

# MINUTES

**TITLE:** Environment and Planning Committee  
**DATE:** Thursday 25 August 2011  
**TIME:** 9.30 am  
**VENUE:** Tasman Council Chamber, 189 Queen Street,  
Richmond.

**PRESENT:** Cr S G Bryant (Chair), Mayor R G Kempthorne,  
Crs M L Bouillir, B F Dowler, B W Ensor, G A Glover,  
J L Inglis, C M Maling, Z S Mirfin, T E Norriss, E J Wilkins,  
T B King

**IN ATTENDANCE:** Environment and Planning Manager (D C Bush-King),  
Environmental Education Officer (R Francis), Policy  
Manager (S Markham), Regulatory Services Manager  
(A Humphries), Golden Bay Community Board Member  
(M Symmons), Resource Scientist (T James), Regulatory  
Administration Officer (A Brown), Policy Planner  
(M-A Baker), Resource Scientist Water/Special Projects  
(J Thomas), Resource Consents Manager (P Doole),  
Executive Assistant (V M Gribble), Engineering  
Administrator (J A Proctor)

## APOLOGIES

**Moved Crs Norriss/Glover**  
**EP11-08-01**

**THAT apologies from Crs J L Edgar and T B King for lateness be sustained.**  
**CARRIED**

## 1 PUBLIC FORUM

### 1.1 Mr I Williams

Mr Williams spoke about the planning in Motueka West and he considered it prudent that the route for the potential bypass be agreed on during the course of this work.

### 1.2 Ms K Hellyer

Ms Hellyer is concerned about the proposal to build a cellphone tower in Aranui Road, Mapua.

Cr Edgar arrived at 9.36 am.

### 1.3 Ms S Glazebrook

Ms Glazebrook spoke about her concern regarding the proposed cellphone tower in Aranui Road, Mapua.

## 2 CONFIRMATION OF MINUTES

### 2.1 Environment and Planning Subcommittee (Carter Holt Harvey) - 6 to 8 December 2010

Moved Crs Glover/Inglis  
EP11-08-02

**THAT the minutes of the Environment and Planning Subcommittee (Carter Holt Harvey) meeting held on 6 to 8 December 2010 be received.  
CARRIED**

### 2.2 Environment and Planning Committee - 14 July 2011

Moved Crs Glover/Inglis  
EP11-08-03

**THAT the minutes of the Environment and Planning Committee held on Thursday 14 July 2011, containing resolutions numbered EP11-07-01 to EP11-07-22 be confirmed as a complete record.  
CARRIED**

Moved Crs Norriss/Edgar  
EP11-08-04

**THAT Golden Bay Community Board Member Mr M Symmons be granted speaking rights by the Environment and Planning Committee.  
CARRIED**

## 3 RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Norriss/Glover  
EP11-08-05

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

- Takaka Flood Model Update
- Motueka West and Central Plan Change

**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
Takaka Flood Model Update	To receive policy advice	Section 48(1)(d)
Motueka West and Central Plan Change	To receive policy advice	Section 48(1)(d)

**THAT Mr M Symmons, Golden Bay Community Board Member be permitted to remain at this meeting for the Takaka Flood Model Update item, after the public has been excluded, because of his knowledge of the area. This knowledge will be of assistance in relation to the matter to be discussed.**  
**CARRIED**

(Refer to Confidential Minutes book resolution number EP11-08-06 and EP11-08-07)

**Moved Crs Maling/Ensor**  
**EP11-08-08**

**THAT open meeting be resumed and resolution EP11-08-07 be confirmed in open meeting by the Environment and Planning Committee.**  
**CARRIED**

**MOTUEKA WEST AND CENTRAL DRAFT PLAN CHANGE - REPORT REP11-08-03**

**Moved Mayor Kempthorne/Cr Wilkins**  
**EP11-08-07**

**THAT the Environment and Planning Committee receives the Motueka West and Central Draft Plan Change Report REP11-08-03 and puts notification of this variation on hold until the land owner and lessees can indicate a rollout sequence in the Motueka West Development area.**  
**CARRIED**

#### **4 DEPUTATION: REQUIREMENT OF TELEPHONE SERVICES IN SUBDIVISIONS**

Mr D Freilich expressed his concerns about the requirement for underground telephone services when subdivisions are approved.

Mr R Grant, real estate agent, spoke about buyer expectations and the fact that wireless broadband was important. If the landline option was taken off the consent, it could be registered on the title and a purchaser of the property could then make informed decisions.

Mr S Christie spoke about wording in the S244 which states that an underground communications line be provided. He considered ducting new sections is a good idea as other services can use the facility.

Mr Freilich said people should to be able to get a service which is needed but Telecom charge \$2,300 per section yet subdividers do all the work. He said he has taken the matter up with Telecom but has not been able to get satisfactory answers.

Even if Telecom could provide the service, Council rules should not define how the service is provided. There should be the option for people to choose wireless, or an underground service.

**Moved Crs Bryant/King  
EP11-08-09**

**THAT a staff report be prepared regarding the options available to the Council to review the rules for telecommunications services for new subdivisions.  
CARRIED**

**5 RESOLUTION TO EXCLUDE THE PUBLIC**

**Moved Crs Dowler/Bouillir  
EP11-08-10**

**THAT the public be excluded from the following part of the proceedings of this meeting.**

- Weathertight Homes - Financial Assistance Package

**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:**

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>
Weathertight Homes - Financial Assistance Package	To enable the Council to undertake negotiations and to protect the right of natural persons	Section 48(1)(c)

**CARRIED**

(Refer to Confidential Minutes book resolution number EP11-08-11)

**Moved Crs Edgar/Dowler  
EP11-08-12**

**THAT public meeting be resumed.  
CARRIED**

The meeting adjourned for lunch at 12.15 pm.

Cr Norriss left the meeting at this stage.

The meeting resumed at 12.50 pm.

**6 DOG CONTROL POLICIES AND PRACTICES 2010-2011 - REPORT  
REP11-08-01**

Regulatory Administration Officer, Annie Brown, was in attendance to present the report which was contained in the agenda.

The Dog Control Act requires territorial authorities to publicly report annually on dog control policy and practices as outlined under Section 10A of the Dog Control Act 1996.

This report contains information and statistics on Council's dog control activity for the year 1 July 2010 to 30 June 2011.

**Moved Crs Edgar/Inglis  
EP11-08-13**

**THAT the Environment and Planning Committee:**

- a) receives and adopts the Dog Control Policies and Practices 2010-2011 Report REP11-08-01; and
- b) agrees the adopted report REP11-08-01 be publicly notified and made available on the Tasman District Council's website with a copy being sent to the Secretary for Local Government.

**CARRIED**

**7 WATER METERING PROJECT REPORT 2011 - REPORT REP11-08-05**

Compliance Officer, Mr D Page, was in attendance to speak to the report contained in the agenda.

This report presented an overview of the water metering project administration and compliance for the 2010/2011 summer irrigation season. The report also covered aspects of the larger water take monitoring portfolio.

**Moved Crs Ensor/Maling  
EP11-08-14**

**THAT the Environment and Planning Committee receives the End of Season Water Metering Report REP11-08-05.**

**CARRIED**

**8 ANNUAL MARITIME ACTIVITY REPORT 2010-2011 - REPORT  
REP11-08-06**

Harbourmaster, S Hainstock, was in attendance to present the report contained in the agenda.

This report addressed matters arising from report REP10-07-01, including issues regarding the Kaiteriteri boom and cross-boundary matters regarding the Nelson Harbourmaster. It also summarised actions taken under delegated authority by the Harbourmaster during the period 1 May 2010 to 30 April 2011, and new delegations granted by Maritime New Zealand.

In answer to a question Mr Hainstock said there is a jetty and sealed boat ramp at Best Island which was built by the locals with materials provided by the Nelson Harbour Board before it disbanded. It is accessed only by private road which is the main reason no signage has been erected. It can be accessed from the sea by the public. The matter is being considered by the Engineering Department.

Mr Hainstock gave a powerpoint presentation on proportions of incidents reported versus discovered by staff 2010 - 2011. Speeding shows up as the biggest problem with recreational breaches of the bylaw and water ski-ing another area which shows up.

Cr King advised that he is a member of the Kaiteriteri Recreation Reserve Board.

Mr Hainstock met with the Chair of the Kaiteriteri Recreation Reserve Board and he is supportive of the resolutions proposed. He appreciates the help provided by the Board.

**Moved Cr Edgar/Mayor Kempthorne  
EP11-08-15**

**THAT the Environment & Planning Committee:**

- a) receives the Annual Maritime Activity Report 2010-2011 REP11-08-06 and;
- b) agrees that:
  - i. for the 2011-2012 summer, buoys be used to mark the boundary between the "Power Craft Prohibited" area at Kaiteriteri lagoon entrance and the "Water skiing Area";
  - ii. booms be trialled along the northern and southern boundaries of the area reserved as "Swimming Area";
  - iii. a Special Direction be issued restricting the use by waterskiiers of the area labelled "Water Skiing Area" to two hours either side of high tide time as published for Port Nelson, for the period 16 December 2011 to 27 February 2012.

**CARRIED**

Cr King did not vote.

Cr Dowler voted against the motion.

**9 THE HEALTH OF FRESHWATER FISH COMMUNITIES IN TASMAN DISTRICT - REPORT REP11-08-07**

Resource Scientist, Trevor James, was in attendance to present the report contained in the agenda. He gave a powerpoint presentation of freshwater fish that are under threat.

The report summarised information gained from "State of the Environment" freshwater fish surveys carried out by Council and project partners from 2005-10. This information can be used to determine the appropriateness of particular activities in and around streams and identify streams of particularly high value that require greater protection from habitat disturbances.

**Moved Crs Inglis/Ensor  
EP11-08-16**

**THAT the Environment and Planning Committee receives this report entitled: The Health of Freshwater Fish Communities in Tasman District REP11-08-07.**

**CARRIED**

Crs King, Edgar and Mirfin left the meeting at 2.00 pm.

**10 ENVIRONMENT EDUCATIONAL REPORT - REPORT REP11-08-08**

Environmental Education Officer, Rob Francis, was in attendance to speak to his report which was contained in the agenda. The report covered a number of general matters concerning the activities of the Environmental Education team as well as an overview of current status.

**Moved Crs Inglis/Glover  
EP11-08-17**

**THAT the Environment and Planning Committee receives the Environmental Education Report REP11-08-08.  
CARRIED**

**11 ENVIRONMENT AND PLANNING MANAGER'S REPORT - REPORT  
REP11-08-14**

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

The report covered a number of general matters concerning the activities of the Environment and Planning Department.

Cr King returned to the meeting at 2.10 pm.

It was requested that a report be prepared to look at options for introducing further controls on the siting and design of cellphone towers in the District, particularly at Mapua.

Cr King noted there was a rule allowing a cellphone tower in the rural area, and for historical reasons Mapua is zoned rural, not urban.

**Moved Crs Ensor/Wilkins  
EP11-08-18**

**THAT the Environment and Planning Committee receives the Manager's Report  
REP11-08-14  
CARRIED**

**12 RESIDENTIAL BUILDING - WALL OFFSET REPORT REP11-08-09**

Policy Planner, N Jackson, was in attendance to speak to the report contained in the agenda.

The purpose of the report was to review the purpose and effectiveness of the wall offset rule.

**Moved Crs Bryant/King  
EP11-08-19**

**THAT the Environment and Planning Committee:**

- a) receives the report “Residential building - wall offset rule” REP11-08-09; and,**
- b) instructs staff to draft and notify a plan change to delete condition 17.1.3.1 (I), which requires an offset in walls longer than 15 metres.**

**CARRIED**

**13                   MANAGING FIRE RISK TO RURAL DWELLINGS - REPORT  
REP11-08-10**

Policy Planner Mary-Anne Baker was in attendance and spoke to her report which was included in the agenda.

The Council made Change 19 to the Tasman District Council Resource Management Plan (TRMP) in May 2010 to alter the fire fighting connection on water storage tanks for rural dwellings from a 50mm camlock coupling to a 100 mm female thread coupling.

Further assessment as to the effects of this change led to a conclusion that the amendment proposed by Council is not the best solution for managing fire risks for rural dwellings.

This report considered the issues related to managing fire risks and suggested alternative management options.

Cr King declared an interest as an independent member on the Waimea Rural Fire Authority.

People had requested that common couplings be required. Water needs to be accessible and if it is to be accessed by a fitting at the bottom of a tank, it needs to be 100ml.

Cr Edgar arrived at the meeting at 2.34 pm.

NZ Fire Services are promoting sprinkler systems as a first option which would alleviate the need for a second tank.

Mayor Kempthorne left the meeting at 2.40 pm.

The meeting was advised that NZ Fire Service has advice about managing fire risk and storage of water for fire fighting in a guide “Managing Fire Risk to Your Home and Property”. It was agreed this could be advertised by Council in various ways.



**Moved Crs Maling/Wilkins  
EP11-08-20**

**THAT the Environment and Planning Committee:**

**a) receives the REP11-08-10 Managing Fire Risk to Rural Dwellings; and adopts the following recommendations.**

- I. That Plan Change 19 be withdrawn in respect of the requirement for a 100mm tank coupling on rural unreticulated properties;**
- II. That Option 2 as outlined in Sections 5 and 6 of Report REP11-08-10 be adopted by Council as the preferred option;**
- III. That new plan provisions for the management of fire risk to new dwellings on rural properties based on the option preferred by Council be prepared for public consultation for a period until the end of September 2011.**

**CARRIED**

**14 MEASUREMENT AND REPORTING OF WATER TAKES REGULATION 2010 (Takes From Storage and Surface Water Tanks in Seasonally Dry Areas and Consultation on Proposed Plan Changes) - REPORT REP11-08-11**

Policy Planner, Mary-Anne Baker and Resource Scientist Water/Special Projects, Joseph Thomas were in attendance for discussion on this item.

Cr Bouillir and M Symmons left the meeting at 2.45 pm.

Ms Baker introduced and spoke to the report contained in the agenda.

New regulations have been passed by Central Government about the Measurement and Reporting of Water Takes. The Council is required to implement and monitor the regulations.

The Council has a number of water measuring and metering requirements already in its Tasman Resource Management Plan. The provisions of the regulations apply although the Council may have more stringent provisions in addition to the regulations.

There was uncertainty about the extent to which the regulations applied to takes from storage, and while Council had advocated to the Ministry of the Environment for amendments to the Regulations, it was not successful and consented takes from storage (over 5 litres per second) will require metering. The Council Plan currently specifies takes from storage as controlled activities.

The previous report on the implications of water metering did not address the impact on water users in seasonally dry zones such as the Moutere Surface Water zone where the council does not currently require metering for any takes.

This report advised the Council on options, including plan changes, to deal with the issues arising.

Cr Maling declared an interest as he is part of the Waimea East Irrigation Scheme.

The meeting adjourned for afternoon tea at 3.00 pm.  
Cr Ensor left the meeting at this stage.

The meeting resumed at 3.15 pm.

Mayor Kempthorne returned to the meeting at 3.16 pm.

After much discussion the Committee left the report to lie on the table and staff were asked to prepare a more detailed report giving further options and noting the effects of them.

**Moved Crs Edgar/King**  
**EP11-08-21**

**THAT Report REP11-08-11 Measurement and Reporting of Water Takes Regulation 2010 (Takes from Storage and Surface Water Tanks in Seasonally Dry Areas and Consultation on Proposed Plan Changes) be left to lie on the table.**  
**CARRIED**

**Moved Crs Wilkins/Bryant**  
**EP11-08-22**

**THAT the Environment and Planning Committee meeting hours be extended to enable the Committee to complete the agenda.**  
**CARRIED**

**15            RESOURCE CONSENTS MANAGER'S REPORT - REPORT**  
**REP11-08-12**

Resource Consents Manager, P Doole, attended the meeting to discuss the report contained in the agenda. The report presented a summary of the performance of the Resource Consent Section regarding compliance with statutory timeframes for the 2010-2011 financial year. It also summarised current workloads and issues, and the status of appeals to the Environment Court on decisions made by Hearing Panels. Councillors discussed the anomaly which exists with resource consent hearings with independent commissioners being paid for preparation time and travel, whilst Councillors only get paid for attending the meeting and deliberation.

Mr Doole said the current trend is that the numbers are holding up at around the same as they were in the last couple of years.

**Moved Crs Edgar/Maling**  
**EP11-08-23**

**THAT Council make representation to the Remuneration Authority and the Minister for the Environment drawing their attention to the discrepancy that exists between Councillor remuneration and independent commissioners remuneration in preparing for resource consent hearings.**  
**CARRIED**

**Moved Crs Wilkins/Inglis**  
**EP11-08-24**

**THAT the Environment and Planning Committee receives the Resource Consents Manager's Report REP11-08-12.**  
**CARRIED**

**16 ENVIRONMENT AND PLANNING CHAIR'S REPORT - REPORT**  
**REP11-08-13**

Cr Bryant spoke to his report contained in the agenda.

Cr Bryant thanked Cr Ensor for standing in for him at Ecofest to judge the stands.

**Moved Crs Edgar/Maling**  
**EP11-08-25**

**THAT the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report REP11-08-13.**  
**CARRIED**

The meeting concluded at 3.45 pm.

Date Confirmed:

Chair: