

# MINUTES

**TITLE:** Environment and Planning Committee  
**DATE:** Thursday 28 June 2012  
**TIME:** 9.30 am  
**VENUE:** Tasman Council Chamber, 189 Queen Street, Richmond.

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

**IN ATTENDANCE:** Environment and Planning Manager (D Bush-King)  
Environmental Education Officer (R Francis)  
Transportation Manager (G Clark)  
Co-ordinator Environmental Health (G Caradus)  
Policy Manager (S Markham)  
Policy Planner (N Jackson)  
Policy Planner (L McGlinchey)  
Regulatory Administration Officer (R Connochie)  
Communications Adviser (C Choat)  
Motueka Community Board Chair (D Ogilvie)  
Administration Officer (G Woodgate)

## **APOLOGIES**

Moved Crs Maling/Glover  
EP12-06-01

**THAT** apologies for absence from Mayor R G Kempthorne and Cr J L Inglis and for lateness from Cr T B King be received.  
**CARRIED**

## **1 PUBLIC FORUM**

### **1.1 Mr Maxwell Clark**

Mr Clark noted that Council considered a rates remission policy for Takaka but not for Richmond West. He added that he had spoken with officials from Quotable Value who had stated that Richmond West could have a targeted rate. Mr Clark advised that Council could also consider a Special Valuation rate for Richmond West residents.

9.36 am: Cr Bouillir arrived.

### **1.2 Mr Don Mead, Takaka**

The Environment and Planning Manager tabled a letter from Mr Don Mead regarding the NIWA Fin Fishing Reports 2012.

**2 CONFIRMATION OF MINUTES**

**2.1 Environment and Planning Committee and Subcommittee – 20 April 2012, 30 April 2012 and 17 May 2012**

**Moved Cr Ensor/Mirfin  
EP12-06- 02**

**THAT the minutes of the Environment and Planning Subcommittee meeting held on 20 April 2012 be confirmed as true and complete record.  
CARRIED**

**Moved Cr Norriss/Bryant  
EP12-06- 03**

**THAT the minutes of the Tasman District Council Development Contributions Subcommittee held on 30 April 2012 be confirmed as true and complete record.  
CARRIED**

**Moved Cr Maling/Dowler  
EP12-06- 04**

**THAT the minutes of the Environment and Planning Committee meeting held on 17 May 2012 be confirmed as true and complete record.  
CARRIED**

**2.2 Commissioner Hearings – 23 April 2012, 19-21 March 2012**

**Moved Cr Ensor/Wilkins  
EP12-06- 05**

**THAT the Environment and Planning Subcommittee receive the Commissioner Hearing Notes the Hearing held on 23 April 2012.  
CARRIED**

**Moved Cr Glover/Maling  
EP12-06- 06**

**THAT the Environment and Planning Subcommittee receive the Commissioner Hearing Notes for the Hearing held on 19-21 March 2012.  
CARRIED**

**RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Cr Glover/Mirfin  
EP12-06- 07**

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

- Draft Change 37 Richmond West South Greenway
- Draft Variation 3 Change 10
- Motueka West and Central Draft Change.

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
3. 4. and 5.	<ul style="list-style-type: none"> <li>• Draft Change 37 - Richmond West South Greenway.</li> <li>• Draft Variation 3 Change 10 - Richmond West Development Area.</li> <li>• Motueka West and Central Draft Change.</li> </ul>	Good reason to withhold exists under Section 7(2)(f)	Section 48(1)(d)

Item	Reason to withhold information under Section 7	Section
3. 4. and 5.	To deliberate in private in a proceeding where a right of appeal lies to a Court against the final decision.	48(i)(d)

**CARRIED**

(Refer to the Confidential Minute Book containing Resolutions EP12-06-08 to EP12-06-11)

**Moved Crs Sangster/Norriss  
EP12-06-11**

**THAT the Public meeting be resumed.  
CARRIED**

10.26 - 10.42 am: Morning tea.

## **6 ENVIRONMENT & PLANNING MANAGER'S REPORT - REPORT REP12-06-09**

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

The report covered the following matters:-

- Pest Management Workshop
- Hydroelectricity or Wild Rivers
- Petition – Opposing 1080 drop in Golden Bay

The Environment and Planning Manager reported that a Pest Management Workshop was held on Saturday 9 June 2012 and that a Petition had been received opposing an aerial drop of 1080 in Golden Bay.

**Moved Crs Bryant/Glover  
EP12-06-12**

**THAT the Environment and Planning Committee receives the petition from Fiona Cameron and 158 others opposing a 1080 drop in Golden Bay and decides to take no further action.  
CARRIED**

- Gambling (Gambling Harm Reduction) Amendment Bill
- National Policy Statement on Freshwater
- Proposed National Pest Management Strategy for Psa-V
- Moutere Surface Water Zone – Permit Renewals
- Golden Bay Landscapes
- TRMP Changes Operative
- What is Special about Tasman.

10.47 am: Cr Sangster returned from morning tea.

The Agenda item was then deferred.

## **7 ANNUAL DOG CONTROL REPORT 2011-2012 - REPORT REP12-06-07**

The Regulatory Administration Officer, Ross Connochie was in attendance for discussion on his report.

The report covered the following matters:-

- Dog Control Policy
- Dog Control and Enforcement Practices in Tasman District Council
- Website and Media
- Dog Registration and Enforcement Statistics for July 2011 to June 2012
- Service request Statistics for 01 July 2011 to 14 June 2012
- Dog Registration and Other Fees.

Councillors did not agree with the holding of an early review of the Bylaw, despite the concerns raised in the petition concerning Takaka.

Cr Bouillir advised that the Takaka Community Board was disappointed to have been left out of discussions regarding the proposed Takaka amendments to the Bylaw.

Cr King felt that as this issue was specific to Takaka, the Environment and Planning Committee could allow the proposed amendments to the Dog Control Bylaw 2009 to be advertised, call for submissions and delegate to the Golden Bay Community Board the power to hear submissions and recommend to Council how the matter should be resolved.

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

### **Moved Crs Glover/Norriss EP12-06-13**

**THAT the Environment & Planning Committee receives and adopts the Annual Dog Control Report 2011-2012, Report REP12-06-07, required pursuant to Section 10A of the Dog Control Act 1996.  
CARRIED**

### **Moved Crs King/Bouillir EP12-06-14**

**THAT the Environment & Planning Committee:-**

- a) Receives the petition from Mrs Pam Nelson and 363 others and;**

- b) Instructs staff to prepare an amendment to the existing Dog Control Bylaw 2009 (Appendix 1) which proposes that:
1. Commercial Street, Takaka be excluded from the Dog Prohibited Areas Schedule 3 of the Dog Control Bylaw 2009
  2. Commercial Street, Takaka be designated a Leash Control Area under Schedule 1 of the Dog Control Bylaw 2009.
- c) Instructs staff to prepare a statement proposal for community consultation and delegates to the Golden Bay Community Board the hearing of submissions received, for recommendation back to full Council.

**CARRIED**

## **6 (Con't) ENVIRONMENT & PLANNING MANAGER'S REPORT - REPORT REP12-06-09**

The Environment and Planning Manager outlined the Gambling (Gambling Harm Reduction) Amendment Bill. He noted that a potential conflict of interest arose for Council from this Bill.

The Environment and Planning Manager's report continued with the following items:-

- National Policy Statement on Freshwater
- Proposed National Pest Management Strategy for Psa-V
- Moutere Surface Water Zone – Permit Renewals
- TRMP Changes Operative.

### **Moved Crs Ensor/Wilkins EP12-06-15**

**THAT the Environment and Planning Committee approve Changes 14, 15, 16, 18, 19, 32 and 33 to the Tasman Resource Management Plan under Clause 17 of Schedule 1 RMA to commence as operative changes under Clause 20 at notification of Update 44 of the Plan, expected to be 28 July 2012.**

**CARRIED**

- What is Special about Tasman?

Cr King asked for an update on the work to amend the status of active fault lines under Change 21 as per Resolution EP12-02-15.

The Agenda item was again deferred.

## **8 ENVIRONMENTAL EDUCATION REPORT - REPORT REP12-06-06**

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
- Tasman Nelson Environment Awards Review
- Ecofest Golden Bay
- Enviroschools
- Schools
- Community Vegetable Gardens
- Good Wood
- Waste Education in Schools

- Environmental Events
- Focus until next Environmental & Planning Meeting.

Cr Edgar requested the Big Beach Cleanup scheduled for November 2012 not to clash with the annual AMP Show.

**Moved Crs King/Edgar**  
**EP12-06-16**

**THAT the Environment and Planning Committee receives the Environmental Education Report, Report No. REP12-06-06.**  
**CARRIED**

**9 REVIEW OF 'TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW CHAPTER 3 CONTROL OF LIQUOR IN PUBLIC PLACES' - REPORT REP12-06-03**

The Co-ordinator Environmental Health, Graham Caradus was in attendance for discussion on his report.

The Co-ordinator Environmental Health apologised by stating that some Liquor Ban Area maps contained within the Agenda were incorrect and he tabled eight replacement maps.

The report detailed the reasons for, and process necessary to review the Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places December 2007 (incorporating amendments December 2008) (the Bylaw).

The Co-ordinator Environmental Health then introduced Senior Sergeant Grant Andrews, Sergeant Mike Fitzsimmons, Rural Community Officer Glenn Lloyd-Jones and Police Officer Mel Drummond.

Rural Community Officer Glenn Lloyd-Jones outlined the current problems and offending Police are experiencing before the liquor ban hours start at 9.00 pm.

Senior Sergeant Grant Andrews outlined the locations of concern to Police and added that Police wished to act proactively rather than reactively regarding the bad behaviour being encountered.

The Chair noted that Murchison and Takaka have 24/7 liquor bans and asked why not the same for Richmond?

Cr Norriss felt that the real issue was the availability of alcohol.

Cr King outlined the mixed message Police send out with 'flexible bans' and he gave an example of this. He added that he backed a 24/7 liquor ban for Richmond.

Cr Ensor asked if the liquor ban maps would simply push the problems further out and was advised that youths do not like congregating in poorly lit areas. Cr Ensor then asked if Jubilee Park should also be covered by the liquor ban.

Cr Edgar called for more education on the problems of liquor.

Cr Sangster asked why the Motiti Hill was included in the liquor ban and was advised that the ban applied only to public places within the highlighted areas. He also asked why Collingwood and Mapua were not included in the liquor ban areas.

Cr Dowler asked if a copy of the liquor ban maps could be made available to i-sites.

Cr King called for other towns such as Wakefield, Brightwater, Collingwood and Tapawera to be investigated for inclusion in total liquor bans. The Co-ordinator Environmental Health replied that he was happy to include these towns in the amended Bylaw.

The resolution in the Agenda was then withdrawn.

**Moved Crs King/Edgar**  
**EP12-06-17**

**THAT the Environment & Planning Committee receives the Review of Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places report, and;**

**DIRECTS staff to report back on a review of the Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places with the inclusion of the expanded areas and in consultation with the NZ Police, with a view to releasing a Statement of proposal.**

**CARRIED**

**10 TAKAKA FLOOD HAZARD PROJECT – COMMUNITY BOARD FEEDBACK -  
REPORT REP12-06-04**

Policy Planner, Lisa McGlinchey was in attendance for discussion on her report.

The report identified the feedback received from the Golden Bay Community Board on the future direction of the Takaka Flood Hazard Project and provided a staff commentary on the feedback to assist the Committee in determining an appropriate Council response to the flood hazard risk identified.

The Policy Planner outlined the four key recommendations made by the Golden Bay Community Board regarding the Takaka Flood Hazard Project.

Cr Norriss noted that there is no budget for the Project and was advised by the Transportation Manager that there is a budget in Year 8 of the Long Term Plan.

Cr King advised that once stopbanks were in place, Council then needed to maintain and improve them at cost. He warned of unforeseen consequences if a stopbank failed and what Council could potentially be letting itself in for.

Cr Sangster advised that the Takaka Community Board requested gravel extraction and he was astounded to see the report state that this will make no, or little, difference to the river.

Cr Dowler asked for the project to be cash, not loan, funded.

Cr Norriss advised that building controls are already in place in Takaka with LIDAR mapping that gives the high and low spots.

The Agenda item was then deferred.

12.50 – 1.20 pm: Lunch. Cr Edgar departed from the meeting.

## 11 PRESENTATION BY MR PETER FOSTER ON CLIMATE CHANGE

The Chair welcomed Mr Peter Foster to the meeting and invited him to give a talk on climate change.

Mr Foster advised that there was no longer objective independent debate on climate change as that it had now become a totally political issue.

1.24 pm: Cr Mirfin returned from lunch.

1.26 pm: Cr Glover returned from lunch.

Cr Bouillir asked Mr Foster 'What is it you want from Council?' and was advised 'Be aware of the uncertainties and contradictions in published articles on climate change'.

The Chair asked Mr Foster 'With the all the pro and anti debates on climate change, is it really happening?' Mr Foster replied with 'How do you define climate?'.

Mr Foster warned Councillors to take a very cautious approach to the sea level debate and what Council committed itself to regarding protecting individual properties.

Mr Foster tabled copies of his talk.

The Chair thanked Mr Foster for his attendance and presentation.

## 12 AQUACULTURE – FISH FARMING - REPORT REP12-06-05

Policy Planner, Neil Jackson was in attendance for discussion on his report.

The Policy Planner introduced Mr Dan Lees from the Ministry of Primary Industries.

The purpose of the report was to recommend that Council decide not to make any space available within the existing Aquaculture Management Areas (AMs), where the right to apply for resource consent to farm species that require feed to be added to the water, would be tendered (but with no automatic entitlement to consent being granted).

The Environment and Planning Manager advised that a letter from Mr Don Mead regarding the NIWA Fin Fishing Reports 2012 had been tabled in Public Forum.

Mr Lees noted that Tasman Bay would be suitable for shellfish and seaweed farming but that it was too shallow for fin fish farming.

**Moved Crs King/Edgar**  
**EP12-06-18**

**THAT the Environment & Planning Committee receives the report Aquaculture - Fish Farming Report REP12-06-05 and agrees to make no provision to tender space for application for fish farming at this time, but notes that the matter can be raised at any time under Policy 22.1.3.17 of the Tasman Resource Management Plan.**

**Reasons:**

- 1. There has been no interest in fish farming made known to Council since the Tasman Resource Management Plan made limited provision for that activity from 1 October 2011**



2. There have been no claims of compatibility between fish farming and mussel farming in the AMA subzones where currently both activities must occur, by existing or prospective marine farmers.

**CARRIED**

#### **6 (Con't) ENVIRONMENT & PLANNING MANAGER'S REPORT - REPORT REP12-06-09**

The Environment and Planning Manager introduced Ms Debs Martin and Mr Nigel Harwood and Ms Trina Mitchell from the Golden Bay Landscapes Working Group.

The Environment and Planning Manager advised that it was understood that the outcomes must meet the legal requirements for Plan Change presentation under section 32 of the Resource Management Act.

Mr Harwood advised that the Working Group were looking for Council to support what the Small Working Group comes up with.

The Environment and Planning Manager added that there will be community consultation before any recommendations from the Working Group were submitted back to Council.

Cr Norriss noted that it was good to see community involvement regarding this matter.

**Moved Crs Norriss/Bouillir  
EP12-06-19**

**THAT the Environment & Planning Committee agrees to give a written commitment that Council will give weight to the outcomes of the Working Group (a Proposed Plan Change) as a basis for Schedule 1 public notification. It is understood this would not fetter or constrain the position of individual Councillors, as representative decision makers, in considering, hearing and deciding on submissions and further submissions during the Plan Change process.**

**CARRIED**

#### **10 (Con't) TAKAKA FLOOD HAZARD PROJECT – COMMUNITY BOARD FEEDBACK - REPORT REP12-06-04**

Policy Manager, Steve Markham and Policy Planner were again in attendance to continue discussion on the report.

Cr Norriss noted that there was no growth in Takaka and LIDAR maps advise where the low ground is. He added that we have an existing town with flood risk there. Cr Norriss concluded by asking what is the cost to Engineering Services to investigate the options in conjunction with the landowner, for Council involvement in management and potential enhancement of the informal stopbank south of the township and where is the funding coming from to undertake such investigations.

Cr Sangster advised that only seven buildings had been built in Takaka since the 1983 flood. The Policy Manager advised that we need to answer what amount of land is available in Takaka for rural and urban residential.

Cr Glover noted that Council should be planning flood protection in the future as we had not planned properly in the past.

The Environment and Planning Manager asked 'Do we let Takaka south rezoning project lapse or do we want to proceed?'. The general consensus was for staff to leave Takaka south land 'parked up' for the present time.

Cr King concluded by stating that other Councils have Bylaws to cover flood protection that are easy to update and/or amend.

**Moved Crs Glover/Bryant  
EP12-06-20**

**THAT the Environment & Planning Committee;**

- a) **Receives the Takaka Flood Hazard - Community Board Summary REP12-06-04 and;**
- b) **Recommends to the Engineering Services Committee that consideration be given to undertaking a review of the current urban flood flow paths, their legal protection and identification of any potential flow path remediation options to promote drainage of flood waters and;**
- c) **Recommends to the Engineering Services Committee that consideration be given to investigating options in conjunction with the landowner, for Council involvement in management and potential enhancement of the informal stopbank south of the township and;**
- d) **Recommends to the Engineering Services Committee that consideration be given to investigating options for minimising breakout of floodwaters at key pressure points in the Takaka River and other potential engineered responses that may minimise the risk from flood events with less than a 20 year Average Recurrence Interval.**

**CARRIED**

### **13 ENVIRONMENT & PLANNING CHAIR'S REPORT - REPORT REP12-06-08**

The Chair's report had been circulated and contained the following matters:

- Acknowledgements
- Water Quality / Crack Willow / 1080
- Recent Events in the District.

**Moved Crs Glover/Ensor  
EP12-06-21**

**THAT the Environment and Planning Committee receives the Environment and Planning Chair's Report REP12-06-08.**

**CARRIED**

The meeting closed at 2.58 pm

Date Confirmed:

Chair: