

MINUTES

TITLE: Environment and Planning Committee
DATE: Thursday 1 July 2010
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, R G Currie, B F Dowler, B W Ensor, G A Glover, J L Inglis, T B King, T E Norriss, N Riley and E J Wilkins

IN ATTENDANCE: Environment and Planning Manager, (D Bush-King), Harbourmaster (S Hainstock), Regulatory Manager (J Hodson), Policy Manager (S Markham), Policy Planner (R Biss), Policy Planner (S Leusink-Sladen), Policy Planner (M Honey), Environmental Information Manager (R Smith), Resource Scientist - Land (A Burton), Resource Scientist, Air and Water Quality (T James), Compliance Officer (C Burton), Policy Planner (M-A Baker), Co-ordinator Regulatory (G Caradus), Utilities Asset Manager (J Cuthbertson), Administration Officer (J A Proctor)

APOLOGIES

Moved Crs Glover/Wilkins
EP10-07-01

THAT apologies from Cr Bryant and Cr Edgar for absence and for lateness from Cr King and Cr Borlase be received.
CARRIED

1 PUBLIC FORUM

1.1 David Ogilvie

David Ogilvie spoke about "freedom camping" and acknowledged the work of Tasman District Council staff in trying to resolve this issue. He requested that Council introduce a bylaw to deal with the situation.

1.2 Mr and Mrs Malcolm Blair

Mr Malcolm Blair spoke about the proposed Draft Plan Change for Mapua and Ruby Bay. He expressed his concerns and requested that Council consider all options when dealing with coastal erosion.

2 CONFIRMATION OF MINUTES

2.1 Environment and Planning Subcommittee - 1 to 12 March 2010

Cr Norriss left the meeting at 9.43 am.

**Moved Crs Inglis/Wilkins
EP10-07-02**

THAT the minutes of the Environment and Planning Subcommittee, Tasman District Council Commissioner hearing for Tasman District Council held on 1 to 12 March 2010 be received by the Environment and Planning Committee, Tasman District Council.

CARRIED

2.2 Environment and Planning Subcommittee - 3 May 2010

**Moved Crs Riley/Ensor
EP10-07-03**

THAT the minutes of the Environment and Planning Subcommittee, Tasman District Council hearing for J and R Wilms held on 3 May 2010 containing resolutions EP10-05-27 and EP10-05-28 be confirmed by the Environment and Planning Committee, Tasman District Council.

CARRIED

2.3 Environment and Planning Subcommittee - 6 May 2010

**Moved Crs Wilkins/Dowler
EP10-07-04**

THAT the minutes of the Environment and Planning Subcommittee, Tasman District Council hearing for Fairfield Orchards Limited held on 6 May 2010 containing resolutions EP10-05-24 to EP10-05-26 be confirmed by the Environment and Planning Committee, Tasman District Council.

CARRIED

2.4 Environment and Planning Subcommittee - 10 May 2010

**Moved Crs Ensor/Dowler
EP10-07-05**

THAT the minutes of the Environment and Planning Subcommittee, Tasman District Council commissioner hearing for COBA Holdings Limited held on 10 May 2010 be received by the Environment and Planning Committee, Tasman District Council.

CARRIED

2.5 Environment and Planning Committee - 20 May 2010

Moved Crs Inglis/Glover EP10-07-06

**THAT the minutes of the Environment and Planning Committee, Tasman District Council meeting held on 20 May 2010 containing resolutions EP10-05-01 to EP10-05-20 and EP10-05-23 be confirmed by the Environment and Planning Committee, Tasman District Council.
CARRIED**

3 REPORTS

3.1 Harbourmaster's Summer Report - REP10-07-01

Harbourmaster, Mr Hainstock spoke to the report contained in the agenda.

The purpose of the report was to outline the activities of the Harbourmaster's office since April 2009. Mr Hainstock gave a PowerPoint presentation in support of his report.

Cr Norriss returned to the meeting at 9.46 am.

Mayor Kempthorne left the meeting at 10.03 am.

It was agreed that Tasman District Council should enter into a Memorandum of Understanding with the Nelson City Council relating to the jurisdiction overlap and the provision of supervision of the Tasman District Council Harbourmaster's actions, where large vessels are involved.

Cr King joined the meeting at 10.20 am.

A discussion ensued regarding the installation of a boom at Kaiteriteri.

Moved Crs Riley/Wilkins EP10-07-07

THAT the Harbourmaster's Summer Report REP10-07-01 be received by the Environment and Planning Committee, Tasman District Council.

THAT the Environment and Planning Committee, Tasman District Council notes the interest in the concept of a commercial rubbish collection and water provisioning barge being positioned at Anchorage over the height of the summer, subject to obtaining necessary consents.

THAT the Environment and Planning Committee, Tasman District Council supports separating the water skiing area and adjacent area used by swimmers at the entrance to Kaiteriteri Lagoon by the installation of buoys from any Labour Weekend until early in any December and booms from December of any year until about Easter of any year.

THAT the Environment and Planning Committee, Tasman District Council requests that the Tasman District Council Harbourmaster reports on the efficacy of buoys and booms deployed at the entrance to the Kaiteriteri Lagoon to the Environment and Planning Committee, Tasman District Council after summer 2010.

CARRIED

3.2 Freedom Camping - Issues and Options - Report REP10-07-02

Mayor Kempthorne returned to the meeting at 10.36 am.

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

The purpose of the report was to provide an update, including a summary of inter agency discussions, and ideas for a possible programme to more actively manage “freedom camping” in Tasman.

A discussion ensued and it was agreed that a national response was required and new legislation to deal with the issue. It was suggested that fines be attached to vehicles and details of the occupant’s passport recorded. Any unpaid fines could then be collected by NZ Immigration Service or Customs.

Moved Crs Glover/Wilkins EP10-07-08

THAT the Freedom Camping - Issues and Options Report REP10-07-2 be received by the Environment and Planning Committee, Tasman District Council.

THAT the Environment and Planning Committee, Tasman District Council signal its support to Local Government New Zealand for a national solution to concerns over the behaviour of some freedom campers.

CARRIED

Mayor Kempthorne and Cr Riley left the meeting at 10.56 am.

The meeting adjourned at 10.56 am.

The meeting resumed at 11.12 am.

3.3 Presentation on Coastal Survey Mapua/Ruby Bay

Paula Blackett, of AgResearch and Carol Stewart, a private consultant gave a PowerPoint presentation titled “Community Perceptions of Hard Engineering Solutions to Combat Coastal Erosion” using Ruby Bay as a case study.

A questionnaire entitled “Mapua/Ruby Bay Coastal Management Study” was tabled.

Cr Riley returned to the meeting at 11.16 am.

Mayor Kempthorne returned to the meeting at 11.18 am.

3.4 Environment and Planning Manager's Report - REP10-07-12

Environment and Planning Manager, Mr Bush-King spoke to the report contained in the agenda.

The purpose of the report was to provide an update to the Committee on various issues.

Moved Crs Norriss/Currie EP10-07-09

THAT the Environment and Planning Committee, Tasman District Council agrees to carry over into the 2010/2011 financial year of the following unspent budgets:

02142203 Air Quality Modelling - \$12,000

02046101 - Technical Equipment - \$15,000

02102203 - Soil survey - \$15,000

0211 2203 - Science support to the Waimea Estuary Project - \$20,000

CARRIED

3.5 Richmond Intensification: Urban Density Study Report - REP10-07-04

Policy Planners, Ms Leusink-Sladen and Ms Honey spoke to the report contained in the agenda.

The purpose of the report was to inform the Committee about the Richmond Urban Density Study and work stream to support both the Richmond intensification project and other Richmond development projects.

Cr Borlase joined the meeting at 12.15 pm.

Moved Crs Glover/Riley EP10-07-10

THAT the Richmond Intensification: Urban Density Study Report REP10-07-04 be received and its contents noted by the Environment and Planning Committee, Tasman District Council.

CARRIED

3.4 cont. Environment and Planning Manager's Report - REP10-07-12

Environment and Planning Manager, Mr Bush-King spoke to the report contained in the agenda.

The purpose of the report was to provide an update to the Committee on various issues.

It was agreed that Council would forward a submission to Government in respect of "The Future of Pest Management" document. Councillors Norriss and Higgins would review the submission. Council would also signal its support for the submission made by Local Government New Zealand (LGNZ).

A discussion ensued regarding large white cabbage caterpillars and it was stated that Government needed to increase its biosecurity budget. Councillors would prefer that the pest be eradicated; however, containment may be the most cost effective solution. Staff would investigate further and provide councillors with an e-mail update and write to Biosecurity NZ stating that Council considers every effort should be made to eradicate any new pests.

It was agreed that staff would continue to provide the Committee with a copy of the Animal Health Board Programme Monthly Management Report. It was stated that the charts on pages 143 and 144 of the agenda contained errors.

**Moved Crs Ensor/King
EP10-07-11**

**THAT the Environment and Planning Manager's Report REP10-07-12 be received by the Environment and Planning Committee.
CARRIED**

Mayor Kempthorne left the meeting at 12.49 pm.

The meeting adjourned at 12.49 pm.

The meeting resumed at 1.22 pm.

3.6 Impact of Discharges from Stormwater Systems on Streams and Estuary Margins in Richmond: 2010 Report - REP10-07-07

Resource Scientist - Air and Water Quality, Mr James spoke to the report contained in the agenda. Mr James provided a PowerPoint presentation in support of the report.

The purpose of the report was to assess the levels of persistent contaminants in stormwater, stream water, stream sediment and/or estuarine sediments from nine waterways in or near Richmond.

Mayor Kempthorne returned to the meeting at 1.36 pm.

Compliance Officer, Mr C Burton answered questions on commercial discharges.

Utilities Asset Manager, Mr Cuthbertson spoke about the need to maintain natural open water systems and discussed stormwater interceptors.

In response to questioning, staff confirmed that cross departmental work would continue to focus on managing adverse situations in a cost effective manner. Ongoing monitoring of the situation was supported by the Committee.

Mayor Kempthorne left the meeting at 1.55 pm.

**Moved Crs King/Riley
EP10-07-12**

**THAT the Impact of Discharges from Stormwater Systems on Streams and Estuary Margins in Richmond: 2010 Report REP10-07-07 be received by the Environment and Planning Committee, Tasman District Council.
CARRIED**

**3.7 Richmond Air Quality - Trends and Spatial Patterns Report -
REP10-07-08**

Cr Riley left the meeting at 2.21 pm.

Resource Scientist, Mr James and Compliance Officer, Mr C Burton spoke to the report contained in the agenda.

The purpose of the report was to update the Committee on Richmond's air quality. Mr T James provided a PowerPoint presentation in support of the report.

Cr Riley returned to the meeting at 2.29 pm.

Cr Wilkins left the meeting at 2.35 pm.

Cr Wilkins returned to the meeting at 2.41 pm.

**Moved Crs Wilkins/Borlase
EP10-07-13**

THAT the Richmond Air Quality - Trends and Spatial Patterns Report - REP10-07-08 be received by the Environment and Planning Committee, Tasman District Council.

**THAT the Environment and Planning Committee, Tasman District Council notes that education initiatives will focus on hotspot areas and contributing catchments in Richmond and in Brightwater.
CARRIED**

3.8 NES (Air Quality) Review Report - REP10-07-09

Policy Planner, Ms Baker spoke to the report contained in the agenda.

The purpose of the report was to update the Committee on managing air pollution and the proposed amendments to the NES (Air Quality).

**Moved Crs King/Inglis
EP10-07-14**

THAT the Environment and Planning Committee, Tasman District Council recommends that Tasman District Council staff:

- a) Make a submission to the Minister for the Environment on the proposed changes to the NES Air Quality as listed in the report REP10-07-09 except that the Tasman District Council supports the move from one to three exceedances.**

b) Continue with education, advocacy and compliance programmes in the Richmond air shed that:

- explain the adverse effects of particulate matter on people's health,
- vigorously promote upgrade of old model wood burners and open fires to meet air quality targets,
- ensure compliance with rules limiting offensive or objectionable smoke from chimneys,
- promote good operation of wood burners to reduce smoke emissions
- promote the Warm Tasman scheme, especially in Richmond.

c) Delay the review of plan provisions for achieving air quality standards until 2012 if the target date in the NES is amended as proposed.

CARRIED

Cr Borlase left the meeting at 3.01 pm

3.9 Support for a Ramsar Designation for Mangarakau Wetland, Lake Otuhie and Westhaven Inlet Report - REP10-07-05

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

The purpose of the report was to provide the Committee with information relating to a request for a letter of support by the Friends of Mangarakau Swamp (FMS). The letter was to support an application for; Mangarakau wetland, Lake Otuhie and Westhaven Inlet to be designated a Ramsar site.

**Moved Crs Currie/Ensor
EP10-07-15**

THAT the Ramsar Designation for Mangarakau Wetland, Lake Otuhie and Westhaven Inlet Report REP10-07-05 be supported by the Environment and Planning Committee, Tasman District Council

And;

THAT the Environment and Planning Committee, Tasman District Council instructs the Environmental Information Manager, Tasman District Council to write a letter of support to the Friends of Mangarakau Swamp in respect of its application for Mangarakau Wetland, Lake Otuhie and Westhaven Inlet to be designated a Ramsar site.

CARRIED

3.10 Soil Health Monitoring Programme - Soil Health Sampling 2009 - Report - REP10-07-06

Resource Scientist - Land, Mr A Burton spoke to the report contained in the agenda.

The purpose of the report was to advise the Committee on the Soil Health Monitoring Programme and Soil Health Sampling. Mr Burton gave a PowerPoint presentation in support of his report.

Mayor Kempthorne returned to the meeting at 3.10 pm.

**Moved Crs Riley/Norriss
EP10-07-16**

THAT the Soil Health Monitoring Programme - Soil Health Sampling 2009 - Report REP10-07-06 be received by the Environment and Planning Committee, Tasman District Council.

CARRIED

The meeting adjourned at 3.26 pm.

The meeting resumed at 3.41 pm.

3.11 Council Briefing Paper: Food Bill Report - REP10-07-10

Co-ordinator Regulatory, Mr G Caradus spoke to the report contained in the agenda.

The purpose of the report was to provide the Committee with an overview of the proposed Food Bill.

A discussion ensued and it was agreed that the proposed Food Bill was bureaucratic, prohibitive to small businesses and costly to administer.

It was agreed that a copy of Council's submission be forwarded to the Hon. Dr N Smith, MP.

Cr Glover left the meeting at 3.53 pm.

**Moved Crs Norriss/King
EP10-07-17**

THAT the Environment and Planning Committee, Tasman District Council submits to the Select Committee process and through LGNZ making the following recommendations:

- 1. THAT the Food Bill limits the requirement for Commercial Food Premises to operate under a risk based management system, known as Food Control Plans, to those large manufacturing premises that warrant such controls either by virtue of the quantity of food they produce for sale, or the high public health risk that may be associated with that food.**
- 2. THAT a relevant and realistic prescriptive standard be established for commercial food premises that do not warrant Food Control Plans as defined in recommendation 1 above.**
- 3. THAT a food safety qualification be a mandatory requirement for supervisory staff in any commercial food premises.**
- 4. THAT the Food Bill does not devolve the responsibility for food labelling and composition compliance to Territorial Local Authorities, unless provision is**

made for adequately compensating such Territorial Local Authorities for the work undertaken.

CARRIED

3.12 Resource Policy Programme Update Report - REP10-07-03

Policy Manager, Mr S Markham spoke to the report contained in the agenda.

The purpose of the report was to provide an update to the Committee on the resource policy programme.

Cr Glover returned to the meeting at 4.05 pm.

Mayor Kempthorne left the meeting at 4.05 pm.

A discussion ensued regarding prioritisation of projects and it was acknowledged that the growth in the Brightwater and Wakefield areas highlighted the need to progress these projects.

Amendment to page 34 - project 11 final statement to read "Motueka transportation study commenced May 2009 and finalised February 2010."

It was stated that appropriate infrastructure was required to facilitate growth in the Golden Bay East area.

Policy Manager, Mr Markham discussed staffing issues and advised that the Brightwater and Wakefield projects would likely commence in 2011.

A discussion ensued regarding combining the Tasman Regional Policy Statement with the Tasman Resource Management Plan.

Cr King left the meeting at 4.24 pm.

Cr Higgins vacated the Chair at 4.26 pm and left the room.

Cr Norriss assumed the Chair.

In response to questioning, staff advised that a report would be before the Committee on the Mapua Ruby Bay Draft Plan Change in September 2010.

Cr Norriss vacated the Chair at 4.29 pm.

Cr Higgins returned to the room and resumed the Chair at 4.29 pm.

Moved Crs Norriss/Wilkins

EP10-07-18

THAT the Resource Policy Programme Update Report REP10-07-03 be received by the Environment and Planning Committee, Tasman District Council and the capacity limitations and priority project commitments for 2010/2011 be noted.

And;

THAT the Environment and Planning Committee note the expected commencement of the Brightwater and Wakefield projects, numbers 18 and 19 respectively, in early 2011

And;

**THAT the Eastern Golden Bay project number 8 (Settlement Structure Plan) and the Rural Futures Project number 22 be accorded Priority 2.
CARRIED**

**Moved Crs Norriss/Ensor
EP10-07-19**

**THAT the Environment and Planning Committee agrees to combining the Tasman Regional Policy Statement with the Tasman Resource Management Plan and that any review of the Tasman Regional Policy Statement be deferred until the end of 2011.
CARRIED**

3.13 Chair's Report - REP10-07-11

The Chair spoke to the report contained in the agenda.

The purpose of the report was to provide an update to the Committee on various issues.

Cr Inglis left the meeting at 4.51 pm.

**Moved Crs Dowler/Wilkins
EP10-07-20**

**THAT the Chair's Report REP10-07-11 be received by the Environment and Planning Committee.
CARRIED**

4 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Crs Norriss/Dowler
EP10-07-21**

THAT the public be excluded from the following part(s) of the proceedings of this meeting:

Confidential Minutes Environment and Planning Subcommittee - J and R Wilms - 3 May 2010

Confidential Minutes Environment and Planning Subcommittee - Fairfield Orchards Ltd - 6 May 2010

Confidential Minutes Environment and Planning Committee - 20 May 2010

The general subject of the matter 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 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
Confidential Minutes Environment and Planning Subcommittee - J and R Wilms - 3 May 2010	Good reason to withhold exists under section 7	Section 48(1)(a)
Confidential Minutes Environment and Planning Subcommittee - Fairfield Orchards Ltd - 6 May 2010	Good reason to withhold exists under section 7	Section 48(1)(a)
Confidential Minutes Environment and Planning Committee - 20 May 2010	Good reason to withhold exists under section 7	Section 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interests protected by Section 6 or 7 of the Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Reason to withhold information under Section 6 or 7	Section
Enable Council to carry on without prejudice or disadvantage commercial negotiations	Section 7(2)(i)

CARRIED

(Refer to Confidential Minute Book resolutions numbered EP10-07-22, EP10-07-23 and EP10-07-24)

5 RESOLUTION TO RESUME PUBLIC MEETING

Moved Crs Higgins/Norriss
EP10-07-25

THAT public meeting be resumed.
CARRIED

The meeting concluded at 4.57 pm.

Date Confirmed:

Chair: