

## Minutes of a meeting of the Planning and Regulatory Committee

Held in the Council Chamber, Civic House, Trafalgar Street,  
Nelson

On Thursday 20 March 2014, commencing at 2.43pm

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Present: Councillor B McGurk (Chairperson), Her Worship the Mayor (R Reese), Councillor I Barker, R Copeland, K Fulton, M Lawrey and M Ward

In Attendance: Councillor G Noonan, Chief Executive (C Hadley), Acting Group Manager Strategy (N McDonald), Kaihautū/Acting Manager Community Partnerships (G Mullen), Manager Communications (A Ricker), Manager Environmental Programmes (C Ward), Manager Administration (P Langley), and Administration Adviser (E-J Ruthven)

Apologies: Councillor E Davy, and Her Worship the Mayor for early departure.

### 1. Apologies

Resolved

***THAT apologies be received and accepted from Councillor Davy, and Her Worship the Mayor for early departure.***

McGurk/Barker

Carried

### 2. Interests

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

### 3. Confirmation of Order of Business

There was no change to the order of business.

#### 4. Public Forum

##### 4.1 Poultry in a Residential Area

Cara Miller spoke about part of Nelson City Council Bylaw 215 Miscellaneous Matters relating to keeping poultry in a residential area. She explained that the bylaw did not address where on sections poultry coops could be sited, and noted the noise issues she had faced since neighbours had erected a poultry coop on the boundary fence, less than 2 metres from her bedroom window.

She tabled a document (A1144396) outlining the equivalent bylaws in Marlborough and Tasman, both of which regulated where poultry coops could be sited. She asked the Committee to consider amending the bylaw in order to address where coops could be situated.

Attendance: Councillors Copeland and Fulton joined the meeting at 2.46pm.

In response to questions, Ms Miller explained that she had approached her neighbours regarding this issue, but that they were not prepared to move the coop to another part of the section.

She added that environmental officers who had visited the property had not indicated that there was any issue with the coop. She emphasised that her concern was not with keeping poultry in general, but was confined to where on residential sections poultry coops could be located.

Attendance: Her Worship the Mayor left the meeting at 3.00pm.

The Chairperson requested that a further report come to the Planning and Regulatory Committee regarding the efficacy of Bylaw 215 Miscellaneous matters as it related to the keeping of poultry in a residential area.

#### 5. Confirmation of Minutes – 18 February 2014

Document number A1143729, agenda pages 9-11 refer.

Resolved

***THAT the minutes of the extraordinary meeting of the Nelson City Council – Planning and Regulatory Committee, held on 18 February 2014, be confirmed as a true and correct record.***

McGurk/Barker

Carried

#### 6. Status Report – Planning and Regulatory 20 March 2014

Document number A1155974, agenda page 12 refers.

Resolved

**THAT the Status Report – Planning and Regulatory 20 March 2014 (A1150321) be received.**

Barker/Copeland

Carried

## **7. Chairperson's Report**

There was no Chairperson's report.

## **REGULATORY**

### **8. Building Unit: Fees and Charges 2014/15**

Document number A1144537, agenda pages 13-44 refer.

Manager Building, Martin Brown, joined the meeting and presented the report. He said that, unlike Resource Management Act Fees and Charges, the Building Consent Authority was able to set Building Fees and Charges without public consultation. However, he added that the Building Unit Fees and Charges would be notified as part of the draft Annual Plan.

He said that, based on feedback, changes had been made to the method and model of consent processing, inspection and administration, and he explained the assumptions that informed the new fee schedule.

In response to a question, the Chief Executive explained that the proportion of costs funded by fees and charges varied at every Council, and was a direct result of the revenue policies set at each Long Term Plan. She said it was a question for each Council to decide where the balance of public versus private good fell in relation to what level of cost-recovery targets to set through fees and charges.

In response to further questions, the Chief Executive explained that the fee for exempt building works advice/meeting was proposed to increase as previously, it was not sufficiently recovering costs. She added that this fee should be managed against the potential benefit that the proposed building works may well be exempt from requiring a building consent.

In response to further questions, Mr Brown explained the way in which the proposed fees and charges applied to marquees, swimming pools and inspection costs.

Resolved

**THAT the report *Building Unit Fees and Charges 2014/15 (A1144537) and its attachments (A1150776 and A1148306) be received.***

Copeland/Lawrey

Carried

Recommendation to Council

**THAT the fees and charges for the *Building Unit activities for 2014/15 be approved;***

**AND THAT the fees and charges for *Building Unit activities for 2014/15 are notified as part of the Draft Annual Plan 2014/15;***

**AND THAT the revised fees and charges apply *from 1 July 2014.***

Copeland/Lawrey

Carried

**9. Fees and Charges: Consents and Compliance (non-RMA)**

Document number A1145336, agenda pages 45-52 refer.

Resolved

**THAT the report *Fees and Charges: Consents and Compliance (non-RMA) (A1145336) and its attachments be received.***

Lawrey/Copeland

Carried

Recommendation to Council

**THAT the *Dog Control Fees and Charges for 2014/2015 be adopted as detailed in Attachment 1 to Report A1145336;***

**AND THAT the *Environmental Health and other activities fees and charges for 2014/2015 be adopted as detailed in Attachment 2 to Report A1145336;***

**AND THAT the *Provision of Property Information Fees and Charges for 2014/2015 be adopted as detailed in Attachment 3 to Report A1145336;***

**AND THAT the charges for Dog Control, Environmental Health and Provision of Property Information activities apply as from 1 July 2014 until such time as they are varied or amended by Council;**

**AND THAT the Dog Control charges be publicly advertised in accordance with Section 37(6) of the Dog Control Act 1996.**

Lawrey/Copeland

Carried

**10. Regulatory Report for 1 October to 31 December 2013**

Document number A1127850, agenda pages 53-64 refer.

Manager Consents and Compliance, Mandy Bishop, joined the meeting and presented the report.

Councillors discussed the performance of the Parking Unit. In response to a question, the Chief Executive explained the manner in which parking unit activities had been contracted to Environmental Inspections Limited (EIL).

In response to further questions, she clarified that the contract with EIL did not contain quotas or other incentives with regards to ticket numbers, although it did provide information regarding staffing hours and ticketing levels of the parking unit prior to the contract being let to EIL. She added that the parking unit had been under-staffed prior to the contract being let to EIL, and had returned to full staff levels around December 2013.

Resolved

**THAT the Regulatory Report for 1 October to 31 December 2013 (A1127850) be received.**

Lawrey/Copeland

Carried

**11. Parking and Vehicle Control Bylaw (2011), No. 207 – Amendments to Schedules**

Document number A1141276, agenda pages 65-73 refer.

Road Safety Adviser, Marg Parfitt, joined the meeting and presented the report.

In response to a question, she said that when yellow lines had been removed from Motueka Street some time ago, it had been on the understanding that these would be reinstated once traffic signals were installed.

Resolved

**THAT the report *Parking Vehicle Control Bylaw (2011), No. 207 Amendments to Schedules and its attachments (A1143223, A1143222, A1144095, A1143219, A1528724)* be received;**

**AND THAT the following alterations to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:**

- ***Schedule 9: No Stopping;***
- ***Schedule 14: Give Way Signs.***

Barker/Ward

Carried

## **12. Ecofest 2014**

Document number A1137528, agenda pages 74-87 refer.

Manager Environmental Programmes, Chris Ward, presented the report. He said that officers had considered the reasons for holding Ecofest, and had noted that it was unclear whether Ecofest provided the best method of delivering environmental outcomes at the present time.

In response to a question, he advised that any changes to the mode of Delivery to the Environment Awards had to be discussed with Tasman District Council (TDC) and that it was not advisable to specifically link the awards to a Founders Park Ecofest event. He said that work was continuing with TDC to consider the best format for delivery of the awards.

In response to further questions, Mr Ward explained that event organisers had expressed a preference for a decision to be made as quickly as possible, so that they could ascertain their capacity for delivering an event. He added that there had been no indication that a one-year break from running Ecofest would be likely to detract sponsors of the event.

Councillors discussed whether to hold Ecofest in any capacity this year. It was noted that there was insufficient officer capacity to run Ecofest, as well as continue with other environmental projects such as considering the health of the Maitai River. It was also noted that in view of the closure of events venues, there had been a decrease in the number of events on offer in Nelson, and several committee members expressed a desire not to cancel the event. A suggestion was made that Ecofest be combined with another event sharing similar philosophies, such as the Growables week.

Resolved

**THAT the report Ecofest 2014 (A1137528) and its attachment (A1120552) be received.**

Ward/Copeland

Carried

Councillor Ward, seconded by Councillor Copeland, moved a recommendation to Council

*THAT officers request Expressions of Interest from interested parties for the delivery of the Environment Awards and Ecofest at Founders Heritage Park in 2014.*

Following discussion regarding the need for further conversations with TDC regarding the Environment Awards, the mover and seconder agreed that the words "Environment Awards and" be removed from the first clause.

Recommendation to Council

**THAT officers request Expressions of Interest from interested parties for the delivery of the Ecofest at Founders Heritage Park in 2014.**

Ward/Copeland

Carried

Councillor Barker asked for his vote against the motion to be recorded.

Attendance: Councillor Copeland left the meeting at 4.16pm.

### **13. Response to Marine Biosecurity Incursions**

Document number A1127327, agenda pages 88-96 refer.

Manager Environmental Programmes, Chris Ward, explained that there was an additional officer recommendation that Council request the Top of the South Marine Biosecurity Partnership to consider a joint regional pathways plan.

Attendance: The meeting adjourned from 4.18pm to 4.22pm.

Resolved

**THAT the report Response to Marine Biosecurity Incursions (A1127327) and its attachment (A1130174) be received.**

Fulton/McGurk

Carried

Recommendation to Council

***THAT Council confirms the general approach to marine biosecurity issues is to manage marine biosecurity through a combination of vector management and node management actions;***

***AND THAT the Mayor writes to the Primary Industries Minister requesting financial support for these measures;***

***AND THAT the Mayor writes to the Mayors of Tasman District and Marlborough District Councils requesting that this general approach be adopted as a regional approach.***

***AND THAT Council requests that the Top of the South Marine Biosecurity Partnership develop a proposal for a joint regional pathways plan.***

Fulton/McGurk

Carried

## **POLICY AND PLANNING**

### **14. Te Tau Ihu Treaty Settlements**

Document number A1131734, agenda pages 97-101 refer.

Resolved

***THAT the report Te Tau Ihu Treaty Settlements (A1131734) be received.***

Fulton/Ward

Carried

### **15. Adoption of Nelson Biodiversity Strategy 2013**

Document number A1142184, agenda pages 102-125 refer.

Resolved

***THAT the Report Adoption of Nelson Biodiversity Strategy 2013 (A1142184) and its attachment (A1126385) be received.***

Fulton/McGurk

Carried

Recommendation to Council

***THAT the Nelson Biodiversity Strategy 2013 (A1126385) be adopted.***

Fulton/McGurk

Carried

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**16. Resource Management Issues**

Document number A1146802, agenda pages 126-133 refer.

Resolved

***THAT the report Resource Management Issues (A1146802) be received;***

***AND THAT the issues in the presentation summary, the summary of feedback from councillors and the proposed priorities, as outlined in this report, inform the Nelson Plan issues and options papers.***

Fulton/McGurk

Carried

**17. Heart of Nelson Stakeholder Meeting**

Document number A1154613, agenda pages 134-140 refer.

Resolved

***THAT the report Heart of Nelson Stakeholder Meeting (A1154613) and its attachments (A753330 and A1136238) be received.***

Fulton/Lawrey

Carried

There being no further business the meeting ended at 4.26pm.

Confirmed as a correct record of proceedings:

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