

MINUTES

TITLE: Environment & Planning Committee
DATE: Thursday, 23 April 2009
TIME: 9.30 am
VENUE: Tasman District Council Chamber, 189 Queen Street, Richmond
PRESENT: Cr M Higgins (Chair), Mayor Kempthorne, Crs S Bryant, B Dowler, B Ensor, G Glover, T King, T Norriss, N Riley, and E Wilkins
IN ATTENDANCE: Environment & Planning Manager (D Bush-King) Regulatory Manager (J Hodson), Harbourmaster (S Hainstock), Regulatory Services Co-ordinator (G Caradus), Co-ordinator Compliance Monitoring (C Cheeseman), Policy Planner (S Leusink-Sladen), Policy Planner (S Markham), Resource Scientist (J Easton), Manager Environmental Information (R Smith), Biosecurity Co-ordinator/Policy Planner (L Vaughan), Executive Assistant (T Cater)

APOLOGIES

**Moved Cr Bryant / Mayor Kempthorne
EP09/04/04**

THAT apologies for absence from Crs Borlase, J Edgar, J Inglis, G Currie and from N Riley and G Glover for lateness be received.

CARRIED

1. PUBLIC FORUM

1.1 Bruce Moseley

Bruce Moseley was in attendance to talk to councillors about what he saw as the lack of the progress of frost fans. He circulated an update and talked to his paper.

Cr Higgins asked the Environment & Planning Manager to respond to these matters at a later date.

Cr Glover arrived at the meeting at 9.40 am.

2. CONFIRMATION OF MINUTES

2.1 Environment & Planning Committee – 8 December 2008

**Moved Crs Bryant / Ensor
EP09/04/05**

THAT the minutes of a meeting of the Environment & Planning Committee held on 8 December 2008, containing resolutions EP08/12/17 to EP08/12/19, be approved as a correct record.

CARRIED

2.2 Environment & Planning Committee – 12 January 2009

**Moved Crs Ensor / Dowler
EP09/04/06**

THAT the minutes of a meeting of the Environment & Planning Committee held on 12 January 2009, containing resolutions EP09/01/01 to EP09/01/03, be approved as a correct record.

CARRIED

2.3 Environment & Planning Committee – 19 January 2009

**Moved Crs Ensor / Dowler
EP09/04/07**

THAT the minutes of a meeting of the Environment & Planning Committee held on 19 January 2009, containing resolutions EP09/01/04 to EP09/01/06, be approved as a correct record.

CARRIED

2.4 Environment & Planning Committee – 20 January 2009

**Moved Crs Norriss / Wilkins
EP09/04/08**

THAT the minutes of a meeting of the Environment & Planning Committee held on 20 January 2009, containing resolutions EP09/01/05 to EP09/01/15, be approved as a correct record.

CARRIED

2.5 Development Contribution Levies Subcommittee – 20 January 2009

**Moved Crs Norriss / King
EP09/04/09**

THAT the minutes of a meeting of the Development Contribution Levies Subcommittee held on 20 January 2009, containing resolutions EP09/01/16 to EP09/01/18, be approved as a correct record.

CARRIED

2.6 Environment & Planning Committee – 26 January 2009

**Moved Crs Wilkins / King
EP09/04/10**

THAT the minutes of a meeting of the Environment & Planning Committee held on 26 January 2009, containing resolutions EP09/01/19 to EP09/01/21, be approved as a correct record.

CARRIED

2.7 Environment & Planning Committee – 27 January 2009

**Moved Crs King / Dowler
EP09/04/11**

THAT the minutes of a meeting of the Environment & Planning Committee held on 27 January 2009, be received.

CARRIED

2.8 Environment & Planning Committee – 30 January 2009

**Moved Crs Wilkins / Ensor
EP09/04/12**

THAT the minutes of a meeting of the Environment & Planning Committee held on 30 January 2009, containing resolutions EP09/01/22 to EP09/01/24, be approved as a correct record.

CARRIED

2.9 Environment & Planning Committee – 3, 4 and 5 February 2009

**Moved Crs King / Higgins
EP09/04/13**

THAT the minutes of a meeting of the Environment & Planning Committee held on 3, 4 and 5 February 2009, containing resolutions EP09/02/01 to EP09/02/04, be approved as a correct record.

CARRIED

2.10 Environment & Planning Committee – 2 March 2009

An amendment was made to change Cr Edgar to Cr Ensor.

**Moved Crs Ensor / Higgins
EP09/04/14**

THAT the minutes of a meeting of the Environment & Planning Committee held on 2 March 2009, containing resolutions EP09/03/01 to EP09/03/03 as amended, be approved as a correct record.

CARRIED

2.11 Environment & Planning Committee (Commissioner Report) – 23 March 2009

**Moved Crs Glover / King
EP09/04/15**

THAT the minutes of a meeting of the Environment & Planning Committee (Commissioner Report) held on 23 March 2009, containing resolutions EP09/03/07 to EP09/03/09 be received.

CARRIED

2.12 Environment & Planning Committee (Dog Control Act) – 26 March 2009

**Moved Crs Norriss / Higgins
EP09/04/16**

THAT the minutes of a meeting of the Environment & Planning Committee (Dog Control Act) held on 26 March 2009, containing resolution EP09/03/11 be approved as a correct record.

CARRIED

2.13 Environment & Planning Committee (Development Contributions) – 26 March 2009

**Moved Crs Norriss / Wilkins
EP09/04/17**

THAT the minutes of a meeting of the Environment & Planning Committee (Development Contributions) held on 26 March 2009, containing resolutions EP09/03/11 be approved as a correct record.

CARRIED

3. REGULATORY MANAGER'S / HARBOURMASTER'S REPORT – REPORT EP09/04/02

Regulatory Manager, J Hodson and Harbourmaster, S Hainstock, spoke to their report in the agenda.

Discussions followed regarding a legal requirement for all new dwellings to have a potable water supply. Councillors would like more advice on this regulation. The Environmental & Planning Manager will come back to the Council on this matter.

The enforcement issue of Council's Freedom Camping Policy has been raised in various ways over the summer season by not only members of the community, but also by camping ground owners and staff. Council has a policy which is intended to enable overnight stopping in suitable areas by visitors in self-contained motorhomes and caravans.

Mayor Kempthorne asked if the Environment & Planning Manager and the Community Services Manager prepare a report on the overnight camping issue.

Harbourmaster, S Hainstock, introduced himself to the Committee and presented a power point slideshow regarding the 2008-2009 summer activity.

Discussion with Maritime New Zealand (MNZ) has revealed that Council's seasonal placement and removal of aids to navigation has not been performed under authority as required by the Maritime Transport Act 1994. Council notes staff will seek a review of Maritime New Zealand's administration of temporary in-shore aids to navigation.

Moved Crs Norriss / Dowler
EP09/04/18

THAT the Regulatory Manager's / Harbourmaster's Report EP09/04/02 be received.
CARRIED

4. MEMORANDUM OF UNDERSTANDING WITH SPCA – REPORT EP09/04/03

Regulatory Services Coordinator, G Caradus, spoke to the report contained in the agenda.

The Nelson SPCA wishes to provide the service of microchipping and the related process of providing a certificate of verification for dogs in the Nelson-Tasman region.

The SPCA wishes to enter into a Memorandum of Understanding (MoU) with Tasman District Council to provide the service of offering certificates of verification in accordance with the requirements of the Act and in conjunction with Tasman District Council obligations under the Act.

Moved Crs Ensor / Bryant
EP09/04/19

THAT the Council:

- 1. Approves in principle the proposed Memorandum of Understanding to allow Council to receive certificates of verification for dogs microchipped by the Nelson branch of the SPCA; and**
- 2. Approves the Memorandum of Understanding as drafted in Appendix 1; and**
- 3. Effects this approval by instructing the Manager Environment and Planning to sign the Memorandum of Understanding on behalf of Council.**

CARRIED

5. TDC DRAFT POLICY ON DOGS 2009 – REPORT EP09/04/04

Regulatory Manager, J Hodson, spoke to the report contained in the agenda.

The report presented the draft Dog Control Policy 2009 and Dog Control Bylaw 2009 for the Committee's consideration with a recommendation for its adoption and release for public consultation.

Cr Ensor raised concern regarding the Motueka Sandspit.

Moved Crs Norriss / Mayor Kempthorne
EP09/04/20

THAT the Tasman District Council, proceeds with the Dog Control Policy 2009 and Dog Control Bylaw 2009, and that the drafts contained in Part 3 and Part 4 of this statement of proposal as amended be adopted and be notified to commence the consultative procedure as set out in the Local Government Act 2002.
CARRIED

6. COMPLIANCE MONITORING REPORT - 1 JANUARY TO 31 MARCH 2009 – REPORT EP09/04/05

Co-ordinator Compliance-Monitoring, C Cheeseman, spoke to the report contained in the agenda.

Cr Glover left the meeting at 11.25 am.

**Moved Cr Dowler / Mayor Kempthorne
EP09/04/21**

**THAT the Co-ordinator Compliance Monitoring's report EP09/04/05 be received.
CARRIED**

7. COASTAL TASMAN AREA – RURAL 3 ZONE ISSUES – REPORT EP09/04/06

Policy Planner, S Leusink-Sladen and Policy Manager, S Markham, spoke to the report contained in the agenda.

Cr Glover returned to the meeting at 11.40 am.

Staff are seeking confirmation that Council recognises the issues relating to the practical implementation of the Rural 2 Zone framework, and that it supports the work necessary to address them.

Following the last five years from the introduction of Variation 32 – “Coastal Tasman Area Rural Residential Development in December 2003” into the TRMP, staff and Councillors have had considerable experience in working with the Objectives, Policies, Rules and Design Guide in the Rural 3 Zone, and in dealing with subdivision and land use applications.

The two main issues challenging Council have been:

1. How to appropriately and consistently apply Rural 3 Zone provisions to existing (pre-2003) small allotments subject to application for subdivision;
2. Where all or most of the parent title is highly productive land (Class B in the eight classes of productive value of land, and former Rural 1 Zone land), how to find an appropriate balance between policies that require “the protection of land of higher productive values” against those which “enable rural-residential development opportunities”.

Cr Higgins said he was reluctant to set up a new work stream and Cr King noted the proposed rural zone review might be an opportunity to review this issue, particularly in light of the downturn in applications.

**Moved Mayor Kempthorne / Cr Wilkins
EP09/04/22**

**THAT the issue of small lot subdivisions and high productive value land in Rural 3 be incorporated into the district wide review of rural policies, programmed to commence this year.
CARRIED**

8. ENVIRONMENT & PLANNING COMMITTEE MANAGER'S REPORT – REPORT EP09/04/11

Environment & Planning Manager, D Bush-King, spoke to the report contained in the agenda.

Cr Norriss raised concern about whether an event held in the Tutaki Valley on 5 and 6 April is for commercial or recreational activity. This issue will need to be followed through.

12.1 Submissions to Government Bills

Mr Bush-King said that submissions have been lodged on behalf of Council in respect of two recent bills, the Aquaculture Legislation Amendment Bill No. 2 and the Resource Management (Simplifying and Streamlining) Amendment Bill.

**Moved Crs King / G Glover
EP09/04/23**

THAT the Committee endorses the submissions made in relation to the Aquaculture Legislation Amendment Bill No. 2 and the Resource Management (Simplifying and Streamlining) Amendment Bill.

CARRIED

**Moved Crs Bryant / Ensor
EP09/04/21**

THAT the Environment & Planning Manager's report EP09/04/11 be received.

CARRIED

9. ENVIRONMENT & PLANNING COMMITTEE CHAIR'S REPORT – REPORT EP09/04/10

Cr Higgins spoke to the report contained in the agenda.

**Moved Cr Bryant / Mayor Kempthorne
EP09/04/25**

THAT the Chair's report EP09/04/10 be received.

CARRIED

10. CULTURAL HERITAGE – DRAFT PLAN CHANGE – REPORT EP09/04/07

The Committee was informed of progress on the preparation of a Cultural Heritage Sites Plan Change to the Tasman Resource Management Plan (archaeological sites protection).

**Moved Cr Norriss / Mayor Kempthorne
EP09/04/26**

THAT Council:

1. **Agrees to the principles proposed report EP09/04/07 (Section 3.2) as the most appropriate basis for a draft Plan Change to address the management of cultural heritage sites in the District;**
2. **Notes that this agreement leads to modification of the adopted Policy Options 3, 4, 6 and 8 of EP08/07/09 from the 17 July 2009 EPC meeting; and**
3. **Directs staff to complete the drafting of a Draft Plan Change, for adoption for public consultation at its 15 May 2008 EPC meeting.**

CARRIED

Cr Riley arrived at the meeting at 1.20 pm.

11. HISTORIC SHEEP DIP PROJECT – REPORT EP09/04/08

Resource Scientist (J Easton) spoke to the report in the agenda.

A joint project was undertaken with NCC to investigate old sheep dip sites in Tasman district and Nelson city, and to trial a portable x-ray based tool for testing soil samples in the field for their metal content. As a part of the project there was a requirement to provide a report with practical advice for the staff of other councils and additionally provide advice to farmers on managing the risks from residual dip chemicals.

Council enlisted 22 volunteer farmers and landowners for this project, which was free and confidential to them.

**Moved Crs Norriss / Glover
EP09/04/27**

1. **THAT the report be received.**
2. **THAT prior to subdivision Council requires existing landowners, in areas recorded as sheep farming, to advise on the presence or absence of any existing or historic sheep dip(s). If they are present then the landowner be required to provide council with written evidence that the property is suitable for the intended land use.**
3. **THAT Council agrees to assist any landowner who wishes to jointly apply to the MfE Contaminated Site Remediation Fund for financial assistance for the remediation of any historic sheep dip.**

CARRIED

12. SUMMER 2008/2009 RECREATIONAL WATER QUALITY SAMPLING PROGRAMME – REPORT EP09/04/09

Manager Environmental Information, R Smith, spoke to the report contained in the agenda.

**Moved Crs Riley / Dowler
EP09/04/28**

**THAT the Resource Scientist report EP09/04/09 be received.
CARRIED**

**13. MANAGEMENT OF INVASIVE ANTS UNDER THE REGIONAL PEST
MANAGEMENT STRATEGY – REPORT EP09/04/12**

Biosecurity Co-ordinator/Policy Planner, L Vaughan, spoke to the report contained in the agenda and gave a powerpoint presentation.

He updated councillors on the management of invasive ants following three summers of intensive surveillance and two years of compulsory baiting.

**Moved Crs Ensor / Glover
EP09/04/29**

THAT the Council receive this report and:

- 1. Note the demands that ant infestations are placing on limited biosecurity resources, and**
- 2. Appoint Mayor Kempthorne, Crs Wilkins and Borlase to a joint Tasman-Nelson Biosecurity Strategy Review Committee to review the provisions of the RPMS Rule as they apply to invasive ants.**

CARRIED

14. RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Norriss / Riley
EP09/04/30**

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

Part IV Policy and Regulatory Options

That Tom Kroos be present during the In Committee part of the meeting.

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
Part IV Policy and Regulatory Options	To receive policy advice	Proceedings where a right of appeal lies to a Court against the final decision
CARRIED		

15. RESOLUTION TO RESUME OPEN MEETING

**Moved Cr Bryant / Mayor Kempthorne
EP09/04/31**

**THAT the open meeting be resumed.
CARRIED**

Cr Higgins thanked members for their attendance and closed the meeting at 5.00 pm.

Date Confirmed:

Chair: