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**MINUTES**  
of the  
**ENVIRONMENT AND PLANNING COMMITTEE MEETING**  
held  
**9.30 am , Thursday, 18 October 2018**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillor T King (Chair), Mayor R Kempthorne, Councillors S Brown (Acting Chair), 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), Executive Assistant (G Crichton)

**Part Attendance:** Team Leader – Monitoring & Enforcement (C Cheeseman), Regulatory Manager (A Humphries), Team Leader - Environmental Health (G Caradus), Technical Lead - Building Assurance (P Beck), Resource Consent Manager (P Doole), Environmental Policy Planner (T Bray), Activity Planning Advisor – Transportation Engineering Services (D Bryant), Team Leader - Urban & Rural Development Policy (M Day), Senior Resource Scientist – Environmental (T James), Environmental Monitoring Officer (J McCallum), Estuary Monitoring Consultant (L Stevens), Environmental Policy Manager (B Johnson)

**1 OPENING, WELCOME**

Cr Brown took the Chair in Cr King's absence.

**2 APOLOGIES AND LEAVE OF ABSENCE**

**Moved Cr Sangster/Cr Hawkes**  
**EP18-10-1**

**That apologies be accepted for Cr Maling and for Cr King for lateness.**  
**CARRIED**

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### **3 PUBLIC FORUM**

**Jane Murray** representing Nelson Marlborough Health, spoke on the possible review of the gambling policy stating that the current policy is outdated and that a sinking lid policy would be a better tool to measure and reduce the affects of gambling in the community. She asked that Council consult on its Gambling Policy and revise it to a sinking lid policy.

### **4 DECLARATIONS OF INTEREST**

Cr McNamara declared a possible conflict with Report 9.3. It was agreed to discuss this at the time the report is discussed.

### **5 LATE ITEMS**

Nil

### **6 CONFIRMATION OF MINUTES**

**Moved Cr Wensley/Cr Tuffnell  
EP18-10-2**

**That the minutes of the Environment and Planning Committee meeting held on Thursday, 6 September 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 Annual Compliance and Enforcement Summary Report**

The Team Leader – Compliance Monitoring and Enforcement spoke to his report and provided further information that the total number of infringement notices for the period was 25. Responding to questions on Nelson Pine's Resource Consent he clarified that the consent included self-monitoring reports and was subject to renewals every five years. Council carries out peer reviews, but in fact Nelson Pine contracts independent highly qualified specialist monitoring technicians to carry out the regular monitoring process. The consent can be reviewed by the public.

Responding to further questions Mr Cheeseman advised that following the Environment Court's recent decision, Talley's at Port Motueka was undergoing a substantial upgrade to meet its new resource consent. With regard to problems with forestry and slash going into streams and with the new National Environmental Standards for Plantation Forestry, he advised that there is considerable monitoring by the industry to meet its obligations.

Councillors discussed noise and discharge complaints. The Regulatory Services Manager explained that Council was trying to get as much information on compliance into the public

arena as possible in an effort to educate our community. He explained that with the changing urban/rural mix of the population where people are choosing to move out of cities onto lifestyle blocks and with a more aging population who tend to be at home longer, there is a growth in noise complaints including normal everyday farm noises.

**Moved Cr Brown/Cr Wensley  
EP18-10-3**

**That the Environment and Planning Committee receives the Annual Compliance and Enforcement Summary Report REP16-09-03**

**CARRIED**

### **9.2 Gambling Venues Policy Review - Supplementary Report**

Team Leader - Environmental Health referred Councillors to his previous report as well as the addendum report and responded to questions. The statistics in the report are provided by the Department of Internal Affairs who also licences each machine; the Council only provides permission for the machines to be installed. Compared to other regions, Tasman has a reasonably moderate level of gambling machines.

**Moved Cr Wensley/Cr Canton  
EP18-10-4**

**That the Environment and Planning Committee**

- 1. receives the Gambling Venues Policy Review - Supplementary Report REP18-10-08; and**
- 2. resolves to amend the Tasman District Council's Gambling Venues Policy 2010, to include:**
  - 2.1 A sinking lid policy for gaming machines in the district; and**
  - 2.2 Confirmation that relocation of gaming machines will not be permitted within the district; and**
  - 2.3 An unrestricted policy in relation to the number of New Zealand Racing Board venues within the district; and**
- 3. instructs staff to prepare a Draft Gambling Venues Policy to commence consultation; and**
  - 3.1 an associated Statement of Proposal; and**
  - 3.2 a Summary of Information based on resolution 2 above,**  
**for further consideration of the Environment and Planning Committee.**

**CARRIED**

### **9.3 Public Consultation on Priority Earthquake-prone Buildings**

It was declared and noted that Cr McNamara and Cr Sangster owned buildings in streets mentioned in this report.

The Technical Lead - Building Assurance spoke to his report which was taken as read. He responded to questions confirming that areas of the district which may be subject to landslides are not part of this legislation, it was to identify buildings only that could affect the lifeline routes in an earthquake event. Staff had already started identifying buildings and despite this project requiring major resources, it was progressing with the help of other organisations in the community.

Following further discussion Mr Beck agreed to forward Councillors a map showing the seismic risk areas which have been updated on Council's ET2 database. It was agreed that the submission period would commence on 27 October until 3 December and that Councillors Ogilvie, Tuffnell, Bryant, Turley and Sangster be appointed to the hearing committee.

### **Moved Mayor Kempthorne/Cr Tuffnell**

#### **EP18-10-5**

#### **That the Environment and Planning Committee**

- 1) receives the Public Consultation on Priority Earthquake-prone Buildings REP18-10-05; and**
- 2) approves the Statement of Proposal for identifying roads and thoroughfares of importance in identifying potentially earthquake prone buildings attached as Attachment 1 to REP18-10-05; and**
- 3) approves the Summary of Information attached as Attachment 2 to REP18-10-05 ; and**
- 4) agrees the commencement of the special consultative procedure to the proposed document shall be by public notice in newspapers and Council Web site ; and**
- 5) agrees that the submission period shall commence on 27 October 2018 and will end at 4.30pm on 3 December 2018: and**
- 6) appoints Councillor Ogilvie as the Chairperson, and Councillors Tuffnell, Bryant, Turley and Sangster to the hearing committee to consider any submissions, with authority to appoint replacement members in the event of non-attendance for any reason.**

#### **CARRIED**

*The meeting broke for morning tea at 10.40am and resumed at 10.50am. Cr King returned at 10.55am and assumed the Chair, thanking Cr Brown for stepping in. Cr Kempthorne joined the meeting at 10.55am.*

### **9.4 Extension of Lapsing Periods for Council Designations**

The Environmental Policy Planner, the Activity Planning Advisor – Transportation Engineering Services and the Resource Consents Manager addressed the meeting and advised that they had received a letter from one landowner on Wensley Road who was against the use of their land for road widening.

Following discussions Councillors queried why Council should have the financial responsibility

and not the New Zealand Transport Authority for the Motueka bypass designations and that this would be the time to change those designations. The Environment and Planning Manager explained the history behind the designations which in some cases dated back to the last District Scheme in 1992. The Activity Planning Advisor Transportation Engineering advised that these designations relate to existing designations set ten years ago and that we are trying to pick out the ones that Council still has a need for and in the future. they were recorded on titles. When questioned about Martin Farm Road in Kaiteriteri, Mr Bryant advised that when looking at future designations, this road may be investigated again.

*Cr Kempthorne exited the meeting at 11.05am and returned at 11.25am.*

**Moved Cr Tuffnell/Cr Canton  
EP18-10-6**

**That the Environment and Planning Committee**

- 1) receives the report Extension of Lapsing Periods for Council Designations; and**
- 2) Determines in accordance with Section 184A of the Resource Management Act 1991 that substantial progress or effort has been made, and is continuing to be made, towards giving effect to the designations listed in Attachment 3 of this report REP18-10-04; and**
- 3) That the lapsing dates of the designations are fixed for longer periods being**
  - i) an additional 10 years expiring on 1 November 2028 for designations D211, D212, D213, D217, D218, D219, D221, D223, D224; and**
  - ii) an additional five years expiring on 1 November 2023 for designations D220 and D237.**

**CARRIED**

**9.5 Plan Change 61 - Wainui Bay Private Plan Change**

The Environmental Policy Planner spoke to her report which was taken as read.

**Moved Cr Sangster/Cr Brown  
EP18-10-7**

**That the Environment and Planning Committee:**

- 1) receives the Plan Change 61 - Wainui Bay Private Plan Change REP18-10-02; and**
- 2) adopts decision [2018] NZEnvc130 of the Environment Court in relation to the Wainui Bay Private Plan Change, Attachment 1 to REP18-10-02; and**
- 3) agrees to affix the Tasman District Council Seal to the adopted plan change as set out in Attachment 1 REP18-10-02; and**
- 4) agrees to refer the adopted plan change as set out in Attachment 1 REP18-10-02 to the Minister of Conservation for approval; and**

- 5) following approval from the Minister of Conservation, notes the plan change shall be publicly notified as soon as practicable after approval.

**CARRIED**

**9.6 Approvals to make Operative - Tasman Resource Management Plan Change 57 - Brightwater Strategic Review; and Plan Change 66 - Richmond Housing Choice**

Team Leader - Urban & Rural Development Policy spoke to her report which was taken as read.

**Moved Cr McNamara/Cr Wensley  
EP18-10-8**

**That the Environment and Planning Committee**

- 1) receives the report 'Approvals to make Operative - Tasman Resource Management Plan Change 57 - Brightwater Strategic Review; and Plan Change 66 - Richmond Housing Choice (REP18-10-04); and
- 2) Approves the decision versions for Plan Changes 57 - Brightwater Strategic Review and 66 - Richmond Housing Choice to the Tasman Resource Management Plan, as attached to REP18-10-04, under Clause 17 of Schedule 1 of the Resource Management Act 1991, as Operative from the notification date of the next update, expected to be in November 2018.

**CARRIED**

**9.7 Freshwater Fish Communities of Tasman District 2018 – A State of the Environment Report**

Senior Resource Scientist – Environmental introduced the Environmental Monitoring Officer and Mr L Stevens – a consultant to the Estuary Monitoring Programme. Mr Stevens gave an update on progress for this year on the Programme and spoke to the slides he had tabled earlier.

Councillors noted the worrying decline in the fish species Giant Kokopu and the need to preserve healthy waterways to maintain or improve stream habitat, particularly by removing fish passage barriers, riparian vegetation and in-stream cover. They discussed what happens to estuaries when nutrients are added and the effects of muddying and forestry. They also noted the excellent work on fish passage that Mr James had been carrying out across the district and his education programme which had been on national television recently.

The Senior Resource Scientist – Environmental introduced Councillors to a new product called Story Maps which is a GIS based tool that combines maps, text and images at the click of a button. This tool will be linked to Council's website.

**Moved Cr Tuffnell/Cr Wensley  
EP18-10-9**

**That the Environment and Planning Committee receives the Freshwater Fish Communities of Tasman District 2018 - A State of the Environment Report REP18-10-06;**

**CARRIED**

### **9.8 Tasman Estuarine Monitoring Report Back**

The Environmental Monitoring Officer spoke to his report which was taken as read. He was joined by the Senior Resource Scientist – Environmental who discussed stream habitat with Councillors. Mr James was thanked for his ongoing education in the community.

Councillors discussed missed opportunities of creating habitat friendly ditches and noted that the new land development manual should rectify this.

**Moved Cr McNamara/Cr Hawkes**

**EP18-10-10**

**That the Environment and Planning Committee receives the Tasman Estuarine Monitoring Report Back REP10-10-07;**

**CARRIED**

*The meeting moved into Confidential session at 12.25pm and resumed in Public at 12.30pm.*

## **10 CONFIDENTIAL SESSION**

### **10.1 Procedural motion to exclude the public**

**Moved Cr Sangster/Cr Brown**

**EP18-10-11**

**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)(a) 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:**

### **10.1 Decisions on Proposed Plan Change 60 - Variations 1 & 2 Rural Land Use and Subdivision**

<b>Reason for passing this resolution in relation to each matter</b>		<b>Particular interest(s) protected (where applicable)</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<b>The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for</b>		<b>48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.</b>	<b>s48(1)(a)  The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for</b>

withholding exists under section 7.			withholding exists under section 7.
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**CARRIED**

## **9 REPORTS CONTINUED**

### **9.9 Environment and Planning Committee Chair's Report 18 October 2018**

Nil reported.

### **9.10 Environment and Planning Manager's Report 18 October 2018**

The Environment and Planning Manager's spoke to his report which was taken as read. He was joined by the Environmental Policy Manager.

Councillors asked if a consistent approach to Maori representation across Council could be considered and that the same language be used - either Maori or iwi, not both. Mr Bush-King explained that Council is all on the same page but that in the Resource Management Act the term referred to is iwi, however the Local Government Act refers to Maori.

Councillors asked for an assurance that Waimea FLAG would be up and running before the Waimea Community Dam commenced, Mr Johnson indicated that the Policy Team was committed to ensuring that this would happen.

Mr Bush-King confirmed that he would arrange for staff to provide a map of Taman's poplar and willow nursely to Councillors.

### **Moved Mayor Kempthorne/Cr McNamara EP18-10-12**

**That the Environment and Planning Committee receives the Environment and Planning Manager's Report 18 October 2018 REP18-10-10**

**CARRIED**

*The meeting concluded at 12.40pm*

Date Confirmed:

Chair: