

MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET NELSON ON TUESDAY 26 FEBRUARY 2008 COMMENCING AT 9.00AM

PRESENT: Councillor R Reese (Chairperson), His Worship the Mayor K Marshall, Councillors I Barker, A Boswijk, G Collingwood, D Henigan, A McAlpine and D Shaw (Deputy Chairperson)

IN ATTENDANCE: Councillors M Cotton and G Thomas, P Dougherty (Deputy Chief Executive), R Johnson (Divisional Manager Planning and Consents) and R Palmer (Administration Adviser)

APOLOGIES: Apologies on behalf of Councillor D Henigan for lateness and Councillor A Miccio were received.

1.0 PUBLIC FORUM

1.1 Graham Pearson

Mr. Pearson handed out a letter and spoke to the Committee regarding the amount of glass and other litter which was in the Botanical Hill Reserve and broken glass on streets and parks within the city.

He raised that the Council could as a trial provide recycling bins in the Botanical Hill Reserve and this might provide the appropriate incentive for a tidier environment.

He also raised whether or not it would be possible for Council to adopt a bylaw making it illegal to sell alcoholic beverages in glass containers to people under 25 years of age.

Members of the Committee noted that the Summary of Offences Act 1981 covered the breaking of bottles in public areas and agreed that members of the community should be encouraged to provide the appropriate information to support prosecutions.

It was also noted that the Council supported a deposit on glass containers being reintroduced and it was understood that the Government might be moving in this direction.

In response to a question, Mr Pearson confirmed he would be happy to have his letter treated as a submission to the Annual Plan.

2.0 CONFIRMATION OF MINUTES

4 December 2007

Resolved

THAT the minutes of a meeting of the Environment Committee, held on Tuesday 4 December 2007, be confirmed as a true and correct record.

Barker/McAlpine

Carried

It was agreed that in item 9.0 the words 'Sustainability Strategy' should be 'Sustainability Policy'.

3.0 ENVIRONMENT COMMITTEE STATUS REPORT – FEBRUARY 2008 AGENDA PAGES 10-11 REFER

The Committee was advised that a report on the New Zealand Urban Design Protocol was intended to be presented to the Council meeting of 6 March 2008.

The Committee's attention was drawn to the note that the 'Sustainability Policy' was also proposed to be reported to the Council meeting of 6 March.

The Chairperson expressed the preference that reports which the Committee had requested should be presented back to it and if they were to be referred directly to the Council, the status report should in fact outline the reasons for this change.

The Committee discussed the difference between a policy and a strategy and agreed that this would be an appropriate matter for the staff to report on to a future meeting.

The meeting was advised that the Chairperson had not sent a letter to the Department of Building and Housing as in fact regulations had recently been promulgated under the Building Act 2004 to enable the issue of infringement notices and therefore the letter had not been required.

It was agreed that this should have been enunciated within the status report.

Resolved

THAT the Environment Committee Status Report for February 2008 be received.

Barker/Boswijk

Carried

4.0 CHAIRPERSON'S REPORT

The Chairperson explained that recent concerns communicated to Councillors made it opportune for her to point out that the Committee's role was to deal with the policy issues facing the Council.

While complaints and frustrations from residents centering on staff services, staff decisions, and a lack of direction in planning documents were received by Councillors, they had to remember that these were the province of the Divisional Manager or Chief Executive and it was not for them to make comments regarding staff, and they had no power to interfere in decisions made under delegated authority.

The Chairperson stressed that the area where the Councillors could influence the outcome was in relation to the planning documents and if they considered these were stifling innovation, did not protect the environment or raised issues regarding costs without benefit they had an obligation to work to improve or change them.

The Chairperson explained that in her opinion the Council workshop to follow the Environment Committee meeting was a situation where Councillors needed to be able to have frank and open discussion with staff without fear of being reported and that while the media had expressed an interest in attending, it was her opinion that the workshop should remain just that and the media remain excluded.

Some members of the Committee expressed concern that the Council needed to be careful to ensure that the outcomes from workshops did not go directly to the Council as items on which there was consensus rather than being subject to Committee debate, as rubberstamping of workshop discussion was a direct threat to the transparency of Council decision making.

5.0 CONSENTS BUSINESS UNIT FEES AND CHARGES 2008/09

Report No 636995, dated 29 January 2008, agenda pages 12-32 refer.

Attendance: Phil Ruffell, the Manager Consents, presented the report.

Mr. Ruffell stressed that the report only related to resource consents, building consents, and land information charges and that a further report would be submitted to the Committee regarding Dog Control and Health Registration Fees.

Mr. Ruffell drew the Committee's attention to two particular items being the cost of monitoring resource consents and the increased use being made of consultants to process resource consent applications.

He also pointed out that the cost of commissioners was another specific charge which had been included in Schedule A.

The Committee discussed the process whereby it was decided to use resource consultants to process consents having regard to the fact that consultants were likely to be more expensive.

Mr. Ruffell advised that the preference was for all resource consents to be processed in house however where the use of a consultant was necessitated by pressure on staff, the process adopted by the Marlborough District Council whereby the applicant was given an option of using consultants on the basis of receiving a quicker decision, could be appropriate.

Attendance: Councillor Henigan entered the meeting.

It was agreed that on this basis the Schedule of Charges under Appendix A should be amended to make it clear that resource consent processing would be outsourced when it was requested by an applicant.

It was also noted that at the present time there was no administration charge in relation to section 357 objections as listed under paragraph 4 of Appendix A and therefore the \$250 fee was a new fee.

Members of the Committee discussed the Council policy in relation to funding the Consents Business Unit acknowledging that the policy needed to be reviewed and that this would be undertaken as part of the 2009 Long Term Council Community Plan.

Various concerns were expressed regarding the manner in which consents were processed and the charges proposed, however it was accepted that the fees and charges were consistent with the existing Council policy and until that policy was altered, the Committee really had little option.

Resolved

THAT the new or changed fees and charges for resource consents under s.36 of the Resource Management Act 1991 be adopted as detailed in Appendix A to Report No 636755 and notified by the Special Consultative Procedure in accordance with Section 83 of the Local Government Act 2002.

AND THAT the new or changed fees and charges for building consents under the Building Act 2004 be adopted as detailed in Appendix B to Report No 636755.

AND THAT the new or changed fees and charges for property information be adopted as detailed in Appendix C to Report No 636755.

AND THAT the charges excluding those for resource consents apply as from 1 March 2008 until such time as they are varied or amended by Council.

AND THAT the charges for resource consents apply as from the date of the Council resolution confirming them.

Shaw/McAlpine

Carried

Attendance: Mr. Ruffell left the meeting.

6.0 SUBMISSION ON DOG CONTROL AMMENDMENT BILL (No 2)

Report No 636995, dated 29 January 2008, agenda pages 33-35 refer.

Resolved

THAT the submission attached as Attachment 1 to Report 636995 on the Dog Control Amendment Bill (No 2) be endorsed.

AND THAT the attached submission be forwarded to Local Government and Environment Select Committee prior to the closing date of 29 February 2008.

Shaw/Boswijk

Carried

7.0 IMPROVING PUBLIC SAFETY UNDER THE DOG CONTROL ACT 1996 - POLICY OPTIONS - DISCUSSION DOCUMENT

Report No 637473, dated 14 February 2008, agenda pages 36-42 refer.

Councillors Barker and Boswijk expressed their willingness to be members of the proposed working party.

Resolved

THAT a working party be established to formulate a submission on the government discussion document "Improving Public Safety under the Dog Control Act 1996: Policy Options" and submit this to the Department of Internal Affairs by the closing date of 31 March 2008;

AND THAT the working party consist of Councillors I Barker and A Boswijk together with appropriate staff from the Council's regulatory units;

***AND THAT** the working party present the submission to the meeting of the Environment Committee scheduled for 1 April 2008.*

His Worship the Mayor/McAlpine Carried

8.0 GENERAL BUSINESS

8.1 Public Forum Discussion

Resolved

***THAT** the presentation tabled by Mr Pearson at the public forum be accepted and dealt with as a submission to the 2007/08 Annual Plan.*

Collingwood/Shaw Carried

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE

The meeting closed at 10.50am.