

# MINUTES

**TITLE:** Environment & Planning Committee  
**DATE:** Wednesday, 9 May 2007  
**TIME:** 9.30 am  
**VENUE:** Council Chamber, 189 Queen Street, Richmond

**PRESENT:** Cr R G Kempthorne (Chair), Mayor J C Hurley, Crs E M O'Regan, S G Bryant, R G Currie, E E Henry, M J Higgins, T B King, T Norriss, P K O'Shea, J L Inglis, N Riley and E C Wilkins.

**IN ATTENDANCE:** Environment & Planning Manager (D C Bush-King), Manager, Policy (G S Markham), Policy Planners (N T Jackson and R H Biss), Co-ordinator, Compliance Monitoring (C D Cheeseman) Co-ordinator, Regulatory Services (D R Lewis), Administration Officer (B D Moore)

## APOLOGIES

Moved Crs Bryant / Riley  
EP07/05/06

**THAT apologies from Cr Borlase for absence be sustained.  
CARRIED**

## 1. PUBLIC FORUM

Mrs Sue Little referred to the agenda item for the review of the Dog Control By-law in the agenda for this meeting and expressed concern about the potential for problems to occur with people keeping dogs on small rural properties and suggested that a dog breeding activity needed a resource consent. She said that the noise from barking is a considerable problem and that abatement notices should be used to require dog owners to exercise greater control over dogs in their care.

## 2. CONFIRMATION OF MINUTES

### 2.1 Environment & Planning Committee, 19 March 2007

Moved Crs O'Regan/Riley  
EP07/05/07

**THAT the minutes of the Environment & Planning Committee meeting held on 19 March 2007, containing Resolutions EP07/03/40 to EP07/03/42, be approved as a correct record.  
CARRIED**

## **2.2 Environment & Planning Committee, 26 March 2007**

**Moved Crs O'Regan / Riley  
EP07/05/08**

**THAT the minutes of the Environment & Planning Committee meeting held on 26 March 2007, containing Resolutions EP07/03/43 to EP07/03/45, be approved as a correct record.**

**CARRIED**

## **2.3 Environment & Planning Commissioner Hearing, 28 March 2007**

**Moved Crs Henry / Norriss  
EP07/05/09**

**THAT the minutes of the Environment & Planning Commissioner hearing held on 28 March 2007 to hear water permit objections by Wakatu Incorporation NRAIT and RORE lands be received.**

**CARRIED**

## **2.4 Environment & Planning Committee, 28 March 2007**

Cr Henry asked that page 8, item 11.6 be amended with the addition of the following words:

*“Cr Henry requested that no further reports on Council’s proposal for Richmond West be brought to the Subcommittee until the hearing of the application by the Richmond West Group.”*

Cr Kempthorne accepted that amendment.

It was also noted that the “In Committee” portion of the minutes required amendment in relation to Item 2. “Iwa Street” should read “Aranui Road”.

**Moved Crs Henry / O'Regan  
EP07/05/10**

**THAT the minutes of the Environment & Planning Committee meeting held on 28 March 2007, containing Resolutions EP07/03/12 to EP07/03/37, as amended in item 11.6, be approved as a correct record.**

**CARRIED**

## **2.5 Heritage Subcommittee, 30 March 2007**

**Moved Crs O'Shea / Wilkins  
EP07/05/11**

**THAT the minutes of the Heritage Subcommittee meeting held on 26 March 2007, containing Resolutions EP07/03/04 to EP07/03/11, be approved as a correct record.**

**CARRIED**

## **2.6 Environment & Planning Committee, 2 April 2007**

**Moved Crs Wilkins / O'Regan  
EP07/05/12**

**THAT the minutes of the Environment & Planning Committee meeting held on 2 April 2007, containing Resolutions EP07/04/02 to EP07/04/03, be approved as a correct record.**

**CARRIED**

## **2.7 Environment & Planning Committee, 18 April 2007**

**Moved Crs O'Regan / Higgins  
EP07/05/13**

**THAT the minutes of the Environment & Planning Committee meeting held on 18 April 2007, containing Resolutions EP07/04/04 to EP07/04/06, be approved as a correct record.**

**CARRIED**

## **2.8 Environment & Planning Committee, 28 February 2007**

Cr Norriss referred to the minutes of the Environment & Planning Committee held on 28 February 2007, which had previously confirmed and asked that there be amendment to Resolution EP07/02/45 concerning the voluntary Code of Practice for Recreational Use of Motorbikes.

Cr Kempthorne suggested the matter be deferred to later in the meeting. Cr Kempthorne later directed that the matter would be referred to a future meeting for further consideration.

## **3. ENFORCEMENT PROTOCOL - REPORT EP07/05/02**

Co-ordinator, Compliance Monitoring, Mr C Cheeseman, responded to Councillors' questions regarding this report.

A copy of the proposed enforcement protocol was contained within the agenda and the Environment & Planning Manager had recommended that Council receive and accept the protocol document for guidance to staff.

Cr O'Regan questioned the wording of Section 5.14 about procedures for disclosure of information. Cr Currie also encouraged amendments to paragraph three under Section 5.14. Mr Bush-King suggested an additional wording change.

Cr King asked whether the protocol would apply across the Council. Mr Bush-King said it was principally aimed at E&P functions but it could apply to the Reserves Act, although he was unsure and would find out.

**Moved Crs Currie / O'Regan**  
**EP07/05/14**

**THAT the third paragraph under Section 5.14 be amended as follows:**

**“As a general rule, the exception to this is disclosure of the names of complainants. Council will not normally disclose the names of complainants under the provisions of Section 27(1)(c) of the Privacy Act 1993, which authorises the right to withhold certain information.”**

**CARRIED**

Cr O'Shea left the meeting at 10.30 am.

Cr Henry sought that the recommendation regarding the enforcement policy and procedures, should be adopted by this Committee rather than receiving and accepting it.

**Moved Crs Henry / O'Regan**  
**EP07/05/15**

**THAT the Environment & Planning Committee adopts the Enforcement Policy and Procedures 2007, as amended.**

**CARRIED**

#### **4. CLIMATE CHANGE RISKS BRIEFING PAPER - REPORT EP07/05/03**

Golden Bay Community Board member, Mr J Bell, was welcomed to the meeting.

Policy Planner, Mr N Jackson, spoke to this report and said it was to brief the Committee on climate change risks and assist it to address the question of whether Council needs to make changes to its risk management policies, for operations in relation to those risks, which may be aggravated by climate change. He said that staff are waiting for a report on the Nelson-Tasman area, which was being funded by Ministry for the Environment's Envirolink programme. Mr Jackson said that staff need sufficient information to help people make an informed decision on the extent of risk when considering property purchase or development.

The Committee discussed the recommendation in this report and determined some changes.

**Moved Crs King / Riley**  
**EP07/05/16**

**THAT the Environment & Planning Committee adopts the recommendations in the Climate Change Risks Briefing Paper (Report EP07/05/03), amended as follows:**

- 1. That Council commit resources, through the Annual Plan process, to fund detailed contour information on low-lying coastal land, to be completed by 30 June 2010.**
- 2. That in the next LTCCP review, Council promotes a strategy to match the availability of water with development opportunities.**

3. That Council applies the best available climate information at the time of:
  - infrastructure installation, upgrade, or maintenance;
  - asset management reviews;
  - risk management reviews;
  - reviews of policy documents including: Regional Policy Statement, Tasman Resource Management Plan, Engineering Standards and Policies, Civil Defence Emergency Management Plan, and reserve management plans.
4. That Council notes the staff responsibility to report on climate-related risks when evaluating resource consent and building consent applications.
5. That Council upgrades the priority for the all-hazards management strategy stated in TRMP and link it with the NelTas lifelines project work still required.
6. That Council directs consideration of the benefits and costs of its joining the Communities for Climate Change Programme (CCCP) managed by the Ministry for the Environment.

**CARRIED**

#### **5. BIODIVERSITY MANAGEMENT IN TASMAN DISTRICT - REPORT EP07/05/04**

The agenda contained a report on 9 May 2007 from Biosecurity Co-ordinator, Mr L Vaughan. The Manager, Policy, Mr S Markham, attended the meeting and spoke to this report. The purpose of the paper was to provide an overview to Council of the work that has been done on biodiversity management in Tasman District. The report asked Council to note the further work that is proposed and that an additional report would be asked in June 2007.

Golden Bay Community Board member, Mr J Bell, said that he supported the report and its intention. He said that in Golden Bay a lot of community organisations are doing work to enhance areas.

Cr O'Regan commended the work being done with wetland restoration by the Old Coach Road development.

**Moved Crs Henry / O'Regan  
EP07/05/17**

**THAT the Environment & Planning Committee:**

1. receives Report EP07/05/04, Biodiversity in Tasman District, for information; and
2. notes that further work is proposed and that more information on the proposed collaborative process for investigating significant natural areas will be provided in a report in June 2007.

**CARRIED**

## **6. MANAGEMENT REPORTS AND STATISTICAL DATA - REPORT EP07/05/05**

The report contained within the agenda provided Environment & Planning Department statistics for January to March 2007.

**Moved Crs King / Henry**  
**EP07/05/18**

**THAT Report EP07/05/05, Management Reports and Statistical Data, be received.**  
**CARRIED**

## **7. ENVIRONMENT & PLANNING MANAGER'S REPORT – REPORT EP07/05/12**

### **7.1 Annual Charges for Log Fire Permits**

The report advised staff consider any discharge consent for log fires, pursuant to Variation 51, should be exempt from annual charges.

**Moved Crs King / O'Regan**  
**EP07/05/19**

**THAT the Environment & Planning Committee agrees to exempt holders of discharge consents for domestic log burners from annual charges.**  
**CARRIED**

### **7.2 Speed Limit on Beaches**

Golden Bay Community Board, Mr J Bell, read a statement of evidence on behalf of the Board seeking to introduce speed limits on Golden Bay beaches, especially those of Pohara to Motupipi, Tukuru Point to Parapara Estuary, Collingwood to Milnethorpe, Totara Avenue to Pakawau. Mr Bell suggested that a staff report could be requested on the options, for example, only to allow authorised vehicles on beaches.

Mr Bush-King advised that the police have said they would be unlikely to enforce speed limits for vehicles on beaches. He said the view that staff have come to is that there would be significant administration and enforcement costs.

**Moved Crs King / Riley**  
**EP07/05/20**

**THAT no further action be taken regarding enforcement of speed limits on beaches but that consideration be given to the addition of wording to existing signage on beaches seeking that the public refrain from speeding.**  
**CARRIED**

**8. REVIEW OF TASMAN DISTRICT COUNCIL DOG CONTROL BY-LAW, SECTION 7  
- REPORT EP07/05/06**

Co-ordinator, Regulatory Services, Mr D Lewis, spoke to this report contained within the agenda and the recommended changes to the Tasman District Council Consolidated By-law, Chapter 2 – Dog Control, Section 7. The report said that staff believe control on the number of dogs is required and this is dependent on the situation and size of the property. The report recommended amendments to the Dog Control By-law in regard to properties outside of an urban area and, in addition, delegated authority to issue kennel licences. The proposal would be subject to the consideration of submissions following the special consultative procedure.

**Moved Crs Norriss / Kempthorne  
EP07/05/21**

- 1. That the Tasman District Council Consolidated By-law, Chapter 2 – Dog Control be amended by repealing Section 7.1 and substituting it with the following:**

**7. LICENCE TO KEEP THREE OR MORE DOGS**

**7.1 No occupier of any property outside of an urban area shall:**

- (a) for a property less than 1 hectare in area allow or cause to remain or keep three or more dogs over the age of three months (whether or not such dogs are registered) on the property; and**
- (b) for a property that is greater than 1 hectare in area allow or cause to remain or keep six or more dogs over the age of three months (whether or not such dogs are registered) on the property;**

**unless any such occupier is the holder of a licence from Council for such purpose provided that this prohibition shall not apply to any dog kept solely or principally for the purpose of herding or driving stock or to any approved property that is used for the business of dog boarding kennels.**

**Note that in the Residential Zone a resource consent is required if three or more dogs are kept on a property.**

- 2. That the Dog Control By-law be further amended by replacing the word “premises” with “property” in Section 7.3.**
- 3. That public comment be called for on the proposed resolutions 1 and 2 in terms of the Special Consultative procedures under Section 83 of the Local Government Act 2002 and that any submissions received be considered at a future meeting of Council.**
- 4. That the power to issue kennel licences under the Tasman District Council Consolidated By-law Chapter 2 – Dog Control be granted to the Environment & Planning Manager; Manager, Consents; Co-ordinator, Regulatory Services; and Administration Officer, Regulatory and that the Delegations Register be amended to reflect this.**

**CARRIED**

**Moved Crs Norriss / Bryant**  
**EP07/05/22**

**THAT Report EP07/05/06, Review of Dog Control By-law, be received.**  
**CARRIED**

Cr O'Shea returned to the meeting at this time.

**9. TASMAN VILLAGE SANITARY SURVEY – WATER SUPPLIES - REPORT**  
**EP07/05/08**

Co-ordinator, Regulatory Services, Mr D Lewis, spoke to his report of 20 April 2007, which described the results of the testing of water supplies on properties within the Tasman township. Mr Lewis said that the results of this survey emphatically show that the quality of the water supplies servicing the township of Tasman is not of a satisfactory standard for human consumption, with two-thirds being of an unacceptable quality. He said that the resolution to this problem is either to require the individual treatment of water supplies on properties that do not comply, or to provide a reticulated water supply for the township. Mayor Hurley said that the Committee needs an engineering water supply report.

**Moved Crs Bryant / Currie**  
**EP07/05/23**

**THAT the Environment & Planning Committee receives Report EP07/05/08, Tasman Village Sanitary Survey and refers this to the Engineering Services Department for a water supply report.**  
**CARRIED**

Cr O'Shea said that the Tasman Community Association would like to be kept informed on progress with the water supply issue.

**10. ENVIRONMENT & PLANNING MANAGER'S REPORT - REPORT EP07/05/12**

**10.1 Environment & Planning Department Statement of Accounts**

Mr Bush-King made a verbal report on the Environment & Planning Department March 2007 statement of accounts.

**10.2 Unwanted Agrichemical Collection**

Mr Bush-King said that it was clear through having over 200 farms submitting details of unwanted agrichemicals for collection that this demand may exceed Council's capacity to deliver the service within budget.

Cr Henry said that Council should make an attempt to collect all the unwanted chemicals. Mayor Hurley expressed his agreement and said that Council should make an attempt to store these within an extended facility.



### **10.3 Aquaculture Approval**

Mr Bush-King said that the Golden Bay Ring Road Consortium had received notification of approval for their spat catching consent and that this Group is now wishing to use that facility for marine farming and that the Group also has to provide a share for Maori.

### **10.4 Marahau Valley Farm Consent**

Mr Bush-King said that draft conditions had been received from the Marahau Valley Farm consent application representatives and the draft conditions would now be considered.

**Moved Crs Henry / King  
EP07/05/24**

**THAT the Environment & Planning Manager's Report, EP07/05/12, be received.  
CARRIED**

### **11. AMENDMENTS TO TASMAN RESOURCE MANAGEMENT PLAN - REPORT EP07/05/09**

Policy Planner, Ms R Biss, briefed the Committee on amendment issues to the Tasman Resource Management Plan, arising from administration of the Plan and sought Council's direction on priorities for action for each of the topic headings.

The Committee then considered each individual item within that list and indicated an appropriate level of priority for those items to be addressed by way of preparation of Draft Variations.

**Moved Crs Bryant / O'Regan  
EP07/05/25**

**THAT the Environment & Planning Committee receives Report EP07/05/09, Amendments to the Tasman Resource Management Plan and directs staff to prepare Draft Variations.  
CARRIED**

### **12. RICHMOND WEST DEVELOPMENT PLANNING - REPORT EP07/05/10**

This report was contained within the agenda and presented to the Committee the feedback from the recent community consultation on Council's draft structure plan for Richmond West and also the key issues raised by submissions, with strategic considerations as assessed by officers and consultants. Lastly, the report reviewed the possible options for the urban development of Richmond West in the context of the submission issues and strategic consideration. This report did not contain staff recommendations, as Council is scheduled to hear the Richmond West Group applications for resource consent for residential development in May 2007. Staff tabled an executive summary with the proposed structure plans.

**Moved Crs Henry / O'Shea  
EP07/05/26**

**THAT Report EP07/05/10, Richmond West Urban Development Community Consultation Paper: Community Responses, Strategic Considerations and Options, be received.**

**CARRIED**

**13. ENVIRONMENT & PLANNING COMMITTEE CHAIRMAN'S REPORT EP07/05/11**

The Chairman's report referred to the issues of climate change, Motueka Central Plains Zone water transfer and community supply and also investigations of significant natural areas in Golden Bay.

**Moved Crs King / Henry  
EP07/05/27**

**THAT the Environment & Planning Committee Chairman's Report EP07/05/11, be received.**

**CARRIED**

Cr Kempthorne thanked members for their attendance and the meeting closed at 3.00 pm.

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**Date Confirmed:**

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**Chair:**