

**MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON TUESDAY 14 NOVEMBER 2006 COMMENCING AT 9.00AM**

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**PRESENT:** Councillor E Davy (Chairperson), His Worship the Mayor (P Matheson), Councillors I Barker, G Collingwood, M Cotton, J Fryer (Deputy Chairperson), I Ford and M Holmes.

**IN ATTENDANCE:** Councillors D Henigan and D Shaw, V Altmments (Chief Executive), R Johnson (Divisional Manager Planning and Consents) and R Palmer (Administration Adviser).

**APOLOGIES:** An apology from Councillor G Thorne was received and accepted.

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**1.0 ENVIRO SCHOOLS AWARD**

Pupils of Nelson College for Girls, being members of the school environment group, together with Jennifer Thomas, a teacher at the school, were welcomed to the meeting.

The Chairperson advised that the Council presently sponsors Enviro Schools in Nelson as part of its environmental education programme, and that this year the Nelson College for Girls environment group were receiving a bronze award for their work in the establishment of a recycling programme within the school.

Members of the group explained to the Committee that it had not been easy to maintain the paper recycling programme, particularly as it had been difficult to ensure continuity in relation to the collection.

Miss Thomas explained that the girls had worked hard and were pleased to hear that the Council would be assisting schools to recycle in the future.

**2.0 PUBLIC FORUM**

**2.1 Catal Development Ltd (Item 4.0 on the agenda refers)**

Paul Radich, Consul for the development company, tabled a submission supporting the approach by Catal Development Ltd for a plan change to create a large format overlay on the former Honda site.

In speaking to the submission, Mr Radich stressed that Marketplace New Zealand Ltd had concluded that there was an urgent need for an increase in suitable land to accommodate retail offerings of a type and scale that New Zealanders had come to expect from regional centres, and that to locate large format stores in an unplanned way in various parts of the region was not an appropriate planning process.

Mr Radich advised that the company had spent considerable time and resources in developing the proposal, and was asking the Council to accept its request for a private plan change to be processed by the Council, to provide for the large format retailing in a convenient and central location.

Mr Radich concluded by advising that the company was happy with the recommendation which the staff had provided in the report to be considered by the Committee.

## 2.2 Ashley Trust (Item 5.0 of the agenda refers)

Mr Tony Alley and Mr John McLaughlin spoke in support of the application by Ashley Trust for the Council to carry out plan changes for the Trust's and Mr McLaughlin's land in Marsden Valley to provide for one of the preferred residential development options identified in the Nelson Urban Growth Strategy.

Mr Alley explained that the Trust was concerned that the cost of it proceeding with a private plan change, without the Council's support, particularly in relation to the infrastructure to serve the proposed development, would be prohibitive. Whereas if the Council initiated the scheme change the cost would be less and it would be seen to be treating this development in a way that was consistent with the provisions of its Long Term Council Community Plan, as regards future infrastructure.

It was noted that if the Council did not adopt the change, the Trust would proceed with a resource consent application for development of the part of land which was presently zoned residential, on Chings Flat.

Attendance: Councillors I Barker and D Henigan left the meeting at this point.

Concern was expressed that as a resource consent application was likely to be lodged, any further discussion by the Committee on the matter might well compromise the Council's ability to hear and consider the proposal.

Attendance: Councillor I Barker and D Henigan re-entered the meeting.

## 3.0 CONFIRMATION OF MINUTES

10 October 2006

Resolved

***THAT the minutes of a meeting of the Environment Committee, held on Tuesday 10 October 2006, be confirmed as a true and correct record.***

Barker/Collingwood

Carried

## 4.0 MATTERS ARISING FROM THE MINUTES OR INFORMATION SHEETS

### 4.1 Communities for Climate Protection in New Zealand (Clauses 1.2 and 3.0 of the minutes refer)

Councillor Collingwood expressed concern that the Council had rejected the proposal for it to join the "Communities for Climate Protection in New Zealand" programme when the issue of climate change was perhaps one of the most important issues presently being faced by the community.

Members discussed whether or not it would be appropriate for staff to provide additional information, and on this basis for the Council to revisit the proposal.

Councillor Shaw pointed out that the purpose of the initiative had been clearly spelt out within the previous report, being to encourage Councils to undertake an inventory of the Council's and the community's greenhouse gas emissions, making use of a particular software programme, and that following this, for it to debate and investigate strategies for the issues to be addressed, and consequently to establish the requisite resources, or budgets, to implement the strategies devised.

The members agreed that the Chief Executive should determine which Committee should receive any staff report and review the Environment Committee decision of 10 October 2006.

Recommendation to the Council

***THAT the issue of whether the Council joins the "Communities for Climate Protection in New Zealand" programme be reconsidered.***

Collingwood/Fryer

Carried

**5.0 PRIVATE PLAN CHANGE – 06-01 (CATAL DEVELOPMENT LTD)**

Report No 7085, dated 2 November 2006, file ref RM0100-09, agenda pages 11-33 refer.

Resolved

***THAT proposed plan change P06-01 (Catal Development Ltd) be accepted, pursuant to Clause 25(2)(b) of the First Schedule to the Resource Management Act 1991, as a private plan change;***

***AND THAT the private plan change P06-01 be publicly notified as soon as practicable, having regard to the notification timeframes in the First Schedule of the Resource Management Act 1991.***

His Worship the Mayor/Collingwood

Carried

**6.0 PROPOSED DEVELOPMENT OF ASHLEY TRUST LAND – MARSDEN VALLEY**

Report No 7075, dated 14 November 2006, file ref RU1802-01, agenda pages 34-47 refer.

Martin Workman, Manager Environmental Policy, presented the report.

Attendance: Councillors I Barker and D Henigan left the meeting.

Mr Workman advised that the Council's Policy expressed in the Nelson Urban Growth Strategy for the Ngawhatu and Marsden Valley areas was to "allow private development proposals to be processed through private plan change and resource consent processes. Work with land owners and applicants to provide comprehensive and integrated developments through private plan changes and resource consents."

He advised that, in his opinion, there was sufficient land either zoned or proposed to be zoned under the present notified private plan changes to provide an 8-10 year supply of residential land, and that on this basis there was no urgent need for the Council to adopt this proposal.

Mr Workman advised that he accepted that there were some infrastructural issues which needed to be tidied up in relation to the future development of this land. He was unaware what proposals Council might have in relation to this matter, and Council staff were in no position to give any indication of whether they could support any proposal by the Ashley Trust until more work had been done in developing and finalising a specific development or rezoning proposal that could be assessed and costed.

It was accepted that the Council needed to be consistent in its dealing with landowners and encourage private initiatives as provided for in the Nelson Urban Growth Strategy.

Resolved

***THAT the request for the Council to undertake a plan change to provide for residential development in Marsden Road in respect of the land held by the Ashley Trust and Mr J McLaughlin be declined.***

Davy/Cotton

Carried

Attendance: Councillors I Barker and D Henigan re-entered the meeting.

#### **7.0 APPOINTMENT OF HEARING COMMITTEE – STOKE VALLEY HOLDINGS AND SOLITAIRE NUMBER 1**

His Worship the Mayor declared an interest and withdrew from this part of the meeting.

Report No 7092, dated 7 November 2006, file ref RM0100-06 RM0100-07, agenda pages 37-39 refer.

Recommendation to the Council

***THAT His Worship the Mayor and Councillor E Davy be appointed as a Hearing Committee to hear and make recommended decisions to the Council on submissions on plan change 05-03 (Stoke Valley Holdings) and plan change 05-04 (Solitaire Investments);***

***AND THAT the Hearings Committee elect its own chairperson.***

Holmes/Fryer

Carried

#### **8.0 RURAL LIAISON**

Raewyn Lovell, the Council's Rural Liaison Officer, spoke to the Committee regarding her role and her achievements in the position.

It was noted that the Rural Liaison Officer's task was to provide assistance and advice to those in the rural sector on a range of matters including pests and revegetation, and to administer the Council's riparian margin fencing fund. It was also noted that Ms Lovell maintained a good working relationship with the Tasman District Council Bio-Security Officers, who were contracted to the Council for pest management, and that their respective functions did not overlap.

#### **9.0 AIR QUALITY TRENDS IN NELSON CITY**

Report No 7061, dated 16 October 2006, file ref EG0100, agenda pages 40-51 refer.

Attendance: Paul Sheldon, Monitoring Co-ordinator, and David Jackson, Senior Policy Planner, presented the report.

Mr Sheldon explained the location of the air monitoring and meteorological sites which the Council had established, and the analysis which had been undertaken of the results of the air quality monitoring measures since 2001. This analysis clearly indicated that there was a downward trend in the level of PM<sub>10</sub> emissions within the City. The work being done by the Council in relation to its Air Quality Plan was having a necessary benefit for air quality.

Mr Jackson explained the emission inventory trends were established through a survey of the actual emissions from industry, modelled emission levels from vehicles and the results of a random, statistically sound, telephone sample of home owners' domestic fires. These were correlated with the monitoring being carried out.

Mr Jackson advised that these also showed that the total PM<sub>10</sub> emissions across the City had decreased by 16% since 2001.

Mr Jackson pointed out that in order for the Council to meet the National Emission Standards, the PM<sub>10</sub> emissions would need to be reduced by 70% by 2013, and it was appropriate that the Committee workshop the strategies which might be necessary to ensure that the target could be met.

Stephen Lawrence (Environmental Inspections Ltd) explained the manner in which he and his staff "enforced" the emission controls in relation to domestic fires, advising that they had adopted it as an education exercise, and so to date no abatement notices had been served for smoking domestic fires.

Councillor Henigan requested that the recommendation should also include reference to the Committee noting that vehicle emissions had in fact increased by 21% since 2001.

It was acknowledged that while this might appear to be a large increase, the fact that vehicles only contributed around 7% of the PM<sub>10</sub> emissions indicated that vehicles would not prove to be any real impediment to the Council achieving its targets. It would not be appropriate to divert attention from the major contributor, being domestic heating.

Resolved

**THAT the Committee notes:**

- i. **THAT an analysis by Endpoint Ltd of air quality monitoring data, corrected for variations in winter warmth, indicates a downward trend in peak winter particle levels (PM<sub>10</sub>) over the period from 2001 to 2006; and**
- ii. **THAT, supporting the above, the preliminary results of the 2006 Nelson Emissions Inventory also indicate a downward trend in the combined PM<sub>10</sub> winter emissions in urban Nelson, and a decline in the number of domestic fires and burners in use; and**
- iii. **THAT the Endpoint report states that:**
  - a. **"despite ... reducing trend in emissions, there remains the possibility of a cold winter with quiescent winds occurring in**

*future that could result in PM<sub>10</sub> concentrations similar to those that occurred in 2001”, and*

- b. “Emissions reductions are still urgently required”.*
- iv. THAT improvements in air quality appear to be on track, but then continuation of this trend is dependent on implementing the programme identified in the Long Term Council Community Plan to accelerate the rate of replacement of domestic enclosed burners;*
- v. AND THAT staff report to a workshop to be held following the Environment Committee meeting on Tuesday 12 December on a proposed strategy in relation to domestic heating and any risks that could potentially threaten the ability of the Council to achieve the National Environmental Standards and the Nelson Air Quality Plan targets.*

Collingwood/Holmes

Carried

## **10.0 DOG CONTROL ACTIVITY REPORT 2005-2006**

Report No 7071, dated 19 October 2006, file ref AL0119, agenda pages 63-65 refer.

Stephen Lawrence, Environmental Inspections Ltd, presented the report.

The Councillors noted that it would be helpful if previous years’ data had been provided. It was agreed that these comparisons could be added for future years, however the format of the report was as required under the Dog Control Act 1991.

Mr Lawrence explained that generally there had been a decrease in the number of complaints and dog attacks, which he attributed to proactive patrolling by the Dog Control Officers, and the general publicity which had been given to dog attacks in recent years.

Resolved

*THAT Appendix 1, attached to Report No 7071, be adopted as the Nelson City Council Dog Control Activity Report for the year 2005-2006;*

*AND THAT the information be forwarded to the Secretary for Local Government, and publicly notified as required under sections 10A(3)(4) of the Dog Control Act 1996.*

Holmes/Barker

Carried

## **11.0 CONSENTS DEPARTMENT – REVIEW OF BUILDING CONSENTS ACTIVITY**

Report No 7088, dated 6 November 2006, file ref RB0300, agenda pages 52-62 refer.

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

The Committee acknowledged the issues which the Business Unit had faced in relation to resources, and the steps which were being taken to improve compliance with the Building Act 2004, in relation to processing of building consents.

Mr Ruffell explained that the user groups, which had previously been used to obtain feedback from builders and others involved in the industry, which had been allowed to lapse, were to be reformed.

It was agreed that information regarding the percentage of building consents which had been dealt with in compliance with the Building Act timeframes, and number of outstanding code of compliance certificates, would be circulated for Councillors' information with a future newsletter.

Resolved

***THAT the Committee notes the initiatives undertaken to address compliance with the Building Act 2004 timeframes, as set out in paragraph 3.13 of Report No 7088;***

***AND THAT the costs associated with building consent authority accreditation, technical reassessment and specific assessments, be incorporated into Council budgets for future years.***

Holmes/Barker

Carried

The meeting closed at 12.11pm.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

\_\_\_\_\_ CHAIRPERSON \_\_\_\_\_ DATE