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**MINUTES**  
of the  
**ENVIRONMENT AND REGULATORY COMMITTEE MEETING**  
**Komiti Ture**  
held  
**9:30 am, Wednesday, 24 April 2024**  
at  
**Tasman Council Chamber, 189 Queen Street, Richmond**

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**Present:** Councillor C Hill (Chair), Mayor T King, Deputy Mayor S Bryant, Councillors C Butler (zoom) Dowler, G Daikee, J Ellis, M Kininmonth, C Mackenzie, K Maling, B Maru (Deputy Chair) and T Walker

**In Attendance:** Golden Bay Community Board Member (G Knowles), Motueka Community Board Member (D Armstrong via Zoom), ( Chief Executive Officer (L Rae), Group Manager - Environmental Assurance (K Drummond), Regulatory Manager (S Bruyns), Senior Resource Scientist Freshwater & Estuarine Ecology (T James), Project Manager - Wetland Restoration (B Reid), Project Manager - Fish Passage Remediation (K South), Harbourmaster (P Renshaw), Programme Leader – Property Transactions (R Cant), Reserves & Facilities Manager (G Reburn) and Team Leader - Democracy Services (E Stephenson)

**Apologies:** Councillors Greening and Shallcrass (absence), Mayor King (lateness)

**1 OPENING, WELCOME**

The Chair opened the meeting with karakia.

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## **2 APOLOGIES AND LEAVE OF ABSENCE**

**Moved Councillor Maru/Councillor Walker  
RC24-04-1**

**That the apologies from Councillors Greening and Shallcrass for absence and from Mayor King for lateness be accepted.**

**CARRIED**

## **3 PUBLIC FORUM**

### **3.1 Tasman Democracy - Delegations to the Environment and Regulatory Committee and Group Manager Environmental Assurance**

Mathias Schaeffner asked that his questions:

- what office the Group Manager Environmental Assurance held; and
- why the Group Manager Environmental Assurance had the authority to apply for an enforcement order at the Environment Court and at the same time the ability to progress court proceedings within Council

be lodged as a Local Government Official Information Act (LGOIMA) request.

Mr Schaeffner informed the committee that he had received an email from Group Manager - Environmental Assurance, Kim Drummond, regarding the number of Council enforcement actions relative to the number of issued search warrants, but was not satisfied with the answer and was seeking more accountability and transparency.

### **3.1 Tasman Democracy - Delegations to the Environment and Regulatory Committee and Group Manager Environmental Assurance**

Mathias Schaeffner questioned the Group Manager Environmental Assurance's authority to instigate legal proceedings and asked that his question as to what office the Group Manager Environmental Assurance held be lodged as a Local Government Official Information Act (LGOIMA) request.

Mr Schaeffner informed the committee that he had received an email from Group Manager - Environmental Assurance, Kim Drummond, regarding the number of Council enforcement actions relative to the number of issued search warrants, but was not satisfied with the answer and was seeking more accountability and transparency.

### **3.2 Nick Hughes - Tiny homes - buildings or vehicles**

Nick Hughes confirmed that he was speaking as a member of the public and would draw on his own personal experiences and not refer to confidential workshop material provided to elected members.

He said that Tasman District Council had clear definitions of a motor vehicle, and the Ministry of Business, Innovation and Employment (MBIE) had a decision tree on whether or not a vehicle was a building, but these documents were not being utilised, and if they were something could be changed.

He felt that a lot of concerns regarding people living in caravans were clouded by separate

issues such as sanitation, but there was so much information that could help. Rather than being used as a weapon, he felt the issue needed to be de-weaponised. He also felt that if the Council was going to decide what the rules were and enforce them, a lot of people would have to leave the district.

**4 DECLARATIONS OF INTEREST**

Nil

**5 LATE ITEMS**

Nil

Confirmed

## 6 CONFIRMATION OF MINUTES

It was noted that the actions from the 14 March 2024 Environment and Regulatory Committee meeting had all been addressed.

**Moved Councillor Mackenzie/Councillor Ellis**  
**RC24-04-2**

**That the minutes of the Environment and Regulatory Committee meeting held on Thursday, 14 March 2024, be confirmed as a true and correct record of the meeting.**

**CARRIED**

## 7 REPORTS

### 7.1 Group Manager's Report

Group Manager Environmental Assurance, Kim Drummond, gave a broad overview of the report and answered questions.

**Action:** Kim Drummond to confirm whether the Sams Creek goldmining project was going to be considered for fast-track consenting (this was confirmed following the meeting via email).

**Moved Councillor Butler/Councillor Mackenzie**  
**RC24-04-3**

**That the Environment and Regulatory Committee**

- 1. receives the Group Manager's Report RRC24-04-1; and**
- 2. retrospectively approves the Tasman District Council's submission to the Environment Committee on the Fast Track Approvals Bill 2024 (Attachment 1 to the agenda report).**

**CARRIED**

### 7.2 Annual update - Jobs for Nature Wetlands and Fish Passage Projects

Senior Resource Scientist Freshwater & Estuarine Ecology, Trevor James, Project Manager - Wetland Restoration, Blair Reid, and Project Manager - Fish Passage Remediation, Kerry South, presented the report, provided a PowerPoint presentation and answered questions on the projects.

**Moved Councillor Dowler/Councillor Mackenzie**  
**RC24-04-4**

**That the Environment and Regulatory Committee:**

- 1. receives the Annual update - Jobs for Nature Wetlands and Fish Passage Projects RRC24-04-2.**

**CARRIED**

### **7.3 Regulatory Manager's Six-monthly Report**

Regulatory Manager, Shane Bruyns introduced Acting Senior Environmental Health Officer, Tracy Waddington. Mr Bruyns highlighted points in the report and answered questions regarding freedom camping, homelessness, and the potential for the Council and of the Ministry of Social Development to work collaboratively. It was acknowledged this was a complex area and that Council staff had limited training/capacity/resources to do more than recognise the difference between freedom campers and the homeless.

Councillor Maling and Deputy Mayor Bryant exited the meeting at 10:54 am.

Mayor King joined the meeting at 11:00 am.

- Action:** Shane Bruyns to investigate how we deal with the growing problem of homelessness, including speaking to contractors and bringing feedback/metrics back to the Committee that may assist with the possible development of a strategy.
- Action:** Shane Bruyns to progress the accurate tracking of numbers of complaints about dogs on beaches disturbing nesting birds.
- Action:** Shane Bruyns to pass a comment on to Council's contractor regarding the high level of freedom camping in the Motueka Valley.
- Action:** Shane Bruyns to follow up with Councillor Ellis regarding records of fire damage within reserves and the frequency of damage.
- Action:** Kim Drummond to investigate later in the year whether funding was available via MBIE to assist the Council with employing more staff to deal with freedom camping.

#### **Moved Councillor Ellis/Councillor Dowler RC24-04-5**

**That the Environment and Regulatory Committee**

- 1. receives the Regulatory Manager's Six-monthly Report RRC24-04-3.**

**CARRIED**

### **7.4 Harbourmaster's Report**

Harbourmaster, Peter Renshaw, introduced Regulatory Administration Officer, Kelly Nicholls, presented the report, which was taken as read, and answered questions.

#### **Moved Councillor Walker/Councillor Kininmonth RC24-04-6**

**That the Environment and Regulatory Committee**

- 1. receives the Harbourmaster's Report 1 November 2023 to 31 March 2024 RRC24-04-4.**

**CARRIED**

### **7.5 Wakefield Local Purpose Reserve - Lease to Kindergarten (former Scouts)**

Programme Leader - Property Transactions, Robert Cant and Reserves & Facilities Manager, Grant Reyburn, presented the report, which was taken as read and answered questions.

**Moved Councillor Mackenzie/Councillor Maling**

**RC24-04-7**

**That the Environment and Regulatory Committee**

- 1. receives the Wakefield Local Purpose Reserve - Lease to Kindergarten (former Scouts) report RRC24-04-5; and**
- 2. agrees that consultation with the public in relation to the decision to grant a lease to the Nelson Marlborough Kindergarten Association is required under the Local Government Act 2002 and Council's significance and engagement policy; and**
- 3. agrees that staff undertake consultation on the granting of a lease to the Nelson Marlborough Kindergarten Association for the use of part of the Treeton Place Local Purpose Reserve, for an initial term of five years, with two rights of renewal for 10 years (total 25 years), subject to it establishing a viable Kindergarten facility on the site in the initial five year term; and**
- 4. notes that the public's views from the consultation will be included in a subsequent decision report to the Environment and Regulatory Committee.**

**CARRIED**

### **8 CONFIDENTIAL SESSION**

The Chair closed the meeting with karakia.

The meeting concluded at 11.52am.

Confirmed as a correct record of proceedings by resolution on 6 June 2024.

**RC24-06-8**

**That the amended minutes of the Environment and Regulatory Committee meeting held on Wednesday, 24 April 2024, be confirmed as a true and correct record of the meeting.**