
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30 am, Thursday, 8 February 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, T Tuffnell, D Wensley

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

Part Attendance: Resource Consent Manager - Phil Doole; Principal Planner - Resource Consents – Alastair Jewell; Team Leader - Natural Resources – Lisa McGlinchey; Team Leader - Urban & Rural Development Policy – Maxine Day; Environmental Policy Manager – Barry Johnson;

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Moved Cr McNamara/Cr Brown
EP18-02-1

Cr A Turley; and Cr Maling for lateness;

Recommendation

That apologies be accepted.

CARRIED

3 PUBLIC FORUM

No items raised.

4 DECLARATIONS OF INTEREST

Cr Wensley declared an interest in relation to being a submitter to the Talleys application.

5 LATE ITEMS

Nil.

6 CONFIRMATION OF MINUTES

Moved Cr Brown/Cr Tuffnell

EP18-02-2

That the minutes of the Environment and Planning Committee meeting held on Thursday, 9 November 2017, be confirmed as a true and correct record of the meeting.

CARRIED

7 REPORTS OF COMMITTEE

Nil

8 PRESENTATIONS

Nil

Cr Maling joined the meeting at 9.35am.

9 REPORTS

9.1 Resource Consents Manager's Report

Resource Consent Manager - Phil Doole introduced councillors to new staff member Alastair Jewell who is the new Principal Planner - Resource Consents. Mr Doole spoke to his report and responded to questions about staffing issues. Councillors noted the 89% compliance and that steps had been put in place to improve this result.

Councillors raised the matter of dispensations in new subdivisions and Mr Doole explained how people were still wanting to build large houses on small sections. Staff were trying to use the new legislation to provide flexibility but it is too early to assess its impact.

Councillors questioned the use of independent Commissioners rather than Councillor Panels and Mr Doole explained that although some independent commissioners had been requested by applicants Councillor Panels were the preferred choice but were restricted according to their availability or a potential for conflict of interest.

In response to questions regarding the RMA Amendments Mr Doole summarised the new provisions that restrict public notification of residential activities. He agreed to circulate a copy of the definition of residential activities. He also confirmed that the provisions for Special Housing Areas do not allow for public notification. Reference was made to possible anomalies in charging with the use of consultants for processing consent applications; however Mr Doole confirmed to Councillors that the process used assured that the cost to the applicant should be similar no matter who processed their application.

Councillors raised concern about the small number of applications received for the Middle Motueka Water Zone permit renewals. Mr Doole was not concerned as generally there would

be a last minute flurry before the closing date.

Councillors thanked staff for their work, noting the challenging pressures of staffing and new legislation; also noting the good work regarding the seasonal workers accommodation.

**Moved Cr McNamara/Bryant
EP18-02-3**

That the Environment and Planning Committee receives the Resource Consent Manager's Report - July 2017 to January 2018 report EPC18-02-01.

CARRIED

9.2 Environment and Planning Committee Chairperson's Report

The Chair advised Councillors of a Council submission on the Te Waikoropupu Water Conservation Order due on 28 February. He explained that the application had only just been advertised and emphasised that it was necessary to ensure the final Water Conservation Order and the Council's water management arrangements for Takaka were complementary.

Concern was raised about the proposed delegation with the suggestion that this matter should go to full council on 22 February. The Chair advised that Council had not been pre-warned about the Order and that the draft submission would not be ready for Council by 22 February, explaining that the main emphasis was to get our submission in despite the short notice.

**Moved Bryant/Cr Kempthorne
EP18-02-4**

That the Environment and Planning Committee

**1 receives the Environment and Planning Committee Chairperson's Report EPC18-02-02.
2 delegates to Councillors King, Brown and Sangster authority to approve a Council submission on the Te Waikoropupu Water Conservation Order due on 28 February**

CARRIED

Cr Wensley wished to be recorded as voting against motion 2.

The meeting broke for morning tea at 10.30am and returned at 10.55am.

9.3 Environment and Planning Manager's Report

The Environment and Planning Manager explained the Coastal Hazards and Climate Change Report from the Minister. Councillors raised concerns over Council being futureproofed for events such as the recent storm surges experienced across the district. Mr Bush-King advised that staff have tried to make our planning instruments adapt to climate change risk, however a new government direction is expected to be released and could influence future planning.

Councillors agreed to the Mayor signing the letter to the Minister for Environment on achieving improvements to swimmability targets in Tasman, but requested that the letter be amended to highlight the good work Tasman has already carried out. They noted that Tasman district

already meets the 90% target and questioned the expense on seeking a higher target.

Councillors asked if some of Tasman's small local streams and urban waterways could be included as primary contact sites. The Environment and Planning Manager and the Team Leader - Natural Resources explained that the Government's model specified only fourth order rivers and lakes as primary sites. A council report on the 120 primary sights was in progress with input coming from all relevant departments, this would be provided to Councillors when completed. Further, a joint workshop was scheduled for 6 March and would include cross council development of standards for council owned assets and on how stormwater is to be managed.

An amendment to the motion was requested that Templemore Pond as a Primary Contact Site for the purposes of the Richmond Catchment Management Plan be included, but the motion was unsuccessful.

In response a question from Councillors the Environmental Policy Manager defined the definition of stock as being cattle and deer. Discussion followed on the possibility of adding stock such as dogs and horses and the effect on trout to the current definitions. Mayor Kempthorne advised Councillors that the 16 regional and unitary councils have agreed to make a tight and consistent response to Government and such a conversation should not be part of this letter to the Minister.

Councillors discussed the Waimea Freshwater Land Advisory Group (FLAG) and raised concerns around membership of the group and the terms of reference. It was agreed that these matters would be discussed and agreed at the next Environment and Planning Committee meeting.

In response to questions from Councillors, the Environment and Planning Manager agreed to ask staff if the Waimea River water flow would have gone below 900 l/s ps if there were no restrictions.

Moved Cr Wensley/Cr McNamara

That the Environment and Planning Committee

- 1. receives the Environment and Planning Manager's Report EPC18-02-03; and**
- 2. recommends the Mayor sign the letter attached as Appendix 2 to Report EPC18-02-04, with required amendments, as the Council's response to the Minister for the Environment on achieving improvements to swimmability targets in Tasman; and**
- 3. notes that revised terms of Reference for the Waimea Freshwater Land Advisory Group (FLAG) will be provided to the next Environment and Planning Committee meeting for consideration.**

Cr Wensley moved an amendment to the original recommendation, seconded by Cr McNamara:

- 4. designates the Templemore Pond as a Primary Contact Site for the purposes of the Richmond Catchment Management Plan.**

LOST

An additional motion was put in

Moved Cr Wensley/Cr McNamara

That Council requests that staff report back on primary contact sites within urban areas including Templemore Pond in Richmond.

CARRIED

10 CONFIDENTIAL SESSION

10.1 Procedural motion to exclude the public

Moved Bryant/Cr Ogilvie
EP18-02-5

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:

10.2 Environment and Planning Manager's Report - Addendum Weathertight Homes

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
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>s7(2)(g) - The withholding of the information is necessary to maintain legal professional privilege.</p> <p>s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).</p>	<p>s48(1)(a)</p> <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>

10.3 Wakefield Plan Change 65

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
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.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	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 withholding exists under section 7.

CARRIED

The meeting concluded at 12.15pm.

Date Confirmed:

Chair: