
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30am, Thursday, 4 February 2016
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Councillor S G Bryant (Chair), Mayor R G Kempthorne, Councillors B W Ensor, M L Bouillir, J L Edgar, M J Higgins, B F Dowler, M J Greening, P L Canton, J L Inglis, P F Sangster, T B King

In Attendance: Environment and Planning Manager (D Bush-King), Executive Assistant (V M Gribble)

Part Attendance: Policy Manager (S Markham), Co-ordinator Environmental Health (G Caradus), Co-ordinator Compliance Monitoring (C Cheeseman), Resource Consents Manager (P Doole), Resource Scientist – Contaminants (P Sheldon)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr Inglis/Cr Higgins
EP16-02-1

That apologies for absence from Crs T E Norriss and Z S Mirfin, and for lateness from Cr B F Dowler be accepted.

CARRIED

3 PUBLIC FORUM

3.1 R Hellyer

Mr Hellyer was concerned about freedom camping, particularly in Golden Bay and asked Council to enforce bylaws.

3.2 M Clark

Mr Clark asked that the Waimea Water Management (Security of Supply) Changes 54 – 56 be considered in open meeting, instead of in committee. He also spoke about an article in a local paper which contained Councillors opinions on the Waimea Community Dam.

3.3 M Dawson

Mr Dawson spoke about the proposed Waimea Community Dam. He does not want Council spending any more money on the dam.

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

Nil

6 CONFIRMATION OF MINUTES

**Moved Cr Bryant/Cr Higgins
EP16-02-2**

That the minutes of the Environment and Planning Committee – TRMP Hearing 68 meeting held on Monday 7 September 2015 be confirmed as a true and correct record of the meeting.

CARRIED

**Moved Cr King/Cr Higgins
EP16-02-3**

That the minutes of the Commissioner (Resource Consent) Hearing (R L Pons) meeting held on Wednesday, 16 September 2015, be received.

CARRIED

**Moved Cr Ensor/Cr Canton
EP16-02-4**

That the minutes of the Commissioner (Resource Consent) Hearing (P J & N K Trewavas) meeting held on Monday, 19 October 2015, be confirmed as a true and correct record of the meeting.

CARRIED

**Moved Cr King/Cr Bouillir
EP16-02-5**

That the minutes of the Commissioner (Resource Consent) Hearing (Gunsboro Ltd) meeting held on Monday, 16 November 2015, be received.

CARRIED

Moved Cr Ensor/Cr Higgins**EP16-02-6**

That the minutes of the Environment and Planning Committee meeting held on Thursday, 19 November 2015, be confirmed as a true and correct record of the meeting.

CARRIED**Moved Cr Bouillir/Cr Higgins****EP16-02-7**

That the minutes of the Commissioner (Resource Consent) (TDC Global River Spraying Consent) Hearing meeting held on Monday, 30 November 2015, be received.

CARRIED

Cr Dowler arrived at 9.46 am

10 CONFIDENTIAL SESSION**10.1 Procedural motion to exclude the public****Moved Cr King/Cr Edgar****EP16-02-8**

That the public be excluded from the following part(s) of the proceedings of this meeting. The general subject of each matter to be considered 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 the passing of this resolution follows.

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, as follows:

10.1 Progressive Enterprises Ltd Private Plan Change Request - Confidential

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

10.2 Waimea Water Management (Security of Supply) Changes 54-56: Report and Recommendations from Commissioner

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution

The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.
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10.3 Report on Weather Tight Home Resolution Case

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

CARRIED

Open meeting resumed at 10.48 am.

Morning tea break was taken at 10.50 am.

The meeting resumed at 11.05 am.

7 REPORTS OF COMMITTEE

Nil

8 PRESENTATIONS

Nil

9 REPORTS

9.2 Environmental Policy Manager's Report on Environmental Policy Programme (REP16-02-10)

Environmental Policy Manager Steve Markham, was in attendance to speak to the report which provided an updated environmental policy programme description and assessment of the current and likely situation with present and programmed plan change projects and recommended approaches to project priorities for 2016.

In answer to a question about resourcing, Mr Markham advised that catchment management planning professionals in NZ are in high demand and Council had re-advertised one position. Both catchment projects are making good progress, but the collaborative process is time-consuming as the members are largely volunteers.. He is not anticipating problems finding a new land use policy planner for when Rose Biss retires in April 2016.

Councillors understood the resourcing issues, but expressed frustration that even with four people

working on the Takaka FLAG they are still not going to get a draft plan change this side of the elections. All projects in the work plan should have a budget and timelines, showing how much has been spent, how long it will take, and when it will finish. Councillors acknowledged there will be uncertainties and changes.

Cr Bouillir believed the FLAG process in Takaka was good and people are working well together and they will bring some good outcomes. Councillors were welcome to attend a meeting and see how the group works. The Facilitator is good and keeps the group focussed.

The Committee expected the plan change for Takaka to be notified by September 2016 and the collaborative group needs to be aware of this and have an outcome.

Mr Markham considered the FLAG process has not been drifting and would meet twice a month for the next few months. He advised there is a workshop proposed in March for the Takaka FLAG. A workshop on the Golden Bay Landscape project is programmed for April and a draft plan change will be available at that workshop.

Mr Markham advised that with the wish for the Takaka plan change to proceed in this term of Council, he may need to buy more time from a number of resources. He will report back to the March workshop.

**Moved Cr Bouillir/Mayor Kempthorne
EP16-02-13**

That the Environment and Planning Committee:

- 1. receives the Environmental Policy Manager's Report on Environmental Policy Programme report (REP16-02-10); and**
- 2. agrees that:**
 - Changes 37 (Richmond greenways) and 57 – 62 (as listed in the report table), should proceed for hearing and decisions notification before September 2016; and**
 - Changes 63 – 65 (as listed in the report table), should proceed for notification at about June 2016; and**
 - Change 66 (Golden Bay landscapes) should proceed for completion and proposed notification from about September 2016; and**
 - Change 67 (urban development and design issues for the Richmond town centre) should proceed to be completed for notification after September 2016 in the next Council term; and**
 - the Takaka FLAG be requested to table its report and recommendations to the August EPC; and**
 - Change 68 (Takaka catchments water management) should proceed to be completed for notification in the next Council term after September 2016; and**
 - the Waimea water quality FLAG be requested to table its report and recommendations to the August EPC as instructions for drafting the change; and**
 - Change 69 (Waimea Plains water quality) should proceed to be completed for notification in the next Council term after September 2016; and**

- **Change 70 (Richmond residential zone review) should proceed to be completed for notification in the next Council term after September 2016.**

CARRIED

9.1 Reduction of fees categories for certain off-licences (REP16-02-04)

Co-ordinator Environmental Health, Graham Caradus was in attendance to speak to the report which sought direction from the Environment & Planning Committee (EPC) in relation to fees charged for alcohol licences.

Direction on reductions of the fees set by statute has been provided to staff by the EPC in the past. The Chairman of the District Licensing Committee, after viewing a letter from an applicant for an off-licence for remote sales premises requesting a fee reduction recommended that the apparent inconsistencies in the alcohol fees regulations be reported to the EPC, so that further consideration could be given to other possible fee reductions.

In response to a question about what remote sales were, Mr Caradus advised that typically they take place over the internet or via a phone call. We have a number of these providers in the area and they facilitate distribution of the alcohol which is delivered by couriers. Anyone with an off licence can make remote sales, eg supermarkets could do it. Remote sales is rated at a higher risk level than people with an off licence. Mr Caradus advised that any additional reduction in fees, while small, will have to be met from rates.

It was noted that Nelson City Council and Marlborough District Council reduce the cost of special licences for community groups.

The matter was left to lie on the table until later in the meeting to enable Mr Caradus to return with some information on the suggestion to reduce the cost for special licences for community groups.

9.3 Compliance Monitoring Six Monthly Report 1 July - 31 December 2015 (REP16-02-05)

Co-ordinator Compliance Monitoring, Carl Cheeseman, The report provided a summary of the complaints, incidents and general monitoring undertaken as part of the Compliance Monitoring Department's programme of work over the period 1 July 2015 to 31 December 2015.

Mr Cheeseman advised there is a lot of pressure on dairy farmers at the moment and staff are well aware of it. He advised there is a workshop on Mental Health Issues and Awareness that staff will be attending.

When compliance issues arise, it is always worth keeping in mind there could be a lot of other issues going on behind the scenes, which is not related to the issue and considered it good that staff will be attending the workshop. Those attending were asked to share the information with other staff.

Moved Cr King/Cr Sangster

EP16-02-14

That the Environment and Planning Committee receives the Compliance Monitoring Six Monthly Report 1 July - 31 December 2015 REP16-02-05.

CARRIED

Councillors were introduced to new Building Control Manager, Sharon Threadwell.

9.4 Resource Consent Manager's Report - July to December 2015 (REP16-02-06)

Resource Consents Manager, Phil Doole, spoke to the report which presented a summary of the performance of the Resource Consent section regarding compliance with statutory timeframes for the first half of the 2015-2016 financial year. It provided a status update for appeals to the Environment Court on decisions made by hearing panels. It also summarises the current workload and issues, and notable jobs that have been dealt with since the last Resource Consent Manager's report to the Committee in July 2015.

In answer to a question about Talley's application to discharge to air, Mr Doole understood there was a meeting about the application recently and staff are still working towards getting a full package together to bring the application to a point that a decision will be made on whether to notify or not. He hoped that would happen within the next six months, but staff were awaiting feedback from the applicant.

**Moved Cr Ensor/Cr Dowler
EP16-02-15**

**That the Environment and Planning Committee receives the Resource Consent Manager's Report - July to December 2015 report REP16-02-06.
CARRIED**

Lunch Break was taken at 12.31 pm.
Meeting Resumed at 1.00 pm.
Crs Sangster and Edgar did not return at this time.

9.1 Reduction of fees categories for certain off-licences (REP16-02-04) (Continued)

G Caradus tabled and spoke to an addendum to REP16-02-04: Reduction of fees Category for certain off-licences, and identified the potential cost implications of reducing by one class, social licences for community groups.

**Moved Cr King/Cr Sangster
EP16-02-16**

That the Environment and Planning Committee:

- 1. receives the Reduction of fees categories for certain off-licences report (REP16-02-04); and**
- 2. agrees to allow staff to reduce, pursuant to clause 6(4) of the Sale and Supply of Alcohol (Fees) Regulations 2013, the fees payable by "off-licence remote sale premises" and/or "off-licence premises not otherwise specified", specifically for cellar door operations involving sale of beer and/or spirits; and**
- 3. agrees to reduce Class 1 and Class 2 Special Licence categories for non-commercial community events and fundraising by one class; and**
- 4. instructs staff to give effect to this policy from the date of this resolution.**

CARRIED

9.5 2015 Air Quality Report (REP16-02-07)

Resource Scientist – Contaminants, Paul Sheldon was in attendance to speak to the report. The report updated the Environment & Planning Committee on results of air quality monitoring in Richmond undertaken during the winter of 2015. It also considered compliance with the requirements of the Resource Management (National Environmental Standards for Air Quality) Regulations 2004 (NESAQ) and updated the Committee on the review of the NESAQ currently underway.

**Moved Mayor Kempthorne/Cr Bouillir
EP16-02-17**

**That the Environment and Planning Committee receives the 2015 Air Quality Report
REP16-02-07.**

CARRIED

9.8 Environment & Planning Manager's Report (REP16-02-12)

Environment & Planning Manager, Dennis Bush-King, spoke to his report which covered a number of general matters concerning the activities of the Environment & Planning Department.

Crs Sangster and Edgar returned to the meeting at 1.24 pm.

Councillors discussed the Resource Legislation Amendment Bill changes, in particular the removal of reserve financial contributions where there are some technical issues around administration that have been identified, and the inequities in the position of Councillors as decision makers relative to independent commissioners.

Mayor Kempthorne, Crs King and Bryant will work with the Environment and Planning Manager in preparing the Council's submission, including input from the Community Development Manager.

**Moved Cr Bouillir/Cr Inglis
EP16-02-18**

That the Environment and Planning Committee:

- 1. receives the Environment & Planning Manager's Report (REP16-02-12); and**
- 2. authorises the Mayor, Deputy Mayor and Chair of the Environment and Planning Committee to approve and sign off a submission on the Resource Legislation Amendment Bill.**

CARRIED

9.6 Pesticide Residues in Groundwater - 2014 Survey (REP16-02-09)

Environment & Planning Manager, Dennis Bush-King, spoke to the report contained in the agenda. The report discussed Council's participation in the National Survey of Pesticides in New Zealand Groundwaters and presented the results of the latest round of sampling.

**Moved Cr Ensor/Cr Bouillir
EP16-02-19**

That the Environment and Planning Committee

1. receives the Pesticide Residues in Groundwater - 2014 Survey report (REP16-02-09); and
2. notes that Council staff will continue to offer advice and information and advocate best practice with respect to the use and disposal of pesticides to land owners/users when opportunities arise and/or in response to queries; and
3. agrees to support Tasman's continued participation in ESR's National Survey of Pesticides in Groundwater by repeating this survey in 2018.

CARRIED

9.7 Environment & Planning Chair's Report (REP16-02-11)

Committee Chair, Cr S G Bryant's report included commentary on the following matters:

- TRMP
- Dry Weather Task Force
- Staff changes
- Freedom camping
- Land Development Manual

**Moved Cr Higgins/Mayor Kempthorne
EP16-02-20**

**That the Environment and Planning Committee receives the Environment & Planning
Chair's Report (REP16-02-11).**

CARRIED

The meeting concluded at 1.42 pm.

Date Confirmed:

Chair: