

# SOUTH WAIRARAPA DISTRICT COUNCIL

20 SEPTEMBER 2012

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## AGENDA ITEM D2

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### 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. *Receive the information.*

## **1. Planning**

### **1.1 Resource Consents**

Officers received 12 consent applications since 1 August 2012. 9 consents were approved since 1 August (1 of which was received in June, 3 received in July) all within the statutory timeframes. Officers now provide detailed fortnightly updates on all consents direct to Councillors and Community Board members, so consent details are not listed here.

#### **1.1.1 GE & CJ Tyer Coastal Subdivision application**

The decision approving resource consent application number 3993 has been issued (available on our website [www.swdc.govt.nz](http://www.swdc.govt.nz)), and the deadline for appeals on that decision is 20 September 2012.

#### **1.1.2 Greytown Trust Lands Trust Private Plan Change 3858**

The New Zealand Transport Agency (NZTA) appealed the decision on Private Plan Change 3858, primarily in relation to financial contributions and the rules governing permitted activity status. Council staff attended a mediation meeting on 23 August 2012 with Rachel Connor from Hazleton law, Greytown Trust Lands Trust (GTLT), their agent Kerry Geange (Geange Consultants) and the NZTA. The appeal was successfully mediated and Council, along with NZTA representatives, is currently working toward removing the appeal from the Environment Court.

#### **1.1.3 Meetings with LaDeDa organisers**

Council officers have had initial meetings with the LaDeDa organisers, who are working closely with Council and emergency services to improve on last year's event. Officers will follow up with the organisers to ensure that all relevant bonds, management plans and emergency plans are in place as per the conditions of resource consent 3847.

## 1.2 Policy

### 1.2.1 Technical Advisory Group (TAG) Report on Section 6 and 7 of the RMA 1991

The TAG was asked to review sections 6 and 7 of the RMA and provide advice regarding whether the principles should be amended to better reflect the contemporary values and priorities of importance to New Zealanders. The TAG Report is **not** a Government policy, and there is no formal consultation process taking place, however the Government intends to consider the TAG Report as part of its wider reforms of the resource management system. LGNZ put together a panel to discuss the report and a Local Government response to it. SWDC were fortunate to be invited to be involved, along with representatives from a number of other district and regional councils around the country.

Sections 6 and 7 list the matters which RMA decision-makers must “recognise and provide for” (section 6) or “have particular regard to” (section 7) when achieving the purpose of the RMA in section 5. The architects of the RMA intended that it would be “effects-based”, so that an activity would be allowed provided its effects were consistent with sustainable management and with the environmental bottom lines in subsections 5(a), (b) and (c) of the Act.

The TAG’s view is that sections 6 and 7 were intended to flesh out these subsections by prioritising and emphasising particular “environmental” issues which were to be safeguarded for the national interest. However, the Report notes that the courts have not interpreted the RMA in the way anticipated by the Government, instead applying an “overall broad judgment” approach to Part 2 of the RMA. The amendments proposed to s6 delete reference to “recognising and providing for matters of national importance” and instead require that when making a “broad overall judgement” a number principles are required to be “recognised and provided for” under s6, including:

- Natural Character
- Public Access
- Physical Qualities of Outstanding Natural Features
- Visual qualities of Outstanding Natural Landscapes
- Biodiversity, terrestrial habitats and aquatic habitats
- Archaeological and historical areas/sites
- Wetland values
- The management of natural hazards – to clearly allocate responsibility for natural hazard planning to avoid risks
- Economic, urban and infrastructure issues
- Taonga species

The report made several other strong recommendations:

- Align section 6 with current judicial practice by explicitly recognising the “overall broad judgment” approach to interpreting RMA principles.
- Replace sections 6 and 7 with a new section that expresses principles clearly subservient to the sustainable management purpose.
- Drop references to protection, preservation, maintenance and enhancement from provisions dealing with natural character,

outstanding natural features and landscapes and public access to the coast, wetlands, lakes and rivers.

- Give explicit recognition to certain “use and development” principles – in particular regarding natural hazard risk management, the planning, design and functioning of the urban and built environment, and significant infrastructure.
- Remove some matters currently in sections 6 and 7 which the TAG considers no longer warrant mention, or where there is duplication. Some of these proposed deletions will be controversial – e.g. “amenity values” and “trout and salmon”.
- Add a new section 7 specifying methods and objectives to be adhered to by RMA decision-makers. These include timely, efficient and cost-effective resource management processes; the use of concise and plain language; specific recognition of “environmental compensation” (which is increasingly being suggested for large projects); encouragement of collaboration between district and regional councils, and recognition of private property rights.
- Consequential amendments to definitions, a requirement for combined regional and district natural hazards plans, and changes to the subdivision provisions to reflect the importance of natural hazards.

There was no formal consultation and submission process on this document, however feedback was invited by the Commissioner. It is envisaged that it will play some role in the phase 2 of the RMA reforms.

### **1.2.2 WREMO & Civil Defence**

Council officers continue to work and be involved with development of WREMO. A recent series of meetings that involved various Council staff resulted in the publication of a summary matrix document that details the 4 R's (reduction, readiness, response and recovery) across management areas including lifelines, welfare, emergency services, planning, and TA's. The purpose of the document was to identify issues and will provide a background for the next steps toward a regional approach to emergency management.

Meanwhile, SWDC and the individual communities continue to make progress with emergency planning for the District. It has become clear that significant outputs from WREMO may be some months away so SWDC must ensure its readiness for an event is as complete as possible. The next major piece of work to be undertaken is a review of the Council's own Emergency Response Plan which, with the organisation's Business Continuity Plan and Community Response Plan, will form a complete suite of documents. Individual Plans for areas such as Ngawi and Tukurumuri will also be initiated once the plans for the 3 main towns are finalised.

There are still uncertainties around the provision of equipment for emergency centres. The volunteer training programme is currently being revised for the Wairarapa groups and Paul Walker has taken responsibility for delivering an appropriate module.

### **1.2.3 Coastal Reserves Management Plan**

Work on the Coastal Reserves Management Plan (CRMP) is underway and officers are aiming to have a draft document ready for Council's approval to release it for public notification by the end of 2012.

### **1.2.4 Wairarapa Moana Management Group**

Officers are still actively participating in the Wairarapa Moana Management group. In addition to attending regular Wairarapa Moana Management and Coordination meetings, officers participated in a planting day on 24 August.

### **1.2.5 Lake Domain Reserve**

Council officers are on track to have an entrance sign to Lake Domain Reserve in place by late 2012/early 2013 as development funds allow, and to erect new stock proof fencing around the car park.

## **1.3 Compliance**

### **1.3.1 Boundary Road, Featherston**

The owner of a property on Boundary Road, Featherston, opposite the sawmill, was issued with an abatement notice on 24 August 2012 for failure to keep long grass and weeds under control, causing a potential fire hazard to neighbouring houses and businesses, and a breach of amenity standards under the RMA. If the owner fails to comply with the abatement notice, officers will seek an enforcement order to go onsite to get the work done.

## **2. Building**

### **2.1 Building consents**

Consents granted by project: 1 August 2012 – 31 August 2012

CODE	TYPE	AVG. DURATION (DAYS)	NO. OF CONSENTS	VALUE
AB	INTERNAL ALTERATIONS WITH P&D	7.0	3	90,045
AG	SINGLE STORY STUCCO/TXT CT ETC	6.0	1	120,000
AH	SINGLE STORY STUCCO/TXT CT ETC WITH P&D	5.0	1	220,000
CE	MINOR COMMERCIAL WORK – NO P/D	7.0	1	3,500
CK	COMMERCIAL/INDUSTRIAL \$350,001 - \$500,000	16.0	1	450,000
MA	SOLID FUEL HEATER	4.6	11	43,814
MB	MINOR PLUMBING WORK	5.0	1	7,000
NC	SINGLE STORY WEATHERBOARD URBAN	4.5	2	667,257
NE	SINGLE STORY STUCCO/TEXTURE COAT ETC – URBAN	12.0	3	1,086,416
RA	RELOCATED RESIDENTIAL DWELLING - URBAN	2.0	1	25,000
SA	GARDEN SHEDS/RETAINING WALLS/CARPORTS	5.7	3	56,000
SC	MINOR FARM BUILDINGS	6.0	2	32,760
		6.0	30	2,801,792

COA Certificate of Acceptance

CCC Code Compliance Certificate

Processing statistics for: 1 August 2012 – 31 August 2012

ITEM	PERIOD	YEAR TO DATE	SAME PERIOD LAST YEAR	ANNUAL PLAN
<b>CONSENTS RECEIVED</b>	<b>34</b>	<b>328</b>	<b>28</b>	<b>N/A</b>
<b>CONSENT PROCESSING PERFORMANCE (WITHIN 20WD'S)</b>	<b>100%</b>	<b>99.68%</b>	<b>100%</b>	<b>90%</b>
<b>COA PROCESSING PERFORMANCE</b>	<b>0%</b>	<b>60.00%</b>	<b>71.43%</b>	<b>N/A</b>
<b>CCC PROCESSING PERFORMANCE</b>	<b>100%</b>	<b>99.32%</b>	<b>100%</b>	<b>100%</b>

Building consent numbers from 1 July 2011 to 30 June 2012 show as 305. For the same period the year before the number was 350.

## **2.2 Enforcement**

None to report.

## **2.3 Policy**

None to report.

## **2.4 Other matters**

A new building inspector has been hired. His name is Adrian Cullen, a builder from Masterton. Adrian is currently under supervision and training has been scheduled for him. A competency assessment is proposed for Adrian on 28 September 2012. Once this has been completed the assessment will show what inspections Adrian can complete. This process is required under the Building (Accreditation of Building Consent Authorities) Regulations 2006.

# **3. Environmental Health**

## **3.1 Liquor Licensing**

30 Liquor licenses were issued in August 2012.

Council officers are currently working with both Carterton and Masterton District Councils to update and standardise the liquor licensing forms for the Wairarapa.

Toast Martinborough: Meetings have been held with participating vineyards. Each vineyard is to provide an Alcohol Management Plan as part of the approval process.

### **3.1.1. Alcohol Reform Bill Update**

The Alcohol Law Reform Bill was returned to the house on the 30<sup>th</sup> of August 2012 to debate the issue of the age for the sale and purchase of alcohol from licensed premises.

The age for sale and supply of liquor for both on and off licensed premises will remain at 18 years.

### **3.2 Food Bill update**

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

### **3.3 Food Hygiene Regulations**

There continues to be a steady interest shown in premises opting to change from the Food Hygiene Regulations to the new risk based Food Control Plan in preparation for the Food Bill being passed.

Three new premises have registered under VIP and audits are being undertaken for existing food premises already exempted.

### **3.4 Noise Control**

18 noise complaints were received during July/August 2012.

Fourteen for Featherston and four for Martinborough.

### **3.5 By-laws and animal control**

#### ***3.5.1. Dog and stock control***

Menacing Dog Hearing: An objection was received by the owner to the classification of a dog as menacing following a dog attack incident. A hearing was held on 16 August 2012 and the menacing classification upheld.

#### **Incidents reported**

##### Attack on Persons

Martinborough	1	Featherston	0	Greytown	1
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##### Attack on Pets

Martinborough	0	Featherston	1	Greytown	1
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##### Barking and whining

Martinborough	1	Featherston	0	Greytown	1
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##### Lost Dogs

Martinborough	1	Featherston	3	Greytown	1
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##### Rushing Aggressive

Martinborough	0	Featherston	1	Greytown	0
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##### Wandering

Martinborough	2	Featherston	8	Greytown	2
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##### Welfare Concerns

Martinborough	1	Featherston	0	Greytown	0
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##### Stock

Martinborough	1	Featherston	1	Greytown	1
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##### Total Overall

Martinborough	7	Featherston	14	Greytown	7
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## **Dog Registration:**

The annual dog registration process has continued to be a high workload for staff particularly with property inspections and follow up for unregistered dogs.

Dog registrations as at 1 September 2012:

Registered 2575    Unregistered 187    Total number of dogs 2771

93% of dogs are now registered which is a significant increase. This is due to improvements in Councils procedures.

Staff will be continuing to follow up outstanding registrations.

Micro chipping: Total of 21 dogs outstanding in the urban area, this includes dogs that have been registered for less than two months for the first time.

Computer change over: Dog Control has now changed to MagiQ NCS. Staff are currently transitioning to the new system. We expect there will be significant improvements in information management and reporting systems.

Contact Officer: Glenn Bunny, Group Manager Planning and Environment