

MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON, ON THURSDAY 11 SEPTEMBER 2008 COMMENCING AT 9.00AM

PRESENT: Councillor R Reese (Chairperson), His Worship the Mayor K Marshall, Councillors G Collingwood, D Henigan, M Holmes, A McAlpine, P Rainey, D Shaw and G Thomas.

IN ATTENDANCE: V Altmnts (Chief Executive), R Johnson (Divisional Manager Planning and Consents) and A Rose (Administration Adviser).

APOLOGIES: Apologies were received and accepted from Councillors I Barker, A Boswijk, M Cotton, A Miccio and for lateness from D Henigan.

1.0 PUBLIC FORUM

1.1 Atawhai Cell Phone Tower Site

Ms Allan and Ms Arnold, representatives of the Atawhai Play Centre and Ban the Tower Incorporated appeared before the Committee to reiterate their respective organisation's positions regarding the potential effect that a cellphone tower will have on the Atawhai community in general and the Play Centre in particular.

Ms Arnold read a letter to the Committee dated 11 September 2008 and tabled it. She also requested the Council to seek a declaration from the Environment Court that Telecom can use its existing designation to erect a cellphone tower such as it proposes. She said that if a tower does get built beside the Play Centre, the Centre will certainly close.

In answer to a question, Ms Allen said that the groups are still involved in some consultation with Telecom, but it is clear that the Atawhai site is still their preferred site.

Richard Johnson tabled a letter from the Atawhai Play Centre dated 8 May 2008 and replies from the Council dated 4 June 2008 and 2 September 2008 respectively. He said that he was seeking legal advice regarding whether the proposed cellphone tower was within the scope of the designation for the Atawhai site, but that advice was not available for the meeting today.

In answer to a question, Ms Allen said that as far as she understood Telecom did not intend to commence building until June 2009.

There was some discussion as to whether if the Play Centre closed Telecom would assist with a new purpose-built building on a new site.

In answer to another question from Council, Mr Johnson said that he was seeking advice to clarify whether Telecom needed any further consents in order to erect a 22 metre tower on the site.

Councillor Thomas pointed out that some research may need to be done on the history of the area as he thought that Corder Park was reclamation and that Telecom had been on its present site before the reclamation.

The Chairperson said that the next step for the Committee is to receive the legal opinion but she assured Ms Allen and Ms Arnold that the Committee was sympathetic towards the issues they raised.

Ms Allen and Ms Arnold presented to Council a photocopy of the petition that they had presented to the House of Representatives signed by 3101 persons.

The Chairperson thanked Ms Arnold and Ms Allen for their presentation.

1.0 CONFIRMATION OF MINUTES

Resolved

***THAT** the minutes of a meeting of Environment Committee, held on Thursday 31 July 2008, be confirmed as a true and correct record.*

Holmes/ McAlpine

Carried

2.0 URBAN DESIGN SYMPOSIUM

Councillor Shaw tabled a report on the recent 2008 Urban Design Symposium that he had attended in Wellington on 30 June 2008.

3.0 ENVIRONMENT COMMITTEE STATUS AND ENVIRONMENT COURT REPORTS-SEPTEMBER 2008

3.1 Rutherford Street Anti-Social Behaviour Issues

There was some discussion regarding what progress could be made on the issue of anti-social behaviour issues in Rutherford Street.

His Worship the Mayor said the Council should be a neutral sponsor to a forum to discuss these issues; Council acting as a catalyst.

The Chairperson directed that the Committee reflect on that suggestion and after the consent hearings for McDonalds, that such a forum should be arranged

3.2 Cellphone Towers

It was agreed that a report showing the location of all cellphone towers in Nelson should be presented to the next meeting.

Resolved

***THAT** the Environment Committee Status and Environment Court Reports to September 2008, be received.*

Rainey/Shaw

Carried

4.0 NELSON DISTRICT LICENSING AGENCY ANNUAL REPORT 2007/2008

Document No 690090, dated 26 August 2008, agenda pages 19-32 refer.

Mr Stephen Lawrence and Mr Bob Askew from Environmental Inspections Ltd joined the meeting and presented the report.

Attendance: Councillor D Henigan arrived at the meeting at 10.00am.

In answer to a request from Councillor Thomas, it was agreed to seek a report on the number of prosecutions that have come before the court regarding the liquor ban.

In answer to another question Mr Lawrence undertook to find out what the situation was regarding signage advising of the Drinking in Public Places Bylaw in the central City.

Resolved

THAT Appendix 1 attached to report 690090 be accepted as the Nelson District Licensing Agency Annual Report 2007/2008 and forwarded to the Liquor Licensing Authority.

His Worship the Mayor/McAlpine

Carried

5.0 DOG CONTROL ACTIVITY REPORT 2007/2008

Document No 688286, dated 19 August 2008 agenda pages 33-35 refer.

Resolved

THAT Appendix 1 to report 688286 be accepted as the Nelson City Council Dog Control Activity Report for the year 2007 to 2008

AND THAT the report be publicly notified by way of newspaper notices and sent to the Secretary for Local Government as required under the Dog Control Act 1996 Sections 10A (3) (4.)

Thomas/Shaw

Carried

6.0 FINANCE STATEMENT FOR 12 MONTHS ENDED 30 JUNE 2008

Document No 688113, dated 3 September 2008, agenda pages 14-18 refer.

In answer to questions from the Committee, it was agreed that the items for public safety, building consents and harbour safety would be separated out in the next month's report.

Resolved

THAT the report be received and the variations noted.

Thomas/McAlpine

Carried

7.0 URBAN DESIGN PROTOCOL ACTION PLAN 2008-2010

Document No 686951, dated 29 August 2008, agenda pages 36-48 refer.

The Committee was generally very supportive of the Action Plan. A change was agreed to be made in the wording in the diagram; “accommodate all types of people” to be changed to sound less arrogant.

Recommendation to Council

THAT the Council approves the Urban Design Protocol Action Plan 2008-2010, (document 670862) attached to report 686951 with the changes agreed at the meeting to be made.

Shaw/Reese

Carried

The meeting adjourned for morning tea from 10.29am to 10.50am.

8.0 LOCAL ACTION PLAN FOR CLIMATE PROTECTION

Document No 690737, dated 31 August 2008, agenda pages 49-66 refer.

The Manager Environment Policy, Martin Workman and Senior Policy Planner Debra Bradley joined the meeting and presented the report.

In answer to a question from Councillor Reese it was confirmed that the scheduled meetings with Teakina and Ngati Kuia/Ngati Toa could be used to further iwi consultation.

Page 55

In the last paragraph it was agreed to include the words “no later than” after “action plan” in the first sentence and include the words “and collaborative” in the last sentence after “more inclusive”.

There was a discussion about the wording which stated “to require Council controlled organisations”. The Chief Executive said he strongly advised a less directive approach at this moment in time.

Councillor Collingwood proposed and Councillor Holmes seconded

THAT the word “encourage” replace the word “require” in the third goal on page 57.

The motion was put and lost.

The meeting then confirmed that the word require would be the word used.

It was also agreed that the word agreement in this section be replaced by the words “statements of intent”.

Page 64

It was agreed under the heading Community Transport in the second column to add the words “support the continuation of the Active Transport Forum for greater collaboration of interested agencies and groups”.

Page 57-60

It was agreed to delete the cost estimate column from all of these tables.

Recommendation to Council

THAT Council approve the Local Action Plan for Climate Protection 2008 (Document 625843) attached to report 690737 with the changes agreed to by the Environment Committee;

AND THAT the Council note that the implementation of the Action Plan will require additional funding from 2009/2010 subject to discussion and confirmation through the Community Plan process.

Collingwood/Shaw

Carried

Attendance: Councillor Holmes left the meeting at 11.33 am.

9.0 SOLAR CITY FEASIBILITY PROPOSAL

Document No 691927, dated 5 September 2008, agenda pages 67-79 refer.

It was agreed that the Solar Feasibility Study Proposal should commence on page 73 of the existing document. It was agreed that the paragraph at the bottom of the page would be amended to read that the proposal is to assess the cost benefit of increasing uptake of solar power in Nelson and assuring that there be a net benefit by carrying out a feasibility study.

Page 74

It was agreed to put a key question no 8, “What is the best way that cost benefit analysis can be done”.

Attendance: His Worship the Mayor returned to the meeting at 11.50am

Resolved

THAT the Committee agreed to support the Solar Feasibility Study Proposal, Document 691974 attached to report 691927 as outlined from page 73 onwards and with changes agreed to by the Committee

AND THAT the Council contribute \$20,000 to the Solar Feasibility Study by re-prioritising projects within the Environmental Management Work Programme and an application to EECA for \$10,000.

AND THAT Councillors McAlpine and Shaw along with relevant Council staff be part of a joint Working Group with Energy Shift representatives that will oversee the completion of the Feasibility Study.

Collingwood/Shaw

Carried

10.0 TOP OF THE SOUTH MARINE BIOSECURITY STRATEGY

Document No 692753, dated 5 September 2008, supplementary order paper no 1 refers.

Resolved

THAT the Environment Committee appoint three representatives to a half day workshop to receive and debate the Top of the South Marine Biosecurity Strategy.

AND THAT those representatives be His Worship the Mayor, and Councillors Reese and Shaw.

Thomas/Collingwood

Carried

There being no further business the meeting ended at 12.16pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE