

MINUTES

TITLE: Environment & Planning Committee
DATE: Wednesday, 7 February 2007
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Cr R G Kempthorne (Chair), Crs E M O'Regan (Deputy), S J Borlase, S G Bryant, E E Henry, M J Higgins, J L Inglis, T E Norriss, P K O'Shea and E J Wilkins

IN ATTENDANCE: Environment & Planning Manager (D C Bush-King), Manager Policy (G S Markham), Co-ordinator Regulatory (D R Lewis), Customer Services Manager (S Westley), Policy Planner (N Jackson), Senior Consent Planner (J Butler), Policy Planner (S Leusink-Sladen), Administration Officer (B D Moore)

APOLOGIES

Moved Crs Bryant/Henry
EP07/02/01

**THAT apologies for absence from Mayor Hurley and Cr Riley be sustained.
CARRIED**

1. PUBLIC FORUM

Mr P Searancke said that rural emanations easements should be attached to each new rule or subdivision as a Council policy as new arrivals in rural areas have expectations that are unrealistic.

2. CONFIRMATION OF MINUTES

2.1 Environment & Planning Committee – 20 November 2006

Moved Crs O'Regan / Inglis
EP07/02/02

**THAT the minutes of the Environment & Planning Committee meeting held on 20 November 2006, containing resolutions EP06/11/31 to EP06/11/33, be approved as a correct record.
CARRIED**

2.2 Environment & Planning Committee – 22 November 2006

Moved Crs Inglis / Borlase
EP07/02/03

**THAT the minutes of the Environment & Planning Committee meeting held on 22 November 2006, containing resolutions EP06/11/21 to EP06/11/31, be approved as a correct record.
CARRIED**

2.3 Heritage Subcommittee Meeting – 24 November 2006

**Moved Crs O'Shea / Norriss
EP07/02/04**

THAT the minutes of a meeting of the Heritage Subcommittee held on 24 November 2006 containing resolutions EP06/11/17 to EP06/11/20 be approved as a correct record.

CARRIED

2.4 Environment & Planning Committee – 4 December 2006

**Moved Crs Borlase / O'Regan
EP07/02/05**

THAT the minutes of the Environment & Planning Committee meeting held on 4 December 2006 containing resolutions EP06/12/19 to EP06/12/21, be approved as a correct record.

CARRIED

2.5 Environment & Planning Committee – 6 December 2006

Amendments were sought to the minutes on page 3 to amend Variation 1 to Variation 51 and on page 6, heading 11 to amend Water Management to Stormwater Management with the same amendment in the Confidential Minutes.

**Moved Crs Henry / O'Regan
EP07/02/06**

THAT the minutes of the Environment & Planning Committee meeting held on 6 December 2006 containing resolutions EP06/12/04 to EP06/12/18, as amended, be approved as a correct record.

CARRIED

2.6 Environment & Planning Development Contributions Subcommittee – 6 December 2006

**Moved Crs O'Regan / Norriss
EP07/02/07**

THAT the minutes of a meeting of the Environment & Planning Development Contributions Subcommittee meeting held on 6 December 2006 containing resolutions EP06/12/01 to EP06/12/03, be approved as a correct record.

CARRIED

2.7 Environment & Planning Commissioner Hearing – 8 December 2006

**Moved Crs Henry/Borlase
EP07/02/08**

THAT the minutes of an Environment & Planning Commissioner Hearing held on 8 December 2006 be received.

CARRIED

2.8 Environment & Planning Subcommittee – 15 December 2006

**Moved Crs Henry / O'Regan
EP07/02/09**

THAT the minutes of the Environment & Planning Subcommittee meeting held on 15 December 2006, containing resolutions EP06/12/22 to EP06/12/24, be approved as a correct record.

CARRIED

2.9 Matter Arising from Resource Management Policy Meeting of Wednesday, 25 October 2006

Cr Henry asked that the Environment & Planning Manager note and organise a meeting referred to in the minutes of the Resource Management Policy Committee meeting of 25 October 2006.

3. ENVIRONMENT & PLANNING MANAGER'S REPORT EP07/02/09

Mr Bush-King referred to the first item in his report and said that in regard to legal proceedings, only one appeal had been received since his last report in December 2006. He advised that the consent appeal by Challenger for 1998 consents had been settled.

4. TRMP LIVE APPEALS RESOLUTION PROGRESS REPORT EP07/02/02

Policy Manager, G S Markham, spoke to the report of 26 January 2007 contained within the agenda and confirmed that there are currently 31 live appeals relating to the TRMP. He provided a progress report of those appeals set down for hearing, currently under mediation and currently under consent memorandum signing process.

**Moved Crs Henry / Wilkins
EP07/02/010**

THAT report EP07/02/02, TRMP Live Appeals Resolution Progress Report of 26 January 2007 be received.

CARRIED

5. RESOURCE POLICY PROJECTS UPDATE REPORT EP07/02/03

The agenda contained a prioritised list of the programme of projects for 2006/2007 and beyond, to cover the process steps, current situation and next steps. Cr Higgins questioned when the job costing system could be expected as he was concerned that it may not be implemented by 1 July 2007. Mr Bush-King said that he would discuss this further with the Corporate Services staff and Cr King suggested that this may be a Corporate Services Committee meeting item.

**Moved Crs O'Shea / Inglis
EP07/02/11**

THAT the Resource Policy Projects Updates Report EP07/02/03, be received.

CARRIED

Attached to the report were three project briefs covering urban development for Nelson South/Richmond East, urban intensification and business land use database. The Nelson Richmond Futures Working Group comprising representatives from Nelson City Council and Tasman District Council met on 26 January 2007 and recommended that both Councils approve of the three project briefs.

**Moved Crs Henry / Higgins
EP07/02/12**

**THAT the Environment & Planning Committee approves the project briefs attached to report EP07/02/04 which had been recommended by the Nelson Richmond Futures Working Group for implementation.
CARRIED**

7. LARGE SITE BUSINESS ACTIVITY APPLICATIONS BEFORE NELSON CITY COUNCIL REPORT EP07/02/06

Mr Markham spoke to this report of 26 February 2007 which described the use of land zoned as industrial, for large format store retail trading purposes.

**Moved Crs Bryant / Borlase
EP07/02/12**

**THAT the Environment & Planning Committee receives report EP06/02/06, Large Site Business Activity Applications before Nelson City Council.
CARRIED**

8. STATISTICAL DATA FOR OCTOBER TO DECEMBER 2006 REPORT EP07/02/05

Customer Services Manager, S Westley, spoke to the report contained within the agenda. The report advised that applications for new dwellings have increased over the 2005/2006 reporting year to 176 applications, compared with 138 for the previous year.

**Moved Crs King / Henry
EP07/02/14**

**THAT the Statistical Data Report EP07/02/05 be received.
CARRIED**

9. REVIEW OF THE GAMING VENUES POLICY REPORT EP07/02/08

Co-ordinator Regulatory, D Lewis, was present to speak to this report of 26 January 2007 and the attached venues policy of May 2004. Mr Lewis advised of the requirement to review the Gaming Venues Policy within three years of its adoption date of May 2004.

Moved Crs O'Regan / Higgins
EP07/02/15

THAT the Tasman District Council does not amend the Venues Policy under the Gaming Act 2003 but calls for and considers public comment on this policy in terms of the special consultative procedures under Section 83 of the Local Government Act 2002 as a review of this policy.

CARRIED

10. ENVIRONMENT & PLANNING COMMITTEE CHAIRPERSON'S REPORT
EP07/02/10

Cr Kempthorne spoke to his report of 7 February 2007 and referred to the comparison between residential development in rural areas in the United Kingdom and New Zealand.

Moved Crs King / Borlase
EP07/02/16

THAT the Environment & Planning Committee Chairperson's Report EP07/02/10 be received.

CARRIED

11. IRRIGATION MANAGEMENT PLANS, OPTIONS AND STRATEGY FOR
REQUIRING THEM THROUGH RESOURCE CONSENT CONDITIONS, REPORT
EP07/02/07

Senior Consent Planner, J Butler, spoke to this report to outline the problems arising from present irrigation strategies and the benefits to be gained from requiring irrigation management plans to be prepared as part of resource consent applications. The Committee discussed the advantages of efficient irrigation systems and moisture measurement in order to ensure the minimisation of wastage of irrigation water. Cr Kempthorne spoke about how major irrigators are using water efficiency measures and was concerned that the requirement for irrigation management plans could set back the level of cooperation which Council currently enjoys with irrigators at this time.

Moved Crs Kempthorne/O'Regan
EP07/02/17

THAT before any requirements for irrigation management plans are implemented by staff, that staff meet with irrigators to discuss possible water efficiency options and report back to Council.

CARRIED

12. PROPOSED SCHEDULE OF CHARGES REPORT EP07/02/01

The agenda contained a schedule of charges proposed to come into force on 1 July 2007, following the special consultative procedure. Cr Norriss expressed some concern about water permit annual charges which are required to be paid, irrespective of usage and availability of water. Cr Kempthorne suggested that a letter could be prepared for water permit holders, to explain the allocation of cost recovery and the way fees could be reduced by reduced allocation per day.

Cr O'Regan queried the annual charges for wastewater. Mr Bush-King agreed they did look strange and he will review and any changes will be incorporated in the version to go in to the Annual Plan.

**Moved Crs Henry / Higgins
EP07/02/18**

**THAT the Environment & Planning Committee recommends to Council that it prescribes, by special consultative procedure under the Local Government Act 2004, the schedule of charges applicable to the Environment & Planning Department for the 2007/2008 financial year and until amended by subsequent resolution.
CARRIED**

13. ENVIRONMENT & PLANNING MANAGER'S REPORT EP07/02/09

The Committee continued with consideration of the manager's report.

13.1 1080 (Sodium Fluoroacetate) Toxin

The agenda contained a copy of a submission to ERMA New Zealand on the reassessment of 1080 toxin.

**Moved Crs Norriss / Inglis
EP07/02/19**

**THAT the Environment & Planning Committee approves the submission on 1080 for forwarding to ERMA New Zealand.
CARRIED**

13.2 Delegations

The manager's report contained a number of recommended delegations for consideration by the Committee. The Committee discussed and deleted some of the recommendations.

**Moved Crs O'Regan / King
EP07/02/20**

THAT the Environment & Planning Committee agrees to the following changes to the Council's delegation be made:

Section 114, Resource Management Act

Powers in relation to notification of decision

Extend to SP, CP, SO

Section 127 Resource Management Act

Power to decide who is adversely affected by a change or cancellation of consent condition

Section 240, 241, 243 Resource Management Act

Cancellation of covenants and conditions

Extend delegation to SP

Section 357, Resource Management Act

Extend to MC, CRC, SP

CARRIED

13.3 Tasman Regional Animal Health Committee (RAHC)

The Committee considered a letter dated 25 January 2007 from the Regional Animal Health Committee seeking that Council fixes a figure of 9% for future local share funding to allow extra flexibility in future vector control budgets. Cr Borlase explained that the purpose was to allow extra control effort within the buffer zone between farmland and Kahurangi National Park. Cr Norriss said he believed it was dangerous to lock into a percentage rather than a dollar figure. On the basis of the discussion, Mr Bush-King said he could respond.

13.4 Tarakohe Cliffs

The Manager referred to recent enforcement proceedings which had highlighted that the limestone cliffs in the Tarakohe area do not have any special protection in the TRMP. Mr Bush-King acknowledged that this would require consultation with the landowner and other interests, and could be achieved through the Golden Bay development studies currently underway. Cr Borlase said that if protection of the Tarakohe Cliffs could be incorporated into a quarry management plan process, it would be more acceptable to the Butts family.

13.5 National Environmental Standard on Water Metering Devices

The Committee noted the intention of the Manager to liaise with Crs Kempthorne and O'Regan on the Council's submission to Government on the proposed national environmental standard on water metering devices.

13.6 Departmental Performance and Progress

The Manager tabled and reported on the statement of accounts for the Environment & Planning Department for December 2006.

14. RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Higgins / Norriss

EP07/02/21

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

- Live Appeals on Coastal Environment Landscape Provisions TRMP
- Coastal Tasman Area Design Guide Draft Plan Variation

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the 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:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Live Appeals on Coastal Environment Landscape Provisions TRMP Coastal Tasman Area Design Guide Draft Plan Variation	To receive policy advice	Section 48(1)(d)

CARRIED

15. RESUMPTION OF OPEN MEETING

**Moved Crs Inglis / Kempthorne
EP07/02/22**

THAT the open meeting be resumed and the following business transacted while the public was excluded, be confirmed an open meeting.

CARRIED

16. COASTAL TASMAN AREA DESIGN GUIDE FOR SUBDIVISION AND DEVELOPMENT, REPORT EP06/09/04

**Moved Crs King/O'Regan
EP07/02/23**

THAT Chapter 4, Locations Specific Guidelines, be notified but not take effect until the design guide is adopted.

CARRIED

**Moved Crs O'Shea/Higgins
EP07/02/24**

THAT the Environment & Planning Committee receives Report EP07/02/12 Coastal Tasman Area Design Guide Draft Plan Variation and approves the design guide for subdivision and development in the Coastal Tasman area, for notification as a proposed variation to the plan, including the revised locations specific guidance notes.

CARRIED

Cr Kempthorne thanked members and staff for their attendance and the meeting concluded at 4.20 pm.

Date Confirmed:

Chair: