
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30 am , Thursday, 26 July 2018
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Councillor T King (Chair), Mayor R Kempthorne, Councillors S Brown, S Bryant (*from 11.35 am*), P Canton, M Greening, P Hawkes, K Maling, D McNamara, D Ogilvie, P Sangster, A Turley, T Tuffnell, D Wensley

In Attendance: Acting Environment and Planning Manager (R Smith), Executive Assistant (K Redgrove), Monitoring and Enforcement Team Leader (C Cheeseman), Compliance and Investigations Officer (K Bunting), Urban and Rural Development Policy Team Leader (M Day), Resource Consents Manager (P Doole), Policy Planner – Urban and Rural Development (R Cudby), Team Leader – Environmental Health (G Caradus), Environmental Policy Manager (B Johnson), Community Relations Manager (C Choat), Compliance and Investigations Officer (J Trembath), Activity Planning Manager – Engineering Services (D Fletcher), Activity Planning Advisor (H Lane), Utilities Manager – Engineering Services (M Schruer), Principal Planner – Environmental Policy (S Markham), Policy Planner (J Deans)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr Sangster/Cr McNamara
EP18-07-1

That apologies be accepted from Cr Bryant for lateness.

CARRIED

3 PUBLIC FORUM

Trevor Garnet

Mr Garnet explained that he had an active interest in heritage planning, especially historic buildings. He referred to the building commonly known as the 'Red Barn' that was sited in Aniseed Valley.

On a recent visit to the area, he observed that a forestry operation had milled the hillside and there has been debris left and suspects the stream has been used as access to take logs out of this area. He has been to The Department of Conservation to establish what their obligations and interests are in relation to this property. He has established the land was used for pastoral farming but is now planted in pine trees which he does not consider is an appropriate use. He asked whether there was any finance available to restore heritage buildings of this type.

4 DECLARATIONS OF INTEREST

Cr Canton declared an interest in any discussion that may take place regarding the appeal by Talleys Group Limited.

5 LATE ITEMS

Nil.

6 CONFIRMATION OF MINUTES

**Moved Cr Brown/Mayor Kempthorne
EP18-07-2**

That the minutes of the Environment and Planning Committee meeting held on Thursday 14 June 2018, be confirmed as a true and correct record of the meeting.

CARRIED

**Moved Cr Tuffnell/Cr Maling
EP18-07-3**

That the in-committee minutes of the Environment and Planning Committee meeting held on Thursday 14 June 2018, be confirmed as a true and correct record of the meeting.

CARRIED

7 REPORTS OF COMMITTEE

Nil.

8 PRESENTATIONS

Nil.

9 REPORTS

9.1 2017-2018 Farm Dairy Effluent Compliance Survey

It was noted that good outcomes had been achieved without staff having to resort to any significant compliance processes.

Moved Mayor Kempthorne/Cr Sangster

EP18-07-4

That the Environment and Planning Committee receives the 2017-2018 Farm Dairy Effluent Compliance Survey REP18-07-04 report.

CARRIED

9.7 Environment and Planning Manager's Report 26 July 2018

In response to a question raised, the Acting Environment and Planning Manager confirmed that Council do not currently measure emissions. He went on to explain that there is a system of 'EBench' in operation that monitors some outputs, such as electricity. There is also monitoring of landfill emissions being undertaken by the Engineers.

The meeting heard from the Urban and Rural Development Policy Team Leader with an update on the Golden Bay Landscapes Project. She confirmed there was work being carried out and costs savings to be had based on the work that had been done before but additional costs are not yet known. She went on to advise that tenders are expected to be received at the end of this month and it is hoped the work can be completed over the next two to three months.

In relation to the proposed removal of the Rural 1 Deferred Residential zone status the Urban and Rural Development Policy Team Leader confirmed the timing could not be delayed until Council were aware of what will happen with the proposed Waimea Community Dam. Furthermore, there was a positive obligation to lift the deferred status.

The meeting then discussed water shortages in this area. They heard that, once the zoning becomes residential, the same rights and constraints will apply as with any other residential zone. Council could not combine the uplifting of a zone status with a direction to impose water restrictions. If such constraints had support from Councillors, a separate process would need to be developed such as a Plan Change and that would have significant impact and cost. It was agreed Engineering staff be called to the meeting to clarify whether the existing Water Supply Bylaw, currently out for consultation, was an appropriate vehicle for such restrictions.

Councillors were advised that currently, two options were available to ensure a water supply. The developer either has to provide the services as part of the development or they could undertake to put in the services through the execution of the likes of a Deed which required payment of a bond, being at a sufficient level to cover consequences of the failure should the Developer breach the agreement and forfeit those funds. Furthermore, the s.224 Certificate would not be issued for the development if it was not completed to an agreed level.

**Moved Cr Maling/Cr Hawkes
EP18-07-5**

That the Environment and Planning Committee

1. approves the removal of the Rural 1 Deferred Residential zone status and associated Deferred Fire Ban Area over the following land at 395 Lower Queen Street:
Sections 3, 4 and 5 SO 506258; Section 1 SO490525; and Sections 1 and 2 SO 506258; and
2. approves the rezoning of land in (2) above in accordance with the following update to Schedule 17.14A, including consequential changes to the planning maps, pursuant to Rule 17.14.2(b)(viii) of the Tasman Resource Management Plan, effective over that land from the date of this resolution.

Schedule 17.14A: Deferred Zone Locations

Location of Area	Effective Zone until Removal of Deferral	Reason for Deferral	Date of Resolution for Removal of Deferral	Where Services Proposed by Developer, Legal Description of any Part of Area where Deferral Removed	Where Services Proposed by Developer, References to Detailed Performance Requirements and Engineering Plans of Services Approved by Council	Effective Zone after Removal of Deferral
Richmond West Development Area (planning maps 23, 57, 121 - 125, 127, 128, 130)						
Areas notated A (375 and 387 Lower Queen St) and B on the planning maps	Rural 1 and Recreation	Area A: Stormwater Area B: Reticulated water supply, wastewater and stormwater services (Borck Creek and Poutama Drain construction) required	25/9/15	Area A: Lot 1 DP 13664 Lot 6 DP 6697 Lot 3 DP 465626 Pt Sec 100 Waimea East District (two areas) Part Lot 1 DP 470387 Lot 2 DP 13664 Pt Lot 1 DP 20409	6906 S1 - S7	Residential (serviced)
			9/6/16	Part Area B: Pt Lot 2 DP 470387 Pt Lot 2 DP 446230 Pt Lot 1 DP 446230	6906/1	Residential (serviced)
			26/07/18	Part Area B Sections 3-5 SO 506258 Section 1 SO490525; and Sections 1 and 2 SO 506258	RM160673	Residential (serviced)

CARRIED

In response to a question raised regarding the assessment of the value of the land, the Urban and Rural Development Policy Team Leader referred to Plan Change 10 which will have involved a series of valuation reports. She confirmed that the Richmond West development started with a Resource Consent application before being adopted as a Plan change process. It required a range of cost and benefit assessments as per the Resource Management Act (RMA) section 32 analysis. The situation with a Takaka development mentioned by the Golden Bay Councillors

was that that was seeking subdivision via a Resource Consent and not a plan change. If Councillors required reassurance that the correct assessments of the value of the land now and in the future had been done through these processes, they had the option to view the Plan Change 10 and associated consenting paperwork.

9.2 MPI Proposals for Food Safety

The Team Leader - Environmental Health spoke to his report and explained there was a three year transition where those involved in the food industry are required to change their methods of food management. At the end of that period, the Ministry will be approached with feedback from the industry, for review.

He considered there was not enough information available at this stage to determine whether Council need to invest in a Quality Management System – this won't be known until Council have decided whether they wish to compete with private enterprises in this field.

There was criticism of the Ministry for Primary Industries (MPI/the Ministry), their charges and the way in which they are charging. This has discouraged many small businesses from continuing to trade. It was felt the processes that MPI has in place were bureaucratic and expensive. This point has been made to the Ministry by the Mayor and it is believed the same views being received by MPI from other Councils nationwide.

The Team Leader - Environmental Health described difficulties with the current system of inspection. He explained inspections were now restricted to times that suited the business and must involve the person at that business that operates the Plan. There was a degree of preparedness that meant that created doubt about the accuracy of the records presented for inspection.

Moved Cr Brown/Cr Hawkes EP18-07-6

That the Environment and Planning Committee

- 1. receives the MPI Proposals for Food Safety EPC18-07-03 report; and**
- 2. Either:**
 - 2.1 agrees that Council adopts a “wait and see” position, and makes no special provisions for establishing a quality management system for providing food safety verifications until the outcome of any review under section 138 of the Food Act 2014 is known;**
- 3. notes that staff will report back after the Minister’s decision is known on the future direction for Council providing verification services to food businesses; and**
- 4. when additional costs associated with the Ministry of Primary Industry’s operation of a central public register of food businesses is passed to Tasman District Council, agrees that the Council recover such costs by appropriately increasing registration costs to the food businesses it is required to register.**

CARRIED

9.4 Annual District Wide Water Monitoring Report

The Compliance and Investigations Officer spoke to his report and responded to questions raised about water monitoring and leakage. He explained that there was acceptance there were leaks but often Council would only be aware of these on private land and irrigation schemes where an overtake of water had been identified.

A request was made that he connect with the dairy industry to understand the data they have collected on water use and in particular, milk shed washdowns. He was also asked to report back with additional information on likely set up and running costs for an in-house telemetry service for water metering.

Moved Cr Hawkes/Cr Tuffnell

EP18-07-7

That the Environment and Planning Committee receives the Annual District Wide Water Monitoring Report REP18-07-07 report

CARRIED

The meeting broke for morning tea at 10.36 am and resumed at 10.49 am.

The Activity Planning Manager provided information about the draft Water Supply Bylaw in response to an earlier discussion on the matter under item 9.7. He confirmed the purpose of the proposed Bylaw was to protect Council's water reticulation network and this reflects the purpose of the legislation under which it is made. It would not be appropriate to use it as a vehicle to compel developers and home owners to install water tanks on their properties. He considered that, should any conditions of this type be imposed, they should require people not to use water in the tanks until rationing is in force.

A comparison was made to the provisions that are imposed on property owners on a rural supply and the obligation to supply water for fire-fighting purposes. The distinction was that the requirement came from the Resource Management Act and not from any bylaw that Council had sanctioned.

Reference was made to the term 'proportionate response' to the urban water supply demand and the alternatives to the proposed Waimea Community Dam. It was noted the Council had a workshop last year going through alternative augmentation schemes. There was criticism of the figures presented for the cost of each option not being dealt with in a consistent way. The Activity Planning Manager was not able to comment on this but he did understand that the Engineering Services Manager was reviewing those estimates.

9.3 Resource Consents Manager's Annual Report

The Resource Consent Manager described the last year as having been a challenging one, largely due to staff shortages in the subdivision team but also due to the significant increase in subdivision activity in the past year. He said those factors were reflected in the struggle to meet timelines. The ability to recruit staff was discussed and Councillors noted there was a limited availability of qualified staff in the workforce in this field across both the private and public sector. He estimated the approximate cost to Council caused by the lack of resourcing (leading to over time penalties and the need for additional consultant input) was approximately \$100,000 for the year.

In response to a request, the Resource Consent Manager confirmed he would circulate data on water take consents for water bottling across the District. The Acting Environment and Planning Manager said he would bring this up for discussion in his Manager's report at the next meeting, if Councillors wished him to do so.

Cr Bryant joined the meeting at 11.35 am.

The meeting discussed shared arrangements for resourcing and systems and reference was made to the Building Assurance scheme 'Go Shift'. The Acting Environment and Planning Manager noted that Council requested feedback on how well this scheme is working.

Moved Cr Brown/Cr Canton
EP18-07-8

That the Environment and Planning Committee receives the Resource Consents Manager's Annual Report REP18-07-01.

CARRIED

9.5 Nelson Tasman Quarterly Monitoring Report under National Policy Statement on Urban Development Capacity

The Policy Planner highlighted a number of aspects of her report, with a focus on housing affordability, a rise in the level of building consents and a rise in lots that have been newly consented. She said that new price efficiency indicators have been developed but there are mixed reviews as to their usefulness.

Current indicators show Tasman District's land supply is not keeping up with demand. In response to a reference made of the 4.6% growth rate being less than the national average the Policy Planner explained that this figure related to a different time period of 2013 – 2016 and that over a more relevant time period of 2013 to 2020 the figure is close to 10%. She did not consider the lack of supply itself was constraining this growth rate but that there were other issues at play that were beyond Council's control. She was not aware of available indicators for rental stock but had seen those that monitor rent and bond levels.

The Acting Environmental Policy Manager confirmed he had a report going to the 9 August Council meeting on the Future Development Strategy and that there will be a workshop in September.

Moved Cr McNamara/Bryant
EP18-07-9

That the Environment and Planning Committee receives the Nelson Tasman Quarterly Monitoring Report under National Policy Statement on Urban Development Capacity REP18.07.02 report.

CARRIED

9.7 Environment and Planning Manager's Report 26 July 2018

The outcome of the Annual Customer Survey 2018 carried out by the National Research Bureau was discussed.

It was noted that social media played a useful role in the collection and return of stray dogs.

The Acting Environment and Planning Manager confirmed, in response to a question, that feedback was sought from both the applicant and the owner in relation to the building consent processes if there is a need for further information. Regular interactions with the agents for applicants do take place and the feedback travels both ways between those groups.

The Acting Environmental Policy Manager provided an update on low emission woodburners and standards that are being considered by Central Government. He anticipated revised standards will be released early next year for consultation.

Moved Cr Ogilvie/Cr Wensley

EP18-07-10

That the Environment and Planning Committee receives the Environment and Planning Manager's Report 26 July 2018 REP-07-06 report.

CARRIED

9.6 Environment and Planning Committee Chair's Report 26 July 2018

The Acting Environment and Planning Manager said staff had information on a proposal to introduce a new bio control for Old Man's Beard that they may submit upon, but the date by which this needed to be submitted preceded the next Environment and Planning Committee meeting. Councillors supported the submission being made ahead of that meeting.

He confirmed that a response will be given to Trevor Garnet, who spoke in Public Forum and also provided an update on the Waimea FLAG, advising that a draft Terms of Reference have gone to that group for consideration.

Moved Bryant/Cr Brown

EP18-07-11

That the Environment and Planning Committee

- 1. receives the Environment and Planning Committee Chair's Report 26 July 2018 REP18-07-05 report;**

CARRIED

The meeting concluded at 12.15 pm.

Date Confirmed:

Chair: