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

**Held in the Council Chamber, Civic House, 110 Trafalgar Street,  
Nelson**

**On Thursday 6 August 2015, commencing at 9.02am**

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Present: Councillor B McGurk (Chairperson), Councillors I Barker, E Davy, K Fulton (Deputy Chairperson), M Lawrey, and M Ward, and Ms G Paine

In Attendance: Councillor P Matheson, Group Manager Strategy and Environment (C Barton), Senior Strategic Adviser (N McDonald), Manager Communications (P Shattock), Manager Administration (P Langley), Administration Adviser (G Brown), and Nelson Youth Councillors (D Leaper and F Sawyer)

Apologies: Her Worship the Mayor R Reese and Councillor R Copeland for attendance and Councillor Davy for lateness

**1. Apologies**

Resolved PR/2015/025

***THAT apologies be received and accepted from Her Worship the Mayor and Councillor Copeland for attendance, and Councillor Davy for lateness.***

McGurk/Fulton

Carried

**2. Confirmation of Order of Business**

The Chairperson advised that since the distribution of the agenda a public forum had been confirmed.

**3. Interests**

There were no updates to the Interests Register, and no interests with items on the agenda were declared.

#### 4. Public Forum

4.1 Ken Robinson spoke about the noise from heat pumps.

Mr Robinson read from a tabled document (A1399774), and provided the Committee with a copy of the 'Good Practice Guide – Heat pump installation' from the Energy Efficiency and Conservation Authority (A1399449).

Attendance: Councillor Davy joined the meeting at 9.05am.

In response to a question, Mr Robinson said that he believed the average noise from heatpumps was approximately 64 decibels.

##### Attachments

- 1 A1399774 - Tabled Document - Mr Ken Robinson's Public Forum
- 2 A1399449 - Tabled Document - EECA Good Practice Guide - Heat Pump Installation

#### 5. Confirmation of Minutes

5.1 25 and 30 June 2015

Document number M1302, agenda pages 7 - 19 refer.

It was noted that Councillor Noonan was not in attendance at the reconvened Planning and Regulatory Committee meeting 30 June 2015.

Resolved PR/2015/026

***THAT the amended minutes of the meeting of the Planning and Regulatory Committee, held on 25 and 30 June 2015, be confirmed as a true and correct record.***

McGurk/Lawrey

Carried

#### 6. Status Report - Planning and Regulatory Committee - 6 August 2015

Document number R4626, agenda pages 20 - 22 refer.

Resolved PR/2015/027

***THAT the Status Report Planning and Regulatory Committee 6 August 2015 (R4626) and its attachment (A1155974) be received.***

McGurk/Paine

Carried

## 7. Chairperson's Report

Document number R4656, agenda pages 23 - 24 refer.

Resolved PR/2015/028

***THAT the Chairperson's Report (R4656) be received and the contents noted.***

McGurk/Fulton

Carried

## REGULATORY

### 8. Building Unit Fees and Charges 2015/2016

Document number R4380, agenda pages 25 - 33 refer.

Manager Building, Martin Brown, presented the report.

Mr Brown advised that the first line in attachment 1 – Proposed Fees and Charges 15/16 should read 01 October not 01 September.

In response to a further question, Mr Brown confirmed the proposed changes were in response to customer feedback.

In relation to section 5.2 of the report, it was suggested that next year's fees and charges should be presented with previous figures so a comparison could be made.

In response to a question, Mr Brown clarified the deposit for buildings up to and including \$50,000 was more expensive than other value bands as processing costs were generally charged up front. He clarified that more expensive builds had a more even balance of costs between processing and inspections.

In response to a further question, Mr Brown said the review did not consider the charging regime for deposits as these were working well.

Resolved PR/2015/029

***THAT the report Building Unit Fees and Charges 2015/2016 (R4380) and its attachment (A1360198) be received;***

***AND THAT the proposed changes to Building Unit Fees and Charges (A1360198) be adopted and applied from 1<sup>st</sup> October 2015.***

McGurk/Fulton

Carried

**9. Strategy and Environment Report for 1 April 2015 to 30 June 2015**

Document number R4398, agenda pages 34 - 56 refer.

Manager Consents and Compliance, Mandy Bishop, Manager Building, Martin Brown, Manager Planning, Matt Heale, Environmental Programmes Officer, Richard Frizzell, Senior Planning Adviser, Sharon Flood, and Manager Environmental Inspections Limited, Stephen Lawrence, presented the report.

In response to a question, Ms Bishop advised that one abatement notice had still to be resolved which related to a visibility breach and a mediation date had been set for 12 August 2015.

In relation to section 7.7 of the report, a councillor suggested that being successful in reducing air pollution should have some correlation with hospital admissions in relation to respiratory issues.

In response to a question, Ms Flood advised that regional reporting on air quality data would be launched on the Land, Air, Water, Aotearoa website early next year.

In response to a question, Mr Lawrence advised there had been unforeseen breakdowns with the air quality monitoring devices, however this only resulted in losing two to three days of data.

In response to a question, Mr Frizzell advised that there had only been one air quality breach in May in airshed A, and he reminded the Committee that the maximum PM10 allowed was 50 micrograms per cubic metre of air.

In relation to section 7.9 of the report it was requested that a permanent acknowledgement of the community groups' contribution should be considered for Project Maitai/Mahitahi.

In response to a question, Mr Brown advised that building consents were expected to be higher in July due to key projects and commercial activities.

Resolved PR/2015/030

***THAT the report Strategy and Environment Report for 1 April 2015 to 30 June 2015 (R4398) and its attachments (A1379923 and A1369994) be received.***

Barker/Ward

Carried

**10. Local Approved Products Policy (LAPP) Deliberations Report**

Document number R4489, agenda pages 57 - 70 refer.

Policy Adviser, Susan Moore-Lavo presented the report.

It was highlighted that section 5.7 of the report should read 27 November 2014 and not 2015.

Councillor Davy, seconded by external appointee Ms Paine, moved the recommendation in the officer's report.

In response to a question, Ms Moore-Lavo advised she believed there was still a market for psychoactive substances as there had been recent news of illegal trade in Tauranga.

In response to a further question, Ms Moore-Lavo said under the Psychoactive Substances Act, suppliers would need to illustrate that psychoactive substances were not harmful.

There was discussion in relation to submissions and a suggestion to restrict sales outlets to a 100 metre distance from NMIT.

Attendance: The meeting adjourned at 10.02am until 10.06am.

Councillor Fulton, seconded by Councillor Ward, moved an amendment:

Resolved PR/2015/031

**THAT the report Local Approved Products Policy (LAPP) Deliberations Report (R4489) and its attachments (A375469, A1111554, A1378409, A1277140, and A1389122) be received;**

**AND THAT the draft Local Approved Products Policy (A375469) be amended as follows to reflect the Committee's decisions on submissions**

- **Include tertiary education institutions in the list of premises not allowed within the 100 metres of a premise where psychoactive substances could be sold.**

Davy/McGurk

Carried

Recommendation to Council PR/2015/032

**THAT the Local Approved Products Policy (A375469) be adopted.**

Davy/McGurk

Carried

## POLICY AND PLANNING

### 11. Nelson Plan Update August 2015

Document number R4497, agenda pages 71 - 81 refer.

Manager Planning, Matt Heale, and Planning Adviser, Reuben Peterson, presented the report.

In response to a question, Mr Heale advised that Nelson Plan updates would be provided through Committee reports.

Attendance: Councillor Fulton left at 10.17am and returned to the meeting at 10.19am.

In response to a question, Mr Peterson advised the Area Based Planning workshop listed on page 75 of the report would cover other areas in Nelson and the reason for Stoke having its own workshop was that there were specific issues in Stoke such as transport and the Greenmeadows development.

In response to a question, Mr Heale advised the purpose of a further community meeting on air quality was to report back on modelling work.

In response to a question, Mr Peterson said that iwi cultural activities included the use of commercial land.

It was suggested that the Nelson Plan was not the proper title for the document.

Attendance: The meeting adjourned for morning tea at 10.28am until 10.46am.

Resolved PR/2015/033

***THAT the report Nelson Plan Update August 2015 (R4497) and its attachment (A1378644) be received;***

***AND THAT a further update relating to the Nelson Plan is provided in December 2015.***

Davy/McGurk

Carried

Recommendation to Council PR/2015/034

***THAT the review of the Nelson Resource Management Plan, Nelson Air Quality Plan and Regional Policy Statement hereafter be referred to as the draft Whakamahere Whakatu Nelson Plan.***

Davy/McGurk

Carried

**12. Submission on National Environmental Standard - Plantation Forestry**

Document number R4600, agenda pages 82 - 95 refer.

Senior Planning Adviser, Sharon Flood, presented the report.

In response to a question, Ms Flood said that the erosion risk classifications were compiled from investigating the underlying geology of the area.

In response to a further question, Ms Flood said the current Nelson Resource Management Plan provisions were not adequate to manage forestry activities. She clarified that the Freshwater Management Plan would be reviewed as part of the Nelson Plan.

Resolved PR/2015/035

***THAT the report Submission on National Environmental Standard - Plantation Forestry (R4600) and its attachments (A1390532 and A1391485) be received;***

***AND THAT the submission (A1390532) is lodged with the Ministry of Primary Industries by 11 August 2015.***

Davy/Paine

Carried

**13. Exclusion of the Public**

Resolved PR/2015/036

***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:***

Davy/McGurk

Carried

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	Planning and Regulatory	Section 48(1)(a)	The withholding of the information is necessary:

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
	<b>Committee Meeting Minutes - Public Excluded - 25 June 2015</b>	The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7.	<ul style="list-style-type: none"> <li>Section 7(2)(g) To maintain legal professional privilege.</li> </ul>

The meeting went into public excluded session at 11.06am and resumed in public session at 11.08am.

Please note that as the only business transacted in public excluded was to confirm the minutes, this business has been recorded in the public minutes. In accordance with the Local Government Official Information Meetings Act, no reason for withholding this information from the public exists.

#### 14. Confirmation of Minutes

14.1 30 June 2015

Document number M1304, agenda pages 3 - 5 refer.

It was noted that Councillor Noonan was to be removed from the attendance section of the minutes.

Resolved PR/2015/037

***THAT the amended minutes of part of the meeting of the Planning and Regulatory Committee, held with the public excluded on 30 June 2015, be confirmed as a true and correct record.***

Davy/Barker

Carried

#### 15. Re-admittance of the Public

Resolved PR/2015/038

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

McGurk/Davy

Carried



There being no further business the meeting ended at 11.08am.

Confirmed as a correct record of proceedings:

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