

MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON TUESDAY 27 MARCH 2007 COMMENCING AT 9.00AM

PRESENT: Councillor E Davy (Chairperson), Councillors G Collingwood, M Cotton, J Fryer (Deputy Chairperson), I Ford and M Holmes

IN ATTENDANCE: Councillors C Aitken and D Shaw, V Altmets (Chief Executive), R Johnson (Divisional Manager Planning and Consents) and R Palmer (Administration Adviser)

APOLOGIES: Apologies from His Worship the Mayor (P Matheson) and Councillors I Barker and G Thorne were received and accepted.

1.0 PUBLIC FORUM

1.1 Heritage Incentive Fund

Sue Thomas spoke to the Committee, outlining her concerns at the criteria which had been adopted in respect of the Council's newly introduced Heritage Incentive Fund. In particular, she explained that in her opinion, the criteria requiring the building object or site to be listed in the Council's Resource Management Plan, and for the proposed work to have all necessary Council and New Zealand Historic Places Trust approvals, were unreasonable.

She expressed the opinion that applications to the Fund should be accepted from the owners of buildings in respect of which an application had been made to have them listed in the Council's Resource Management Plan, as the process to complete the listing could take up to three years.

She also explained that applications in respect of the fund had only been open for one month, whereas it could take at least six weeks to obtain a building permit from the Council, and up to a year to obtain consent from the New Zealand Historic Places Trust, if this was required.

She also expressed concern regarding the requirement to insure the building, as there was no indication of any follow up.

She also pointed out that nowhere on the form was there actually a place where an applicant could indicate specifically how much money was being sought from the Fund.

Mrs Thomas advised that, in her opinion, the eligibility criteria should be changed to include applications for heritage listing which were pending, so that the merits of the proposal could in fact be assessed against one year's fund, even if the proposal needed to wait until the listing was complete to obtain funding perhaps from another year's allocation.

She also expressed the opinion that while there should be a cut-off date for applications, the Council should provide more than a month within which these could be made.

She also requested that more publicity be given to the existence of the fund in future years.

2.0 CONFIRMATION OF MINUTES

20 February 2007

Resolved

***THAT** the minutes of the meeting of the Environment Committee, held on Tuesday 20 February 2007, be confirmed as a true and correct record.*

Collingwood/Davy

Carried

3.0 MATTERS ARISING

3.1 Building Consent Activity (Clause 10.0)

Concern was expressed that the process adopted by the Council in relation to building consents needed to be improved, to ensure as far as possible that applicants were advised of all the information at the time they lodged their application, rather than them being advised in a piecemeal fashion as the processing progressed.

4.0 REGIONAL PEST MANAGEMENT STRATEGY

Report No 7160, dated 15 March 2007, file ref RN1100, agenda pages 12-14 refer.

The Committee's attention was drawn to the copy of the completed Strategy which had been circulated with the agenda.

Martin Workman (Manager Environmental Policy), presented the report, explaining that there had only been relatively minor changes made to the final document as a result of the submissions in respect of the draft Strategy, and that as far as Nelson was concerned, the biggest change was in relation to ants, which the Strategy specifically required land occupiers to control.

He also explained that the Strategy envisaged that additional education would be carried out in relation to pests within the City.

Mr Workman advised that the Council's contribution to the Strategy was approximately \$100,000 in relation to administration, however the cost of the control requirement to be implemented under the plan fell on the landowners.

Resolved

***THAT** the Tasman-Nelson Regional Pest Management Strategy 2007-2012, as circulated with the report, be adopted.*

Fryer/Holmes

Carried

5.0 VARROA AGENCY UPDATE

Report No 7200, dated 20 March 2007, file ref RN1001, agenda pages 15-16 refer.

Richard Johnson (Divisional Manager Planning and Consents), presented the report, advising that subsequent events in relation to the agency had rendered the report obsolete, and he proposed to bring a report to the next meeting of the Environment Committee, providing a more relevant update.

6.0 REVIEW OF RESOURCE CONSENTS ACTIVITY

Report No 7198, dated 19 March 2007, file ref RA0400, agenda pages 17-22 refer.

Phil Ruffell (Manager Consents) presented the report and outlined the work which was being done to address the staffing situation resulting from the recent resignation and impending maternity leaves.

Issues raised by the Councillors included:

1. Perhaps staff could look at providing a fast-track system in relation to subdivision for “accredited” companies, where they basically issued their own consents
2. Could resource consent applications and building consent applications be amalgamated and dealt with as one, so as to avoid the need for two processes, often running consecutively
3. Communication between the Council and an applicant could be improved so as to ensure that applicants knew what stage the processing had reached
4. While peer review of planning reports is a good way to ensure consistency, it can be counter productive and disempowering of Resource Officers, and also give rise to unnecessary delays
5. Was it necessary to write extensive reports in relation to non-notified applications which it was proposed to grant?

Resolved

THAT the information regarding the review of resource consents activity for the first quarter of 2007 be received.

Davy/Collingwood

Carried

7.0 CONSENTS DEPARTMENT – DOG CONTROL, ENVIRONMENTAL HEALTH FEES AND CHARGES 2007/08

Report No 7197, dated 19 March 2007, file ref RA0103, agenda pages 23-26 refer.

Resolved

THAT the Schedule of Dog Control Fees and Charges for 2007/2008 as detailed in Appendix A to Report No 7197 be adopted;

AND THAT the Schedule of Environmental Health Fees and Charges for 2007/2008 as detailed in Appendix B to Report No 7197 be adopted;

AND THAT the charges apply as from 1 July 2007 until such time as they are varied or amended by the Council.

Holmes/Ford

Carried

8.0 OUTDOOR WALKING ACCESS – RESULTS OF CONSULTATION

Report No 7199, dated 19 March 2007, file ref RN0105, agenda pages 27-29 refer.

Resolved

THAT the key findings of the Walking Access Consultation Panel, attached as Appendix 1 to Report No 7199, be received.

Collingwood/Cotton

Carried

9.0 HEARING COMMITTEE FOR PRIVATE PLAN CHANGE 06/01 - CATAL DEVELOPMENTS LTD

Report No 7197, dated 16 March 2007, file ref RM0100-09, agenda pages 30-31 refer.

Martin Workman (Manager Environmental Policy), presented the report, advising that it was anticipated that this hearing would take place some time in June and probably require two or three days to complete.

It was agreed that future reports of this nature should indicate when, and how long, a hearing might be scheduled for.

Resolved

THAT a Hearing Committee comprising an Independent Commissioner and Councillors E Davy and M Holmes be appointed under s.34(1) of the Resource Management Act 1991, to hear and determine all submissions and further submissions to Private Plan Change 06/01 of the Nelson Resource Management Plan, and to make a final decision on the Change.

AND THAT the Divisional Manager Planning and Consents appoint an Independent Commissioner to the Hearing Committee for Plan Change 06/01.

AND THAT the Independent Commissioner be appointed as Chair of the Hearing Committee.

Collingwood/Fryer

Carried

It was noted that Councillor D Shaw would be available if one or other of the named Councillors could not attend on the days for the hearing.

10.0 HEARING COMMITTEE FOR PLAN CHANGE 06/04 STOKE RAILWAY RESERVE

Report No 7196, dated 16 March 2007, file ref RM0100-02, agenda page 32 refers.

Martin Workman (Manager Environmental Policy), presented the report, advising that it was proposed that this hearing would be held in late May.

Resolved

THAT Councillors I Barker, D Henigan and J Fryer be appointed as a Hearing Committee to hear and determine submissions on Plan Change 06/04 (Stoke Railway Reserve).

AND THAT the Committee be delegated the power to determine the submissions heard and make a final decision on the Change;

AND THAT the Hearing Committee elect its own Chairperson.

Davy/Ford

Carried

It was noted that His Worship the Mayor would likely be available to stand in for any of the three who might not be able to attend on the days for the hearing.

11.0 COMMUNITIES FOR CLIMATE PROTECTION – COUNCIL REPRESENTATIVE

Report No 7188, dated 15 March 2007, file ref RM0401-02, agenda pages 33-34 refer.

Resolved

THAT the Chairperson of the Environment Committee be the Council's representative on the Communities for Climate Protection – New Zealand programme.

Collingwood/Cotton

Carried

12.0 DRAFT ENERGY STRATEGIES AND CLIMATE CHANGE DISCUSSION DOCUMENTS

Report No 7189, dated 14 March 2007, file ref RU0600, agenda pages 35-41 refer.

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

The Committee discussed the draft submission attached to the report, agreeing that the following amendments or alterations should be made prior to it being forwarded to the Government.

- i) That while the Council supports increased thermal performance requirements for houses, as detailed under Section D4(b), it feels that some comments should be made regarding the possible cost implications for the construction of new dwellings, *vis a vis* the ongoing running costs.
- ii) Reference under B1 to solar water heating should be expanded to include opportunities for solar electricity generation.
- iii) The submission could benefit from an executive summary.
- iv) Section C should also make reference to other initiatives, such as orientation of dwellings and the like, in relation to solar efficiency.
- v) Section C7 should be expanded to clarify what funding there is available in relation to increasing walking.
- vi) While large hydro schemes are excluded under Section C7, the submission should indicate what size schemes would be acceptable.

Resolved

THAT subject to the foregoing amendments and alterations, the submissions contained in the attachment to Report No 7189 be adopted and forwarded to the Government for its consideration in respect to:

- (a) *Draft New Zealand Energy Strategy to 2050*
- (b) *The Draft New Zealand Energy Efficiency and Conservation Strategy*
- (c) *Discussion Paper on measures to reduce greenhouse gas emissions in New Zealand, post 2012*
- (d) *Discussion Paper for a plan of action regarding sustainable land management and climate change.*

Collingwood/Fryer

Carried

13.0 GENERAL BUSINESS

13.1 Public Forum Discussion

The Divisional Manager Planning and Consents advised that, in his opinion, Sue Thomas had made some valuable suggestions in relation to how the application form for the Heritage Incentive Fund could be improved. However he explained that there were also a number of other issues which she had raised, in respect of which the Council had only recently made decisions, such as buildings only being eligible if they were already listed within the Plan.

It was generally agreed that the present bid proposals should proceed as provided by the Heritage Fund and that a report come back to the Committee outlining the various options for how administration of the Fund may be amended. It was suggested that the Fund could be better titled Heritage Assistance Fund.

14.0 PUBLIC EXCLUDED BUSINESS

14.1 Exclusion of the Public

Resolved

THAT the public be excluded from the following parts of the proceedings of this meeting in accordance with section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 on the grounds that the public conduct of this part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

- *Methyl Bromide Fumigation*

Reason:

To maintain legal professional privilege

Holmes/Collingwood

Carried

14.2 Re-admittance of the Public

Resolved

THAT the public be re-admitted to the meeting.

Davy/Fryer

Carried

15.0 METHYL BROMIDE FUMIGATION

Report No 7180, dated 20 March 2007, file ref RM0808.

Resolved

THAT the Committee accept the advice tendered by the Council solicitors, that no enforcement action be taken at this stage in relation to the existing discharge of methyl bromide from shed three at Port Nelson;

AND THAT the Committee support speedy resolution of appeal ENV W0197/05 - Genera Limited v. Nelson City Council, so that rule AQR.41 can become operative and the Plan can have regulatory effect on fumigation activities within Nelson;

AND THAT Report No 7180, excluding the portion relating to the appeals to the Air Quality Plan and Appendix 3, containing the legal opinions, be released from public excluded business.

Collingwood/Cotton

Carried

The meeting closed at 11.55am

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON

_____ DATE