



**Minutes of a meeting of the
Environment and Climate Committee
*Te Kōmiti Taiao / Āhuarangi***

Held in the via Zoom on Thursday 7 April 2022, commencing at 11.33a.m.

Present: Cr K Fulton (Chairperson), Her Worship the Mayor R Reese T Brand, M Courtney (Deputy Chairperson), J Edgar, M Lawrey, B McGurk (Deputy Chairperson), R O'Neill-Stevens, P Rainey, R Sanson, T Skinner and Ms G Paine

In Attendance: Group Manager Environmental Management (C Barton), Team Leader Governance (R Byrne) Governance Adviser (T Kruger) and Youth Councillors Amy Clark and Isla Kennard.

Apology: Apologies were received from Councillors G Noonan and Y Bowater

Karakia and Mihi Timatanga

1. Apologies

Resolved EC/2022/016

That the Environment and Climate Committee

1. Receives and accepts apologies from Councillors G Noonan and Y Bowater.

Fulton

Carried

Attendance: Councillor Edgar joined the meeting at 11.36a.m.

2. Confirmation of Order of Business

There was no change to the order of business.

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. Brook Waimārama Sanctuary Trust - Urban Bylaw Adoption

Document number R26805

Robert Schadewinkel, from Brook Waimārama Sanctuary Trust, spoke about submissions to the Urban Environment Bylaw requesting compulsory microchipping and desexing of cats. He said there was a stray cat colony at the Brook Holiday Park, near the Brook Waimarama Sanctuary. The population density of the colony was becoming a threat to the biosecurity of the Sanctuary and desexing would help deal with the colony.

Attendance: Councillor Brand left the meeting at 11.48a.m.

5. Confirmation of Minutes

5.1 15 February 2022

Document number M19223, agenda pages 9 - 14 refer.

Resolved EC/2022/017

That the Environment and Climate Committee

- 1. Confirms the minutes of the meeting of the Environment and Climate Committee, held on 15 February 2022, as a true and correct record.***

Fulton/Lawrey

Carried

5.2 16 February 2022

Document number M19235, agenda pages 15 - 17 refer.

Resolved EC/2022/018

That the Environment and Climate Committee

- 1. Confirms the minutes of the meeting of the Environment and Climate Committee, held on 16 February 2022, as a true and correct record.***

Courtney/Edgar

Carried

5.3 24 March 2022

Document number M19343, agenda pages 18 - 19 refer.

Resolved EC/2022/019

That the Environment and Climate Committee

- 1. Confirms the minutes of the meeting of the Environment and Climate Committee, held on 24 March 2022, as a true and correct record.***

Courtney/Edgar

Carried

6. Housing Plan Change (Plan Change 29)

Document number R26654, agenda pages 20 - 34 refer.

Manager Environmental Planning, Maxine Day, presented the report and updated the Committee on conversations officers had with Ministry for the Environment (MfE), since the Agenda had been published. She advised that MfE had given a strong indication Council should consider the intensification streamlined planning process (ISPP) pathway. Ms Day confirmed the three options available for the Plan Change were:

- intensification streamlined planning process (ISPP) – the newest made available through the Resource Management (Amendment) Act 2021
- streamlined planning process (SPP)– requires Council to go through MfE to notify and the Minister would ultimately make the decision
- schedule one process – current practice, Council notifies plan changes, hears submissions, hearing appeals and subsequent changes are made as a result of appeals.

During discussion Ms Day confirmed that MfE indicated the streamlined planning process would take approximately six months for an initial direction from the Minister and answered questions on resource required to proceed with each process, responding to the acute housing need, greenfield developments.

Councillor Fulton moved the officer's recommendation.

The meeting adjourned from 12.45p.m. until 1.36p.m. at which time Councillor Brand returned to the meeting.

Attendance: Councillor Fulton left the meeting at 1.49p.m. at which time the Deputy, Councillor McGurk, assumed the chair.

Attendance: Councillor Fulton joined the meeting at 1.51p.m. and which time she assumed the chair and adjourned the meeting until 2.00p.m.

With the agreement of the mover, the recommendation was amended to refer the matter to Council to enable officers more time to provide further information around MfE's capability to contribute to the SPP process in a timely way and to provide information about the scope of a plan change under the ISPP process.

Councillor O'Neill-Stevens seconded the amended recommendation.

Attendance: Councillor Edgar left the meeting at 2.23p.m.

Resolved EC/2022/020

That the Environment and Climate Committee

- 1. Receives the report Housing Plan Change (Plan Change 29) (R26654) and its attachment (A2852288); and***
- 2. Requests Officers to report timelines, process issues and the outcomes of discussion with the Ministry for the Environment regarding a planning pathway for a housing plan change, to the 10 May Council meeting; and***
- 3. Refers the decision on the pathway to initiate Housing Plan Change (Plan Change 29) to Council.***

Fulton/O'Neill-Stevens

Carried

Attachments

- 1 A2869925 Housing Plan Change (Plan Change 29)

7. Omnibus Report on Submissions to Central Government

Document number R26679, agenda pages 35 - 55 refer.

Manager Environmental Planning, Maxine Day, presented the report.

Resolved EC/2022/021

That the Environment and Climate Committee

- 1. Receives the report Omnibus Report on Submissions to Central Government (R26679) and its attachments (A2848648 and A2851323); and***
- 2. Approves retrospectively the attached Nelson City Council submissions on Future Resource Management System (A2848648), and Environmental Reporting Act (A2851323).***

Fulton/Paine

Carried

8. 2022 Environmental Management Fees and Charges review

Document number R26520, agenda pages 56 - 121 refer.

Manager Consents and Compliance, Mandy Bishop, presented the report and answered questions on the increase in the building consent amendment deposit, and comparison to Tasman District Council fees.

Councillor McGurk moved the officer's recommendation, seconded by Councillor Courtney.

Councillor Skinner foreshadowed an amended recommendation supporting Option 1, increase by CPI, should the motion be lost.

That the Environment and Climate Committee

1. *Receives the report 2022 Environmental Management Fees and Charges review (R26520) and its attachments (A2824715, A2829788, A2824623, A2825558 and A2825557); and*
2. *Agrees the preferred option is to increase Resource Consent Fees and Charges to recover 43% of Council costs for these services; and*
3. *Adopts the Statement of Proposal for the Amendments to the Charges under the Resource Management Act 1991 commencing 1 July 2022 as detailed in Attachment 1 (A2824715) to Report (R26520); and*
4. *Agrees a summary of information contained in the Statement of Proposal Amendments to the Charges under the Resource Management Act 1991 is not necessary to enable public understanding of the proposal; and*
5. *Agrees the preferred option is to increase Building Act Fees and Charges to recover 75% of Council costs for these services; and*
6. *Adopts the Statement of Proposal for the Building Act 2014 and Property Information Fees and Charges as detailed in Attachment 2 (A2829788) to Report (R26520); and*
7. *Agrees a summary of information contained in the Statement of Proposal for the Building Act 2014 and Property Information fees and charges is not necessary to enable public understanding of the proposal; and*
8. *Agrees the preferred option is to increase Food Act fees and charges to recover 47% of Council costs for these services; and*

9. *Adopts the Statement of Proposal for the Amendments to the Charges under the Food Act 2014 commencing 1 July 2022 as detailed in Attachment 3 (A2824623) to Report (R26520); and*
10. *Agrees a summary of information contained in the Statement of Proposal Amendments to the Charges under the Food Act 2014 is not necessary to enable public understanding of the proposal; and*
11. *Notes the CPI increases for the Building and LIM activities, Dog Control and Environmental Health services fees and charges do not require public consultation, and as identified in Attachments 4 and 5 (A2825558 and A2825557) of Report (R26520) will take effect from 1 July 2022; and*
12. *Notes no change will be made to the discretion to lower the rating of particular activities under the Sale and Supply of Alcohol Act; and*
13. *Approves the consultation approach (set out in section 6 of this report) and agrees:*
 - a) *the approach includes sufficient steps to ensure the Statements 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 Statements of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.*

McGurk/Courtney

The motion was put and lost.

Councillor Skinner moved the alternative motion to support Option 1, seconded by Her Worship the Mayor Reese.

Resolved EC/2022/022

That the Environment and Climate Committee

1. ***Receives the report 2022 Environmental Management Fees and Charges review (R26520) and its attachments (A2824715, A2829788, A2824623, A2825558 and A2825557); and***
2. ***Agrees the preferred option is to increase the current Resource Consent Fees and Charges by CPI (4.9%) and***

3. **Notes that the increase in Resource Consent Fees and Charges will not meet the requirements of Council's Revenue and Financing Policy; and**
4. **Adopts the Statement of Proposal for the Amendments to the Charges under the Resource Management Act 1991 commencing 1 July 2022 as detailed in Attachment 1 (A2824715) to Report (R26520); and**
5. **Agrees a summary of information contained in the Statement of Proposal Amendments to the Charges under the Resource Management Act 1991 is not necessary to enable public understanding of the proposal; and**
6. **Agrees the preferred option is to Building Act Fees and Charges to recover 75% of Council costs for these services; and**
7. **Adopts the Statement of Proposal for the Building Act 2014 and Property Information Fees and Charges as detailed in Attachment 2 (A2829788) to Report (R26520); and**
8. **Agrees a summary of information contained in the Statement of Proposal for the Building Act 2014 and Property Information fees and charges is not necessary to enable public understanding of the proposal; and**
9. **Agrees the preferred option is to increase the Food Act fees and charges by CPI (4.9%); and**
10. **Adopts the Statement of Proposal for the Amendments to the Charges under the Food Act 2014 commencing 1 July 2022 as detailed in Attachment 3 (A2824623) to Report (R26520); and**
11. **Agrees a summary of information contained in the Statement of Proposal Amendments to the Charges under the Food Act 2014 is not necessary to enable public understanding of the proposal; and**
12. **Notes the CPI increases for the Building and LIM activities, Dog Control and Environmental Health services fees and charges do not require public consultation, and as identified in Attachments 4 and 5 (A2825558 and A2825557) of Report (R26520) will take effect from 1 July 2022; and**
13. **Notes no change will be made to the discretion to lower the rating of particular activities under the Sale and Supply of Alcohol Act; and**

14. Approves the consultation approach (set out in section 6 of this report) and agrees:

- a) the approach includes sufficient steps to ensure the Statements 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 Statements of Proposal being as widely publicised as is reasonably practicable as a basis for consultation.**

McGurk/Courtney

Carried

9. Exclusion of the Public

Resolved EC/2022/023

That the Environment and Climate 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:**

Fulton/Courtney

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	Environment and Climate Committee Meeting - Confidential Minutes - 15 February 2022	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)(a) To protect the privacy of natural persons, including that of a deceased person

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
2	Harbourmaster Services	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 3.19p.m. and resumed in public session at 3.32p.m., at which time Glenice Paine had left the meeting.

The Chairperson stood down and passed the Chair to Councillor Courtney to consider Item 10: Deliberations and Decision Report on Amended Urban Environments Bylaw - Deferred from 24 March 2022.

10. Deliberations and Decision Report on Amended Urban Environments Bylaw - Deferred from 24 March 2022

Document number R26796, agenda pages 122 - 123 refer.

Manager Environment and Planning, Maxine Day, presented the report and provided an amended recommendation to delegate minor changes to Councillor Courtney and to request officers to report back on options for managing alcohol nuisance in public places in The Wood area.

Ms Day clarified that support for changes to activities and signage on the footpath would be covered in the City Amenity Bylaw consultation process to allow a fresh and comprehensive look at all activities on footpaths; this may result in subsequent changes to the Urban Environments Bylaw.

Attendance: Councillor Fulton left the meeting at 3.45p.m.

Councillor Lawrey moved the amended recommendation with the addition of a request to report on options for microchipping and desexing cats. Seconded by Councillor Sanson.

Group Manager Environment, Clare Barton, clarified that the request for a report was separate and an additional piece of work to the Bylaw. No changes regarding cats could be made the Bylaw as there had been no consultation on options for microchipping and desexing cats.

During discussion Ms Day noted reference to submissions on cats was reported in the Deliberations Report and requested that option 7.5.2 of the report be deleted as this could not be fulfilled under the Bylaw process; the correct reference would be to provide alternative education.

Attendance: Her Worship the Mayor Reese left the meeting at 4.07p.m.

The recommendation was taken in parts.

Motion

Resolved EC/2022/024

That the Environment and Climate Committee

- 1. Requests officers report back by 31 August 2022 on options and considerations for making microchipping and desexing cats compulsory.***

The motion was put and a division was called:

<u>For</u>	<u>Against</u>	<u>Apologies:</u>
Cr Courtney	Cr Brand	Cr Bowater
Cr Lawrey	Cr Skinner	Cr Noonan
Cr McGurk		
Cr O'Neill-Stevens		<u>Absent</u>
Cr Rainey		Her Worship the
Cr Sanson		Mayor Reese

The motion was carried 6 - 2.

Lawrey/Sanson

Carried

Attendance: Councillor Rainey left the meeting at 4.22p.m.

Manager Environmental Inspections Ltd, Brent Edwards, answered questions on chalk on footpaths.

Manager Transport and Solid Waste, Marg Parfitt, answered questions on amenity and signage on footpaths.

The remaining recommendations were put.

Resolved EC/2022/025

That the Environment and Climate Committee

- 2. Receives the Deliberations and Decision Report on Amended Urban Environments Bylaw (R26653 and R26796) and its attachments (A2849191, A2848140); and***
- 3. Delegates Councillor Courtney, Deputy Chair of the Environment and Climate Committee and Group***

Manager Environmental Management to approve minor corrections or amendments to the Amended Urban Environments Bylaw prior to adoption by Council; and

- 4. Requests officers to report back to the Environment and Climate Committee on options for managing alcohol related nuisance in public places in The Wood area, particularly Tasman and Weka Streets.**

Lawrey/Sanson

Carried

Recommendation to Council EC/2022/026

That the Council

- 1. Determines following consideration of submissions, that the amendments to the Urban Environments Bylaw as shown in Attachment 2 (A2848140) of the Deliberations Report on Amended Urban Environments Bylaw (R26653) are the most appropriate way of addressing the perceived problems with the current Bylaw; are the most appropriate form of Bylaw and do not give rise to any implications under the New Zealand Bill of Rights Act 1990; and**
- 2. Adopts the amended Urban Environments Bylaw as shown in Attachment 2 (A2848140) of the Deliberations Report on Amended Urban Environments Bylaw (R26653); and**
- 3. Determines the date that the amended Urban Environment Bylaw will commence as being 1 June 2022.**

Lawrey/Sanson

Carried

Karakia Whakamutanga

11. Restatements

It was resolved while the public was excluded:

1 CONFIDENTIAL: Harbourmaster Services

Agrees that the Decision and Report R26488 be made publicly available once Council and Port Nelson Limited have executed the new agreement.

There being no further business the meeting ended at 5.16p.m.

Confirmed as a correct record of proceedings by resolution on 16 June 2022.

Resolved EC/2022/027

That the Environment and Climate Committee

- 1. Confirms the minutes of the meeting of the Environment and Climate Committee, held on 7 April 2022, as a true and correct record.***