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**MINUTES**  
of the  
**REGULATORY COMMITTEE MEETING**  
held  
**9.30am, Thursday, 11 June 2020**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Cr D Wensley (Chair), Cr D Ogilvie (Deputy Chair), Mayor T King, Crs S Bryant, C Butler, C Hill, C Hutt, C Mackenzie, D McNamara, T Tuffnell, A Turley, T Walker

**In Attendance:** Environment and Planning Manager (D Bush-King), Executive Assistant (J Jar)

**Part Attendance:** Building Assurance Manager (I McCauley), Executive Support Officer (L Atkins)

**1 OPENING AND WELCOME**

The Chairperson welcomed everyone to our first meeting since Covid-19 lockdown.

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Moved Cr Wensley/Cr Dowler**

**RC20-06-1**

**That apologies from Councillor Maling be accepted and apologies for lateness from Mayor King be accepted.**

**CARRIED**

**3 PUBLIC FORUM**

**Cynthia McConville** spoke on behalf of the Mohua Penguin Charitable Trust. She congratulated Cr Barry Dowling on his success in the Motueka ward by-election and stated the Mohua Penguin Trust looks forward to working with him.

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Ms McConville spoke about the property at 230 Rangihaeata Road which is a 15 hectare property at Rangihaeata Headland and provides an important coastal habitat for our little blue penguins. The trust is privileged to have permission of the owner of the headland to look after the little blue penguins who call this place home.

Ms McConville shared a photo of the headland. She pointed out the yellow markers to indicate where the penguins were located and how 20 birds have been lost to dog attacks in the past couple of years. She shared a second photo highlighting an area at the top end indicating an off-leash area for dogs and said it was incorrectly shown over private land, the owner having “blue water” title. The owner does not wish to have dogs on his land. Referring to Page 14 of the Dog Control Bylaw, Ms McConville requested the designated off-leash dog area adjacent to the Rangihaeatea Headland is removed as quickly as possible from the Bylaw as this is private land.

#### **4 DECLARATIONS OF INTEREST**

Cr McNamara declared his interest on an item in the Building Assurance Manager’s report and Cr Butler declared her interest in the Environment & Planning Manager’s report regarding decreasing charges to campgrounds.

#### **5 CONFIRMATION OF MINUTES**

**Moved Cr Walker/Cr McKenzie**

**RC20-06-2**

**That the Minutes of the Regulatory Committee meeting held on Thursday, 12 March 2020, be confirmed as a true and correct record of the meeting.**

**CARRIED**

**Moved Cr Walker/Cr McKenzie**

**RC20-06-3**

**That the Confidential Minutes of the Regulatory Committee meeting held on Thursday, 12 March 2020, be confirmed as a true and correct record of the meeting.**

**CARRIED**

#### **6 REPORTS**

##### **6.1 Building Assurance Manager's Report**

Building Assurance Manager, Ian McCauley spoke to his report which was taken as read.

A number of Councillors thanked Mr McCauley for his in-depth report and feedback from the community was positive.

In response to a question around when a set of drawings come in for a consent from and they are originated from a professional engineering company, to what degree do Council staff have to confirm they are OK? Where buildings have failed, where does the buck really stop?

Mr McCauley explained that it comes down to the Building Consent Authority (BCA) accepting on reasonable grounds that plans were compliant. Staff can rely on the skills of professionals but depending on complexity and risk, can obtain peer reviews.

Councillors also asked questions about failed inspections and whether staff were working with the sector to improve this aspect of work. Mr McCauley advised that staff were always open to improving the efficiency of the system and are willing to work with stakeholders. Staff training was also important.

There were also discussions on swimming pool inspections, Certificates of Code Compliance, Earthquake Prone Buildings and recent changes to the Building Act and in particular, a move to allow modern methods of construction. It was noted the Government intends to increase to 30m<sup>2</sup> the size of non-inhabited buildings which do not require a building consent. Mr McCauley noted this had raised expectations but that there may still be a need for Council approvals.

Mr Bush-King is to put a communications post in Newline to clarify these changes.

In response to a question around what the process is for unsafe buildings, Mr McCauley explained that S124 of the Building Act covers dangerous and insanitary buildings – he went on to explain the process of dangerous and insanitary buildings.

**Moved Cr Turley/Cr Butler**  
**RCN20-06-4**

**That the Regulatory Committee receives the Building Assurance Manager's Report RC20-06-1.**

**CARRIED**

*The meeting adjourned for morning tea at 10.25 am and resumed at 10.44 am.*

## **5.2 Regulatory Managers 6 Monthly Report 1 October 2019 to 31 March 2020**

Environment & Planning Manager, Dennis Bush-King spoke to the report by the Regulatory Manager, Adrian Humphries which was taken as read.

In response to a question on lighting of marine farms, Mr Bush-King noted the Harbourmaster is involved to ensure they are properly marked out and work had been underway with consent holders.

In response to a question raised about the speed of jet skis scooting into shore at Tata Beach and that signage was not clear, Mr Bush-King said he will discuss this matter with the harbourmaster. He said Council do review signage and give out handouts annually explaining what boat owners need to be aware of, but there is not a large signage budget.

It was suggested that as we are coming into winter, there may be more incidents of stock on the road and whether there could be some publicity on the issue.

A Councillor noted the collection rate of 57% for parking infringements and whether this could be improved and also asked why the freedom camping budget was not fully spent.

The Harbourmaster Dan Cairney and Deputy Harbourmaster Jimmy Mackay were congratulated for their roles and the opening of the new harbourmaster shed at Port Motueka was acknowledged.

Mr Bush-King was asked to obtain a breakdown for dog infringements. There was also discussion on whether voluntary assistance could be used to assist with dog control, similar to freedom camping enforcement. Mr Bush-King noted that we do have honorary launch wardens

and we have used litter wardens in the past, but he would ask staff to provide further information on alternative methods of enforcement for Councillors.

Mr Bush-King explained why development contributions was an activity that spanned several departments.

**Moved Cr Hill/Cr Turley  
RCN20-06-5**

**That the Regulatory Committee receives the Regulatory Manager's 6 Monthly Report 1 October 2019 to 31 March 2020 RC20-06-2.**

**CARRIED**

**5.3 Chairman's report**

Cr Wensley presented the Chair's report which was taken as read.

She said it was good to see new ways of working and engaging with our community during Covid-19.

Cr Wensley raised Cynthia McConville's request earlier in Public Forum on removing the strip of private land from the Bylaw to avoid penguins getting hurt.

Cr Bryant raised a concern on plastic baggage wrap on the environment and shared a photo of plastic strewn around tree branches over a riverbank. He asked if Council can be more proactive and get this tidied up, as it is not the first incident and there will be more pits of this type of wrap ending up in our rivers.

**Moved Cr Wensley/Cr Turley  
RCN20-06-6**

**That the Regulatory Committee:**

- 1. receives the Chairman's report RC20-06-4.**
- 2. request staff to investigate the status of land at Rangihaeata Headland and if the leash control area extends over private land that Council be requested to delete this as a minor change to the Dog Control Bylaw.**

**CARRIED**

**5.4 Environment and Planning Manager's report**

Environment & Planning Manager, Dennis Bush-King spoke to his report which was taken as read.

Mr Bush-King asked if the Committee wished to do anything in relation to the fees for commercial vessel operators and campground operators who will not be having any international guests until the borders reopen. Councillors were in support of reducing the fees for the operators but questioned what effect this will have on the budget. Mr Bush-King advised there would be an effect and rather than impact on rates would have to reduce our costs or increase other non-rate income.

Mr Bush-King highlighted the good performance of Tasman as reported in the MFE National Monitoring System.

**Moved Cr Wensley/Councillor Dowler  
RCN20-06-7**

**That the Regulatory Committee**

- 1. receives the Environment and Planning Manager's report RC20-06-3.**
- 2. receives and endorses the submission on the National Environmental Standard on Outdoor Storage of Tyres, Attachment 1 of this Report RC20-06-03**
- 3. agrees to reduce the annual fee for commercial operators and for camping ground operations by 50% for the 2020/2021 financial year.**

**CARRIED**

Councillor Butler abstained from voting on Resolution 3 above.

Date Confirmed:

Chair: