

# SOUTH WAIRARAPA DISTRICT COUNCIL

29 JANUARY 2014

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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 and Environment Group**

The Group is responsible for the resource management and public protection (building construction, animal control, liquor, health, food licences) activities of Council, as set out in the Annual Plan 2013-14.

The day to day focus is on the processing of Resource Consents, Building Consents, Food/Liquor/Health Licences, and Dog Control. Long term policy development work is also undertaken to keep Council's statutory policies and plans current and effective.

## **2. Resource Management**

### **2.1 Resource Consents**

The Planning department has received 30 resource consent applications between 1 November 2013 and 15 January 2014. 21 applications have been processed in that period, all within statutory timeframes. Under the Act, the statutory resource consent processing clock stopped between 20 December and 10 January, however staff have continued to complete applications within the "normal" timelines.

Officers provide detailed information as part of fortnightly updates, subject to data availability, on all consents direct to Council and Community Board members, so this information is not listed here.

## **2.2 Trade Waste Bylaw**

The Trade Waste Bylaw came into effect on 1 September 2013, as part of the (Masterton and South Wairarapa) Consolidated Bylaws. Officers are currently identifying and scheduling making contact with potential trade waste producers. This should take place in mid-February 2014 with the aim of ensuring dischargers are aware of the bylaw and how they can comply. This process will also enable Council to identify whether any charges should be levied under the bylaw and the extent of these.

## **2.3 “Your Success is Our Business” One Stop Shop for New Businesses**

This initiative aims to make it easier for new businesses to open in our district by taking a proactive, business-focussed approach. It is planned to launch a free Council Contact Service (tentative name only), which will assign one council officer as the single point of contact for business developers to deal with and streamline the inter-departmental project assessment processes.

In addition to the Council Contact service, a handbook aimed at business developers is being put together to explain in plain English the rules and regulations to be navigated before the business can open its doors. At this stage Officers anticipate launching the service in March 2014.

## **2.4 Heritage Guideline Review for Historic Heritage Precincts**

The existing Heritage Guidelines of Council are being updated to provide advice for people wishing to undertake additions, alterations, major maintenance projects to existing buildings, but particularly for new developments within the district’s Historic Heritage Precincts.

Historic Heritage Precincts are based on the 3 town centres within South Wairarapa. Each has been assessed as having a special character and the architectural and aesthetic values have been agreed as important to retain and enhance, as each town develops.

This work on new building guidelines will enable property owners, builders, council staff and the community to proceed with greater clarity as to the heritage outcomes sought under the District Plan.

The new Guidelines should be available in April 2014.

### 3. Public Protection - Building

#### 3.1 Building consents

Processing statistics from 1 November 2013 to 14 January 2014.

Item	Period	Year to date	Same period last year	Annual Plan
Consents received	71	211	70	N/A
Consent processing performance (within 20 working days)	100%	98.51%	98.44%	100%
Certificate of Acceptance processing performance (within 20 working days)	100%	80%	100%	N/A
Code Compliance Certificate processing performance (within 20 working days)	100%	98.90%	98.36%	100%

**Note:** Building consent numbers from 1 July 2013 to 14 January 2014 are identical to the same period the year before (211).

#### Consents granted by project

Type	No. of consents	Value
Cafeteria/Tavern / Bar / Restaurant	1	\$5,000
Covered Yards - farm building	7	\$152,000
Dwelling - alterations	14	\$330,500
Dwelling - unattached	9	\$2,876,000
Dwellings - Alterations & additions	2	\$280,000
Garage	6	\$82,116
Implement Shed - farm building	1	\$19,000
Museum/Art Gallery	1	\$1
New Factories	1	\$216,000
New Office/Warehouse Buildings	1	\$300,000
Other commercial building	3	\$16,000
Relocation - dwelling	1	\$100,000
Sewage and Drainage System (treatment plant)	2	\$14,500
Shop/Retail outlet e.g. hairdresser, travel agent, real estate	1	\$100,000
Solid Fuel Heater	7	\$25,636
Spa/Swimming Pool	3	\$88,000
Supermarket	1	\$1,400,000
Swimming Pools & Spa Pools	1	\$54,000
	<b>62</b>	<b>\$6,058,753</b>

#### 3.2 Enforcement - 110 East St, Greytown

Building work on a residential building was completed without a Building Consent in breach of the Building Act 2004. A Notice to Fix was issued to requiring a Certificate of Acceptance (COA) to be obtained for the non-consented work. A COA and building consent for further works have been applied for and are currently being processed.

### **3.3 Application for Exemption - 3 Eagle Place, Martinborough**

An application has been received from Mark Hadlow to allow for a manually closing sliding door to access a swimming pool. This is covered in detail in a separate report to Council.

### **3.4 Accreditation**

Council's biennial Building Consent Authority Accreditation Review is scheduled for the 28-31 January 2014. Background information has been requested by the IANZ auditors and has been supplied.

### **3.5 Dangerous Buildings**

Recently, under the existing Dangerous Buildings Policy, requests for Council to investigate the state of buildings which appear rundown and in a poor state of disrepair and a possible threat to public safety have been received.

While those requests have not resulted in any direct action on the buildings other than relatively minor remediation (the buildings are presently structurally sound even if they appear the worse for wear), the requests have alerted us to the fact that the policy is overdue for review.

In addition the actual provisions contained in the current policy have been proven to be in need of updating and improving. It is intended to bring a revised policy forward to Council in the next few months to address those concerns.

### **3.6 Unoccupied Commercial Buildings**

Upper Hutt City Council has recently adopted a new bylaw relating to unoccupied commercial buildings.

This bylaw sets rules relating to the appearance and upkeep of empty commercial buildings. It authorises the Council to intervene where an empty commercial building is falling into disrepair. It allows the Council to require the owner undertake all necessary maintenance to keep the appearance of the building up to a high standard (basically fit for re-tenanting other than any fit out required).

Such a bylaw, if proven legal and effective, could be of assistance to Council particularly in relation to resolving the ongoing complaints received about the "state" of some buildings in the District.

As such advice is currently being sought from Upper Hutt City Council on the creation of the bylaw (the circumstances that led to it) and the legal basis for it, and whether it has been successfully applied.

As with all bylaws, it is potentially subject to Court review on the grounds of whether it is reasonable or not. Generally it has been thought that such a bylaw would not be considered reasonable if challenged because of the way Courts administer and interpret laws relating to private property rights.

Should these concerns be satisfied by the information obtained from Upper Hutt City, a full report on the Bylaw and its applicability in South Wairarapa will be brought back to Council for consideration.

## 4. Land Information Memorandums (LIMS)

### LIMS PROCESSED 1 DECEMBER TO 31 DECEMBER 2013

Item	Period	Same period last year	YTD*	YTD Last Year
Urgent (5 Working Day) Applications received	5	4	44	19
Standard (10 Working Day) Applications received	9	6	63	61
LIMs processed within specified deadline	14 (100%)	10	107 (100%)	80

\*1 July 2013 to 31 December 2013

## 5. Public Protection - Environmental Health

### 5.1 Liquor Licences Issued

Five on licence renewals and three off licence renewals were issued from 1 December 2013 to 31 December 2013. In the same period, 25 manager's certificates were issued.

### 5.2 Sale and Supply of Alcohol Act 2012

The Sale and Supply of Alcohol Act 2012 came into full force on 18 December 2013. This has caused additional work to set up and organise systems. Training days and workshops have been attended by DLC members and staff to facilitate the introduction of the new licencing regime. A number of applications have been successfully processed under the new provisions, mainly special licences. In future a breakdown of this information will be provided.

### 5.3 Wairarapa Liquor Working Group

Through 2014, the key outstanding tasks for the group to address are the development of a Local Alcohol Policy and ensuring that there is a sound communication strategy to inform communities, industries and licensees of the new requirements of the Act.

### 5.4 Food Bill update

In preparation for the new Act food premises are being encouraged to change to using a Food Safety Plan. So far 18 food premises have changed to using Food Control Plans, with in the main, good results.

### 5.5 Noise Control

19 noise control complaints were received from 1 December 2013 to 31 December 2013. Five were located in Featherston, eight in Greytown and six in Martinborough.

## 5.6 Dog and Stock Control

INCIDENTS REPORTED	Martinborough	Featherston	Greytown
Attack on Pets	1	2	0
Attack on Person	0	1	0
Barking and whining	2	3	1
Lost Dogs	0	2	1
Found Dogs	2	5	1
Rushing Aggressive	2	1	0
Wandering	4	12	2
Welfare Concerns	0	0	0
Stock	0	1	0
<b>Totals</b>	<b>11</b>	<b>27</b>	<b>5</b>

## 5.7 Dog Exercise areas

On-going works continue on the Greytown dog exercise area. Posts are currently installed, the Lions Club are organising the fencing around the boundary and arranging pole and plank seating, on completion Citycare will arrange the poop bins and water trough to be installed. The anticipated completion date is 24 February 2014.

## 5.8 Psychoactive Substances Act - LAPP

The Psychoactive Substances Act came into operation last year. This legislation provides for the development of a Local Approved Products Policy, should a Council wish to do so (it is not a requirement). A separate report has been prepared to enable Council to consider whether it wishes to introduce a LAPP for South Wairarapa.

Contact Officer: Murray Buchanan, Group Manager, Planning and Environment.