



# AGENDA

Ordinary meeting of the

## Resource Management Act Procedures Committee

**Friday 3 October 2014  
Commencing at 9:00am  
Ruma Marama  
Civic House  
Trafalgar Street, Nelson**

Membership: Her Worship the Mayor Rachel Reese, Councillors Kate Fulton and Paul Matheson

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)
- It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

**3 October 2014**

A1250562

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## **Apologies**

### **1. Confirmation of Order of Business**

### **2. Interests**

2.1 Updates to the Interests Register

2.2 Identify any conflicts of interest in the agenda

### **3. Confirmation of Minutes - 1 July 2014**

**6-7**

Document number A1212833

Recommendation

***THAT the minutes of the meeting of the Nelson City Council – Resource Management Act Procedures Committee, held on 1 July 2014, be confirmed as a true and correct record.***

### **4. Chairperson's Report**

### **5. Submission to Lee Valley Dam Resource Consent**

**8-11**

Document number A1251191

Recommendation

***THAT the report Submission to Lee Valley Dam Resource Consent (A1251191) and its attachment (A1251293) be received;***

***AND THAT the Resource Management Act Procedures Committee adopt the attached submission (A1251293).***

## PUBLIC EXCLUDED BUSINESS

### 6. Exclusion of the Public

Recommendation

***THAT the public be excluded from the following parts of the proceedings of this meeting.***

***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:***

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	<p><b>Resource Management Act Procedures Committee Minutes – Public Excluded – 1 July 2014</b></p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>
2	<p><b>Plan 18 Change Appeals</b></p> <p>This report contains information regarding progress of the appeals to Plan Change 18 and the strategy to be followed for Environment Court appeals.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>• Section 7(2)(i) To carry out negotiations</li> </ul>

**7. Re-admittance of the public**

Recommendation

**THAT the public be re-admitted to the meeting.**

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**Minutes of a meeting of the Resource Management Act  
Procedures Committee**

**Held in Ruma Ana, Civic House, Trafalgar Street, Nelson**

**On Tuesday 1 July 2014, commencing at 2.06pm**

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Present: Her Worship the Mayor (R Reese), Councillors K Fulton and P Matheson

In Attendance: Group Manager Infrastructure (A Louverdis), Acting Group Manager Environment (G Carlyon), Principal Planner (M Heale), Senior Engineering Officer (J Large), and Administration Adviser (L Laird)

**1. Apologies**

There were no apologies.

**2. Interests**

2.1 There were no updates to the Interests Register, and no conflicts with items of the agenda were declared.

**3. Confirmation of Order of Business**

There was no change to the order of business.

**4. Exclusion of the Public**

Resolved

***THAT the public be excluded from the following parts of the proceedings of this meeting.***

***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:***

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	<p><b>Plan Change 18 Appeals</b></p> <p>This report contains information regarding progress of the appeals to Plan Change 18 (Nelson South) and the strategy to be followed for Environment Court appeals.</p>	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> <li>Section 7(2)(i) To carry out negotiations</li> </ul>

Her Worship the Mayor/Fulton

Carried

The meeting went into public excluded session at 2.07pm and resumed in public session at 5.13pm.

## 5. Re-admittance of the Public

Resolved

***THAT the public be re-admitted to the meeting.***

Her Worship the Mayor/Matheson

Carried

There being no further business the meeting ended at 5.13pm.

Confirmed as a correct record of proceedings:

\_\_\_\_\_ Chairperson \_\_\_\_\_ Date

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## Submission to Lee Valley Dam Resource Consent

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### 1. Purpose of Report

- 1.1 To seek retrospective approval from the Resource Management Act Procedures Committee (RMAPC) to lodge a submission to the resource consent for the construction, operation, and maintenance of the Lee Valley Dam.

### 2. Delegations

- 2.1 The RMAPC has delegation to decide to lodge submissions to a resource consent in another jurisdiction pursuant to clause 6.11.2.

### 3. Recommendation

***THAT the report Submission to Lee Valley Dam Resource Consent (A1251191) and its attachment (A1251293) be received;***

***AND THAT the Resource Management Act Procedures Committee adopt the attached submission (A1251293)***

### 4. Background

- 4.1 Resource consents are being sought to allow the construction, operation, and maintenance of a dam and associated infrastructure on the Lee River in Tasman District, as part of the Waimea Water Augmentation Project.
- 4.2 The proposal involves capture of river flows, storage of the water reservoir, and then allowing release of that stored water through the dam during periods of high water demand and or low natural river flows to augment both the instream flow and amount of water available for use – either directly from the river or via recharging of the groundwater system.
- 4.3 Nelson City Council lodged a submission to the application on 15 August 2014 ahead of approval from the RMA Procedures committee due to constraint timeframes associated with the submission period.



## **5. Discussion**

- 5.1 Nelson City Council is an adjoining territorial authority that has a strong interest in the joint development of the wider region. Nelson City Council abstracts water from the Upper reaches of the Roding River so shares a water resource in the region. The Council has lodged a submission in support of the resource consent that seeks to address the environmental and economic issues arising from the over allocation of water resources on the Waimea Plains.

## **6. Consultation**

- 6.1 There is no requirement to undertake consultation in lodging a submission on a resource consent. The formal submission process for the notified resource consent allows members of the public to input into the decision making process.

## **7. Alignment with relevant Council Policy**

- 7.1 Addressing over allocation issues of the Waimea Plains is consistent with Nelson 2060 and Council's Resource Management Plan objectives.

## **8. Inclusion of Māori in the decision making process**

- 8.1 Maori have had the opportunity to be involved in the resource consent application through the formal notification of the resource consent.

Clare Barton  
**Group Manager Strategy and Environment**

## **Attachments**

Attachment 1: Submission on Resource Consent Application [A1251293](#)



# Submission on Resource Consent Application

To: The Resource Consent Administration Officer  
Tasman District Council  
Private Bag 4  
Richmond 7050

- Notes:
- (1) Please ensure that all sections of this form, on both sides, are completed.
  - (2) This submission form may be delivered to any of the Council offices, mailed, faxed, or e-mailed to the Council (the various contact details are presented at the bottom of this form). If the submission is faxed or e-mailed then it would be helpful if the original submission was also posted or delivered to the Council as soon as is practicable.

## Submitter Details

Full Name: Nelson City Council

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Contact Person (if different from above): Clare Barton

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Address for Service: PO Box 645 Nelson

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Postcode: 7040

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Phone (03)5460200      Fax: (03) 5460239      E-mail: clare.barton@ncc.govt.nz

## Submission Details

This is a submission on the following application for resource consent lodged with the Council:

Name of Applicant: Waimea Community Dam Limited

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Proposed Activity (include location): Construction, operation and maintenance of a dam and associated infrastructure on the Lee River in Tasman District, as part of the Waimea Water Augmentation Project.

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Tasman District Council Application Number (if known): RM 140540

1) The specific part(s) of the application that my submission relates to is/are (Give details\*): All

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\* Note: Any additional information should be submitted on a separate sheet(s).

2) The reasons for my submission are (Give details\*): Nelson City Council is an adjoining Territorial Authority that has a strong interest in the joint development of the wider region. Nelson City Council abstracts water from the upper reaches of the Roding river so shares the water resource in the region and recognises the inter-relationships inherent in our linked environment and economies. Nelson City Council supports the efforts of the Tasman District Council to address the environmental and economic issues arising from the over allocation of water resources on the Waimea Plains.

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\*Note: Any additional information should be submitted on a separate sheet(s).

AS 205 PDE 93

3) The nature of my submission is that: (Tick one of the following three boxes):

- I support the application
- I oppose the application
- I am neutral regarding the application

4) The decision I would like the Council to make is (Tick one of the following two boxes):

- To grant consent
- To refuse/decline consent

If consent is granted, I wish the council to impose the following conditions  
 (Note: you do not have to suggest conditions, particularly if you want the council to refuse consent):  
 No specific conditions.

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5) Attendance at any Council Hearing (You must tick one of the following two boxes):

- I wish to be heard in support of my submission
- I do not wish to be heard in support of my submission

Note: If you indicate that you do not wish to be heard, you will still receive a copy of the Council's decision but you will not receive a copy of the hearings report if a hearing is held.

Print Full Name: Clare Barton

Signature\*: 

Date: 15 August 2014

(Person making submission or authorised agent)

\*Note: A signature is not required if you make your submissions by electronic means.

A copy of this submission MUST also be sent to the applicant as soon as reasonably practicable after serving a copy on the Council.

Feel free to contact us:



Email [info@tasman.govt.nz](mailto:info@tasman.govt.nz)  
 Website [www.tasman.govt.nz](http://www.tasman.govt.nz)  
 24 hour assistance

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