**

THAT the Environment and Planning Committee receives the Air Quality in Richmond – an Update 2012 - Report REP12-09-04.

CARRIED

7 ANNUAL COMPLIANCE MONITORING REPORT: 1 JULY 2011 TO 30 JUNE 2012 - REPORT REP12-09-05

Co-ordinator Compliance & Enforcement, Carl Cheeseman was in attendance for discussion on his report.

The report summarised Tasman District Council’s Compliance & Enforcement Sections programme of work and performance for the period 1 July 2011 to 30 June 2012 and outlined consent monitoring performance, complaint and enforcement response over the period and served in part to meet Council’s obligations under section 35 of the Resource Management Act 1991.

Discussion on the following matters ensued:-

- Compliance grading
- Forestry company compliance with the District Plan – Golden Bay
- Motueka Waste Water Treatment Plant
- Monitoring of Resource Consent issues
- Issues with two timber treatment plants.

Moved Crs Dowler/Ensor
EP12-09-09

THAT the Environment and Planning Committee receives the Annual Compliance Monitoring Report 1 July 2011 to 30 June 2012 - Report REP12-09-05.
CARRIED

10.11 – 10.55 am: Morning tea. Cr Edgar did not return to the Chamber.

8 TECHNICAL AMENDMENTS TO THE TASMAN RESOURCE MANAGEMENT PLAN - REPORT REP12-09-06

Policy Planner, Rose Biss was in attendance for discussion on her report.

The purpose of the report was to recommend some possible amendments to the Tasman Resource Management Plan (TRMP) and seek approval to make amendments to the relevant rural and rural residential rules and definitions for commercial and recreational activities in the Plan.

Four matters were considered for technical amendment:-

1. Rural Residential Zone Glare
 - Issue raised due to three complaints regarding roof glare
 - Status quo was retained.
2. Chimney Stack Height
 - Technical amendment to the TRMP approved.
3. Commercial Recreation
 - Definition of 'commercial activity' requested and three options discussed
 - Discussion centred on 'temporary commercial activities' with Councillors concerned over the lack of definition around what could be caught
 - Amendments to this matter were considered 'significant' by Committee members and the status quo was retained.
4. Outdoor Storage and Home Occupations
 - The issues were raised to clarify whether any outdoor storage is permitted, or not, in Rural 1 & 2 zones and to clarify the intent of 'home occupations'
 - Outdoor Storage in Rural 1 & 2 zones was seen by Committee members to be a difficult area when a farmer could have farm equipment spread out but a person doing a home occupation could not yet the affects would be similar
 - Home Occupations – issues with employees driving at inconvenient times creating noise and traffic problems were outlined
 - Status quo on both matters was retained.

Staff to re-assess matters 1, 3 and 4 – on a low priority basis.

11.43 am: Cr Edgar returned.

Moved Crs Maling/Bouillir
EP12-09-10

THAT the Environment & Planning Committee:

1. **RECEIVES the Technical Amendments to the Tasman Resource Management Plan Report EP12-09-06, and;**
2. **ADOPTS the Plan Change on Chimney Stack Height as a proposed plan change to be publicly notified with the next Plan update (expected to be November 2012).**

CARRIED

9 RESOURCE POLICY PROGRAMME UPDATE SEPTEMBER 2012 - REPORT REP12-09-08

Manager Policy, Steve Markham, Shelagh Noble, Policy Planner were in attendance for discussion on the report.

The report provided an updated resource policy programme description and briefing on the current and likely situation with present and programmed projects.

Tasman Business Centres Investigation

Policy Planner, Shelagh Noble gave a brief report on a Tasman Business Centres Study and tabled a handout on Nelson/Tasman Commercial Centres as well as comments on the Draft Nelson/Tasman Retail Assessment.

Discussion on the following matters ensued:-

- Why would Council wish to discourage businesses from moving to areas zoned mixed business?
- Why is there a need to extend the policy review to all 17 Tasman areas when Richmond West and Richmond CBD areas are the main concern to some?
- A workshop was requested on the Richmond CBD development project for all Councillors to attend.

Tasman Resource Management Plan (TRMP) Usability Review

Policy Planner, Sonya Leusink-Sladen sought acceptance from the Committee to attempt to make the TRMP more user friendly.

Discussion on the following matters ensued:-

- The complexity of the current TRMP
- The Manager Policy was requested to report back to the Committee on options for this work including costings
- The work to align with other resource management plans – especially Nelson City Council's.

12.30 – 1.00 pm: Lunch. Motueka Community Board Chair Mr David Ogilvie did not return.

Tasman District Coastal Hazard Risk Assessment

Policy Planner, Maxine Day gave a brief report on a Tasman District Coastal Hazard Risk Assessment and outlined three options ie.

1. To accommodate
2. To retreat and
3. To manage.

Discussion on the following matters ensued:-

- There are no national evaluation or responses on coastal hazard risks
- Sea level rise
- The issues around affordability of protecting coastal properties

- Riparian issues.

Council Policy Statements and Plans giving effect to the New Zealand Coastal Policy

The Policy Planner, Neil Jackson was in attendance for discussion on the above.

Policy Review: Rural Subdivision and Land Use

Manager Policy provided a table that contained a project outline for the Policy Review: Subdivision and Land Use as at May 2012.

Discussion on the following matters ensued:-

- Committee members requested the process of consultation on the Policy Review: Subdivision and Land Use be shortened by the putting out of a Draft for consultation before October 2013
- Flexibility was requested on the multiple dwelling issue.
- Compliance with NZCPS should be covered under already planned projects where this is feasible

Moved Crs King/Norriss

EP12-09-11

THAT the Environment & Planning Committee receives the Resource Policy Programme Update September 2012, Report REP12-09-08; and

- 1. NOTES the rationalisation of some projects currently in the programme but not commenced concerning Golden Bay settlements; and**
- 2. APPROVES the commencement or continuation of the following projects as per the project outlines attached to the report:**
 - i. Tasman District coastal hazard risk assessment (interdept.)**
 - ii. TRMP usability review; and**
- 3. NOTES some work to implement the NZCPS 2010 that is linked to other projects is currently under way**
- 4. REQUESTS a report back on shortening the timeframe for the Rural Policy Review**
- 5. REQUESTS a workshop on the Richmond CBD Development Plan with an update on all aspects of the project.**

CARRIED

10 UPDATE OF HERITAGE SCHEDULE - REPORT REP12-09-07

Policy Planner, Rose Biss was in attendance for discussion on her report.

The purpose of the report was to seek approval for a plan change to update the Heritage Schedule 16.13A in the Tasman Resource Management Plan (TRMP).

Committee members discussed the following matters:-

- The costs and implications to Council regarding the Horse Terrace Bridge in Murchison
- That owners of heritage places being included into the Heritage Schedule in the Tasman Resource Management Plan be requested to provide their written agreement to Council.

**Moved Crs Sangster/Bouillir
EP12-09-12**

THAT the Environment & Planning Committee:

- 1. RECEIVES the Update of Heritage Schedule Report REP12-09-07;**
- 2. ADOPTS Plan Change 41 for public notification (with the exception of the Horse Terrace Bridge).**

CARRIED

**Moved Crs King/Edgar
EP12-09-13**

THAT in future, owners provide their written agreement to their sites or places being included into the Heritage Schedule 16.13A in the Tasman Resource Management Plan and that these agreements be included in future agenda reports.

CARRIED

11 TASMAN COAST: HABITAT MAPPING, ECOLOGICAL RISK ASSESSMENT AND MONITORING REPORT - REPORT REP12-09-09

Resource Scientist, Trevor James was in attendance for discussion on his report.

Over the past two years field mapping and risk assessments have been undertaken for almost all of Tasman's coastline, except for the coasts of Farewell Spit and Abel Tasman National Park, where this has not been undertaken previously. A full report was tabled that included available habitat maps (including those from previous investigations) and detailed risk assessments to habitats within estuaries, beaches and dunes, rocky shores and terrestrial margins.

Committee members discussed the following matters:-

- Recommended Management comments in the report had not been debated by Council and no cost implications identified
- Sediment issues

2.47 pm: Golden Bay Community Board member Mik Symmons departed.

- What steps, changes and budgetary considerations require discussion by Council.

Cr Mirfin moved the resolution as per the staff's report and requested the Report be released in full. As the resolution was not seconded, the resolution lapsed through lack of a Seconder.

Cr Edgar then moved, seconded Cr Ensor, an amended Resolution.

**Moved Crs Edgar/Ensor
EP12-09-14**

THAT the Environment & Planning Committee:

- 1. RECEIVES REP12-09-09 Tasman Coast: Habitat Mapping, Ecological Risk Assessment and Monitoring Report, and**

2. **AGREES to release the report as part of its State of the Environment programme of work - with the deletion of the recommended management comments.**

CARRIED

3.05 pm: Cr Mirfin departed.

12 ENVIRONMENT & PLANNING CHAIR'S REPORT - REPORT REP12-09-10

The Chair's report had been circulated.

The report contained the following items:-

- Ecofest
- RMA Planning Workshop
- Gravel

The Chief Executive advised that he was preparing a paper on gravel/river management that will contain the current state of knowledge, regulatory policy, what happens practically and options for non-regulatory initiatives. He added that a series of stakeholder group meetings are being planned to enable them to tell Council their issues and to marry these up with Engineering Services and Environment and Planning processes and systems. The paper will be put before Councillors before it goes out to stakeholders.

- Water Metering
- National Policy Statement Water Quality and Nutrient Plans
- Richmond West.

**Moved Crs Edgar/Maling
EP12-09-15**

THAT the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report REP12-09-10.

CARRIED

13 ENVIRONMENT & PLANNING MANAGER'S REPORT - REPORT REP12-09-11

The Environment and Planning Manager, Dennis Bush-King was in attendance for discussion on his report.

The Environment and Planning Manager's report had been circulated and contained the following items:-

- Annual Report 2011-2012 – non-financial achievements for the Environment and Planning Activity areas
- Challies Island Fish Out Pond
- Agriculture Meets Marine Farming
- Action Items.

**Moved Cr Maling/Inglis
EP12-09-16**

THAT the Environment and Planning Committee receives the Environment and Planning Manager's Report REP12-09-11.

CARRIED

14 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Cr Crs Maling/Inglis
EP12-09- 17**

THAT the public be excluded from the following part(s) of the proceedings of this meeting:-

- Revocation of Registration
- Richmond West Plan Change for Beach Road industrial landowners.

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:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1)(d) for the passing of this resolution
15 16	<ul style="list-style-type: none">• Revocation of Registration• Hunter Nominees and the Richmond West Plan Change for Beach Road industrial landowners.	Good reason to withhold exists under Section 7(2)(a) and Section 7(2)(i)	Section 48(2)(a)(i)

Item	Reason to withhold information under Section 7	Section
15 16	To protect the privacy of natural persons. To carry on negotiations.	48(i)(d) 48(i)(d)

CARRIED

15 'IN COMMITTEE' REVOCATION OF REGISTRATION - REPORT REP12-09-12

**Moved Crs Wilkins/Norriss
EP12-09-18**

THAT the Environment and Planning Committee:

- 1. RECEIVES the report REP12-09-12; and**
- 2. THAT the explanation from the proprietor of the Naked Bun showing cause why his certificate of registration should not be revoked be considered satisfactory and no further action be taken under the provisions of the Health (Registration of Premises) Regulations 1966 on this occasion; and**
- 3. THAT the decision under (2) above be reported into open meeting.**

CARRIED

**Moved Crs Ensor/Edgar
EP12-09-20**

THAT the Public meeting be resumed.

CARRIED

The meeting closed at 3.47 pm

Date Confirmed:

Chair:

UNCONFIRMED MINUTES