



Minutes of a meeting of the Environment Committee

Held in the Council Chamber, Civic House, 110 Trafalgar Street, Nelson

On Thursday 5 March 2020, commencing at 10.01a.m.

- Present: Councillor K Fulton (Chairperson), Her Worship the Mayor R Reese, Councillors B McGurk, Y Bowater, T Brand, M Courtney, J Edgar, M Lawrey, G Noonan, R O'Neill-Stevens, R Sanson, T Skinner and Ms G Paine
- In Attendance: Chief Executive (P Dougherty), Group Manager Environmental Management (C Barton), Group Manager Corporate Services (N Harrison), and Governance Adviser (J Brandt)
- Apology: Councillor Rainey

A karakia timatanga was given. Nelson City Council Kuia Mel McGregor and Tasman District Council Kuia Jane Du Feu were in attendance.

Her Worship the Mayor R Reese informed Elected Members of the passing of former Nelson and Tasman Mayor Kerry Marshall and acknowledged his long years of service and dedication to the Nelson Tasman communities.

A waiata was sung and Councillor Fulton assumed the chair.

1. Apologies

Resolved EC/2020/001

That the Environment Committee

- 1. Receives and accepts an apology from Councillor Rainey.***

Courtney/Brand

Carried

2. Confirmation of Order of Business

The Chairperson noted that there would be an adjournment at lunch time to accommodate an Extraordinary Council meeting at 1.00p.m., and that

the committee meeting would reconvene at the conclusion of the Extraordinary Council meeting.

3. Interests

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

4 Public Forum

4.1 Friends of the Maitai

Steven Gray gave a Powerpoint presentation (A2354339) on behalf of the group.

He answered questions about additional plantings, regenerating native forests, the health of the Maitai river and membership of the Maitai Forestry Forum.

Attachments

- 1 A2354339 - Friends of the Maitai presentation

4.2 Waterfront Association - Earthquake Prone Buildings – Priority Building

Mr Rob Stevenson did not attend.

5. Confirmation of Minutes

5.1 28 November 2019

Document number M6583, agenda pages 9 - 18 refer.

A correction to the minutes was made, noting the return of Cr Noonan to the meeting that had been omitted in the minutes.

In response to a question about the item left to lie at the previous meeting, Delaware Bay Access, officers noted that a report would come to a future meeting once meetings with stakeholders had been held.

Resolved EC/2020/002

That the Environment Committee

- 1. Confirms the amended minutes of the meeting of the Environment Committee, held on 28 November 2019, as a true and correct record.***

Courtney/Sanson

Carried

6. Chairperson's Report

Document number R15873

The Chairperson tabled her report (A2355550).

Attendance: Councillor Skinner left the meeting at 10.47a.m.

Resolved EC/2020/003

That the Environment Committee

1. Receives the Chairperson's Report (R15873).

Fulton/Paine

Carried

Attachments

1 A2355550 - Chairperson's report

7. Building Act 2004 – Earthquake Prone Buildings – Priority Buildings - Deliberations

Document number R13587, agenda pages 19 - 49 refer.

Bruce Mutton, Structural Engineer, presented the report and tabled some corrections (A2353307).

The committee discussed the routes of strategic importance for emergency response and it was agreed that the map would be amended to reflect the purpose for which the transport routes are identified under the Building Act 2004.

Attendance: Councillor Skinner returned to the meeting at 10.52a.m.

The meeting was adjourned from 11.03a.m. to 11.18a.m. during which time Councillor Lawrey left the meeting.

Resolved EC/2020/004

That the Environment Committee

- 1. Receives the report Building Act 2004 – Earthquake Prone Buildings – Priority Buildings - Deliberations (R13587) and its attachments (A2097637, A2077485, A2294719, A2317659); and***
- 2. Adopts the proposed area for the identification of priority unreinforced masonry (URM) buildings, and transport routes of strategic importance (A2077485) with amendments to be made to the map to reflect the***

purpose for which those transport routes are identified under the Building Act 2004.

McGurk/O'Neill-Stevens

Carried

Attachments

- 1 A2353307 - Corrections to report R13587 - Earthquake Prone Buildings - Priority Buildings

8. Proposed Dangerous, Affected and Insanitary Buildings Policy - Deliberations

Document number R13588, agenda pages 50 - 76 refer.

Bruce Mutton, Structural Engineer, presented the report.

Resolved EC/2020/005

That the Environment Committee

1. ***Receives the report Proposed Dangerous, Affected and Insanitary Buildings Policy - Deliberations (R13588) and its attachments (A2053947, A2313611 and A2295646); and***
2. ***Adopts the proposed Dangerous, Affected and Insanitary Buildings Policy as amended incorporating submitter feedback and editorial changes (A2313611).***

Noonan/Edgar

Carried

9. Warmer Healthier Homes - Annual Report

Document number R13736, agenda pages 77 - 92 refer.

Richard Popenhagen, Environmental Programmes Officer, presented the report.

Attendance: Councillors O'Neill-Stevens and McGurk left the meeting at 11.27a.m. and Councillor Lawrey returned at 11.29a.m.

Leeson Baldey, Chairperson of the Warmer Healthier Homes Steering Group, answered questions about a charitable trust that was in the process of being established to assist with additional fund raising, criteria for the programme's referral system and carry over funds, noting that funds were expected to be spent by the end of the financial year.

Resolved EC/2020/006

That the Environment Committee

- 1. Receives the report Warmer Healthier Homes - Annual Report (R13736) and its attachment (A2322552).***

Fulton/Her Worship the Mayor

Carried

10. Resource Management Act and Housing Accord and Special Areas Act charges

Document number R13744, agenda pages 93 - 121 refer.

Group Manager Environmental Management, Clare Barton, explained that the reason for the fees and charges reports on the agenda was to bring recovery rates back in line with the range set out in the Revenue and Financial Policy.

Manager Consents and Compliance, Mandy Bishop, presented the report. She noted that since the agenda was published, 19 May 2020 had been set aside as Hearing date.

She answered questions about the different mechanisms available to charge, differences in recoverability, models applied by other councils, the way communication with applicants occurs, implications for long-term projects, and the promotion of estimates via council's website. The committee requested the use of the term 'charge out rate' instead of 'staff hourly rate' as the former more accurately reflected the broader nature of the charge.

Attendance: Councillor Skinner left the meeting at 11.58a.m.

Attendance: The meeting was adjourned from 12.31p.m. until 2.01p.m. during which time Councillor Lawrey left and Councillors McGurk and O'Neill-Stevens returned.

The committee discussed the Statement of Proposal. Clause 4 of the recommendation was amended to reduce the amount of deposits for subdivision lots to keep the process simple and encourage housing developments.

Resolved EC/2020/007

That the Environment Committee

- 1. Receives the report Resource Management Act and Housing Accord and Special Areas Act charges (R13744) and its attachment (A2334791); and***
- 2. Agrees a summary of information contained in the Statement of Proposal is not necessary to enable public understanding of the proposal; and***

3. ***Agrees the preferred option is to increase charges to recover 48% of Council costs for the services; and***
4. ***Adopts the Statement of Proposal with minor editorial changes to be signed off by the Chairperson of the Environment Committee and Group Manager Environmental Management, including the replacement of 'staff hourly rate' with 'hourly charge-out rate', for the proposed Resource Consent charges, planning document charges, monitoring charges and Housing Accord and Special Housing Areas Act charges as contained in Statement of Proposal in Attachment 1 of Report R13744 (A2334791) subject to changing the initial fixed charge for subdivision 1-3 lots to \$1,500 and 4 plus lots to \$2,500; and***
5. ***Approves the consultation approach (set out in section 5 of this report) and agrees:***
 - a) ***the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - b) ***the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.***
6. ***Approves commencement of the Special Consultation Procedure, with the consultation period to run from 17 March to 17 April 2020.***

Her Worship the Mayor/Noonan

Carried

11. Proposed Dog Control fees

Document number R14790, agenda pages 122 - 141 refer.

Attendance: Councillor Bowater left the meeting at 2.23p.m. and Ms Paine at 2.26p.m.

Manager Consents and Compliance, Mandy Bishop, presented the report.

Attendance: Her Worship the Mayor left the meeting from 2.30p.m. until 2.35p.m.

Ms Bishop answered questions regarding the good dog owner policy noting this was subject to a separate consultation process.

Attendance: Councillors Skinner and Bowater returned to the meeting at 2.37p.m.

Resolved EC/2020/008

That the Environment Committee

- 1. Receives the report Proposed Dog Control fees (R14790) and its attachments (A2337793 and A2337794); and***
- 2. Agrees the preferred option is to increase dog registration fees to recover 90% of the costs to Council in providing dog control services; and***
- 3. Agrees a summary of information contained in the Statement of Proposal for the Proposed Dog Control fees is not necessary to enable public understanding of the proposal; and***
- 4. Approves the consultation approach (set out in sections 5.13 to 5.20 of this report) and agrees:***
 - a) the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - b) the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation; and***
- 5. Adopts the Statement of Proposal for the Proposed Dog Control fees as detailed in Attachment 2 (A2337794) to Report R10037; and***
- 6. Approves commencement of the Special Consultation Procedure, with the consultation period to run from 17 March to 17 April 2020.***

McGurk/Fulton

Carried

12. Building Unit Fees and Charges Review 2020/21

Document number R13746, agenda pages 142 - 173 refer.

Attendance: Councillor Bowater left the meeting at 2.39p.m.

Manager Building, Mark Hunter, introduced himself to the committee and presented the report.

Attendance: Councillor Noonan left the meeting at 2.41p.m.

The Committee requested that minor editorial changes be made to the Statement of Proposal for consistency purposes with the other fees and charges reports, including the preferred wording 'charge out rate' over 'staff hourly rate', and that these changes could be approved by the Chairperson and Group Manager Environmental Management. Clauses 3 and 4 of the recommendation were amended to reflect this.

Resolved EC/2020/009

That the Environment Committee

- 1. Receives the report Building Unit Fees and Charges Review 2020/21 (R13746) and its attachments (A2342140, A2341824, and A2341910); and***
- 2. Agrees a summary of information contained in the Statement of Proposal is not necessary to enable public understanding of the proposal; and***
- 3. Agrees the preferred option is to increase Building Unit Fees and Charges by a total of 18% that includes increasing the hourly charge out rate to \$160, introducing a systems fee and increasing the insurance and quality assurance levies; and***
- 4. Adopts the Statement of Proposal for the proposed Fees and Charges under the Building Act 2004 contained in Attachment 1 (A2342140) of Report R13746 subject to minor editorial changes to be signed off by the Chairperson of the Environment Committee and the Group Manager Environmental Management; and***
- 5. Approves the consultation approach (set out in section 5 of this report) and agrees:***
 - a) the approach includes sufficient steps to ensure the Statement of Proposal will be reasonably accessible to the public and will be publicised in a manner appropriate to its purpose and significance; and***
 - b) the approach will result in the Statement of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.***
- 6. Approves commencement of the Special Consultation Procedure with the consultation period to run from 17 March to 17 April 2020.***

Courtney/Sanson

Carried

13. Environmental Management Group - Quarterly Report - 1 October - 31 December 2019

Document number R13729, agenda pages 174 - 250 refer.

Group Manager Environmental Management, Clare Barton noted that any references to the Nelson Plan feedback process having commenced should instead read that it would be commencing shortly. She made a further correction to page 179, under item 4.5, removing the following part-sentence: "an overspend for the Urban Design Panel due to Special Housing Area work".

Attendance: Councillor Noonan returned to the meeting at 3.01p.m.

Officers answered questions about the possibility of working with small landowners regarding carbon forest plantings, the building unit re-accreditation process, results of the parking survey, city centre activation plans, biodiversity corridors and dog control and environmental health activities, including the number of alcohol inspections undertaken.

Resolved EC/2020/010

The Environment Committee

- 1. Receives the report Environmental Management Group - Quarterly Report - 1 October - 31 December 2019 (R13729) and its attachments (A2326033, A2342072, A2331749, A2329142, A2334348, and A2328796); and***
- 2. Approves retrospectively the proposed Resource Management Act 1991 Reform feedback (A2329142); and***
- 3. Approves the proposed submission for lodging with the Ministry for the Environment on the National Policy Statement for Indigenous Biodiversity (A2334348); and***
- 4. Approves retrospectively the proposed Future of Kingsland Forest submission to Tasman District Council (A2331749); and***
- 5. Notes the range of current environmental management national direction initiatives that impacts on the Environmental Management Group (A2328796).***

Fulton/Sanson

Carried

A karakia whakamutunga was given.

There being no further business the meeting ended at 3.29p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date