
MINUTES
of the
ENVIRONMENT AND PLANNING COMMITTEE MEETING
held
9.30 am, Thursday, 22 May 2014
at
Tasman Council Chamber, 189 Queen Street, Richmond

Present: Cr S G Bryant (Chair), Mayor R G Kempthorne, Crs B W Ensor, M L Bouillir, J L Edgar, Z S Mirfin, M J Higgins, B F Dowler, M J Greening, P L Canton, J L Inglis, P F Sangster, T B King.

In Attendance: Environment and Planning Manager (D Bush-King) Executive Assistant (H Simpson)

1 OPENING, WELCOME

2 APOLOGIES AND LEAVE OF ABSENCE

Apology received from Crs Greening and Norriss.

3 PUBLIC FORUM

Annette Walker, speaking on behalf of the Mapua Boat Club, presented on the 'key drivers' within the mooring discussion document released by the Council. Particular focus was given to the number 2 key driver 'Equity', with concerns raised that not all moorings in the Mapua channel were of equal merit. Written document entitled '*Presentation to the Environment & Planning Committee meeting 22 May, Public Forum*' was tabled.

Peter Milne, who holds two moorings in the Mapua channel, spoke in support of Annette Walker's proposal.

John Ward, who holds two moorings in the Mapua channel, stated that during his time with the Mapua Boat Club there has been no visible evidence of consultation with mooring owners in relation to a new system.

Tim Robinson, who holds a mooring in the Mapua Channel that is outside of the hatched area, raised his grievance at subsequently having to seek resource consent at personal cost.

4 DECLARATIONS OF INTEREST

Nil

5 LATE ITEMS

NIL

6 CONFIRMATION OF MINUTES

Moved Cr Inglis/Cr Higgins

EP14-05-1

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

CARRIED

7 REPORTS OF COMMITTEE

Nil

8 PRESENTATIONS

8.1 Presentation by NZ Motor Caravan Association on the Freedom Camping (Motueka Beach Reserve) Bylaw 2013 and the Local Government Act.

Bruce Lahore and Peter Gordon of the New Zealand Motor Caravan Association Inc (NZMCA) presented on behalf of the association a 'Submission on the Proposed Amendment to the Freedom Camping Bylaw 2011 & draft Freedom Camping Bylaw 2013 (Motueka and Pohara Foreshore)'. NZMCA requested clearer interpretation of the Freedom Camping Bylaw around the meaning of "formed roadway". Dennis Bush-King agreed to write to the Association to clarify that the term means the formed carriageway.

NZ Motor Caravan Association requested that they be allowed to return and present to Council again on becoming a Motor caravan Friendly Council.

9 REPORTS

9.1 Outstanding Natural Features and Landscapes in the Tasman District

Shelagh Noble spoke to her report on Outstanding Natural Features and Landscapes in the Tasman District. The purpose of this report was to seek direction on further steps with landscape protection across the Tasman District.

Councillors asked about progress on the current Golden Bay project and for an explanation of the obligation to extend the assessment of areas of outstanding natural features and landscapes to other parts of the District. Concern was expressed about the cost and time taken to date.

Mayor Kempthorne left the meeting at 10am.

Councillors considered that the effectiveness of the 'Small Working Group' process in Golden Bay should be demonstrated before Council agreed to extend the project across the district.

Moved Cr King/Cr Inglis

EP14-05-2

That the Environment and Planning Committee

- 1) receives the Outstanding Natural Features and Landscapes in the Tasman District Report REP14-05-07; and**
- 2) moves to complete the Golden Bay process as soon as possible to include the first schedule RMA process; and**
- 3) requests staff to report on timelines following discussion with the Golden Bay Working Group; and**
- 4) thanks the Golden Bay Landscape Project Small Group for their dedication and commitment to date in working towards an Outstanding Natural Features and Landscapes outcome for Golden Bay.**

CARRIED

9.2 Review of Dog Control Bylaw

Adrian Humphries and Ross Connachie reported to Council on the Review of Dog Control Bylaw. The purpose of this report was to seek the approval of the committee to begin the special consultative procedure specified in section 83 of the Local Government Act 2002 in relation to reviewing the existing Tasman District Council Consolidated Bylaw, Chapter 6: Dog Control Bylaw 2009 and the associated Dog Control Policy.

Councillors discussed the banning of dogs in Commercial Street, Takaka. And agreed that for the proposal to be discussed the Village Green be included in the dog prohibited areas in Commercial Street, Takaka.

Councillors discussed the makeup of the proposed Hearing Subcommittee.

Moved Cr Edgar/Cr Dowler

EP14-05-3

That the Environment and Planning Committee

- 1) receives the Review of Dog Control Bylaw REP14-05-08; and**
- 2) determines that a Dog Control Bylaw is the most appropriate means by which the Council can implement its powers and duties over and above those provided for in the Dog Control Act; and**
- 3) approves the Statement of Proposal (including the draft dog control bylaw and draft dog control policy) and the associated Summary of Information contained in REP14-05-08 for the purpose of commencing the special consultative procedure as set out in Sections 83 and 86 of the Local Government Act 2002, with the submission period being 2 June 2014 to 7 July 2014 subject to including the Village Green in the dog prohibited areas in Commercial Street, Takaka; and**

- 4) **determines the Summary of Information should be publicly notified and placed on the Council's website as provided for in section 89 of the Local Government Act 2002; and**
- 5) **establishes a Hearing Subcommittee comprised of Councillors Bryant, Ensor, Higgins, Sangster, Canton with the delegated power to hear submissions on the proposed policy and bylaw and recommend any changes prior to adoption by the Council; and**
- 6) **delegates to the Hearing Subcommittee the power to appoint alternative Subcommittee members if necessary.**

CARRIED

Morning tea was taken at 11.00am.

The meeting resumed at 11.20am.

9.3 Assessment of Feedback on TRMP Mooring Review

Maxine Day reported to Council on the Assessment of Feedback on TRMP Mooring Review. The purpose of this report was to present the assessment of the feedback received from the community engagement process held between 6 January and 28 March to Council, to request Council approval for the public release of the Assessment of Feedback report for community information, to consider the implications of the feedback for draft plan change development and to instruct staff to prepare a draft plan change based on Option 1 or 2, or other.

Councillors asked could there be an additional option whereby the adjoining landowner had preferential mooring. Maxine Day is to consider this and advise Council. Councillors expressed a preference for Option 1 as the basis of further work.

Moved Cr Bouillir/Cr Canton

EP14-05-4

That the Environment and Planning Committee:

- 1) **Receives the Assessment of Feedback on TRMP Mooring Review REP14-05-14, and**
- 2) **Approves the Assessment of Feedback attached to Report REP14-05-14 for public release as amended, and**
- 3) **Instructs staff to prepare a Draft Plan Change that adopts Option 1 as amended following feedback on the Mooring Review Discussion Document and including accounting for findings of ecological assessments where required.**

CARRIED

9.4 Climate change risk adaptation challenges: update following IPCC Assessment Report 5

Steve Markham reported to Council on Climate Change Risk Adaptation Challenges. The purpose of this report was to provide a summary briefing of key features of the fifth assessment report (AR5) of the Intergovernmental Panel on climate Change (IPCC), in light of the findings from working groups (WGs) I and II made available in September 2013 and March 2014. The report

also introduced some discussion on current New Zealand adaptation research, challenges and responses, including the current multi-agency research programme, Climate Change Impacts and Implications focussing on adaptation challenges, and a Local Government New Zealand (LGNZ) assessment of natural hazard risk management by local government.

Councillors queried whether the findings in the IPCC report were substantiated by the content evidence within the report, as the uncertainty of chapter 2 seems not to support the claims within the body of the report. Mr Markham advised that a risk assessment of likelihood had to be made and that the science panels had done this in coming up with future scenarios.

Cr Sangster left the meeting at 12.20pm.

Councillors requested that at some stage Rob Smith and Maxine Day should repeat the presentation recently given to a community meeting in Motueka.

Moved Cr Bouillir/Cr Bryant

EP14-05-5

That the Environment and Planning Committee

- 1) receives the “Climate change risk adaptation challenges: update following IPCC Assessment Report 5” report REP14-05-09; and
- 2) notes the content as important context for future decisions.

CARRIED

9.5 Contact Recreation Water Quality Annual Report

Dennis Bush-King presented to Council on the Contact Recreation Water Quality Annual Report on behalf of Trevor James. The purpose of this report was to present information from the regular Contact Recreation Water Quality Monitoring Programme over the past season, toxic algae issues and any other related investigations or issues. Councillors asked what could be done to respond to issues at Pohara.

Moved Cr King/Cr Bryant

EP14-05-6

That the Environment and Planning Committee receives the Contact Recreation Water Quality Annual Report REP14-05-10.

CARRIED

Meeting broke for lunch at 12.30pm.

Meeting resumed at 1.15pm.

9.6 Environment and Planning Manager's Report

The Environment and Planning Manager spoke to his report contained in the agenda which covered the following matters:

- Petition on use of 1080
- Psychoactive Substances Act Amendments
- Removal of Deferred Zoning on land in Mapua
- Approval of Plan Changes 49 and 50

Waimea Water Management Update – Councillors asked for advice on 'plan B' options in relation to community water supply as it may be affected by the plan decisions and any amendments requested by the appellants. Staff are to meet in mediation with the parties on 18 June. It was suggested a further briefing of Councillors should follow the Corporate services meeting on 5 June.

Cr Higgins left the meeting at 2.25pm.

- Resource management Act Survey - Councillors requested that a media release be issued in Mayor Kempthorne's name on behalf of the Council publicising the letter of praise from Hon Amy Adams (celebrating success – item 7.2).
- LGNZ Conference Remit
- Frost Protection Update
- Customer Service in a Regulatory Environment – Councillors supported the Manager in encouraging staff to exercise judgement in a positive and helpful recognising the Council's legal obligations and exposure to risk.
- TbFree New Report Update
- Rural Fire Network Quarterly Report
- Financial Report
- Action Items

Cr Sangster re joins meeting at 2.35pm.

Crs Bouillier, Sangster and Dowler leave the meeting at 2.40pm.

Moved Cr Ensor/Cr Mirfin

EP14-05-7

That the Environment and Planning Committee

- 1) **receives the Environment and Planning Manager's Report REP14-05-11; and**
- 2) **receives the Petition from Lucy Knowles, Brooklyn Valley, and 149 others concerning the proposed application of 1080 in the Pearce/Baton/Mt Arthur area; and**
- 3) **approves the removal of the deferred Residential zone status over the lands of:**
 - The area of Lot 4 DP469498 (Freilich) (indicated by the red cross hatching shown on attachment 2 to REP14-05-11); and**
 - Lot 2 DP17670 (Clark) (also shown on attachment 2 and identified by the legal description),**

under Tasman Resource Management Plan Rule 17.14.2(b)(v) to make the Residential Zone effective over those lands from the date of this resolution.
- 4) **acting under delegated authority from the Council, authorises the Mayor to support, at the 2014 Local Government New Zealand Conference, the remit proposed by Wellington City Council (Attachment 4 to REP14-05-11), and which seeks to encourage the Government to adopt measures that will support efforts to strengthen earthquake prone buildings.**
- 5) **approves Tasman Resource Management Plan Changes 49 and 50 under Clause 20 of**

Schedule 1 to the Resource Management Act to commence as operative on the date of notification of TRMP Update 49 expected to be late July 2014.

CARRIED

9.7 Environment and Planning Committee Chair's Report

Staff were requested to report back on the scope of investigation into land disturbance rules and any affects on cultivation. A report on protecting Horse Terrace Bridge was also requested in consultation with the Engineering Department..

Moved Cr Bryant/Cr Inglis

EP14-05-8

That the Environment and Planning Committee receives the Environment and Planning Committee Chair's Report REP14-05-13.

CARRIED

10 CONFIDENTIAL SESSION

Nil

The meeting concluded at 3.15pm.

Date Confirmed:

Chair: