

MINUTES



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MEMBERSHIP: Pat Seymour (Chair), Amber Dunn (Deputy Chair),
Andy Cranston, Karen Fenn, Malcolm MacLean, Rehette Stoltz, Josh Wharehinga and
His Worship the Mayor (ex officio).

MINUTES of the ENVIRONMENTAL PLANNING & REGULATIONS Committee

Held in Te Ruma Kaunihera (Council Chambers), Awarua, Fitzherbert Street, Gisborne on 10 October 2018 at 1pm.

PRESENT:

Councillors Pat Seymour (Chair), Amber Dunn, Andy Cranston, Karen Fenn, Malcolm MacLean, Rehette Stoltz.

IN ATTENDANCE:

Director Environmental Services & Protection Nick Zaman, Environmental & Science Manager Lois Easton, Water Quality Science Officer Harriet Roil, Democracy & Support Services Manager Heather Kohn and Committee Secretary Denise Williamson.

APOLOGIES:

Councillor Cr Wharehinga

1. Apologies

MOVED by Cr Seymour, seconded by Cr Cranston

That the apology from Cr Wharehinga be sustained.

CARRIED

2. Declaration of Interest

There were no interests declared.

3. Leave of Absence

There were no leaves of absence.

4. Acknowledgements and Tributes

There were no acknowledgements or tributes.

5. Public input and petitions

- a) Maria Solomann spoke of her frustration with the flooding on her private property at the bottom of Ballance Street Hill in Valley Road and communication over the years with the consents section on a solution to the problem. She said it has been ongoing since 2009 and requirements by the owner of the property have been ignored. She further alleged:

- A geotech on the land before the houses were built said the hill was unstable. Because of stability issues the water should be collected and not allowed on the lower slopes of the hill.
- The building consent said the water needed to be collected and piped into the stormwater system in Hill Road. That was not done.
- The resource consent said they could dispose of their water into the stream on the hill, but there was no stream on the hill.
- A code of compliance was issued for the buildings after concerns were raised highlighting there was non-compliance with the building consent.
- A neighbour in 2011 agreed to take the water through his property as a way to keep the hill stable. That did not work and the hill slipped and the house above them was lost in 2014.
- ECQ and Tonkin and Taylor put in pipes that directed water through her property without her consent. LDE drew a drainage plan which has close to 40 horizontal drains which direct the water onto her property.
- Was told before the Hill slipped the owners were directed to comply with the consents – it did not happen. Since then she has been told in writing that a Notice to Fix would be issued – it hasn't. Was told boundaries would be surveyed to ensure any work carried out was within boundaries of the Hill Road property – hasn't been done.
- Offered to sell a piece of property and put an easement on her property and take the water through. Had an understanding the owner was going to purchase the property. On that basis she allowed him to re-contour the land on her property to define the boundary for the surveyor and he then pulled out of the sale.
- In 2016 she asked if the pump system for the drainage plan was sufficient and was told any pump system would be peer reviewed that it complied and would cope.
- The pump went in last year, three years after the slip. It has burnt out twice. The issue has arisen again because her place is sodden. Went and checked and found the pump system has been removed and there is a black nova pipe hooked through the drop chamber and poked through the fence and draining onto her property.
- The next door neighbour has now surveyed for a subdivision even though there is a covenant on the lands. They did not survey her property and Ms Solomann wondered how you do a subdivision without surveying the boundaries of the land.
- Sent a request to have a Notice to Fix issued and got a response from the Council saying the neighbour up the hill has been spoken to and was going to do certain things so it was not necessary to issue a notice to fix.
- Ms Soloman complained to MBIE in 2015 about the original building consent and they said there was cause for it to be taken further. She then did not have the energy, time or money to pursue.

Cr Cranston confirmed he has seen the email trail and that enforcement has been an issue. He said it is important to realise the water is now directional towards her property, it is not just rainwater.

Mr Zaman advised he will investigate the history and get back to Cr Cranston and Ms Solomann.

6. Confirmation of Minutes

Environmental Planning & Regulations – Ordinary Meeting 12 September 2018

MOVED by Cr MacLean, seconded by Cr Stoltz

That the Minutes of 12 September 2018 be accepted with a word change requested by Mr Zaman on page 6 second paragraph; 'there has been a decline of recorded dog registration numbers'.

CARRIED

7. Extraordinary business

There was no extraordinary business.

8. Notices of Motion

There were no notices of motion.

9. Adjourned business

There was no adjourned business.

10. Reports of the Chief Executive and staff

DECISION REPORTS

10.1 18-418 Councillor Member of TB Free Committee

It was voted on by division and all councillors agreed to appoint Cr MacLean as the TB Free Committee representative.

MOVED by Cr Stoltz, seconded by Cr Fenn

That the Committee

1. Notes the contents of this report.
2. Appoints Cr MacLean as the elected representative member to the TB Free Committee.

CARRIED

10.2 18-406 Marine Biosecurity Update and Proposed Inter-regional Pathway Plan

Ms Easton gave a presentation on marine biosecurity; further responding to questions she advised:

- Fan worm is manually removed. When there is a heavy infestation and if the boat cannot be lifted out of the water they put a mobile structure around the boat and pour chlorine over.
- Most of the marine pests arrived by recreational vessels and Northland is a major stopping over and starting point for recreational vessels coming into New Zealand from the tropics. Most of the marine pests are subtropical in origin.
- It is the boat owners' responsibility to self-check their boats. Bay of Plenty Regional Council assist with checking boats.
- A wooden vessel is hard to clean to the level it needs to be. Some of the infested vessels that have spread marine pests around the country have been steel hulled or are a fibre glass hull.
- In favourable conditions the Mediterranean fan worm can grow fast.
- The find this year was the first time a fan worm has been found on a vessel. It was sent away for analysis; its age and size indicates the vessel came into Gisborne with the fan worm on it.

- Every time divers find a fan worm it is sent to NIWA to check. Gisborne has not needed to use the chlorine treatment.
- The biosecurity divers and scientists learn more about marine pests in Gisborne as environment is different.

MOVED by Cr Stoltz, seconded by Cr Fenn

That the Committee

1. Notes the contents of this report.
2. Approves the inclusion of the Gisborne Region being in an Inter-regional Marine Pathway Plan to be prepared under the Biosecurity Act 1993 and the commencement of consultation on the content of the Plan.

CARRIED

INFORMATION REPORTS

10.3 18-427 Aquatic Ecosystems State of the Environment Monitoring Findings

Ms Roil gave a background on the aquatic ecosystem monitoring programme and update on water quality. She then responded to questions:

- The sites are representative of what is upstream. Sites are spread across so can see the pattern.
- That is impacted by what is going in the catchment.

Mr Zaman added; the LAWA data set looks at nutrients as well. Will come back to the next Committee meeting with a report to form a comprehensive picture of water quality. It is related to the land use.

MOVED by Cr Cranston, seconded by Cr Dunn

That the Committee

1. Notes the contents of this report.

CARRIED

10.4 18-404 Overlay 3A and Sustainable Hill Country Programme Update

Responding to questions Ms Easton said that areas less than five hectares are not eligible because of the criteria of funding under the ECFP. Will need to review the provisions. The ECFP Community Projects criteria is more relaxed so people are able to apply for funding assistance for erosion on sites greater than one hectare.

MOVED by Cr Stoltz, seconded by Cr MacLean

That the Committee

1. Notes the contents of this report.

CARRIED

There being no further business, the meeting concluded at 2pm.

Pat Seymour
Chairperson