

MINUTES



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MEMBERSHIP: Pat Seymour (Chair), Craig Bauld, Andy Cranston, Alan Davidson,
Gary Hope, Kathy Sheldrake

MINUTES of the ENVIRONMENT & POLICY Committee

Held in the Council Chambers, 15 Fitzherbert Street on Wednesday 9 September 2009 at 1pm

PRESENT:

Councillors Pat Seymour (Chair), Craig Bauld, Andy Cranston, Alan Davidson and Gary Hope

IN ATTENDANCE:

Environment & Planning Manager Hans van Kregten, Chief Executive Lindsay McKenzie, Chief Environmental Health Officer Sarwan Kumar, Liquor Licensing Inspector Asvin Chand, District Policy Team Leader Kim Smith, Team Leader Natural Resources Policy Kerry Hudson, Senior Planner Natural Resources Policy Yvette Kinsella, Planner District Policy Janelle Finucane, Assistant Accountant Melanie Walker and Committee Secretary Lesley Hillan

APOLOGY:

Cr Kathy Sheldrake

1. Apology

MOVED by Cr Hope, seconded Cr Seymour

That the Committee

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| 1. sustains the apology from Cr Kathy Sheldrake. |
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CARRIED

2. Public forum, petitions, deputations and representation from tangata whenua

There were no attendees.

3. Confirmation of Minutes

Environment and Policy Meeting – 12 August 2009

MOVED by Cr Hope, seconded Cr Bauld

That the Committee

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| 1. accepts the minutes as a true and correct record. |
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CARRIED

Action Sheet

Noted.

4. Matters arising

Nil

5. Notification of late items, questions and general business

Nil

6. Mayor's and Councillors' Reports

For decision

6.1 09/438 – Submission to the Law Commission re Alcohol in our Lives from LGNZ

Mayor Foon had received a consultation document relating to the above. The document had been circulated to Councillors and was to be considered at a Deliberative Session at the end of the meeting.

MOVED by Cr Hope, seconded Cr Davidson

That the Committee

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| 1. leaves the matter to lie on the table until a submission is prepared. |
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CARRIED

6.2 09/417 – Visit to Central Hawke's Bay District Council on 18 August 2009 – Waipawa Municipal Theatre Project

Current inadequacies at the Gisborne War Memorial Theatre had resulted in a review.

In the Long Term Council Community Plan 2009 – 2010 it was agreed that a process would be set up to investigate and explore options for an upgrade to the theatre.

Central Hawke's Bay theatre had recently been scoped for an upgrade by Roger Shand of Shand Shelton, Wellington and it was suggested that Council invite him to Gisborne to discuss assisting Council with its proposed upgrade.

Cr Seymour advised that the matter would be discussed at the conclusion of the meeting at an informal deliberative session. She was aware of some other interests in the community who wished to be a party to the discussions. She explained that the report was for information only. A report was also on the agenda for the Operations Committee on Thursday 10 September.

Cr Cranston expressed concern that local people may be excluded from participating and he felt this needed to be kept in mind.

MOVED by Cr Bauld, seconded Cr Hope

That the Committee

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| 1. receives the report |
| 2. encourages the project team that will co-ordinate this project to invite Roger Shand here for a visit and dialogue with user groups and the neighbouring parties. |

CARRIED

For noting

Nil

7. Staff Reports

For decision

7.1 09/426 – Tree Action Plan

The report proposed an action plan relating to tree management in the Gisborne district. The committee had directed staff to develop an action plan in May this year which was to include investigation of a tree inventory in respect to public land in Gisborne city and Wainui, reviewing street tree planting requirements in the District Plan for new subdivisions and reviewing processes for requests in road reserve that affect street trees.

A public meeting was held at the beginning of August to assist with the development of the action plan.

Cr Hope felt that the action plan was a good first step.

MOVED by Cr Hope, seconded Cr Davidson

That the Committee

1. receives the report
2. adopts the Tree Action Plan (attached to Report No 09/426 as Appendix 1).

CARRIED

7.2 09/414 – GDC's Dog Control Policy and Practices

The purpose of the report was to adopt a report on Council's Dog Control Policy and Practices for the full year – 1 July 2008 to 30 June 2009 as required by section 10A of the Dog Control Act 1996.

MOVED by Cr Davidson, seconded Cr Bauld

That the Committee

1. receives the report
2. agrees to adopt the Annual Report on Dog Control Policy and Practices 2008-2009
3. gives public notice of the Annual Report on Dog Control Policy and Practices 2008-2009 by way of advertisement in the Gisborne Herald and make it available on the Gisborne District Council website
4. sends a copy of this report to the Secretary for Local Government within one month of adopting it.

CARRIED

7.3 09/413 – Application for Small Group Status – Bowls Riverside (Gisborne) Incorporated

The committee was acting in its capacity as the Gisborne District Licensing Agency.

The report detailed an application by the Bowls Riverside (Gisborne) Incorporated at Disraeli Street, Gisborne for small group status under provision of the District Licensing Agency – Sale of Liquor Policy 2002 and recommended that the application be granted for six months from 29 September 2009 to 23 February 2010. The applicant is to make application to operate on further dates.

Representatives from Bowls Riverside Gail Whitley and Bobbie Beattie attended the meeting and said that they were relaxed with the recommendations.

MOVED by Cr Davidson, seconded Cr Bauld

That the Committee

1. receives the report
2. agrees to grant Small Group Status to Bowls Riverside (Gisborne) Incorporated for two years
3. agrees to grant the special licence applied for six months from 29 September 2009 to 23 February 2010.

CARRIED

7.4 09/425 – Updating of F1 and F9 Floodways District Plan Maps

An amendment was recommended to the Proposed Gisborne District Combined Regional Land and District Plan to change three District Plan “c series” maps u43c, r90c and u45c.

The proposal identified a need to change the ‘F1 River and Floodway’ and ‘F9 Urban Floodways’ in King Road, Makauri and Ruth Street and Valley Road in Gisborne City, so that they accurately represented the actual physical land drains.

MOVED by Cr Bauld, seconded Cr Hope

That the Committee

1. receives the report
2. **Recommends that Council**
 - a. adopts the analysis of alternatives, costs and benefits (section 32 report) attached to Report No 09/425
 - b. notifies Proposed Plan Change 40 to the Part Operative Combined Regional Land and District Plan.

CARRIED

7.5 09/427 – Chapter 24 Definition of Closed Canopy

Several definitions in Chapter 24 – Glossary of the Combined Regional Land and District Plan remain under appeal. The definition for “closed canopy” has been resolved between the parties subsequent to Environment Court mediation in July and October 2008 and subsequent correspondence between the parties since.

MOVED by Cr Bauld, seconded Cr Cranston

That the Committee

1. receives the report
2. **Recommends that Council**
 - a. endorse the Memorandum to the Environment Court and draft consent order attached to Report No 09/427; and
 - b. provides delegated authority to the Environment and Planning Manager to agree to any further minor amendments which have no more than minor

effect on the proposed settlement

- c. directs officers to apply to the Environment Court to resolve by consent the appeal on Chapter 4 – Glossary for the definition of “Closed Canopy”
- d. subject to the Court’s confirmation of the attached consent order, resolves, under clauses 17(2) and (3) of the First Schedule to the RMA, to make the definition of closed canopy Chapter 24 – Glossary operative by affixing the Council Seal and publicly notifying an operative date.

CARRIED

For noting

7.6 09/441 – Environment and Planning Department: Financial Results for the Year Ended 30 June 2009

The financial results for the year ending 30 June 2009 showed a net cost of activity of \$5,650,515 being 85% of the full year budget.

MOVED by Cr Bauld, seconded Cr Hope

That the Committee

1. receives the report

CARRIED

7.7 09/415 – Environment and Planning Department’s Full Year Progress on Annual Plan – 1 July 2008 to 30 June 2009

The Environment and Planning Department’s full year progress on objectives and reports on performance measures and levels of service for the period 1 July 2008 to 30 June 2009 was set out in the report.

Cr Seymour requested that a list of planning projects for the rest of the year be prepared for the next Environment and Policy meeting.

MOVED by Cr Hope, seconded Cr Bauld

That the Committee

1. receives the report

CARRIED

7.8 09/448 – Resource Management (Simplifying and Streamlining) Amendment Bill 2009

Gisborne District Council made a submission to the Bill and Environment and Planning Manager Hans van Kregten appeared before the Select Committee, further outlining Council’s position.

The report summarised key changes that will come into effect on 1 October 2009. Most notable key impacts for Council are:

- considerable costs to amend existing or establish new processes, particularly around resource consenting
- a reduced role for the Council’s Hearing Committee; and
- changes to some processes that will require staff and elected representatives to do more, sometimes in shorter timeframes.

Cr Davidson spoke on costs being restrictive to attend meetings outside Gisborne.

Senior Planner Natural Resources Policy Yvette Kinsella advised that a meeting had been arranged for 9 October 2009 in Gisborne to explain the Act and how it will work. The meeting would take place in the Council Chamber from 1.30pm to 4.30pm.

Cr Bauld asked what the position would be in relation to hearings if there was delegation to a commissioner and Council didn't like the decision made.

Environment and Planning Manager Hans van Kregten said the person appointed as a commissioner would have statutory powers and would have the District Plan as a tool in the decision process.

MOVED by Cr Davidson, seconded Cr Bauld

That the Committee

1. receives the report.

CARRIED

8. Late Items

There were no late items.

9. Questions

There were no questions.

10. General Business

There was no general business.

11. Public Excluded Business

There was no public excluded business.

There being no further business the meeting concluded at 1.40pm.

Pat Seymour
Chairperson