

MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON TUESDAY 28 OCTOBER 2008 COMMENCING AT 9.00AM

- PRESENT:** Councillor R Reese (Chairperson), Councillors I Barker, A Boswijk, G Collingwood, P Rainey, D Shaw (Deputy Chairperson) and G Thomas
- IN ATTENDANCE:** M Workman (Manager of Environmental Policy) and R Palmer (Administration Adviser)
- APOLOGIES:** Apologies on behalf of His Worship the Mayor (K Marshall) and Councillors M Cotton, M Holmes, A McAlpine and A Miccio were received and accepted.
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1.0 INTRODUCTION

Mandy Bishop, the new Manager (Consents), Tracy Quinton-Boundy, new Manager (Building Consents) and Lisa Gibellini, recently appointed Environmental Policy Planner, were introduced to Councillors.

2.0 CONFIRMATION OF MINUTES

11 September 2008

Resolved

***THAT** the minutes of the meeting of the Environment Committee, held on Tuesday 11 September 2008 be confirmed as a true and correct record.*

Shaw/Rainey

Carried

3.0 ENVIRONMENT COMMITTEE STATUS REPORTS – OCTOBER 2008

Agenda pages 7-12 refer.

It was noted that the table of Envirolink applications was related to the report on page 20 and 21 of the agenda, but would continue to be part of the Status Report.

The following items in the status report were noted for addition to the report:

- i. Richmond West Urban Development.
Councillor Shaw advised that he had attended the Tasman District Council hearing to present the Council's submission.
- ii. An indicative time frame be added to the items relating to the review of freshwater quality classifications.
- iii. In relation to the Swing Moorings Consent it be noted in the next report when an application was likely to be made.
- iv. In relation to the item regarding telephone cell phone tower sites it be noted that the Divisional Manager was arranging for a legal opinion which would be presented to the Committee in due course. And a plan showing the location of existing towers would be presented to the next meeting of the Committee.

- v. In relation to the liquor ban, it be noted that the review of the by-law is proposed to be undertaken in December 2008.
- vi. The appeals which had been resolved or consent orders issued in relation to Environment Court proceedings be deleted from the report.
- vii. A column be added to future reports relating to National Environmental Standards and National Policy Statements stating the name of the document concerned.

Resolved

THAT the Environment Committee status reports to October 2008 be received.

Boswijk/Barker

Carried

4.0 ENVIRONMENT FINANCIAL REPORT FOR TWO MONTHS ENDED 31 AUGUST 2008

Document Number 699987, dated 2 October 2008, agenda pages 13-19 refer.

Resolved

THAT the Environment Financial Report for two months ended 31 August 2008 be received and the variations noted.

Shaw/Reese

Carried

5.0 ENVIROLINK PROJECTS

Document Number 699134, dated 1 October 2008, agenda pages 20-21 refer.

The Committee's attention was drawn to the table on pages 11 and 12 of the agenda where the table relating to Envirolink applications had been included as part of the Status Report.

It was noted that since December 2005 Council had received approximately \$316,000 of funding through the Envirolink scheme and that this was a straight grant only entailing Council staff time.

It was agreed that in future the chart should show any applications which might have been declined.

Resolved

THAT the report outlining the funding received through the Envirolink scheme be received.

Rainey/Boswijk

Carried

ANNUAL REPORT - ENVIRONMENTAL INSPECTIONS LTD – 2007/2008

Document Number 703076 dated 17 October 2008, agenda pages 22-35 refer.

Attendance: Bob Askew and Stephen Lawrence (Environmental Inspections Ltd), presented the report.

It was noted that the resource consent monitoring programme was something which still needed to be resolved with Council management, and that legislative changes and changes to the Council's Resource Management Plan all had potential ramifications in relation to monitoring and enforcement costs.

Resolved

THAT the annual summary of activities of Environmental Inspections Ltd for the year ending 31 July 2008 be received

AND THAT the Council express its thanks to the company and its staff for the work which they do in these fields.

Shaw/Barker

Carried

6.0 LITTER INFRINGEMENT OFFENCES

Document Number 698102, dated 26 September 2008, agenda pages 36-38 refer.

Attendance: Bob Askew (Environmental Inspections Ltd) presented the report.

Members of the Committee discussed ways in which publicity could be given to the increased fees and the litter problem.

Attendance: Councillor G Thomas entered the meeting.

The meeting was advised that Environmental Inspections staff, when undertaking their annual inspections of licensed food premises would be happy to provide an appropriate sign which takeaway premises could display, drawing the attention of their patrons to the increased fine.

Mr Askew also undertook to obtain information from Keep New Zealand Beautiful regarding the availability of signs which could be installed at car parks and other litter-prone sites.

Resolved

THAT the Council reaffirm its adoption of the infringement notice provisions of Section 13 and Section 14 of the Litter Act 1979 in relation to the deposit of litter or the leaving of litter in any public place;

AND THAT where such litter comprises a single item the infringement fee in respect of the deposit or leaving of that litter be \$100.00;

AND THAT where such litter comprises more than a single item the infringement fee in respect of the deposit or leaving of that litter be \$200.00;

AND THAT where the litter comprises a large quantity of rubbish and/or comprises broken glass, food scraps or other offensive matter the infringement fee in respect of the deposit or leaving of that litter be \$400.00;

AND THAT in serious cases Council proceed by way of action pursuant to S.15 of the Litter Act 1979.

Barker/Shaw

Carried

7.0 FENCING OF SWIMMING POOLS ACT 1987, APPROVAL OF NZS 8500:2006 AS A MEANS OF COMPLIANCE FOR SAFETY BARRIERS AND FENCES AROUND SWIMMING POOLS, SPAS AND HOT TUBS.

Document Number 696984, dated 2 October 2008, agenda pages 39-44 refer.

Resolved

THAT the Council adopt NZS 8500:2006 as an acceptable alternative means of compliance for safety barriers for swimming pools, spa pools and hot tubs in respect of applications for special exemption of a swimming/spa pool pursuant to Section 6 of the Fencing of Swimming Pools Act 1987.

Boswijk/Shaw

Carried

It was noted that applications in relation to exemptions under section 6 of the Act were not able to be delegated beyond a committee.

8.0 NELSON FOREST LTD

Mark Forward (Forest Operations Manager), Andy Karlaus (Project Manager), and Heather Arnold (Business Support Planner), for Nelson Forests Ltd were welcomed to the meeting.

The visitors provided a presentation to the Committee outlining the history and background to Nelson Forests Ltd and the manner in which the Company carried out and managed its forestry operations.

The Committee was advised that the Company worked hard to ensure that its operations were carried out in an environmentally sustainable manner and it would like to see the Council adopt a resource management regime which would allow it to self manage its operations without the continuous need for resource consents.

It was noted that Environment Bay of Plenty had recently adopted a system whereby forestry operators were accredited and thus subject to less oversight by the Council.

It was agreed that both Nelson Forest Ltd and the Council were interested in ensuring efficiency, however, any changes to the present resource management regime would require a change to the Resource Management Plan and it was a question of priorities.

The representatives from Nelson Forests Ltd left the meeting.

SUBMISSION ON THE PROPOSED NEW ZEALAND COASTAL POLICY STATEMENT

Document Number 702385 dated 14 October 2008, agenda pages 45-55 refer.

Resolved

***THAT** the submission presented by the Council to the Board of Inquiry for the proposed New Zealand Policy Statement, being Document Number 693833, be received.*

Shaw/Boswijk

Carried

The Chairperson was thanked for the work which she had done in preparing the submission.

9.0 PROPOSED NATIONAL POLICY STATEMENT FOR RENEWABLE ELECTRICITY GENERATION

Document Number 702400 dated 14 October 2008, agenda pages 56-66 refer.

Attendance: Debra Bradley (Senior Policy Planner) presented the report.

The Committee discussed the procedure which it should follow in relation to developing submissions on National Policy Statements or National Environmental Statements, and whether any purpose was served by involving the whole Committee in the process.

It was generally agreed that each submission would be dealt with on its merits having regard to the complexity of the issue and the timing of the response.

Issues which were raised and which it was felt should be provided for within the submission included:

1. The Government should be urged to carry out a National assessment of the values of streams and rivers and landscapes so as to provide a standard benchmark against which future proposals could be measured.
2. The comments in relation to proposed Policy 2 should be extended to cover hydro generation and stream values.

Resolved

***THAT** the draft submission Document Number 702242 be amended in accordance with the comments made by Councillors, circulated by email to the Chairperson and Deputy Chairperson for approval, and lodged with the Board of Inquiry by 31 October 2008.*

Reese/Boswijk

Carried

PROPOSED NATIONAL POLICY STATEMENT FOR FRESHWATER MANAGEMENT

Document Number 702353 dated 14 October 2008, agenda pages 67-79 refer.

Attendance: Debra Bradley (Policy Planner) presented the report.

Resolved

THAT staff draft a response to the proposed National Policy Statement for Freshwater Management for consideration by the Committee at its meeting on Thursday 4 December 2008.

Boswijk/Rainey

Carried

10.0 INNER CITY NOISE PROVISIONS

Document Number 701637, dated 15 October 2008, agenda pages 80-96 refer.

Attendance: Reuben Peterson (Policy Planner) and Bob Askew (Environmental Inspections Ltd) presented the report.

The Committee discussed the timing of any changes to the noise provisions of the Resource Management Plan acknowledging that there should be some correlation with the Inner City Strategy.

Resolved

THAT staff further investigate the situation and provide an issue and options paper together with funding implications to the meeting of the Environment Committee scheduled for Thursday 4 December 2008.

Shaw/Boswijk

Carried

11.0 MARSDEN VALLEY PLAN CHANGE 08/01

Document Number 696641, dated 17 October 2008, agenda pages 97-101 refer.

Attendance Anna Crosbie and Rueben Peterson (Policy Planners) presented the report.

Resolved

THAT a structure plan and relevant plan change options for the wider Marsden Valley/Enner Glynn to Brooke area be prepared;

AND THAT the Marsden Valley plan change 08/01 be promulgated in concert with any plan changes proposed for the wider Marsden Valley and Enner Glynn to Brooke area and any plan changes proposed in respect of the subdivision and comprehensive housing provisions of the Nelson Resource Management Plan;

AND THAT Marsden Valley plan change 08/01 and any other plan changes be notified together no later than 1 November 2009.

Shaw/Boswijk

Carried

SUSTAINABILITY FORUM

Document Number 702687, dated 16 October 2008, agenda pages 102-106 refer.

The Manager Environmental Policy explained that the Sustainable Business Network had established a sustainability forum and Councillors were being requested to indicate whether they would be interested in being involved.

He also tabled an amended draft terms of reference in relation to the Forum.

It was acknowledged that any involvement which the Council had in the Forum would be reviewed periodically to ensure that it was of value bearing in mind that the Council had its own sustainability policy and strategic focus.

Resolved

THAT Councillor Reese attend future meetings of the Sustainability Forum organised by the Sustainable Business Network, on behalf of the Council;

AND THAT the progress of the Sustainability Forum be reported to the Environment Committee at no more than six monthly intervals.

Shaw/Boswijk

Carried

The meeting closed at 12.15pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE