
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30 am, Thursday, 21 August 2014
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Cr S G Bryant (Chair), J L Edgar, T E Norriss, Z S Mirfin, M J Higgins, B F Dowler, M J Greening, P L Canton, J L Inglis, T B King

In Attendance: Environment and Planning Manager (D Bush-King), Executive Assistant (P White)

Part attendance: T James, J Trembath, C Cheeseman, P Doole

1 OPENING, WELCOME

The Chairperson welcomed members to the meeting.

2 APOLOGIES AND LEAVE OF ABSENCE

Leave of absence had previously been granted for Mayor R Kempthorne, Cr B Ensor and Cr P Sangster.

Moved Cr Edgar/Cr Inglis

EP14-08-1

That apologies for Cr M Bouillir be accepted.

CARRIED

3 PUBLIC FORUM

Lawson Davies spoke about the lack of drain maintenance on land in the Motueka Valley. This is on private land but infill and blockage issues are essentially creating a wetland on a neighbouring property. Lawson requested that Council consider a Plan change for drains to be maintained where they are causing cross-boundary issues.

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

Moved Cr Dowler/Cr Norriss

EP14-08-2

That the late item, A.1, be considered at today's meeting. The reason that this deputation is being received at this meeting is to provide an opportunity to respond to public concern about the Wetlands report contained in this agenda.

CARRIED

8 PRESENTATIONS

A.1 Presentation by Federated Farmers

Gavin O'Donnell, immediate past president of Federated Farmers spoke about the identification of Wetlands on Private Land.

Mr O'Donnell noted people's suspicion that apart from wetlands information being gathered, there might be other information, for example compliance issues gathered or reported on while Council staff were on site. Mr O'Donnell suggested that an independent contractor be used to gather the wetland information. He also recommended recognition of lawful existing use of land.

Mr O'Donnell tabled a memorandum which summarised the key points in his presentation.

Mr Bush-King noted the work staff had done on communications and working constructively with the land owners.

6 CONFIRMATION OF MINUTES

Moved Cr Bryant/Cr Norriss

EP14-08-3

That the minutes of an Animal Control Subcommittee meeting held on Wednesday 25 June 2014 be confirmed as a true and correct record of the meeting.

CARRIED

Moved Cr Higgins/Cr Edgar

EP14-08-4

That the minutes of the Environment and Planning Committee meeting held on Thursday, 10 July 2014, be confirmed as a true and correct record of the meeting.

CARRIED

Moved Cr Norriss/Cr Inglis

EP14-08-5

That the minutes of a Consent Commissioner Hearing held on Monday 30 June be received.

CARRIED

Moved Cr Higgins/Cr Dowler

EP14-08-6

That the minutes of a Consent Commissioner Hearing held on Monday 7 July 2014 be received.

CARRIED

7 REPORTS OF COMMITTEE

Nil

9 REPORTS

9.2 Wetland mapping and database project

Trevor James, Resource Scientist gave a PowerPoint presentation and spoke to his report contained in the agenda.

Trevor acknowledged the angst amongst rural land owners about wetlands surveys but noted that a number of landowners who have been surveyed have confirmed that Council has got the resulting information correct, perhaps with a few minor tweaks.

Trevor talked about the offsets/compensation available to landowners in the form of rates relief, nature heritage fund etc, but acknowledged that the available compensation is limited.

Trevor clarified that the percentages of land area in wetland given in his presentation were percentages of total land not productive land.

Councillors noted that other councils have already been through this identification process and that Tasman District Council should learn from those other experiences. Councillors were also concerned about the restrictions being placed on landowners to earning potential by restricting the use of some of their land. Councillors however were also concerned about the damage being done to some wetlands on farmland. Councillors suggested staff should showcase some examples of best practice to other property owners. Staff responded that there have been some good examples developed on farmland that would be available to showcase and also that a field day was planned to show the mapping process.

The Chair noted that communication on 'what Council is doing and why' is key to the success of the project.

Moved Cr King/Cr Norriss

EP14-08-7

That the Environment and Planning Committee receives the Wetland mapping and database project Report EP14-08-05;

That the council supports staff to be outcome focussed, flexible and innovative in working with landowners to achieve the protection of significant wetlands in the Tasman district.

CARRIED

The meeting broke for morning tea at 10.35am and reconvened at 10.50am.

9.3 Water Metering Programme Annual Report 2013 / 2014

Jim Trembath, Compliance and Investigations Officer, spoke to the report contained in the agenda.

He noted two particular points:

- telemetered systems have come on line
- the database is not specific to the water metering programme, so it relies on manual input which can lead to delays.

Councillors queried landowners using smartphones to photograph and send in the meter reading. Mr Trembath responded that Auckland Council is trialling this, and Tasman will monitor Auckland's feedback.

Moved Cr Norriss/Cr Dowler

EP14-08-8

That the Environment and Planning Committee receives the Water Metering Programme Annual Report 2013 / 2014 REP14-08-07.

CARRIED

9.4 Compliance and Enforcement Annual Report 2013 / 2014

Carl Cheeseman, Coordinator Compliance Monitoring spoke to his report contained in the agenda. Paragraph 5.53 was noted by Councillors – this was in regard to consents for aerial 1080 drops. Councillors were concerned about the effect on flora and fauna. This query was redirected to the Resource Consents Manager report item 9.1.

Mr Cheeseman clarified that in regard to dairy compliance issues dairy shed effluent disposal is targeted by compliance and enforcement. The wider issues of non-point source discharge are picked up through water quality monitoring not through compliance and enforcement.

Moved Cr Edgar/Cr Mirfin

EP14-08-9

That the Environment and Planning Committee receives the Compliance and Enforcement Annual Report 2013 / 2014 REP14-0806.

CARRIED

9.6 Environment & Planning Manager's Report

Dennis Bush-King spoke to his report contained in the agenda. He noted the results of the regulatory customer survey. This survey is conducted to monitor and report on performance as required in Council's Annual Report. He stated that it was people had been through the permit system i.e. obtaining a building consent, which were surveyed. Mr Bush-King noted that satisfaction with building consents had trended down. He suggested that the transition to electronic processing was partially responsible, however there was a general downward trend but steps are in place to correct this.

Mr Bush-King talked about the Environment and Planning questions undertaken in Council's annual Communitrak survey. To try and reduce the cost of survey Mr Bush-King suggested that two questions be removed to do with harbourmaster services and dog control. After discussion,

Councillors agreed to retain the dog control question but remove the harbourmaster question.

Councillors agreed to Mr Bush-King's suggestion that reporting publicly on the National Policy Statement on Freshwater through Council's website and that this would satisfy the requirement to 'report annually'.

Mr Bush-King stated that there was a 56% increase in applications for LIMs in the last year (727 LIMs annually). This increase resulted in an impact across the Council, with various departments contributing to the LIM production process. A review was underway to look at streamlining the LIM production process.

The Committee agreed to a suggestion to delegate the hearings for the submissions on the Navigation Control Bylaw to a smaller hearing panel.

Councillors asked about the TBFree report and the fact that it lacked maps and historical information. Cr Norriss noted that the maps are available but are not considered accurate until after they have consultation with the landowner. Staff undertook to investigate the availability of this information.

Moved Cr Dowler/Cr Higgins

EP14-08-10

That the Environment and Planning Committee receives the Environment & Planning Manager's Report REP14-08-09:

- 1) receives the Environment & Planning Manager's Report REP14-08-09;
- 2) agrees to delete the existing charge for building certificates from the Schedule of Charges and replace it with the following:

Building certificates required under other legislation (eg Sale and Supply of Alcohol Act 2013)	\$70.00
Plus inspection charge (if required)	\$145.00

- 3) adopts the amendments to clauses 2.1.2 and 2.1.3 of the provisional Tasman District Council local alcohol policy as outlined in the Joint memorandum of parties in support of a consent order dated 30 July 2014 and as detailed in Section 9 of Report REP14-08-09;
- 4) receives the Annual National Policy Statement on Freshwater Management Implementation Report contained in Attachment 3 of Report REP14-08-09 and agrees that it be published on the Council's website;
- 5) establishes a hearing Subcommittee comprised of Crs Norriss, Bryant and Mirfin with delegated power to hear submissions on the Navigation Safety Bylaw and recommend any changes prior to adoption by the Council;
- 6) delegates to the Hearing Subcommittee the power to appoint alternate members if necessary.

CARRIED

9.1 Resource Consents Manager's Report

Phil Doole, Resource Consents Manager elaborated on items contained in his report. These were:

- The CBH Resource Consent application has been declined by the Commissioner. The decision has been appealed with about 20 parties joining the appeal. Mr Doole noted that it was good to see the process being used.
- Four appeals have been received on the consent for the Voafone tower in Pohara.
- Submissions on the Waimea Community Dam Resource Consent have closed. 101 submissions were received. About half requested to be heard. This will be a Commissioner Hearing and there will be some independence around the reporting function that staff would normally undertake.
- Talleys have applied to renew their discharge permits at the Motueka wharf. This will proceed through usual channels.
- Jagers and Droppers Motueka Valley enforcement court action was decided in Council's favour. However contrary to what has been reported a resource consent has been issued but this went through the normal consenting process. There had been no change to the rules or how they were applied to allow the consent. The building consent process for these buildings was still to be completed. Mr Doole stated that he considered it a pity the applicant didn't decide to apply at the beginning rather than undergo non-compliance enforcement action. This would have saved both ratepayers dollars in legal costs and staff time.

Cr Canton referred back to his earlier comments about aerial 1080 drops and the assessment of environment effects on flora and fauna. Staff recommended that this matter should be referred to the Department of Conservation as the applicant. Mr Bush-King reiterated that staff had followed due process as defined by the Resource Management Plan. Crs were welcome to review the assessments that had been completed by staff.

Moved Cr Edgar/Cr Mirfin

EP14-08-11

That the Environment and Planning Committee receives the Resource Consents Manager's Report to 30 June 2014 REP14-08-04

CARRIED

9.5 Environment & Planning Chair's Report

The Chairperson offered that the report contained in the agenda be taken as read.

Moved Cr Edgar/Cr Inglis

EP14-08-12

That the Environment and Planning Committee receives the Environment & Planning Chair's Report REP14-08-08.

CARRIED

10 CONFIDENTIAL SESSION

10.1 Procedural motion to exclude the public

Moved Cr Inglis/Cr Canton

EP14-08-13

That the public be excluded from the following part(s) of the proceedings of this

meeting. The general subject of each matter to be considered 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 the passing of this resolution follows.

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

10.1 Upper Motueka Water Allocation Review

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

10.2 Review of sequential urban development by deferred zoning

Reason for passing this resolution in relation to each matter	Particular interest(s) protected (where applicable)	Ground(s) under section 48(1) for the passing of this resolution
The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.	48(i)(d) - To deliberate in private in a procedure where a right of appeal lies to a Court against the final decision.	s48(1)(a) The public conduct of the part of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists under section 7.

CARRIED

The open meeting resumed at 12.37pm.

The meeting concluded at 12.37pm

Date Confirmed:

Chair: