

MINUTES

TITLE: Environment and Planning Committee
DATE: Thursday 9 August 2012
TIME: 9.30 am
VENUE: Tasman Council Chamber, 189 Queen Street, Richmond.

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

IN ATTENDANCE: Environment and Planning Manager (D Bush-King)
Regulatory Manager (A Humphries)
Manager Policy (S Markham)
Resource Consents Manager (P Doole)
Compliance Officer (D Page)
Environmental Education Officer (R Francis)
Co-ordinator Environmental Health (G Caradus)
Policy Planner (N Jackson)
Motueka Community Board Chair (D Ogilvie)
Golden Bay Community Board Chair (M Symmons)
Policy Planner (R Biss)
Sustainability Adviser, Nelson City Council (K Lee)
Administration Officer (G Woodgate)

APOLOGIES

Moved Crs Ensor/Maling
EP12-08-01

THAT apologies for absence from Cr M L Bouillir be received.
CARRIED

1 PUBLIC FORUM

1.1 Mr Heath Botica, Nelson Motorcycle Club President

Mr Botica spoke to the proposed update of the Recreational Motorcycling Code of Practice and advised that the Nelson Motorcycle Club were happy with either Option 1 or Option 3 but not Option 2 in the officer's report.

1.2 Mr Paul Searancke, Motorcycle New Zealand

Mr Searancke also spoke to the proposed update of the Recreational Motorcycling Code of Practice and advised that Motorcycle New Zealand had no problems with Council dealing with noise or dust issues but were very concerned with any further impositions placed on the activity.

9.38 am: Cr Edgar arrived.

2 RECREATIONAL USE OF MOTORBIKES CODE OF PRACTICE - REPORT REP12-08-03

Policy Planner, Rose Biss was in attendance for discussion on her report.

The purpose of the report was to update the Recreational Motorcycling Code of Practice which had been in use since 2007 and make recommendations on some possible changes to better reflect the Rural 1 and 2 Zone noise rules.

Councillors raised the following issues:-

- The Recreational Motorcycling Code of Practice is voluntary and in itself is not legally enforceable
- Consultation on the proposed changes had been very site specific and not District wide
- How Council officers controlled excessive noise complaints.

9.57 am: Mayor Kempthorne arrived.

10.01 am: Cr King arrived.

Item 3 was then deferred.

3 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Cr Glover/Maling
EP12-08- 02**

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

- Motueka West and Central Draft 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:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1)(d) for the passing of this resolution
4.	• Motueka West and Central Draft Change.	Good reason to withhold exists under Section 7(2)(f)	Section 48(1)(d)
Item	Reason to withhold information under Section 7	Section	
4.	To deliberate in private in a proceeding where a right of appeal lies to a Court against the final decision.	48(i)(d)	

CARRIED

4 'IN COMMITTEE' MOTUEKA WEST AND CENTRAL DRAFT CHANGE - REPORT REP12-08-01

**Moved Crs King/Edgar
EP12-08-03**

THAT the Public meeting be resumed.

CARRIED

10.45 – 11.00 am: Morning tea.

**2 Con't RECREATIONAL USE OF MOTORBIKES CODE OF PRACTICE - REPORT
REP12-08-03**

Councillors raised the following issues on the proposed update of the Recreational Motorcycling Code of Practice:-

- The Code of Practice should only be aimed at reducing noise
- The Resource Management Act noise provisions take precedence over those in the Tasman Resource Management Plan.

Cr Sangster then proposed the following amendment to the Resolution that was LOST:-

Moved Crs Sangster/Mirfin
EP12-08-00

THAT the Environment & Planning Committee delete from the Code of Practice Note 5 the words 'non consecutive'.

LOST

The Co-ordinator Environmental Health recommended adding the words 'with the intent of avoiding excessive noise' to the end of the first line in the Introduction to the Code of Practice.

Councillor Edgar then proposed an amendment to the Resolution that, after discussion, was WITHDRAWN:-

Moved Crs Edgar/King
EP12-08-00

THAT the addition of the noise statement to the Introduction be amended by the deletion of the words 'run by any club affiliated to Motorcycling NZ and run in accordance with its rules.'

WITHDRAWN

The proposed additions to the Introduction section of the Code of Practice (red ink) were then accepted except for the words 'or occasional motocross events run by any club affiliated to Motorcycling NZ and run in accordance with its rules', - the insertion of the words 'with the intent of avoiding excessive noise' to the first sentence of the Introduction was also approved. Other proposed changes (red italics) to the Terms of Code of Practice were not approved.

**Moved Crs Dowler/Maling
EP12-08-04**

THAT the Environment & Planning Committee:-

- 1. Receives the Recreational Use of Motorbikes Code of Practice Report
REP12-08-03 and;**
- 2. Approves the addition of the noise statement to the Introduction as amended.**

CARRIED

**5 EARTHQUAKE FAULT LINES AND GEOTECHNICAL REPORTS - REPORT
REP12-08-02**

Policy Planner, Neil Jackson was in attendance for discussion on his report.

The report was a follow-up to REP12-03-08, which reviewed:-

- i. The merits of showing active fault lines on the planning maps;
- ii. Rules in the Fault Rupture Risk Area (FRRA) that relate to active fault lines shown on the maps; and
- iii. Rules in the Slope Instability Risk Area (SIRA).

Councillors questioned why the conclusion in the report tabled from Mr Mike Johnston recommended the expiry date of geotechnical reports be two years and not five. An explanation was given.

**Moved Crs King/Norriss
EP12-08-05**

THAT the Environment & Planning Committee:-

1. Receives Report REP12-08-02 Earthquake Fault Lines and Geotechnical Reports; and

2. Adopts proposed Change 40 contained in Appendix 2 to Report REP12-08-02.

CARRIED

6 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Cr Glover/Ensor
EP12-08- 06**

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

- Motueka West and Central Draft 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:

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4.	• Motueka West and Central Draft Change.	Good reason to withhold exists under Section 7(2)(f)	Section 48(1)(d)

Item	Reason to withhold information under Section 7	Section
4.	To deliberate in private in a proceeding where a right of appeal lies to a Court against the final decision.	48(i)(d)

CARRIED

(Refer to the Confidential Minute Book containing Resolutions **EP12-08-07 to EP12-08-08**)

4 Con't 'IN COMMITTEE' MOTUEKA WEST AND CENTRAL DRAFT CHANGE - REPORT REP12-08-01

**Moved Crs Inglis/Edgar
EP12-08-08**

THAT the Public meeting be resumed.

CARRIED

12.39 – 1.15 pm: Lunch.

Cr Inglis did not return to the Council Chamber.

7 ENVIRONMENTAL EDUCATION REPORT - REPORT REP12-06-07

The Environmental Education Officer, Mr Rob Francis was in attendance for discussion on his report.

The Environmental Education Officer's report covered the following matters:-

- The Environmental Education Team
- Tasman Nelson Environment Awards Review
- Ecofest
- Enviroschools

1.21 pm: Cr Sangster returned to the Council Chamber.

- Schools
- Waste Education in Schools
- Community Gardening
- Environmental Events
- Focus until next Environmental & Planning Meeting.

**Moved Crs Ensor/Edgar
EP12-08-09**

THAT the Environment and Planning Committee receives the Environmental Education Report REP12-08-07.

CARRIED

8 ENVIRONMENT AWARDS REVIEW - REPORT REP12-08-08

The Environmental Education Officer, Mr Rob Francis was in attendance for discussion on his report.

The purpose of the report was to present the Tasman Nelson Environmental Awards Strategic review findings and to seek approval in principle to various changes in the way the Awards are run and approval to undertake further investigations on several matters.

The Environmental Education Officer introduced Ms Karen Lee, Sustainability Adviser, Nelson City Council. Together, they advised that the Tasman Nelson Environmental Awards were created to showcase, celebrate and adopt good sustainable practices in everyday activities but that the latter was not happening – hence the review.

1.27 pm: Mayor Kempthorne returned to the Council Chamber.

Councillors raised the following concerns about the review:-

- Staff involvement comes with a cost in time and money
- Measures are required to gauge the success of the Awards changing environmental practices
- The potential loss of the Environmental Awards profile
- One event does have a higher profile than distributing Awards around
- A combination of the old and proposed new Environmental Awards formats was preferred.

**Moved Crs Edgar/Ensor
EP12-08-10**

That the Environment & Planning Committee:-

- 1. Receives the report Environment Awards Review - Report REP12-08-08; and**
- 2. Agrees in principle to the Environment Awards continuing as a joint Tasman District Council and Nelson City Council sponsored event; and**
- 3. Agrees in principle to the Environment Awards being run on a biennial basis; and**
- 4. Agrees to staff undertaking further investigations on the following matters and reporting back to the Committee on them at a later date:**
 - a. Investigate the implications of having the Awards as a biennial event and spreading the Awards over the calendar year to make them relevant to communities of interest - e.g. heritage week, fitting in with school planning.**
 - b. Investigate linking the Awards to mainstream activities such as the Chamber of Commerce Awards for business.**
 - c. Identify ways to facilitate greater engagement between the wider community and the Awards, for example through field days, workshops and presentations of best environmental practices.**
 - d. Development of ways to actively promote all entrants by acknowledging all entries, and using a range of community media.**
 - e. Development of a year book for the Awards to inspire and inform our community on an ongoing basis to help provide recognition for all entrants and sponsors and to be funded, at least in part, by sponsors.**
 - f. Development of an improved sponsor's package.**
 - g. Refinement of the number of categories to best match Council priorities and community engagement.**
 - h. Development of improved criteria and judging process.**
 - i. Assessment of the financial implications and present a new financial framework for a joint Council Awards programme; and**

**5. Notes that the review is still to be discussed by Nelson City Council.
CARRIED**

1.55 pm: Mr Ogilvie departed.

9 RESOURCE CONSENTS MANAGER'S REPORT - REPORT REP12-08-06

Resource Consents Manager, Phil Doole was in attendance for discussion on his report.

The report presented a summary of the performance of the Resource Consent Section regarding compliance with statutory timeframes for the 2011-2012 financial year. It also summarised current workloads and issues since the mid-year report (February 2012) and the current status of appeals to the Environment Court on decisions made by Hearing Panels.

Councillors raised the following issues:-

- Non notification of 1080 drops
- Capturing statistics of those who begin a Resource Consent application but do not progress with it.

**Moved Crs Glover/King
EP12-08-11**

**THAT the Environment & Planning Committee receives the Resource Consents Manager's Report REP12-08-06.
CARRIED**

10 REGULATORY DEPARTMENT ACTIVITY REPORT - REPORT REP12-08-04

Regulatory Manager, Adrian Humphries was in attendance for discussion on his report.

The report covered the following matters:-

- Staff
- Building Department
- Environmental Health
- Dog and Stock Control
- Parking
- Harbourmaster.

**Moved Crs Edgar/Dowler
EP12-08-12**

**THAT the Environment & Planning Committee receives the Regulatory Department Activity Report REP12-08-04.
CARRIED**

**11 REVIEW OF TASMAN DISTRICT COUNCIL CONSOLIDATED BYLAW
CHAPTER 3 CONTROL OF LIQUOR IN PUBLIC PLACES 2007 - REPORT
REP12-08-09**

The Co-ordinator Environmental Health, Graham Caradus was in attendance for discussion on his report.

The report detailed the reasons for, and process necessary to review the Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places December 2007 (incorporating amendments December 2008) (the Bylaw).

The Co-ordinator Environmental Health outlined two amendments to Schedule A Public Places ie:-

- a. 1. Brightwater and environs: 7.00 pm to 7.00 am Liquor Ban (Map 1)

‘Wai-iti Recreation Reserve, and;’

to be replaced with:-

‘Wai-iti Recreation Reserve, near the bridge over the river on Waimea West road and;’

- b. 12. Wakefield and environs: 7.00 pm to 7.00 am Liquor Ban (Map 11)

‘The public places located in or adjacent to the Wai-iti Recreation Reserve, and;’

to be replaced with:-

‘The public places located in or adjacent to the Wai-iti Recreation Reserve, near the bridge over the Waimea River on Wakefield-Kohutu SH6 and;’

Councillors raised a concern over a change made to the Motueka and Environs Liquor Ban Area Map and an explanation was given.

Moved Crs Dowler/Glover
EP12-06-13

THAT the Environment & Planning Committee:-

1. **Receives the Report REP12-08-09 Review of Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places report, and;**
2. **Adopts the statement of proposal, a summary of information, and the draft Tasman District Council Consolidated Bylaw Chapter 3 Control of Liquor in Public Places 2012 for notification to commence the special consultative procedure as set out in the Local Government Act 2002.**

CARRIED

12 WATER METERING PROJECT REPORT 2012 - REPORT REP12-08-05

Compliance Officer, Daryl Page was in attendance for discussion on his report.

The report presented an overview of the water metering project administration and compliance for the 2011/2012 summer irrigation season. The report also covered aspects of the larger water permit monitoring portfolio.

2.37 pm: Cr Dowler departed.

Councillors raised the issue of water meter self verification for those taking less than 5 litres/sec and how this would be monitored.

Moved Crs Ensor/Maling
EP12-08-14

THAT the Environment & Planning Committee receives the End of Season Water Metering Report REP12-08-05.

CARRIED

13 CONFIRMATION OF MINUTES

13.1 Environment and Planning Committee – 28 June 2012

The following amendments were made to the minutes of 28 June 2012:-

Page 6 – REP12-06-06 – ‘AMP’ replaced with ‘A&P’

Page 8 – REP12-06-05 – Seconded Cr Ensor not Edgar

Page 9 – REP12-06-09 – Third paragraph – word ‘Small’ deleted.

**Moved Cr Norriss/Sangster
EP12-08- 15**

**THAT the minutes of the Environment and Planning Committee meeting held on 28 June 2012, with amendments, be confirmed as true and complete record.
CARRIED**

14 ENVIRONMENT & PLANNING MANAGER’S REPORT - REPORT REP12-08-11

The Environment and Planning Manager, Dennis Bush-King was in attendance for discussion on his report. An Addendum to the Environment and Planning Manager’s Report had also been circulated.

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

Discussion on Incorporated Societies being set up by ratepayers to avoid the pursuit of costs from Environment Court cases taken against Council ensued.

**Moved Cr Norriss/Mayor Kempthorne
EP12-08-16**

**THAT the Environment and Planning Committee adopts the submission to the Heritage New Zealand Pouhere Taonga Bill outlined in Annex 2 to Report REP12-08-11.
CARRIED**

**Moved Cr Maling/Mayor Kempthorne
EP12-08-17**

**THAT the Environment and Planning Committee approve proposed Changes 20 and 25 to the Tasman Resource Management Plan under Clause 17 of Schedule 1 RMA to commence as operative changes under Clause 20 at notification of Update 44 of the Plan, expected to be 18 August 2012.
CARRIED**

**Moved Crs Edgar/Wilkins
EP12-08-18**

**THAT the Environment and Planning Committee receives the Environment and Planning Manager’s Report REP12-08-11.
CARRIED**

3.05 – 3.20 pm: Afternoon tea.

15 ENVIRONMENT & PLANNING CHAIR'S REPORT - REPORT REP12-08-10

The Chair's report had been circulated and contained the following matters:

- RMA Planning Workshop
- Rivers Working Party
- Richmond West
- Rural Review.

**Moved Crs Ensor/King
EP12-08-19**

**THAT the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report REP12-08-10.
CARRIED**

16 RESOLUTION TO EXCLUDE THE PUBLIC

**Moved Cr Maling/Glover
EP12-08- 20**

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

- Confidential Minutes
 - Resource Management Policy Committee – Hearing 60 (Con't) – 14 June 2012
 - Tasman Resource Management Plan Hearing 63 - 18 June 2012
- TRMP Hearing 60
Reconvened And Hearing 63 Deliberation.

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:

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17. & 18.	<ul style="list-style-type: none">• Confidential Minutes• TRMP Hearing 60 Reconvened And Hearing 63 Deliberation.	Good reason to withhold exists under Section 7(2)(f)	Section 48(1)(d)
Item	Reason to withhold information under Section 7	Section	
17. & 18.	To deliberate in private in a proceeding where a right of appeal lies to a Court against the final decision.	48(i)(d)	

CARRIED

(Refer to the Confidential Minute Book containing Resolutions **EP12-08-21 to EP12-08-27**)

- 17 **'IN COMMITTEE' CONFIRMATION OF CONFIDENTIAL MINUTES**
- 17.1 **Resource Management Policy Committee – Hearing 60 (Con't) – 14 June 2012**
- 17.2 **Resource Management Policy Committee – Hearing 63 – 18 June 2012**
-
- 18 **'IN COMMITTEE' TRMP HEARING 60 RECONVENED AND HEARING 63 DELIBERATION - REPORT REP12-08-11**

**Moved Crs Norriss/Glover
EP12-08-27**

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

The meeting closed at 4.15 pm

Date Confirmed:

Chair: