
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30 am , Thursday, 3 May 2018
at
Tasman Council Chamber, 189 Queen Street, Richmond

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

In Attendance: Environment and Planning Manager (D Bush-King), Maxine Day, Executive Assistant (G Crichton)

Part Attendance: Team Leader - Urban and Rural Development Policy (M Day), Principal Planner – Environmental Policy (S Markham); Resource Scientist – Environmental (T James); Policy Advisor Community Development (A Gerraty); Chief Executive Officer (L McKenzie); Team Leader - Environmental Health (G Caradus); Nelson Marlborough District Health Board Staff – Smoke Free Health Promoters (M Norgate and G Hay), Health in All Policies Advisor (J Murray); Waimea Inlet Action Group Chair (Gillian Bishop), Environmental Information Manager (R Smith)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Nil

3 PUBLIC FORUM

Martin Barlow expressed his concerns about the Mapua boat ramp proposed funding being removed from the Draft Long Term Plan (LTP). He referred to the submissions supporting a preference for a regional boat ramp in the Mapua Masterplan and stated that recreational boating and fishing contributes up to \$65 million annually.

Mr Barlow asked that Council commit to supporting a regional boat ramp and that it be reinstated into the Plan. He also asked that Council rethink the i-SITE/visitor information model.

Andrew Butler spoke about the Mapua Boat Ramp and was disappointed that it had been set aside in the LTP, adding that there was a big demand for the ramp to go ahead.

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

The Environment and Planning Manager explained to Councillors that the motion to accept the Late Item - Uplift of Deferred Zone – 36 and 40 Hart Road - was not necessary as it had been placed on the agenda to comply with Standing Orders and that it had been system generated as a Late Item in order to get it onto InfoCouncil and Diligent.

6 CONFIRMATION OF MINUTES

**Moved Cr Sangster/Cr Maling
EP18-05-1**

That the minutes of the Environment and Planning Committee meeting held on Thursday, 22 March 2018, be confirmed as a true and correct record of the meeting.

CARRIED

7 REPORTS OF COMMITTEE

Nil

9 REPORTS

A1 Uplift of Deferred Zone - 36 and 40 Hart Road

The Environment and Planning Manager spoke to the report on behalf of the Team Leader – Urban and Rural Development Policy. Responding to questions he explained that the proposed removal of the Rural 1 deferred Residential Zone was because the landowners were now providing water and the reason for the deferral no longer existed.

Moved Cr Kempthorn/Cr Bryant

That the Environment and Planning Committee

- 1. receives the Uplift of Deferred Zone - 36 and 40 Hart Road REP18-05-06 report; and**
- 2. approves the removal of the 'Rural 1 deferred Residential' zone status over the following land: part 36 Hart Road, Richmond (Lot 2 DP 20243) and all of 40 Hart Road (Pt SEC 33 Waimea East Dist); and**

- 3. and its rezoning to 'Residential' 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.**

Carried

The meeting adjourned for morning tea at 10.45am and was reconvened at 11.00am.

9.2 Waimea Inlet Action Plan 2018 to 2021

The Policy Advisor Community Development introduced Councillors to the Chair of the Waimea Inlet Action Group (WIAG) who then spoke to the Action Plan. She acknowledged the involvement of the Department of Conservation, Tasman District Council staff and Councillors, Nelson City Council, and Iwi I in the development of the draft action plan adding that the Group is now seeking more specific targets with funding support from Council, together with support from other agencies and communities.

Councillors acknowledged the good work being carried out by the WIAG. A full discussion followed on Council funding the Action Plan, other possible sources of funding and the implications of what non-investment could mean for the region. The Chair explained that in LTP Deliberations Councillors were able to raise whatever matters they wished and any requests for further funding should be made in that forum.

As an amendment, an addition to the recommended motion was put:

Moved Cr Wensley/Cr Canton

That the Environment and Planning Committee

1. recommends to full Council to consider as part of the LTP deliberations, setting aside \$60,000 for implementing the Waimea Inlet Action Plan

In a show of hands the majority of members were against the amendment.

LOST

**Moved Cr Tuffnell/Mayor Kempthorne
EP18-05-2**

That the Environment and Planning Committee

- 1. receives the Waimea Inlet Action Plan 2018 to 2021 REP18-05-01report; and**
- 2. notes that the draft Waimea Inlet Action Plan appended to this report is designed to be a living document that gives effect to the Waimea Inlet Management Strategy 2010 (Council is a signatory to this Strategy); and**

3. **acknowledges that both the Strategy and Action Plan are non-statutory documents developed collaboratively with other organisations and individuals interested in improving the health of the Inlet; and**
4. **notes the potential implications of signing up to specific targets, as outlined in Attachment 2 to this report; and**
5. **instructs staff to prepare a report on the specific targets contained in the draft Waimea Inlet Action Plan, containing recommendations on which targets Council should sign up to, either as a lead agency, or supporting agency.**

CARRIED

8 PRESENTATIONS

Nelson Marlborough District Health Board's (NMDHB) Smokefree Presentation

Three staff from the NMDHB Public Health Service addressed the meeting. Health Promoter (M Norgate) asked Councillors to consider having a smokefree policy in public venues in and around the Richmond central business district, adding that this would be in line with the Government's goal of having a smokefree New Zealand by 2025. She gave examples of Wellington, Christchurch and Auckland City Council's smokefree policies, the various aspects these policies focussed on and how well they were working. She added that NMDHB has programmes in place to help people to quit smoking which were offered free to local companies and industries, pregnant mums and to members of the public who sought help.

The Health in All Policies Advisor (J Murray) spoke about a fresh air project which NMDHB had carried out in the Nelson and Tasman region to which there had been over 239 responses with 96% supporting smokefree venues in the region. She asked that Council consider extending its smokefree policy following the example of Auckland City Council's policy which included beaches, alfresco dining and sporting clubs on council land.

Responding to Councillors questions Ms Murray believed the key to attaining buy-in for smokefree was to work on education and promotion in unison with groups such as the Cancer Society, health boards, the hospitality industry, Tourism New Zealand and local businesses – all to send out the message of the harmful effects of smoking on health and on the environment. She recommended having a central person in Council to lead and give direction to the smokefree policy, suggesting funding should come from different avenues rather than ratepayers.

Councillors asked questions about Auckland City Council's smokefree policies and how compliance fitted into this. They asked about vaping and where that would fit into a smokefree policy. Health Promoter (Gayle Hay) reinforced that NMDHB had a strong service in place which was completely free, it provided a seven week programme with Quit Coaches and for Council to endorse a smokefree policy in this region would help denormalise smoking. She added that DHBs were waiting for a Ministry of Health official stance on vaping and e-cigarettes as currently they were not prohibited by the Smokefree Act because they were relatively new to the country.

Councillors thanked the NMDHB staff for their presentation.

9.1 Smokefree Environments Bylaw

The Coordinator of Environmental Health spoke to the report and responded to questions about the difference between a bylaw and policy. Smokefree policies are aimed at a more subtle, educative approach and are generally reliant on signage and peer pressure, whereas a bylaw requires enforcement with a potential risk in policing, resources, administration and funding.

Discussion followed and a motion was proposed that EPC recommends Council develops a comprehensive Smokefree Policy across all Council activities beyond those covered by Council's Reserves General Policy 2015. The motion was carried

Moved Cr Wensley/Cr McNamara

That the Environment and Planning Committee

- 1. Receives the Smokefree Environments Bylaw REP18-05-02 report with the following amendment;**
recommends that Council develops a comprehensive Smokefree Policy across all Council activities beyond those covered by Council's Reserves General Policy 2015; and
- 2. Agrees not to pursue a Smokefree Bylaw for Tasman District for the reasons presented in REP18-05-01; and**
- 3. Notes that if Council wants to extend the current Reserve General Policies September 2015 to other Council assets as a means to discourage smoking in public places and land under the Council control, that would be a matter for the respective committees to decide on.**

Carried

9.4 Environment and Planning Committee Chair's Report

The Chair opened the floor to Councillors.

In response to a Councillor's request the Environment and Planning Manager agreed that staff would provide an update on the progress of the wetland project.

Councillors asked about the level of service around the E&P Department in relation to timeliness in issuing building and resource consents. The Environment and Planning Manager advised that there were still some vacancies to be filled in Building Assurance, but that E&P were meeting compliance guidelines. In Resource Consents there are still two staff members to arrive, however five contractors had been working for for the department. He agreed to relay to staff the Councillors concerns.

In response to a questions regarding progress on the Golden Bay Community Group's request from Paton Rock ratepayers who had erosion problems on reserves in front of their properties, the E&P Manager advised he would report to the next meeting.

Councillors sought information on the Wainui Bay Spat consenting process and were advised of a workshop scheduled for 17 May to brief them on the Environment Court's decision not to grant status to the Wainui Farms. Staff have gone back to the Court on this matter. It was noted that the Golden Bay Community Board were to be invited to that meeting.

A request was made for a targeted climate change report be provided to the Committee, however the E&P Manager advised that the matter had been raised in a previous meeting. It was suggested that further climate change recommendations be raised at the LTP Deliberations tomorrow or an upcoming workshop.

Staff were commended on the signage around the Rabbit Island Motoroa area, positive feedback had been received and the signage was working well.

Staff were asked to investigate an alternative freedom camping site to the Motueka Quay area. An alternative suggestion had been raised by the Motueka Community Board of the old Mariri Dump Site, and if this site had been put on a special targeting project list. The E&P Manager agreed to report back to Committee on this.

The E&P Manager responded to questions around the status of the Waimea Dam and the Department of Conservation. He advised that this item was on the Full Council Agenda.

The impacts of Cyclone Gita on forestry harvesting was discussed and Councillors advised of a power point presentation on this and that changes will be taking effect from 1 May 2018. The question of resourcing was raised when these changes are introduced into Council planning documents and they become operational.

Councillors discussed the swimmable target policy. Tasman district has the highest standard of swimmable lakes and rivers in New Zealand and because of these excellent figures it is not the focus of the Minister's attention. Work will continue to retain the high quality with some focus going into the lower quality streams and other low land areas where there is room for improvement.

9.3 Environment and Planning Manager's Monthly Report

The Environment and Planning Manager spoke to his report.

The Environmental Information Manager spoke on carbon forestry. He advised that staff are looking at different options where council land could be used for carbon farming, but also looking at four different land uses, and working with landowners to look at lower value land which could be retired to permanent vegetation. This is work in progress.

Councillors discussed the issues around affordable housing and added their support to the Community Relations and Building Assurance teams to provide publicity to promote the existence of simple solutions for affordable housing.

Moved Cr Maling/Cr Wensley

EP18-05-3

That the Environment and Planning Committee receives the Environment and Planning Manager's Monthly Report REP18-05-05

- 1. receives the Environment and Planning Manager's Monthly Report REP18-05-05; and**
- 2. agrees to delegate the power to issue section 124 notices under the Building Act to the Senior Building Inspector and to amend the Delegation Register accordingly; and**
- 3. agrees to replace item 326 on the Delegations Register with the following delegation**

In consultation with the Deputy Chair or Chair of the Environment and Planning Committee, the power to initiate prosecution proceedings for offences under any Act, Regulation or Bylaw which involves the Criminal Procedure Act 2011, and to issue injunctions to restrain continuing breaches of the Building Act (under section 381 of the Building Act 2004) or of the Local Government Act or of any Bylaw (under section 162 of the Local Government Act 2002). Any proceeding will be reported to the next available Committee meeting; and

4. agrees to delegate the power to act in default under sec 128 of the Biosecurity Act 1993 to the Environment and Planning Manager;

CARRIED

Moved Cr King/Cr Wensley

That the Environment and Planning Committee receives the following amendments:

5. requests the Community Relations and Building Assurance staff to work on publishing the availability of simple housing acceptable solutions; and
6. supports work in relation to use of prefabricated buildings and building components

CARRIED

10 CONFIDENTIAL SESSION

10.1 Procedural motion to exclude the public

Moved Cr Sangster/Cr Kempthorne

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)(d) 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:

10.2 Waimea Water Management Technical Amendments: Draft Change 67

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

<p>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.</p>	<p>48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.</p>	<p>s48(1)(d) 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.</p>
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CARRIED

The meeting moved to the Confidential Session at 11.50am and concluded at 12.55pm.

Date Confirmed:

Chair:

Confirmed