

MINUTES

TITLE: Environment & Planning Committee
DATE: Thursday, 31 January 2008
TIME: 9.30 am
VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Cr M J Higgins (Chair), Mayor R G Kempthorne, Crs S J Borlase, S G Bryant, R G Currie, B F Dowler, J L Edgar, B W Ensor, G A Glover, J L Inglis, T B King, T E Norriss, N Riley and E J Wilkins

IN ATTENDANCE: Environment & Planning Manager (D C Bush-King), Engineering Services Manager (P Thomson), Manager Policy (G S Markham), Policy Planner (R Biss), Customer Services Manager (S Westley), Co-Ordinator Environmental Monitoring (M Doyle), Civil Defence (J Burrows), Manager Environmental Information (R Smith), Manager Resource Consents (R Lieffering), Manager Regulatory (J Hodson), Environmental Education Officer (J Butler) and Committee Secretary (B Moore)

APOLOGIES

**Moved Crs Kempthorne / Borlase
EP08/01/01**

**THAT apologies from Cr King for lateness be sustained.
CARRIED**

1. PUBLIC FORUM

Mr P Foster addressed Council on the issues of carbon credits, climate change and the production of bio fuels.

Motueka Community Board Chairman Mr D Ogilvie, spoke about the Nelson Richmond Intensification project and that it is equally important to Motueka and should also be applied to Motueka.

Motueka Community Board Member T Forde, supported intensification of housing in Motueka and stressed the infrastructure benefits and potential fuel savings. Cr King arrived at 9.50 am.

A presentation on behalf of Patons Rock Beach Society Inc was led by Mr C Turley and he supported a plan variation request for further subdivision and development at Patons Rock.

Mr S Hedley of Davis Ogilvie Development Services Limited spoke in support of the proposed plan variation and tabled a copy of the proposed zoning and development plan.

2. CONFIRMATION OF MINUTES

2.1 Environment & Planning Committee – 19 November 2007

**Moved Crs Bryant / Wilkins
EP08/01/02**

THAT the minutes of a meeting of the Environment & Planning Committee held on 19 November 2007, containing resolutions EP07/11/18 to EP087/11/20, be approved as a correct record.

CARRIED

2.2 Environment & Planning Committee – 10 December 2007

**Moved Crs Bryant / Wilkins
EP08/01/03**

THAT the minutes of a meeting of the Environment & Planning Committee held on 10 December 2007, containing resolutions EP07/12/01 to EP087/12/03, be approved as a correct record.

CARRIED

2.3 Environment & Planning Committee – 13 December 2007

Cr Edgar sought that the minutes associated with resolution EP07/12/10 describe that this resolution was passed by a show of hands six in favour, five against.

**Moved Crs Borlase / Edgar
EP08/01/04**

THAT the minutes of a meeting of the Environment & Planning Committee held on 13 December 2007, containing resolutions EP07/12/04 to EP07/12/10, as amended, be approved as a correct record.

CARRIED

3. STATISTICAL DATA REPORT – REPORT EP08/01/12

Customer Services Manager, S Westley, attended the meeting and responded to questions regarding this report. Mr Bush-King said that in future these statistical reports would be included with reports to Councillors from section managers. Councillors thank Ms Westly for her past presentations.

**Moved Crs Riley / Wilkins
EP08/01/05**

THAT the statistical data report EP08/01/12 be received.

CARRIED

4. TREATY OF WAITANGI CLAIM

Mr Bush-King referred Councillors to this part of his manager's report EP08/01/06. This referred to the claim lodged by Te Atiawa Ki Te Tau Ihu with the Waitangi Tribunal concerning the allocation of rights to water by local government agencies to third parties. Mayor Kempthorne said that this claim does not acknowledge the protection given to perpetual leased land that has been included in the proposed Tasman Resource Management Plan since 1992. Mayor Kempthorne said that the Council's challenge is to handle the water for the whole community. He said that this is a national issue that needs to be countered very strongly.

Mayor Kempthorne then read a proposed motion.

Moved Mayor Kempthorne / Cr King EP08/01/06

THAT the Tasman District Council, through the Mayor, writes to the Prime Minister, Minister of Treaty Negotiations and Minister for the Environment, expressing concern about the potential implications of the claim by Te Atiawa Ki Te Tau Ihu regarding water allocations stating that:

- i) water is a public resource;**
- ii) regional government through the Resource Management Act is well placed to manage water on behalf of all water users;**
- iii) the inference in the claim that Tasman District Council has not managed water in the interest of land owned by land Iwi Maori, is incorrect and contrary to fact and practise;**
- iv) the claim misunderstands the nature of the water allocation process generally and in respect of water in particular;**
- v) Council offers to provide the Crown with information concerning Tasman District Council's water management policies and practice, should that be required to defend the claim.**

CARRIED

5. TASMAN DISTRICT COUNCIL RAINFALL RUNOFF MODEL - REPORT EP08/01/07

Hydrologist M Doyle and Civil Defence Manager J Burrows, were present at the meeting to speak to this report. Mr Doyle explained that this report was to further explain the funding bid via the annual plan, to improve the flood forecasting capability of Council, allowing the provision of greater warning times, better prediction accuracy and improved distribution of warning.

Mr Doyle outlined the potential flooding risks faced within the Tasman District.

**Moved Crs Norriss / Borlase
EP08/01/07**

THAT Council confirms the proposal to include a funding provision of \$150,000.00 in the 2008/09 Draft Annual Plan, to allow a district wide flood modelling project to commence in the 2008/09 year.

CARRIED

6. MANAGER'S REPORT – REPORT EP08/01/06

Mr Bush-King spoke to his report of 22 January 2008 contained within the agenda and drew the Council's attention to the issues of involvement in marine bio security, the drinking water standard and bovine TB vector management. Attached to the manager's report was a list of national initiatives affecting the Environment and Planning Department. It was agreed by consensus that the Environment & Planning Committee Chair and Deputy Chair would check off submissions to national initiatives.

**Moved Crs Borlase / Currie
EP08/01/08**

THAT the Environment & Planning Manager's Report EP08/01/06, be received.

CARRIED

7. NELSON RICHMOND INTENSIFICATION PROJECT – IMPLEMENTATION PROGRAMME – REPORT EP08/01/10

Policy Manager G S Markham and Policy Planner R Biss spoke to this report and responded to Councillors questions. Mr Markham explained that Ms Biss would soon report to this Committee on the urban development in Central and West Motueka. Ms Biss explained that in the Richmond South area the subdivision and development work are to be done together with the use of a design guide. The report included a summary of work programme proposed by the study and working group and an amended recommended work programme for Richmond.

**Moved Crs King / Currie
EP08/01/09**

THAT the Environment & Planning Committee:

- 1. approves those task areas from the implementation work programme for the Nelson Richmond Intensification Project as recommended in report EP08/01/10 as being of relevance and value to Richmond;**
- 2. agrees to become a signatory to the urban design protocol and requests staff to further advise on giving effect to this commitment.**

CARRIED

8. ECOFEST 2007 EVENT AND THE LATEST ENVIRONMENTAL AWARDS – REPORT EP08/01/09

Environmental Education Officer, J Butler, reported on the successful Ecofest programme held at the Trafalgar Centre and that the event would be held at Founders Park in 2008. The Environmental Awards programme in 2007 was again successful and the ceremony was held at the Upper Moutere Community and Sports Complex.

**Moved Crs Edgar / Borlase
EP08/01/10**

**THAT the Ecofest 2007 and Environmental Awards report EP08/01/09 be received.
CARRIED**

9. CHAIRPERSON'S REPORT – REPORT EP08/01/08

Cr Higgins referred in his report to the Patons Rock Beach Society Inc plan variation presentation. Mr Markham said that the prime consideration is, has the Committee heard enough to support the present proposal and also the uncertainty of the changed request. Cr King questioned if anyone has spoken to Mr David James about a potential further subdivision application. No further motion was forthcoming on this subject.

Cr Higgins also referred to in his report to the Treaty of Waitangi water management claim and lastly the awareness of environmental issues including becoming carbon neutral and the potential to improve long term sustainability of resources.

**Moved Crs Higgins / Kempthorne
EP08/01/11**

**THAT the Environment & Planning Committee Chairperson's report EP08/01/08 be received.
CARRIED**

10. PROPOSED SCHEDULE OF CHARGES – REPORT EP08/01/05

The agenda contained a full schedule of charges relating to environment and planning activities. Cr Bryant referred to the issue of the consent fee for oil on road consents. Mr Bush-King advised that the proposal is to delete this as ratepayers are subsidising consents for oil on roads by \$380.00. Engineering Manager, P Thomson, said he doubted that the Engineering Department could get a global consent for road oiling.

Cr Norriss referred to the proposed dog registration fees and said that there are only about 100 dogs impounded annually and little service is given to rural dogs.

**Moved Crs Norriss / Bryant
EP08/01/12**

**THAT the special fixed fee for oil on road consents be reinstated subject to CPI adjustment.
CARRIED**

Cr King questioned why the fee for modular and kitset buildings has been dropped. Mr Bush-King explained that few had been less than two inspections. Mr Bush-King said that the propriety kitset charge could be reinstated being \$810.00 for two inspections.

**Moved Mayor Kempthorne / Cr King
EP08/01/13**

**THAT the priority kitset charge be reinstated.
CARRIED**

**Moved Crs Norriss / Bryant
EP08/01/14**

**THAT the Environment & Planning Committee recommends to Council, that it prescribes by special consultative procedure under Section 83 of the Local Government Act 2004, the schedule of charges applicable to the Environment & Planning Department amended and as shown in Annexe 1 for the 2008/2009 financial year and until amended by subsequent resolution.
CARRIED**

**Moved Crs Borlase / King
EP08/01/15**

**THAT the Environment & Planning Committee resolves to fix the Building Act charges in Annexe 1 to report EP08/01/05, effective from 1 March 2008.
CARRIED**

**Moved Crs King / Riley
EP08/01/16**

**THAT the Environment & Planning Committee resolves to advertise the dog registration fees by separate special consultative procedure, to ensure that the 1 July 2008 registration period is met.
CARRIED**

11. RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Higgins / King
EP08/01/17**

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

Nelson South – Richmond East Structure Plan: Implementation Programme – Report EP08/01/011

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
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Nelson South – Richmond East Structure Plan: Implementation Programme	To receive policy advice	Section 48(1)(d)
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CARRIED

12. RESOLUTION TO RESUME OPEN MEETING

**Moved Crs Wilkins / Edgar
EP08/01/18**

THAT the opening meeting be resumed and the business transacted during the time the public was excluded be adopted.

CARRIED

Cr Higgins thanked members for their attendance and closed the meeting at 3.10 pm.

Date Confirmed:

Chair: