

# SOUTH WAIRARAPA DISTRICT COUNCIL

15 MAY 2013

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## AGENDA ITEM D1

### PLANNING AND ENVIRONMENT GROUP REPORT

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#### **Purpose of Report**

To update Councillors on the Planning and Environment Group's activities.

#### **Recommendations**

Officers recommend that the Council:

1. *Receives the information.*

## **1. Planning**

### **1.1 Resource Consents**

#### **1.1.1. Consent statistics**

Officers processed four resource consents since 1 February 2013, all within the statutory timeframes. Officers provide detailed fortnightly updates on all consents direct to Councillors, Community Board and Maori Standing Committee members, so consent details are not listed here.

### **1.2 Policy**

#### **1.2.1. Plan Changes**

The Combined Plan Committee will hold a meeting to consider the submissions to Plan Changes 6 and 7 on 6 May 2013, with the intention to issue decisions on Plan Changes 6, 7 and 8. The plan changes will have effect when a decision is issued, however the decision on Plan Changes 6 and 7 may be subject to appeals.

## 2. Building

### 2.1 Building consents

Processing statistics for: 1 March 2013 to 31 March 2013

Item	Period	Year to date	Same period last year	Annual Plan
Consents received	37	365	23	N/A
Consent processing performance (within 20wd's)	91.67%	97.80%	96.55%	90%
COA processing performance	N/A	N/A	N/A	N/A
CCC processing performance	96%	97.61%	100%	100%

COA                      Certificate of Acceptance

CCC                      Code Compliance Certificate

Consents granted by project

Type	No. of consents	Value
Shops, restaurants - Alterations & additions	1	15,000
Swimming Pools & Spa Pools	1	30,000
Demolition - Dwellings only	1	0
Demolition - Other Buildings only	1	19,800
Rest Home – Convalescence	1	130,000
Covered Yards - farm building	1	6,000
Restaurant/Bar / Cafeteria / Tavern	1	75,000
Other commercial building	1	30,000
Swimming/Spa Pool	1	30,000
Sleepout	3	210,000
Garage	2	40,500
Motel	2	30,000
Dwelling – unattached	3	30,000
Dwelling – alterations	3	171,385
Dwelling – relocation	2	70,000
Alterations – dwelling	1	19,000
Heater	5	15,120
Solid Fuel Heater	6	20,665
	36	942,470

Processing statistics for: 1 April 2013 to 30 April 2013

Item	Period	Year to date	Same period last year	Annual Plan
Consents received	53	367	32	N/A
Consent processing performance (within 20wd's)	100%	97.81%	100%	90%
COA processing performance	N/A	N/A	N/A	N/A
CCC processing performance	96.15%	97.62%	95.45%	100%

COA Certificate of Acceptance

CCC Code Compliance Certificate

Consents granted by project

Type	No. of consents	Value
Swimming Pools & Spa Pools	1	30,000
Demolition - Other Buildings only	1	19,800
Rest Home – Convalescence	1	130,000
Other entertainment, recreational	1	150,000
Covered Yards - farm building	1	6,000
Swimming/Spa Pool	1	30,000
Sleepout	2	190,000
Garage	3	54,100
Motel	1	0
Dwelling – unattached	10	1,684,281
Dwelling - alterations	2	16,350
Dwelling - relocation	2	140,000
Heater	10	38,503
Solid Fuel Heater	8	30,672
	44	2,519,706

Building consent numbers from 1 July 2012 to 30 April 2013 show as 367. For the same period the year before the number was 255 so there has been a significant increase.

## 2.2 Enforcement

None to report

## 2.3 Policy

None to report

## **2.4 Other matters**

The building department has had an extremely busy few months for consent applications and inspections. The building team has lost a staff member (Mike Sims) but is working hard to ensure service levels are maintained as shown in the tables above.

There has been an increase in the public's expectations for the building team to issue consents quickly and before the end of the 20 working day period. This does create stress within the office as it is difficult to meet these expectations while at the same time complying with the Building Act and NZ Building Code. This has been exacerbated by Mike's departure and we have yet to fill his position which has now been advertised for over a month.

The processing times for the consents are satisfactory and we will continue to issue consents within 20 working days.

## **3. Environmental Health**

### **3.1 Liquor Licensing**

#### ***3.1.1. Liquor Licencing Statistics***

15 liquor licenses were issued or renewed in March and April 2013:

- Two club licences were issued or renewed in March and April 2013
- Three on-licences were issued or renewed in March and April 2013
- 10 Manager's Certificates were issued or renewed in March and April 2013

#### ***3.1.2. Sale and Supply of Alcohol Act 2012***

##### **Update from Sale & Supply of Alcohol Project Team:**

Council recently approved the formation of the project team which is gearing up for the implementation of the Sale and Supply of Alcohol Act 2012 (the Act).

To date the team has met twice with group members also attending webinar training sessions with Masterton and Carterton District Councils. The three Councils have formed a Wairarapa regional working group, which is meeting for the first time on 8 May to decide on a combined approach.

##### **Implementation update:**

On 18 June 2013 the next tranche of change occurs. While the current District Licensing Agency (DLA) will continue to operate until the new District Licensing Committee (DLC) comes into effect on 18 December 2013,

there are several transitional changes that take place between 18 June and 18 December. These include the following:

- Both new applications and applications for renewal will be considered under the old Sale of Liquor Act 1989, but using the broader criteria in the new Act.
- The new criteria the DLA must consider includes whether the licence is likely to increase alcohol-related harm and whether the granting of the licence will negatively impact the community and neighbourhood.
- Objections can be made on the basis of the new criteria.
- Licences can be “sunsetting” if they would not be eligible for a licence under the new legislation (meaning the licence has a limited shelf life).
- The DLA will still only consider uncontested applications.

The key changes and timing for implementation are attached as Appendix 1.

## **POLITICAL DECISION-MAKING**

The following table shows a timeline of decisions that are likely to arise.

May	Ministry of Justice releases new fees regime discussion document (this was previously expected in April)
May-June	Start identifying potential DLC members
July-August	Ministry of Justice consultation on draft regulations (except fees)
September	Ministry of Justice consultation on draft fee regulations
September	DLC members identified
October-November	Training for DLCs and inspectors
December 18	New Act goes live

### **District Licensing Committee (DLC)**

Each of the three Councils will have its own DLC and this will need to be in place by 18 December 2013.

Each DLC will have one councillor or commissioner as chair, and two community members (from a list established by the Council).

The regional working party will investigate the appropriateness of having a joint list of community members that may be available to each DLC throughout the Wairarapa.

The appointment of the members of the South Wairarapa DLC will be made by this Council.

Officers are currently trying to determine the level of resourcing that we will need based on the likely volume of applications the DLC will consider.

## Local Alcohol Policies

The three Councils have agreed that they intend to develop a Wairarapa Local Alcohol Policy (LAP). This is part of the Wairarapa regional working group's brief.

Appendix 2 outlines the LAP requirements.

### 3.2 Food Bill update

There has been no further update on progress with this Bill.

### 3.3 Noise Control

There were 18 noise control complaints in the South Wairarapa in March 2013:

- Five noise control complaints in Greytown
- Eight noise control complaints in Featherston
- Five noise control complaints in Martinborough

There were eight noise control complaints in the South Wairarapa in April 2013:

- Two noise control complaints in Greytown. One of these resulted in an abatement notice being served
- Five noise control complaints in Featherston
- One noise control complaint in Martinborough

### 3.4 Bylaws and animal control

#### 3.4.1. Dog and stock control

INCIDENTS REPORTED	Martinborough	Featherston	Greytown
Attack on Pets	0	0	1
Attack on Person	0	0	0
Barking and whining	1	3	1
Lost Dogs	2	0	0
Found Dogs	0	2	1
Rushing Aggressive	1	1	1
Wandering	0	3	0
Welfare Concerns	0	1	0
Stock	2	1	0
<b>Total Overall</b>	<b>6</b>	<b>11</b>	<b>4</b>

### **3.4.2. Dog Registration**

Dog registrations as at 1 May 2013:

Registered 2831    Unregistered 7    Total number of dogs 2838

Total numbers of owners 1584

### **3.4.3. Microchipping**

Five Infringements have been issued to four owners for failing to have a microchip transponder implanted in a dog.

### **3.4.4. Dog Exercise areas**

Four new seats have been installed in the Martinborough dog park. Both the Martinborough and Featherston dog parks are well-used assets for the communities.

Council continues to receive requests to establish an off-leash exercise dog park in Greytown. Officers are in the process of identifying a suitable site and intend to report to Council soon.

### **3.4.5. Bylaws**

#### **General Complaints:**

Two litter complaints have been received. One involved rubbish being dumped on Greater Wellington land. While the offender was identified he has now left the district.

The second investigation is still in progress.

Abandoned Vehicles. Two vehicles were abandoned in Featherston.

One had been stolen and has since been returned to the owner.

The second vehicle has been removed at the request of Council.

## **4. Appendix**

Appendix 1 - Alcohol Reform Bill Implementation

Appendix 2 – LAP Requirements.

Contact Officer: Vanessa Tipoki, Group Manager Planning and Environment (Acting)

# **Appendix 1 - Alcohol Reform Bill Implementation**



## Key changes for local government

- Move from national to local decision-making
- Local alcohol policies (LAPs) - legal standing
- Expanded licence criteria and grounds for objection
- New criteria for alcohol control bylaws
- National default maximum trading hours
- New cost recovery regime through fees

# Implementation timing

19 Dec  
2012

- Alcohol Regulatory and Licensing Authority (ARLA) replaced the Liquor Licensing Authority
- New licences will be interim licences; the licensee will have to apply for a new licence after one year
- TAs can start drafting and consulting on their LAPs (optional)

18 Jun  
2013

- New criteria apply to applications filed after this date
- Objections can be made on the basis of the new criteria
- Licences can be phased out if the applicant would not be eligible for a licence under the new Act

18 Dec  
2013

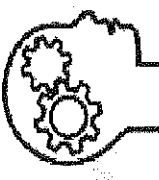

- District Licensing Committees replace District Licensing Agencies
- TAs can publicly notify and adopt their provisional LAPs
- The rest of the Act takes effect (including the maximum trading hours)

# What's coming up

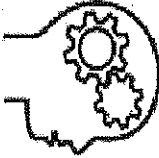

April	New fees regime discussion document released
July - August	Consultation on draft regulations (excluding fees)
September	Consultation on draft regulations for new fees regime
October	Training for DLCs and inspectors
18 December	New Act goes live!

# **Appendix 2 – LAP Requirements**

# Local Alcohol Policies (LAPs)

	<ul style="list-style-type: none"><li>▪ LAPs are voluntary, they will be able to:<ul style="list-style-type: none"><li>▪ Restrict or extend trading hours</li><li>▪ Limit location of licences in relation to facilities such as schools</li><li>▪ Limit density of licences</li><li>▪ Impose conditions such as one-way doors</li></ul></li><li>▪ Two or more territorial authorities may develop a joint LAP</li><li>▪ Legislation specific on what LAPs can cover and process</li></ul>
	<ul style="list-style-type: none"><li>▪ Information to inform LAPs – Police protocol, ACC, HPA</li><li>▪ Facts sheets</li><li>▪ Timing issues – hours will be within maximum limits until LAP in place (at least 4 months after 18 December 2013)</li></ul>

# Alcohol control areas (liquor bans)

	<ul style="list-style-type: none"><li>▪ New criteria to ensure alcohol control bylaws are necessary.</li><li>▪ Definition of 'public place' extended - bylaws cover areas such as school grounds and car parks</li><li>▪ Existing liquor bans expire 6 years after the Act is passed</li><li>▪ New infringement notices for breaches</li><li>▪ Changes come into effect 18 December 2013</li></ul>
	<ul style="list-style-type: none"><li>▪ Review or plan a review of existing alcohol control bylaws.</li></ul>