



Minutes of a meeting of the Environment Committee

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

On Thursday 28 May 2020, commencing at 9.05a.m.

Present: Councillor K Fulton (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar, M Lawrey (via audio-visual link), B McGurk, G Noonan, R O'Neill-Stevens, P Rainey (via audio-visual link), R Sanson and T Skinner (via audio-visual link), and Ms G Paine

In Attendance: Group Manager Environmental Management (C Barton), Group Manager Strategy and Communications (N McDonald), Team Leader Governance (R Byrne), Governance Adviser (E-J Ruthven), and Governance Support (K McLean)

Apology: Her Worship the Mayor R Reese (for attendance), and Councillors Bowater, Edgar and Noonan (for lateness)

Karakia Timatanga

Committee members gave a karakia timatanga.

1. Apologies

Resolved EC/2020/014

That the Environment Committee

- 1. Receives and accepts apologies from Her Worship the Mayor for attendance on 28 May 2020, and from Councillors Bowater, Edgar, and Noonan for lateness on 28 May 2020.***

Courtney/Sanson

Carried

2. Confirmation of Order of Business

Councillor Fulton outlined the proposed items to be considered on 28 May, noting that the remaining items would take place during a reconvened meeting on 4 June 2020.

She explained that the meeting would adjourn following item 9 (Regulatory Fees and Charges Deliberations), to allow committee members to receive a briefing on the scope of the Urban Environments Bylaw.

She noted further that there were several documents to be tabled during the meeting, including a document of responses to committee members' questions raised prior to the meeting (A2404046).

Attachments

- 1 A2404046 - Tabled document - Responses to questions raised by committee members

3. Interests

Councillor Sanson provided the following updates to her Interests Register entry, noting that she:

- had received Chartered Membership of the Institute of Directors;
- had been appointed to the Board of the Ākina Foundation; and
- was a shareholder in Te Taonui-a-Kupe Conservation Project, a project to restore biodiversity at Cape Jackson in the Marlborough Sounds.

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 5 March 2020

Document number M7734, agenda pages 13 - 21 refer.

Resolved EC/2020/015

That the Environment Committee

1. ***Confirms the minutes of the meeting of the Environment Committee, held on 5 March 2020, as a true and correct record.***

McGurk/Sanson

Carried

5.2 21 April 2020

Document number M8820, agenda pages 22 - 27 refer.

Resolved EC/2020/016

That the Environment Committee

- 1. Confirms the minutes of the meeting of the Environment Committee, held on 21 April 2020, as a true and correct record.***

Paine/O'Neill-Stevens

Carried

6. Chairperson's Report

Councillor Fulton noted that this item would be held until the reconvened meeting on 4 June 2020.

7. Good Dog Owner Policy Deliberations

Document number R16967, agenda pages 28 - 42 refer.

Contractors Matt Heale and Debra Bradley presented the report. They gave a Power Point presentation relating to this item and to item 8, Dog Control Policy and Bylaw deliberations (A2392623). Mr Heale explained the link between the Good Dog Owner policy and item 9, Regulatory Fees and Charges deliberations.

Mr Heale and Ms Bradley answered questions regarding the provisions of, and uptake levels for the Good Dog Owner policy, the provision of evidence that a dog has been neutered, incentivising registering and paying dog ownership fees on time, and the reasons for reduced fees for rural and working dogs.

Resolved EC/2020/017

That the Environment Committee

- 1. Receives the report Good Dog Owner Policy Deliberations (R16967) and its attachment (A2376041); and***
- 2. Removes the Good Dog Owner Policy discount, but retains the \$5 discount for neutered dogs.***

Sanson/McGurk

Carried

Attachments

- 1 A2392623 - Power Point presentation

The meeting was adjourned from 9.48a.m. to 9.59a.m.

8. Dog Control Policy and Bylaw Deliberations

Document number R17025, agenda pages 43 - 147 refer.

Contractors Matt Heale and Debra Bradley presented the report and gave a Power Point presentation (A2392623).

Mr Heale and Ms Bradley answered questions regarding signage and promoting etiquette of shared-use pathways to reduce conflict between different users.

Manager Environmental Inspections Limited, Brent Edwards, and Team Leader Parks, Peter Grundy, and Group Manager Environmental Management, Clare Barton, along with Mr Heale and Ms Bradley, answered questions regarding dog control in each of the grazed areas, including:

- the type of stock present in each area;
- whether stock was present year-round or for parts of the year only;
- the role of grazing stock in reducing fire risk through weed control and vegetation management;
- mountain biking tracks in the vicinity of grazed areas;
- the location of off-leash areas in the vicinity of grazed areas;
- previous dog attacks on stock;
- whether changeable signage could be installed to indicate when stock was present;
- whether dogs could be required to be on-leash only when stock was present; and
- enforcement issues relating to stock attacks, including if changeable signage were installed to indicate when stock was present.

The meeting was adjourned from 10.57a.m. to 11.16a.m.

It was noted that the recommendation would be considered in parts.

Resolved EC/2020/018

That the Environment Committee

- 1. Receives the report Dog Control Policy and Bylaw Deliberations (R17025) and its attachments (A2390190, A2390192, A2380651, A2122940, A2380653, A2380699, A2381227, A2380700, A2380703); and***

McGurk/Sanson

Carried

Resolved EC/2020/019

That the Environment Committee

- 2. Retains the Railway Reserve (shown on Maps 2-5 in Attachment 4 of report R17025) as an off-leash area in the Dog Control Policy; and**

Sanson/Brand

Carried

Resolved EC/2020/020

That the Environment Committee

- 3. Retains the existing half on-leash and half-off leash approach to Isel Park (shown on Map 3 in Attachment 4 of Report R17025) in the Dog Control Policy; and**

Brand/O'Neill-Stevens

Carried

Councillor McGurk, seconded by Ms Paine, moved

That the Environment Committee

4. Amends the Dog Control Policy to require:

- i. *dogs to be on-leash in the grazed area of the Grampians Reserve (Map 6);*
- ii. *dogs to be on-leash in the grazed area of Sir Stanley Whitehead Reserve (Map 7).*

Committee members debated the motion and views for and against were expressed.

Councillor Sanson, seconded by Councillor Brand, moved an amendment:

4. Amends the Dog Control Policy to require:

- i. *dogs to be on-leash in the grazed area of the Grampians Reserve (Map 6);*
- ii. *dogs to be on-leash in the grazed area of Sir Stanley Whitehead Reserve (Map 7) when sheep are present.*

Committee members debated the amendments and views for and against were expressed. The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Absent</u>
Cr Brand	Cr Courtney	Her Worship the Mayor
Cr Rainey	Cr Fulton (Chairperson)	Cr Bowater
Cr Sanson	Cr Lawrey	Cr Edgar
	Cr McGurk	Cr Noonan
	Cr O'Neill-Stevens	
	Ms Paine	
	Cr Skinner	

The amendment was lost 3 - 7.

The meeting returned to consider the substantive motion.

Resolved EC/2020/021

That the Environment Committee

4. Amends the Dog Control Policy to require:

- i. dogs to be on-leash in the grazed area of the Grampians Reserve (Map 6 of attachment 4 of Report R17025);***
- ii. dogs to be on-leash in the grazed area of Sir Stanley Whitehead Reserve (Map 7 of attachment 4 of Report R17025); and***

McGurk/Paine

Carried

Resolved EC/2020/022

That the Environment Committee

5. Retains as off-leash areas:

- i. the Maitai River Esplanade Reserve (Map 9 of attachment 4 of Report R17025);***
- ii. the Tanragee Reserve area (Map 8 in Attachment 4 of Report R17025); and***

O'Neill-Stevens/Brand

Carried

The meeting adjourned from 11.49a.m. to 11.52a.m.

The Chairperson explained that the meeting would consider the clause of the recommendation relating to signage later in the meeting.

Resolved EC/2020/023

That the Environment Committee

7. Amends the Dog Control Policy to include Monaco Reserve as an off-leash neighbourhood park (listed in Schedule 3 and shown on Map 1 in Attachment 4 of Report R17025) excluding the playground which will continue to be a dog prohibited area; and

Sanson/O'Neill-Stevens

Carried

Mr Heale answered questions regarding birdlife and ecological values in Titoki Reserve, the reasons it had been suggested as an on-leash area in

the consultation document, and the reasons it was now recommended as an off-leash area.

Resolved EC/2020/024

That the Environment Committee

- 8. Retains Titoki Reserve (shown on Map 16 of Attachment 4 of Report R17025) as an off-leash area in the Dog Control Policy; and**

Brand/Sanson

Carried

Mr Heale answered questions regarding birdlife and ecological values in the Whakatū Drive Foreshore Reserve, and the reasons for recommending this as an on-leash area.

Resolved EC/2020/025

That the Environment Committee

- 9. Amends the Dog Control Policy to change Whakatū Drive Foreshore Reserve (shown on Map 15 of Attachment 4 of Report R17025) to an on-leash area; and**

McGurk/Sanson

Carried

Mr Heale and Ms Bradley answered questions regarding Map 10 of Attachment 4 (Paremata Flats Reserve and Delaware Bay Estuary), including the reasons for the proposed change for the Delaware Bay Estuary margins, islands, sand and mudflats from a prohibited area, as identified in the consultation document, to an on-leash area.

It was agreed to return to clauses 10 and 11 of the recommendation later in the meeting.

Ms Bradley answered questions regarding the proposals for prohibited, on-leash and off-leash areas on the Boulder Bank and Glenduan Neighbourhood Park, noting the need to protect birdlife on the Boulder Bank during the breeding season.

Resolved EC/2020/026

That the Environment Committee

- 12. Amends the Dog Control Policy provisions relating to the Boulder Bank in order to:**

- i. *retain the dogs prohibited status for the 4km from the Cut towards Boulder Bank Drive (shown on Maps 11 and 12 of Attachment 4 of Report R17025) during the breeding season in Schedule One to be***

from 15 August to the last day in February (previously from October to February); and

- ii. include the part of the Boulder Bank from Boulder Bank Drive to the Cut (shown on Maps 11, 12, and 13 of Attachment 4 of Report R17025) as an on-leash area in Schedule Two; and**
- iii. exclude the part of the Boulder Bank northwards from Boulder Bank Drive (shown on Maps 13 and 14 of Attachment 4 of Report R17025) in Schedule 2 (retaining this as an off-leash area); and**
- iv. change the status of the Glenduan Neighbourhood Park (refer Map 14 of Attachment 4 of Report R17025) to an off-leash area excluding the playground which will continue to be a dog prohibited area; and**

Fulton/Sanson

Carried

The committee discussed clause 13 of the recommendation, to remove the maximum of two dogs per property unless Council approval for a greater number was sought.

Mr Heale, Ms Bradley, Mr Edwards and Ms Barton answered questions regarding nuisance factors, including whether neighbours were likely to put up with additional noise rather than complain, whether an increase in the maximum number of dogs per property had been considered, dog welfare issues, and Dog Control Officers' workload in relation to applications for more than two dogs per property.

Councillor O'Neill-Stevens, seconded by Ms Paine, moved

That the Environment Committee

- 13. Deletes the Number of Dogs policy from the Council's Dog Control Policy; and**

The meeting was adjourned from 12.30p.m. to 1.21p.m, during which time Councillors Bowater and Noonan joined the meeting.

Committee members debated the motion and views for and against it were expressed.

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Absent</u>
Cr Brand	Cr Bowater	Her Worship the Mayor
Cr Fulton (Chairperson)	Cr Courtney	Cr Edgar
Cr O'Neill-Stevens	Cr Lawrey	
Cr Sanson	Cr McGurk	
Ms Paine	Cr Noonan	
	Cr Rainey	

Cr Skinner

The motion was lost 5 - 7.

The meeting returned to consider clauses 10 and 11 of the recommendation, relating to Paremata Flats and the Delaware Bay estuary.

Mr Heale answered further questions regarding the areas of Map 10 of Attachment 4 that were proposed as on-leash and dog prohibited areas.

Resolved EC/2020/027

That the Environment Committee

- 10. Amends the Dog Control Policy to prohibit dogs in the fenced area of the foreshore and esplanade reserve at Paremata Flats, including the planted area of the Paremata Flats Reserve (shown on Map 10 of Attachment 4 of Report R17025) but excluding the walkway adjacent to the Wakapuaka River; and***
- 11. Amends the Dog Control Policy to require dogs to be kept on a leash on the margins, islands, sand and mudflats of Delaware Estuary and the walkway adjacent to the Wakapuaka River from Paremata Flats (shown on Map 10 of Attachment 4 of Report R17025); and***

Fulton/McGurk

Carried

The meeting returned to consider clause 6 of the recommendation, relating to signage.

Resolved EC/2020/028

That the Environment Committee

- 6. Approves improvements to the signage in:***
 - i. the Grampians Reserve and Sir Stanley Whitehead Park to clearly demarcate the areas where grazing occurs, and where dogs are required to be on leash; and***
 - ii. the Grampians Reserve and Sir Stanley Whitehead Park to clearly demarcate the areas where grazing does not occur, and where dogs can be exercised off-leash; and***
 - iii. the Railway Reserve to promote considerate shared use of the paths; and***

O'Neill-Stevens/Sanson

Carried

Mr Grundy answered questions regarding the locations of Emano East reserve and Emano West reserve.

Councillor Fulton, seconded by Councillor Courtney moved

That the Environment Committee

13. Amends the Dog Control Policy by:

- i. changing the last sentence of clause 4.1 to "Non compliance with this notice may result in enforcement action."; and*
- ii. changing clause 7.6 to "Where the offence relates to a failure to register a dog, Council will issue a notice that a dog is not registered. Then, if the registration fee is not paid within seven days, the owner will receive an Infringement Notice."; and*

14. Amends Schedule 3 of the Dog Control Policy to rename Emano West Reserve as Te Manu Reserve and remove reference to Emano East Reserve and Hanby Park (numbers 206, 227, and 222 on the Overview Map of Attachment 3); and

15. Amends Schedule 1 item 15 of the Policy by replacing the phrase "foreshore and sea bed" with the term "common marine and coastal area" in both

The meeting was adjourned from 1.57p.m. to 2.01p.m.

It was noted that the references to Emano East and Emano West Reserves had been inadvertently substituted. Following clarification, and with the agreement of the meeting, the wording of clause 14 of the motion was altered to:

14. Amends Schedule 3 of the Dog Control Policy to rename Emano East Reserve as Te Manu Reserve and remove reference to Emano West Reserve and Hanby Park (numbers 206, 227, and 222 on the Overview Map of Attachment 3); and

Attendance: Councillor Bowater left the meeting at 2.03p.m.

Resolved EC/2020/029

That the Environment Committee

13. Amends the Dog Control Policy by:

- i. changing the last sentence of clause 4.1 to "Non compliance with this notice may result in enforcement action."; and***
 - ii. changing clause 7.6 to "Where the offence relates to a failure to register a dog, Council will issue a notice that a dog is not registered. Then, if the registration fee is not paid within seven days, the owner will receive an Infringement Notice."; and***
- 14. Amends Schedule 3 of the Dog Control Policy to rename Emano East Reserve as Te Manu Reserve and remove reference to Emano West Reserve and Hanby Park (numbers 206, 227, and 222 on the Overview Map of Attachment 3 of Report R17025); and***
- 15. Amends Schedule 1 item 15 of the Policy by replacing the phrase "foreshore and sea bed" with the term "common marine and coastal area" in both; and***

Fulton/Courtney

Carried

Resolved EC/2020/030

That the Environment Committee

- 16. Adopts the Dog Control Policy (A2390192), after having regard to the matters in section 10(4) of the Dog Control Act and subject to the key matters outlined above.***

McGurk/Sanson

Carried

The meeting was adjourned from 2.04p.m. to 2.15p.m, during which time Cr Bowater returned to the meeting.

Recommendation to Council EC/2020/031

That the Council

- 1. Retains the Railway Reserve (shown on Maps 2-5 in Attachment 4) as an off-leash area in the Dog Control Bylaw; and***
- 2. Retains the existing half on-leash and half-off leash approach to Isel Park (shown on Map 3 in Attachment 4) in the Dog Control Bylaw; and***
- 3. Amends the Dog Control Bylaw to require:***

- i. dogs to be on-leash in the grazed area of the Grampians Reserve (Map 6); and*
 - ii. dogs to be on-leash in the grazed area of Sir Stanley Whitehead Reserve (Map 7); and*
- 4. Retains as off-leash areas:**
 - i. the Maitai River Esplanade Reserve (Map 9 of attachment 4); and*
 - ii the Tantragee Reserve area (Map 8 in Attachment 4); and*
- 5. Amends the Dog Control Bylaw to include Monaco Reserve as an off-leash neighbourhood park (listed in Schedule 3 and shown on Map 1 in Attachment 4) excluding the playground which will continue to be a dog prohibited area; and**
- 6. Retains Titoki Reserve as an off-leash area in the Dog Control Bylaw; and**
- 7. Amends the Dog Control Bylaw to change Whakatū Drive Foreshore Reserve (shown on Map 15 of Attachment 4) to an on-leash area; and**
- 8. Amends the Dog Control Bylaw to prohibit dogs in the fenced area of the foreshore and esplanade reserve at Paremata Flats, including the planted area of the Paremata Flats Reserve (shown on Map 10 of Attachment 4), but excluding the walkway adjacent to the Wakapuaka River; and**
- 9. Amends the Dog Control Bylaw to require dogs to be kept on a lead on the margins, islands, sand and mudflats of Delaware Estuary and the walkway adjacent to the Wakapuaka River from Paremata Flats (shown on Map 10 of Attachment 4); and**
- 10. Amends the Dog Control Bylaw provisions relating to the Boulder Bank in order to:**
 - i. retain the dogs prohibited status for the 4km from the Cut towards Boulder Bank Drive (shown on Maps 11 and 12 of Attachment 4) during the breeding season in Schedule One to be from 15 August to the last day in February (previously from October to February); and*
 - ii. include the part of the Boulder Bank from Boulder Bank Drive to the Cut (shown on Maps*

11, 12, and 13 of Attachment 4) as an on-leash area in Schedule Two; and

iii. exclude the part of the Boulder Bank northwards from Boulder Bank Drive (shown on Maps 13 and 14 of Attachment 4) in Schedule 2 (retaining this as an off-leash area); and

iv. change the status of the Glenduan Neighbourhood Park (refer Map 14 of Attachment 4) to an off-leash area excluding the playground which will continue to be a dog prohibited area; and

11. Amends the Dog Control Bylaw by changing clause 10.2 of the Bylaw to: "If, in the opinion of a Dog Control Officer, any dog has become or is likely to become a nuisance to any person or injurious to the health of any person, the Dog Control Officer may, by notice in writing, require the dog owner or the owners or occupiers of the premises at which the dog is kept, within a time specified in such notice to do all or any of the following:

a. reduce the number of dogs on the premises;

b. construct, alter, reconstruct or otherwise improve the kennels of other buildings or fences used to house or contain the dog;

c. tie up or otherwise confine the dog during specified periods;

d. take such other action as necessary to minimise or remove the likelihood of nuisance or injury to health."; and

12. Amends Schedule 3 to rename Emano East Reserve as Te Manu Reserve and remove reference to Emano West Reserve and Hanby Park (numbers 206, 227, and 222 on the Overview Map of Attachment 3); and

13. Amends Schedule 1 item 15 of the Bylaw by replacing the phrase "foreshore and sea bed" with the term "common marine and coastal area" in both cases in which it is used twice within item 15; and

14. Agrees the amendments do not give rise to any implications under the New Zealand Bill of Rights Act 1990 and the amended Dog Control Bylaw is the most appropriate form of Bylaw; and

15. Adopts the Dog Control Bylaw (A2390190), subject to the key matters outlined above; and

16. Determines that the amended Dog Control Bylaw will take effect from 27 July 2020.

McGurk/Paine

Carried

9. Regulatory fees and charges deliberations

Document number R17006, agenda pages 148 - 179 refer.

Attendance: Councillor Edgar joined the meeting at 2.18p.m.

Manager Consents and Compliance, Mandy Bishop, and Manager Building, Mark Hunter, presented the report, and tabled an updated copy of attachment four to the report (A2393437), increasing the timeframe for payment of Dog Control Fees before penalties applied.

Ms Bishop and Mr Hunter, along with Group Manager Environmental Management, Clare Barton, answered questions regarding the likelihood of the proposed fees and charges meeting Revenue and Financing Policy targets, the effect of Covid-19 on the construction and development community, the reasons for the proposed delays in commencing new fees and charges under the Resource Management Act 1991 to 1 September 2020, and under the Building Act to 1 January 2021, and the consequential effects for ratepayers in doing so.

Councillor Fulton, seconded by Councillor Courtney, moved:

That the Environment Committee

1. *Receives the report Regulatory fees and charges deliberations (R17006) and its attachments (A2375608, A2374956, A2380674, A2375618 and A2337793); and*
2. *Approves amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R16978; and*
3. *Approves the amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R16978 to commence from 1 September 2020; and*
4. *Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R16978; and*

5. *Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R16978 to commence from 1 January 2021; and*
6. *Approves amendments to the fees under the Dog Control Act 1996 as detailed in Attachment 4 (A2393437) to report R16978; and*
7. *Approves amendments to the fees under the Dog Control Act 1996 as detailed in Attachment 4 (A2393437) to report R16978 to commence from 1 July 2020.*

Councillor Edgar, seconded by Councillor Noonan, moved an amendment to clauses three and five of the motion:

3. *Approves the amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R16978 to commence from 1 July 2020; and*
5. *Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R16978 to commence from 1 July 2020; and*

Committee members debated the amendment, and views for and against were expressed.

The amendment was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Absent</u>
Cr McGurk	Cr Fulton	Her Worship the Mayor
Cr Bowater	(Chairperson)	
Cr Brand	Ms Paine	
Cr Courtney		
Cr Edgar		
Cr Lawrey		
Cr Noonan		
Cr O'Neill-Stevens		
Cr Rainey		
Cr Sanson		
Cr Skinner		

The amendment was carried 11 – 2.

Resolved EC/2020/032

That the Environment Committee

3. ***Approves the amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R16978 to commence from 1 July 2020; and***

- Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R16978 to commence from 1 July 2020; and**

Edgar/Noonan

Carried

The amendment became part of the substantive motion.

Resolved EC/2020/033

That the Environment Committee

- Receives the report Regulatory fees and charges deliberations (R17006) and its attachments (A2375608, A2374956, A2380674, A2375618 and A2337793); and**
- Approves amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R17006; and**
- Approves the amendments to the charges under the Resource Management Act 1991 and Housing Accords and Special Housing Areas Act 2013 as detailed in Attachment 1 (A2375608) to report R17006 to commence from 1 July 2020; and**
- Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R17006; and**
- Approves amendments to the fees and charges under the Building Act 2004 as detailed in Attachment 2 (A2374956) to report R17006 to commence from 1 July 2020; and**
- Approves amendments to the fees under the Dog Control Act 1996 as detailed in Attachment 4 (A2393437) to report R17006; and**
- Approves amendments to the fees under the Dog Control Act 1996 as detailed in Attachment 4 (A2393437) to report R17006 to commence from 1 July 2020.**

Fulton/Courtney

Carried

Attachments

- A2393437 - Tabled document - updated Attachment 4 to report R17006

The meeting was adjourned at 2.54p.m, to be reconvened on Thursday 4 June 2020 at 1.00p.m.



Minutes of a reconvened meeting of the Environment Committee

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

On Thursday 4 June 2020, commencing at 1.06pm

Present: Councillor K Fulton (Chairperson), Councillors Y Bowater, T Brand, M Courtney, J Edgar, M Lawrey, B McGurk, G Noonan, R O'Neill-Stevens, P Rainey (via audio-visual link), R Sanson and T Skinner, and Ms G Paine (via audio-visual link)

In Attendance: Group Manager Environmental Management (C Barton), Team Leader Governance (R Byrne), Governance Adviser (E-J Ruthven), and Governance Support (K McLean)

Apology: Her Worship the Mayor R Reese (for lateness)

10. Apologies

It was noted that Her Worship the Mayor had tendered an apology for lateness, and that Councillor Rainey would depart the meeting early.

Attendance: Councillor Edgar left the meeting at 1.08p.m.

11. Dog Control Policy and Bylaw Deliberations

Group Manager Environmental Management, Clare Barton, explained that an additional clause 16 was required to be added to the committee resolution, to delegate to the Chairperson and Deputy Chairperson the ability to make minor alterations to the Dog Control Policy, Dog Control Bylaw and associated maps, reflecting the decisions of the committee made on 28 May 2020.

Resolved EC/2020/014

That the Environment Committee

16. Delegates to the Chair and Deputy Chair the power to make amendments to the Policy and recommended version of the Bylaw to reflect the final details of the resolutions and recommendations made by the Committee on 28 May 2020; and

Courtney/Brand

Carried

Attendance: Councillor Edgar returned to the meeting at 1.14p.m.

12. Urban Environment Bylaw Review

Document number R16988, agenda pages 180 - 186 refer.

Group Manager Environmental Management, Clare Barton, and Manager Environmental Planning, Maxine Day, presented the report.

Ms Day noted that the recommendation was procedural in nature, and analysis of the extent and breadth of options regarding the bylaw would be presented to the Committee later in 2020, including a range of options from no changes or minor changes, through to more substantial changes.

Resolved EC/2020/015

That the Environment Committee

1. ***Receives the report Urban Environment Bylaw Review (R16988); and***
2. ***Agrees to commence the review of the Urban Environments Bylaw, and that it will be completed by 2 June 2022.***

Noonan/Edgar

Carried

13. COVID-19 Update Report - Impacts on Environmental Management Group Activities

Document number R17001, agenda pages 187 - 192 refer.

Group Manager Environmental Management, Clare Barton, Manager Environmental Planning, Maxine Day, Manager Consents and Compliance, Mandy Bishop, and Manager Science and Environment, Jo Martin, presented the report.

Attendance: Her Worship the Mayor joined the meeting at 1.25p.m.

Ms Martin noted updated total amounts relating to the five 'shovel ready' project applications set out in paragraph 3.22:

- Hira Reserve wetland restoration project - \$310,00, application for Crown contribution of \$150,000;
- Grampians Reserve restoration project - \$3,000,000, application for Crown contribution of \$2,700,000;
- Maitai River catchment ecological restoration - \$2,250,000, application for Crown contribution of \$1,700,000;

- Restoration of Significant Natural Areas and biodiversity corridors on private and iwi owned land - \$2,500,000, application for Crown contribution of \$1,500,000;
- Fast-tracked Taiwan Cherry eradication - \$273,600, application for Crown contribution of \$189,600.

Officers answered questions regarding consent numbers during and following the lockdown period, targeted feedback on the Nelson Plan from key stakeholders, air quality data immediately before, during, and after lockdown, noise complaints during lockdown, outdoor burning regulations, and the development of the 'Go Fish' card game.

There was discussion regarding parking enforcement of time periods only, noting that car parks were currently at capacity, likely due to inner city workers taking advantage of free parking.

The meeting was adjourned from 2.09p.m. to 2.22p.m.

Group Manager Infrastructure, Alec Louverdis, and Ms Barton answered further questions regarding enforcement of parking time limits, and the proposed timeframes for the re-commencement of parking charges.

Resolved EC/2020/016

That the Environment Committee

- 1. Receives the report COVID-19 Update Report - Impacts on Environmental Management Group Activities (R17001).***

McGurk/O'Neill-Stevens

Carried

14. Submission to DOC on the proposed improvements for whitebait management

Document number R15865, agenda pages 193 - 205 refer.

Water Quality Scientist, Dr Paul Fisher, presented the report.

Dr Fisher answered questions regarding iwi involvement in freshwater management issues and in the development of the submission.

Resolved EC/2020/017

That the Environment Committee

- 1. Receives the report Submission to DOC on the proposed improvements for whitebait management (R15865) and its attachments (A2346450 and A2345470); and***

- 2. Approves retrospectively, the submission to the Department of Conservation on the proposed improvements to whitebait management (A2346450).***

Edgar/O'Neill-Stevens

Carried

15. Minor amendment to the Navigation Safety Bylaw

Document number R15919, agenda pages 206 - 212 refer.

Manager Parks and Facilities, Rosie Bartlett, and Contract Supervisor Facilities, Emily Fairhall, presented the report.

Ms Bartlett and Ms Fairhall answered questions regarding parking fees at the marina, and undertook to consider further the wording of the recommendation to Council, to ensure it was as flexible as possible in order to future-proof the Bylaw.

Resolved EC/2020/018

That the Environment Committee

- 1. Receives the report Minor amendment to the Navigation Safety Bylaw (R15919); and***
- 2. Agrees the proposed amendment to clause 3.21(b) of the Navigation Safety Bylaw 2012 (No. 218) is a minor change that meets the requirements of section 156(2) of the Local Government 2002; and***
- 3. Agrees that public consultation on the proposed amendment is not required because the proposed amendment is a minor change.***

McGurk/Noonan

Carried

Recommendation to Council EC/2020/019

That the Council

- 1. Makes a minor change to clause 3.21(b) of the Navigation Safety Bylaw, to state that the words "No person shall use any boat ramp for the launching of any trailer boat without having first paid any fees or charges which may be fixed by the Council from time to time in respect of such use, and displaying the appropriate ticket, label, sticker or other proof of such payment in a prominent and easily seen position on the trailer or in or on the towing vehicle" be replaced, from 29 June 2020 with the words "No person shall use any boat ramp for the launching of any trailer boat without***

having first paid any fees or charges which may be fixed by the Council from time to time in respect of such use, the payment by casual users to be proved by the person submitting the registration number of the towing vehicle at the time of payment, and the payment by annual permit holders to be proved by displaying the proof of payment in a prominent and easily seen position on the trailer or in or on the towing vehicle”

McGurk/Noonan

Carried

The meeting was adjourned from 2.52p.m. to 2.56p.m.

16. Nelson Plan: Additional Funding

Document number R14797, agenda pages 213 - 223 refer.

Group Manager Environmental Management, Clare Barton, and Manager Environmental Planning, Maxine Day, presented the report and tabled an updated recommendation and table from paragraph 4.1 of the report (A2404376) and an updated copy of attachment one (A2404366).

Ms Barton and Ms Day answered questions regarding the amount requested for the current financial year, stakeholder engagement that had been undertaken during the Covid-19 level 4 lockdown, and amounts spent on the Nelson Plan in previous financial years and forecast for future financial years.

It was noted that the amounts for each financial year in the updated copy of attachment one may reflect budgeted amounts rather than actual spend, and would be updated to be presented to Council during the Annual Plan 2020/21 deliberations meeting.

Attendance: Councillor Rainey left the meeting at 3.05p.m.

Ms Barton and Ms Day answered further questions regarding the scope of work and accompanying budgets for upcoming years of the Nelson Plan, and the engagement of a Project Manager in the current financial year to steer the Nelson Plan project going forward.

The meeting was adjourned from 3.24p.m. to 3.37p.m, during which time Her Worship the Mayor left the meeting.

Resolved EC/2020/020

That the Environment Committee

- 1. Refers the matter Nelson Plan: Additional Funding to be considered at the Council meeting on 25 June 2020, noting that the updated table of Nelson Plan Costs 2015-2024 will be provided to the Council Annual Plan deliberations meeting on 9 June 2020.***

Edgar/Noonan

Carried

Attachments

- 1 A2404376 - tabled document - updated recommendation and table in clause 4.1 of report R14797
- 2 A2404366 - tabled document - updated copy of attachment one to report R14797

17. Exclusion of the Public

Resolved EC/2020/021

That the Environment Committee

1. ***Excludes the public from the following parts of the proceedings of this meeting.***
2. ***The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:***

Edgar/Brand

Carried

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
1	Continuation of the transfer arrangement with Port Nelson Ltd for Harbourmaster responsibilities	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7	The withholding of the information is necessary: <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

The meeting went into confidential session at 3.40p.m and resumed in public session at 3.49p.m.

RESTATEMENTS

It was resolved while the public was excluded:

1	CONFIDENTIAL: Continuation of the transfer arrangement with Port Nelson Ltd for Harbourmaster responsibilities
	<i>That the Environment Committee</i> 9. <i>Agrees that Report (R16989), Attachment 1 (A2367153), and the Committee's resolutions be made publicly available once an agreement has been executed.</i>

Karakia Whakamutunga

The committee gave a karakia whakamutunga.

There being no further business the meeting ended at 3.50p.m.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date