



AGENDA

Ordinary meeting of the

Planning and Regulatory Committee

Thursday 29 October 2015

Commencing at 9.00am

Council Chamber

Civic House

110 Trafalgar Street, Nelson

Membership: Councillor Brian McGurk (Chairperson), Her Worship the Mayor Rachel Reese, Councillors Ian Barker, Ruth Copeland, Eric Davy, Kate Fulton (Deputy Chairperson), Matt Lawrey and Mike Ward, and Ms Glenice Paine

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Orders:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings (SO 2.12.2)
- At the discretion of the Chair, councillors who are not Committee members may speak, or ask questions about a matter.
- Only Committee members may vote on any matter before the Committee (SO 3.14.1)

It is good practice for both Committee members and non-Committee members to declare any interests in items on the agenda. They should withdraw from the table for discussion and voting on any of these items.

1. Apologies

Nil

2. Confirmation of Order of Business**3. Interests**

3.1 Updates to the Interests Register

3.2 Identify any conflicts of interest in the agenda

4. Public Forum**5. Confirmation of Minutes**

5.1 17 September 2015

7 - 14

Document number M1476

Recommendation

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 17 September 2015, be confirmed as a true and correct record.

**6. Status Report - Planning and Regulatory Committee
- 29 October 2015****15 - 16**

Document number R5048

Recommendation

THAT the Status Report Planning and Regulatory Committee 29 October 2015 (R5048) and its attachment (A1155974) be received.

7. Chairperson's Report 17 - 19

Document number R5050

Recommendation

THAT the Chairperson's Report (R5050) be received and the contents noted.

POLICY AND PLANNING

8. Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality 20 - 24

Document number R4973

Recommendation

THAT the report Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality (R4973) be received;

AND THAT the Planning and Regulatory Committee refers the Woodburner Plan Change provisions and notification decision to Council for consideration in December 2015.

Recommendation to Council

THAT a Plan change to alter the woodburner provisions of the Nelson Air Quality Plan is notified in January 2016;

AND THAT an independent hearing panel be established and be given delegations to hear and make decisions on the Woodburner Plan Change.

9. Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules 25 - 35

Document number R4793

Recommendation

THAT the report Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R4793) and its attachments (A1422439, A1422090, A1422460, A1422470. A1422471, A1422472, A1422474) be received;

AND THAT the following alterations (as detailed in report R4793) to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:

Schedule 4: Special Parking Areas;

Schedule 9: No Stopping;

Schedule 14: Give Way Signs.

REGULATORY

- 10. Adding further building consent exemptions for work which does not require a building consent 36 - 41**

Document number R4379

Recommendation

THAT the report Adding further building consent exemptions for work which does not require a building consent (R4379) be received;

AND THAT the Planning and Regulatory Committee approve the further exemptions detailed under point 6.1 (in report R4379) in full.

- 11. Strategy and Environment Report for 1 July to 30 September 2015 42 - 67**

Document number R4816

Recommendation

THAT the report Strategy and Environment Report for 1 July to 30 September 2015 (R4816) and its attachments (A1422892, A1438034, A1420863, A1439736 and A1378644) be received.

PUBLIC EXCLUDED BUSINESS

- 12. Exclusion of the Public**

Recommendation

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:

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	Amendment to the Agreement Regarding the Appointment of Harbourmaster for the Nelson Region and Related Matters	<p>Section 48(1)(a)</p> <p>The public conduct of this matter would be likely to result in disclosure of information for which good reason exists under section 7</p>	<p>The withholding of the information is necessary:</p> <ul style="list-style-type: none"> • Section 7(2)(i) To enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

13. Re-admittance of the public

Recommendation

THAT the public be re-admitted to the meeting.

Minutes of a meeting of the Planning and Regulatory Committee

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

On Thursday 17 September 2015, commencing at 9.01am

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

In Attendance: Councillors P Matheson and G Noonan, Group Manager Infrastructure (A Louverdis), Group Manager Strategy and Environment (C Barton), Manager Communications (P Shattock), Administration Adviser (S McLean), and Nelson Youth Councillors (F Jankiewicz-McClintock and B Shaw)

Apology: Her Worship the Mayor R Reese

1. Apology

Resolved PR/2015/039

***THAT an apology be received and accepted from
Her Worship the Mayor.***

McGurk/Barker

Carried

2. Confirmation of Order of Business

There was no change to the order of business.

3. Interests

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

4. Public Forum

There was no public forum.

5. Confirmation of Minutes

5.1 6 August 2015

Document number M1394, agenda pages 7 - 15 refer.

Resolved PR/2015/040

THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 6 August 2015, be confirmed as a true and correct record.

Ward/Paine

Carried

Attendance: Councillor Fulton joined the meeting at 9.04am.

6. Status Report - Planning and Regulatory Committee - 17 September 2015

Document number R4828, agenda pages 16 - 18 refer.

Resolved PR/2015/041

THAT the Status Report Planning and Regulatory Committee 17 September 2015 (R4828) and its attachment (A1155974) be received.

McGurk/Lawrey

Carried

7. Chairperson's Report

Document number R4834, agenda pages 19 - 21 refer.

In response to questions on air quality, Group Manager Strategy and Environment, Clare Barton, advised that the Minister for the Environment had signalled an introduction of PM2.5 standards, but work on this was not expected to be completed until late 2016.

The Committee raised issues with the Nelson Air Quality Plan review being undertaken before the National Environmental Standard for Air Quality review was complete.

The Chairperson provided further detail on dates for Rugby World Cup 2015 trading.

Resolved PR/2015/042

THAT the Chairperson's Report (R4834) be received.

McGurk/Lawrey

Carried

8. Ship to Ship Transfer of Fuels

Document number R4350, agenda pages 22 - 42 refer.

Port Nelson Harbourmaster, David Duncan, Manager Consents and Compliance, Mandy Bishop, and Manager Environmental Inspections, Stephen Lawrence, presented the report.

Mr Duncan explained that if a ship to ship transfer of fuel took place outside the 12 mile limit of Port Nelson, the Port could not place conditions on the transfer to ensure it was closely controlled. He added there would be additional costs to an operator if they did set up outside the 12 mile limit.

Mr Duncan made reference to Tasman District Council having a Bylaw charge in place for the transfer of fuels activity.

Mr Duncan spoke about the procedure that Tasman District Council had put in place, and the funds that had been set up to distribute fees.

In response to questions, Mr Duncan spoke about the conditions which would need to be stipulated so that fumes would not vent into the air. He advised that several refineries had closed in Australia, which may make New Zealand more attractive to operators.

In response to a question, it was advised that an external consultant had not been considered for the review of the risk assessment.

Mr Duncan explained the procedure which would take place in auditing fuel transfer ships.

In response to a question, Ms Bishop explained that a Cultural Impact Assessment on ship to ship transfer of fuels had not been carried out, but would be done in future if the activity became more likely.

Concern was raised that more information was required in order to propose conditions for operators. Ms Bishop explained that the nature of conditions had been identified but not specified in the risk assessment.

Councillor Davy moved, seconded by Councillor Barker, the following motion, stating that it would be better to have a degree of control of such an operation.

Recommendation

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

Recommendation to Council

THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of fuels operations the Council

conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster.

It was pointed out that Port Nelson had an excellent safety record, and the negative effects and risks to the Nelson region of fuel transfers was very minor, while the benefits could be significant.

In response to discussion on fuel type, iwi concerns, ethical considerations, and environmental effects, the mover and seconder agreed to amend the second clause of the motion to:

Recommendation to Council

THAT the Nelson City Council informs Maritime New Zealand that in the absence of specific details on ship to ship transfer of light distillates and kerosene fuels operations the Council conditionally supports the ship to ship transfer of fuels in our territorial waters provided the operations are conducted in accordance with conditions and criteria determined by Maritime New Zealand and the harbourmaster, and subject to a requirement on the applicant for a cultural impact assessment and a report on environmental effects to be provided to Maritime New Zealand.

Attendance: The meeting adjourned from 10.17am to 10.19am.

The motion on the table was withdrawn with the agreement of the Committee.

Attendance: The meeting adjourned for morning tea from 10.22am to 10.34am.

The Chairperson noted that the matter was a polarising issue and would be appropriate to be considered by full Council.

Resolved PR/2015/043

THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be received.

AND THAT the report Ship to Ship Transfer of Fuels (R4350) and its attachment (A1410835) be referred to Council.

Davy/Barker

Carried

9. Nelson Port and Harbour Marine Safety Code

Document number R4751, agenda pages 43 - 101 refer.

Port Nelson Harbourmaster, David Duncan, and Manager Consents and Compliance, Mandy Bishop, presented the report.

Councillor Davy moved, seconded by Councillor Barker, the recommendation in the officer's report.

Mr Duncan clarified that the Code was not compulsory but was adopted by most councils in New Zealand.

In response to questions, Mr Duncan provided further detail on upper size limits of vessels, risk assessments, activity zoning, drills, fire fighting capability of vessels, and the risk score calculation. Mr Duncan highlighted that any matters relating to risk were peer reviewed.

Resolved PR/2015/044

THAT the report Nelson Port and Harbour Marine Safety Code (R4751) and its attachment (A1418392) be received.

Davy/Barker

Carried

Recommendation to Council PR/2015/045

THAT the Council adopts the Nelson Port and Harbour Marine Safety Code (A1418392) dated August 2015.

Davy/Barker

Carried

Attendance: Councillor Davy left the meeting at 10.52am.

10. Dog Control and District Licensing Committee Annual Reports 2014-2015

Document number R4619, agenda pages 102 - 110 refer.

Manager Consents and Compliance, Mandy Bishop, and Manager Environmental Inspections, Stephen Lawrence, presented the report.

In response to questions about dog control, Mr Lawrence provided further detail on variances in figures, staffing levels, wandering dogs, complaint levels and owner disqualification.

Attendance: Councillor Davy returned to the meeting at 10.57am.

In response to a question about district licensing, Ms Bishop advised there was no current issue with the fact that the Local Alcohol Policy was

on hold, but it could be beneficial in future if there was a contested application.

Mr Lawrence agreed to provide further detail on cellar door definition and locations to the Committee.

Resolved PR/2015/046

THAT the report Dog Control and District Licensing Committee Annual Reports 2014-2015 (R4619) and its attachments (A1394170 and A1394117) be received;

AND THAT the Council approve the Nelson City Council Dog Control Activity Report 2014-2015 (A1394170);

AND THAT the Council approve the Nelson District Licensing Committee Report 2014-2015 (A1394117).

Barker/Davy

Carried

11. Building and Other Regulatory Activity Management Plan 2015-2025

Document number R4673, agenda pages 111 - 128 refer.

Manager Consents and Compliance, Mandy Bishop, and Manager Building, Martin Brown, presented the report.

Attendance: Councillor Barker left the meeting from 11.09am to 11.12am.

Resolved PR/2015/047

THAT the report Building and Other Regulatory Activity Management Plan 2015-2025 (R4673) and its attachments (A1423077 and A1150957) be received.

Davy/Fulton

Carried

Recommendation to Council PR/2015/048

THAT the Building and Other Regulatory Activity Management Plan 2015-2025 (A1150957), amended to reflect the Long Term Plan 2015-2025, be adopted.

Davy/Fulton

Carried

12. Environment Activity Management Plan 2015-2025

Document number R4693, agenda pages 129 - 160 refer.

Manager Planning, Matt Heale, and Manager Environmental Programmes, Dean Evans, presented the report.

There was discussion about the Minister for the Environment's delay in reviewing the National Environmental Standard for Air Quality, and the impact on the review of the Nelson Air Quality Plan.

Group Manager Strategy and Environment, Clare Barton, advised the Minister had signalled that amendments would be prepared by late 2016. Ms Barton added that Council officers had written to the Minister to ask that he work closely with Council, and she and the Mayor had planned a meeting with the Minister.

In response to a question, Ms Barton advised that Council's plans were required to be consistent with National Environmental Standards (NES).

In response to a question about bringing the notification date for the Air chapter of the Nelson Plan forward to January 2016, Mr Heale explained the implications on the timeframe for the delivery of the wider Nelson Plan. He explained that a contractor would be required in order to meet the notification deadline for the air provisions. Mr Heale said the wider Nelson Plan would need to be notified during the 2016 election period due to the volume of information for councillors and the need for a two step hearing process.

Ms Barton explained there would be no time for a draft of the air provisions to be put out for consultation. Mr Heale advised a variation on air provisions could be undertaken in late 2016 to address potential changes to the NES, but this would delay the process as there may still be no operative version of the Plan.

It was agreed that the full list of Nelson 2060 goals would be added to section 1.10 of the Activity Management Plan.

Attendance: Councillor Lawrey left the meeting from 11.26am to 11.28am.

Resolved PR/2015/049

THAT the report Environment Activity Management Plan 2015-2025 (R4693) and its attachments (A1423448 and A1243203) be received.

Davy/Paine

Carried

Recommendation to Council PR/2015/050

THAT the Environment Activity Management Plan 2015-2025 (A1243203), amended to reflect the Long Term Plan 2015-25, be adopted.

Davy/Paine

Carried

There being no further business the meeting ended at 11.33am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date



REPORT R5048

Status Report - Planning and Regulatory Committee - 29 October 2015

1. Purpose of Report

- 1.1 To provide an update on the status of actions requested and pending.

2. Recommendation

THAT the Status Report Planning and Regulatory Committee 29 October 2015 (R5048) and its attachment (A1155974) be received.

Shailey McLean
Administration Adviser

Attachments

- Attachment 1: A1155974 - Status Report - Planning and Regulatory Committee
- October 2015

Outstanding Actions

Status Report - Planning and Regulatory Committee – 29 October 2015

MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
25 June 2015	Land Development Manual Review	<p>Resolved PR/2015/015</p> <p><u>THAT</u> the report Land Development Manual Review (R4261) and its attachments (A1365598) be received;</p> <p><u>AND THAT</u> the Committee nominate Councillors Ward and McGurk to be members of the Land Development Manual Steering Group;</p> <p><u>AND THAT</u> the attached draft Terms of Reference are adopted by the Planning and Regulatory Committee for finalisation at the first Steering Group meeting after which they will be confirmed by the Mayor and the Chair of Planning and Regulatory;</p> <p><u>AND THAT</u> those nominated Councillors provide regular reports back to the Planning and Regulatory Committee on progress with the Land Development Manual alignment and review;</p> <p><u>AND THAT</u> where possible both Tasman District Council and Nelson City Council use the same Hearing Commissioners to hear and make recommendations on submissions;</p> <p><u>AND THAT</u> a draft aligned Land Development Manual be brought back to the Planning and Regulatory Committee for consideration by December 2015.</p>	Lisa Gibellini	<p>The second meeting of the LDM Steering Group was on 21 October 2015. Agenda items include feedback from stakeholder groups and continued alignment of chapters working towards a draft document in December 2015.</p> <p>Ongoing</p>
06 August 2015	Nelson Plan Update August 2015	<p>Resolved PR/2015/034</p> <p><u>THAT</u> the report Nelson Plan Update August 2015 (R4497) and its attachment (A1378644) be received;</p> <p><u>AND THAT</u> a further update relating to the Nelson Plan is provided in December 2015.</p>	Clare Barton	<p>An update will be provided in December 2015.</p> <p>Ongoing</p>

Chairperson's Report

1. Purpose of Report

- 1.1 To update the Planning and Regulatory Committee on a number of matters.

2. Recommendation

THAT the Chairperson's Report (R5050) be received and the contents noted.

3. Discussion

National Environmental Standard for Air Quality (NES-AQ)

- 3.1 A reply has been received from the Minister for the Environment in response to the request for information on the proposed direction for the new NES-AQ.
- 3.2 The Minister has confirmed there will be no immediate change to the NES-AQ and the Ministry will undertake work with a view to changes being proposed in 2016 and it is understood it will the latter part of 2016. At the time the changes are proposed the Council will be required to immediately comply with the new standards and make an immediate plan change or be given some time to incorporate the provisions into the Plan.
- 3.3 There is a report in the agenda regarding a proposed immediate change to the rule around woodburners with a more complete change to include all the Air provisions into the Nelson Plan to occur later. This will enable Council to consider the NES-AQ amendments when they are released and give effect to them.

Nelson-Tasman Land Development Manual (NTLDN) Steering Group

- 3.4 The Chair of the Planning and Regulatory Committee and Councillor Ward represent the Council on the NTLDM Steering group. The Steering Group was established to align engineering and design standards for land development across Nelson City and Tasman District. Officers from both councils have been working to seek alignment of documents. The

steering group provides guidance on decisions for alignment. The Steering Group has met on 24 August 2015 and 21 October 2015.

- 3.5 The Terms of Reference have been confirmed. There is agreement with the first three sections, relating to process requirements and legal responsibilities. Those sections are being independently legally reviewed.
- 3.6 Alignment has also been reached with Sections 4 (Transport) and 5 (Stormwater).
- 3.7 Four sections; 6 (Water), 7 (Wastewater), 8 (Trenching & Reinstatement) and 9 (Earthworks) are already aligned. The sections relating to 10 (Electrical & Street lighting) and 11 (Telecommunication Utilities) are subject to their own National Environment Standards and/or national standards.
- 3.8 Further work is required for Section 12 (Reserves & Landscaping)
- 3.9 Two more meeting of the Steering Group are planned. The final draft of the NTLDM is expected to be reported back to Council in February 2016.

Cawthron Science and Technology Awards

- 3.10 The Planning and Regulatory Committee Chairperson represented Nelson City Council at the 2015 Cawthron Science and Technology Awards on 14 October 2015.

National Objectives Framework for Freshwater: Fresh Water Management Units (FMU)

- 3.11 Three FMU Working Groups have been established for each of the identified fresh water catchments within Nelson City. Stoke FMU refers to all streams flowing through the Stoke urban area, Maitai FMU includes the Maitai, The Brook, York Stream, Saltwater Creek and all waterways flowing into Nelson Haven. Nelson North FMU combines all waterways north of Gentle Annie and includes both the Wakapuaka and Whangamoia catchments. The upper Roding has been left out. The Chair of Planning and Regulatory Committee is on each of the working groups.
- 3.12 Values have been identified and generally agreed for each of the catchments. The local regional values include the compulsory values in the National Objectives Framework for Freshwater (2014) and are consistently higher than the minimum standards prescribed for the compulsory values.
- 3.13 Work is underway to identify the applicable attributes for each value and further work is required to formulate objectives and limits to improve or in some cases maintain the identified values.

4. Conclusion

- 4.1 That the updates in this report are noted.

Brian McGurk
Chairperson

Attachments

Nil

REPORT R4973

Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality

1. Purpose of Report

- 1.1 To seek confirmation that the notification of the woodburner provisions in the current Air Quality Plan will occur in January 2016 to address issues raised by parts of the community.

2. Delegations

- 2.1 The Planning and Regulatory Committee is delegated responsibility to review and develop amendments to Nelson's Resource Management Plans. The Committee has the power to recommend to Council alterations necessary to Nelson's Resource Management Plans.

3. Recommendation

THAT the report Draft Whakamahere Whakatu Nelson Plan - Woodburners and Air Quality (R4973) be received;

AND THAT the Planning and Regulatory Committee refers the Woodburner Plan Change provisions and notification decision to Council for consideration in December 2015.

Recommendation to Council

THAT a Plan change to alter the woodburner provisions of the Nelson Air Quality Plan is notified in January 2016;

AND THAT an independent hearing panel be established and be given delegations to hear and make decisions on the Woodburner Plan Change.

4. Background

- 4.1 On 12 December 2013 Council resolved to accept the Planning and Regulatory Committee recommendation to undertake a full review of Nelson's Resource Management Plans:

"THAT the Council embarks on a full plan review, aiming to achieve notification within the term of the current Council, noting that where a specific resource management issue arises a targeted Plan Change may occur separately."

- 4.2 Council officers ran a number of Council workshops throughout 2014 to define Nelson's significant resource management issues and develop strategic outcomes to guide the development of the Nelson Plan. A number of these workshops also focussed on the woodburner issue.
- 4.3 On 8 May 2014 the Planning and Regulatory Committee resolved to establish a Woodburner Working party to consider a potential change to the Nelson Air Quality Plan relating to woodburners. On 18 December 2014 Council resolved to give the air chapter priority in the preparation and hearing process for the Nelson Plan.
- 4.4 The Nelson Plan focus for 2015 has been on engagement with key stakeholders and workshops with Council and iwi to develop high level objectives, policies and methods across a range of topics related to Nelson's significant resource management issues. There have been community meetings and meetings with a Community Group interested in Air quality and woodburners. This engagement has also helped define woodburner options' modelling.
- 4.5 A lack of monitoring information meant a review of plan provisions could not proceed prior to the 2015 winter. Some sectors of the community seek that the woodburner provisions are notified in January 2016 so that decisions can be released ahead of winter 2016. It should be noted that if appeals are received on those decisions the woodburner rules will not take effect until appeals are resolved.
- 4.6 A report is planned for the December 2015 Council meeting outlining the wider timeframe for the Nelson Plan work.

5. Discussion and options

- 5.1 The proposed timeframe for notification of the air chapter was March 2016. Decisions would not be made until September 2016. Officers have been asked to assess the implications of bringing notification of the woodburner provisions forward so that decisions can be made ahead of winter 2016.
- 5.2 To achieve this there is only one realistic option being to undertake a discrete Plan Change to the current Air Quality Plan dealing with woodburners.

5.3 The following paragraphs detail why the previously agreed approach of the air chapter of the Nelson Plan being notified in March 2016 should not be pursued. A March notification timeframe would allow Council to indicate its preferred approach but would not allow decisions to be made prior to winter 2016 for the following reasons:

- The minimum submission period for a plan review is 40 working days. Officers would then need to summarise submissions and advertise these for a minimum period of 10 working days. This process alone would take until June. The hearing and reporting process is likely to add another three months which would result in decisions being released in September 2016.
- With a review it is good planning practice to first notify a draft plan for comment. This is particularly important for the wider air chapter given the consultation to date has largely been more narrowly focussed on woodburners. To achieve a notification date of January 2016, it will not be possible to have this wider consultation.
- Given the Government's intention to review the current NESAQ by the end of 2016, decisions on the air chapter would be being released at about the time the national standards are proposed to change. This means that plan provisions would likely need to be reviewed again.

5.4 An alternative approach is to undertake a specific plan change to the current Air Quality Plan focusing solely on the woodburner provisions. Officers previously had not recommended this option given it results in resources being diverted into a short term process rather than dealing more holistically with developing a fully integrated second generation plan. A pragmatic approach is to focus on woodburners given the concerns being voiced by some parts of the community. This approach would also mean Council can consider how to give effect to any changes to the NESAQ which are expected late 2016. With this option, decisions may be released ahead of winter 2016 for the following reasons:

- The submission period for a plan change is only 20 working days, rather than 40 working days.
- Consultation undertaken to date has focussed on the woodburner issue so limiting the scope of the plan change will mean less opportunity for legal challenge.
- The issues are narrower which should result in more confined submissions and a shorter hearing process.

5.5 There are some implications for looking to achieve a decision by mid 2016 as follows:

- The Plan Change and section 32 cost benefit analysis will have to be prepared sooner than anticipated (for the Council meeting on 17 December 2015).

- There are limited opportunities for public feedback ahead of notification as no draft will be released.
- The Planning and Regulatory Committee will need to agree that the plan change will go directly to Council for final consideration ahead of notification. There will be a Council workshop ahead of the Council meeting to discuss and understand the Plan Change provisions.
- The Planning and Regulatory Committee will need to agree that full delegation for decisions are made by an independent hearing panel. If the hearing panel is not given full delegations to make the final decision then a further month will be added to the timeframes meaning a decision will not be made by winter.
- There will be a need to hold a hearing this financial year which is currently unbudgeted.

5.6 Councillors have indicated a desire to be involved in plan change work and have the appropriate Making Good Decisions accreditation. However, it is important that this matter is heard by a panel that includes independent members due to the technical nature of this matter. The timeframe is also likely to conflict with other Council work such as the Nelson Plan, and the Annual Plan process. Therefore, it is proposed that the panel is made up of an air quality expert, a planner, and a lawyer.

6. Alignment with relevant Council policy

6.1 There is no inconsistency in the recommendations of this report with the current Air Quality Plan or Nelson Resource Management Plan.

7. Assessment of Significance against the Council's Significance and Engagement Policy

7.1 This issue is not considered to be significant in terms of Council's significance and engagement policy.

8. Consultation

8.1 Consultation on the Nelson Plan has commenced with key stakeholders. Wider public consultation is scheduled to take place at the end of November 2015 on the Nelson Plan. There has been discrete consultation with those community groups concerned with woodburners and industry users that may be impacted by changes to the air quality provisions. There is considerable public interest in this matter.

9. Inclusion of Māori in the decision making process

9.1 Te Tau Ihu Iwi partners have been involved in the development of the Nelson Plan through the Iwi Working Group process including Air quality issues.

10. Conclusion

- 10.1 The only realistic way to achieve a decision on the woodburner issue by winter 2016 is to undertake a discrete Plan Change to the current Nelson Air Quality Plan. Whilst this diverts resource away from the Nelson Plan work it was considered a prudent approach for the following reasons:
- 1) Allows a shorter time period to be achieved;
 - 2) The review of the Nelson Air Quality Plan (AQP) can then be undertaken later in 2016. This review can be incorporated into the wider Nelson Plan work. The later timing has the advantage of allowing an assessment of the impact of the review of the NES Air Quality on the Nelson AQP;
 - 3) Addresses some immediate concerns raised by the community;
 - 4) Overcomes potential legal challenge over wider consultation not having taken place.
- 10.2 It is also necessary to have an independent hearing panel hear and make decisions on the plan change given the technical nature of the work and the workload of elected members on other Council policies and plans.

Matt Heale
Manager Planning

Attachments

Nil



REPORT R4793

Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules

1. Purpose of Report

- 1.1 To adopt the alterations to the Parking and Vehicle Control Bylaw (2011), No. 207, resulting from minor safety improvements, roading improvements carried out as part of the 2014/15 capital works programme and from the completion of new subdivisions.

2. Delegations

- 2.1 Decision to amend the Parking and Vehicle Control Bylaw and the Parking Policy falls within the delegated authority of the Planning and Regulatory Committee.

3. Recommendation

THAT the report Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R4793) and its attachments (A1422439, A1422090, A1422460, A1422470, A1422471, A1422472, A1422474) be received;

AND THAT the following alterations (as detailed in report R4793) to the Schedules of Bylaw No 207, Parking and Vehicle Control (2011) be approved:

Schedule 4: Special Parking Areas;

Schedule 9: No Stopping;

Schedule 14: Give Way Signs.

4. Background

- 4.1 The Parking and Traffic Control Bylaw 2011 allows for the Committee, by resolution, to add or delete items to the Schedules. To ensure that the Bylaw is enforceable it is important to ensure that the Schedules are updated on a regular basis. The bylaw requires updating since the last update in 2012.

5. Discussion

5.1 Schedule 4 – Special parking Areas

5.1.1 Seafarers Memorial Accessibility car park

Officers recommend installation of an accessible car park in the area of the Seafarers Memorial on Wakefield Quay. It was noted during the Rocks Road pathway engagement that there is a lack of accessible car parks on the Nelson waterfront and this will go some way to meeting that need. Refer Attachment 1.

5.1.2 Nelson Marina Accessibility car park

A request has been made by a berth holder to improve wheelchair access to the boat ramp from adjacent car parks on Cross Quay as shown in Attachment 2. Previous work on the footpath and kerb and channel make this a suitable location for berth holders and other marina users. It is noted that other berths are served by accessible carparks. Officers support this request.

5.2 Schedule 9 – No Stopping

5.2.1 Saxton Fruit Subdivision

The newly completed road (Findlay Place) requires the installation of yellow 'no stopping' lines within the cul-de-sac, and at the intersection of Saxton Road West, (Attachment 3)

5.2.2 Springlea subdivision

These newly completed roads off Frenchay Drive require the installation of yellow 'no stopping' lines within the cul-de-sac Devenish Place and Bristol Lane (Attachment 4)

5.2.3 Waimeha subdivision

Newly completed roads at Waimeha Subdivision Stage 3 require the installation of yellow 'no stopping' lines within the cul-de-sacs and lanes at Marino Grove Ngati Rarua Street, Iti Lane and Mako Street, (Attachment 5, 6 and 7)

5.3 Schedule 14 – Give Way signs

5.3.1 Saxton Fruit Subdivision

This newly completed road (Findlay Place) require the installation of Give Way control at the intersection of Saxton Road West (Attachment 3)

5.3.2 Springlea Subdivision

The newly completed subdivision at Frenchay Drive require the installation of Give Way control at the intersection of Frenchay Drive and Devenish Place. (Attachment 4)

5.3.3 Waimeha Subdivision

Newly completed roads at Waimeha Subdivision Stage 3 require the installation of Give Way controls at the intersections of Ngati Rarua Street and Champion Road , Marino Grove and Ngati Rarua Street and Mako Street and Ngati Rarua Street.(Attachment 5 ,6 and 7)

6. Options

- 6.1 There are limited alternative options for the items presented in this report as the majority are procedural updates to the bylaw.

7. Alignment with relevant Council policy

- 7.1 This report is directly aligned to the requirements of the Parking Policy, the Parking and Vehicle Control Bylaw and with Council's strategic direction through the Regional Land Transport Strategy.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 The recommendations outlined in this report are not considered significant in terms of the Council's Significance and Engagement Policy.

9. Consultation

- 9.1 Directly affected residents and businesses, where required, have been consulted on the proposed

10. Inclusion of Māori in the decision making process

- 10.1 Māori have not been specifically consulted.

11. Conclusion

- 11.1 Minor alterations and additions have been made to Schedules 4, 9 and 14 of the bylaw to allow for parking and safety improvements.

Margaret Parfitt
Team Leader Rooding and Solid Waste

Attachments

- Attachment 1: Proposed accessible Car park - Seafarers Memorial , Wakefield Quay
- Attachment 2: Proposed accessible Car park - Cross Quay, Nelson Marina
- Attachment 3: Proposed No Stopping and Vehicle Control Saxton fruit sub division .
- Attachment 4: Proposed No Stopping and Vehicle Control, Springlea subdivision
- Attachment 5: Proposed No stopping and Vehicle Control Waimeha subdivision (drawing 1)
- Attachment 6: Proposed No Stoppping and Vehicle Control at Waimeha subdivion (drawing 2)
- Attachment 7: Proposed No Stopping and Vehicle Control at Waimeha subdivision (drawing 3)

Attachment 1. Seafarers memorial carpark – Wakefield Quay



9. Parking and vehicle Control Bylaw (2011), No 207 Amendments to Schedules - Attachment 1 - Proposed accessible Car park - Seafarers Memorial , Wakefield Quay

Attachment Proposed accessible car park at Cross Quay – Nelson Marina



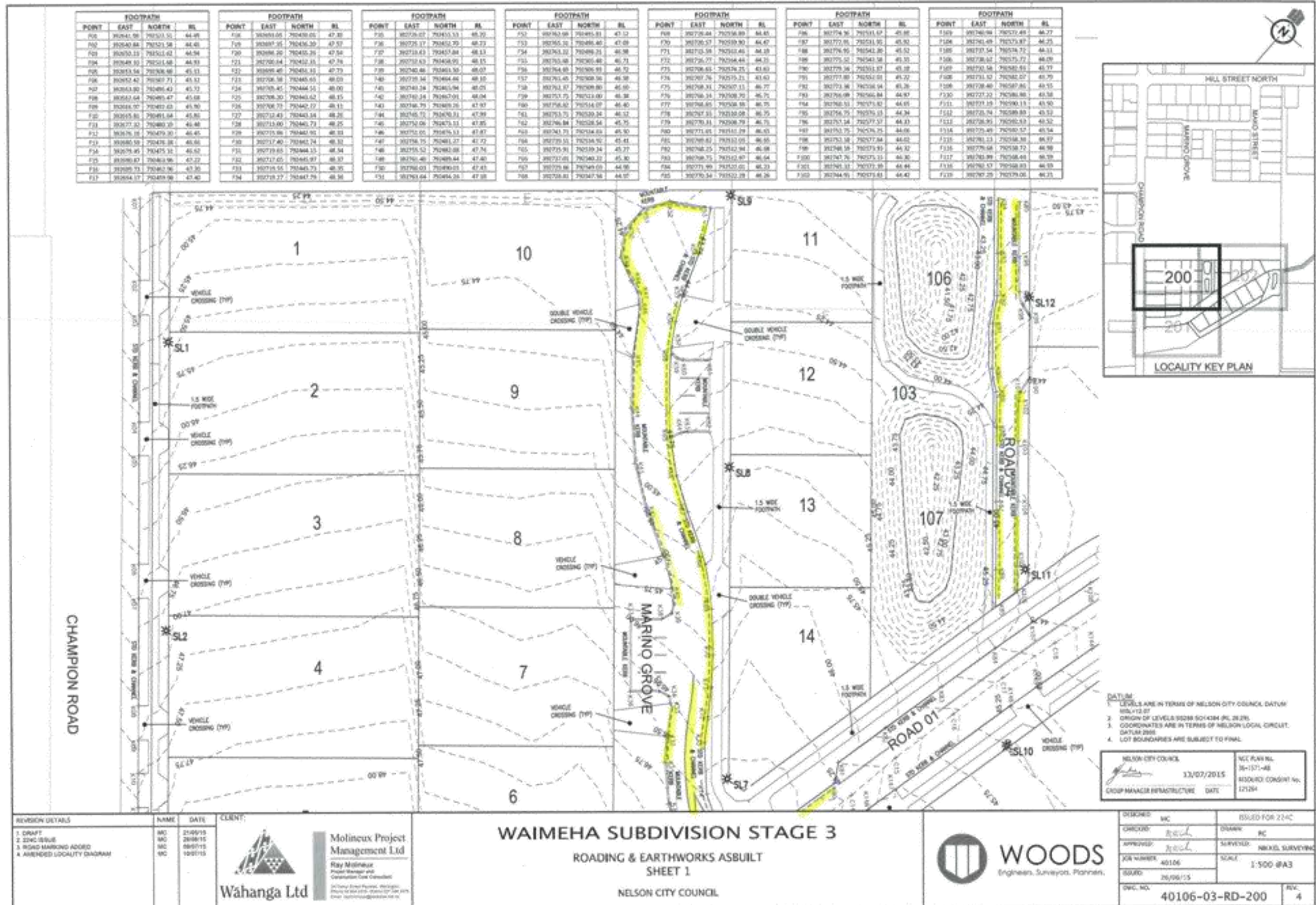
Attachment 3 : Saxton Fruit Subdivision.







Attachment 6 : Waimeha Subdivision (2)





REPORT R4379

Adding further building consent exemptions for work which does not require a building consent

1. Purpose of Report

- 1.1 This report seeks to extend the current list of exempt work provided by the Building Act 2004, Schedule 1 Part 1 to include larger detached structures, unoccupied detached buildings (plant rooms), marquees, proprietary conservatories and open vented solar collectors.

2. Delegations

- 2.1 The Planning and Regulatory Committee has the power to decide and perform duties relating to developing and monitoring policies, environmental monitoring and performance monitoring of Council's regulatory activities.

3. Recommendation

THAT the report Adding further building consent exemptions for work which does not require a building consent (R4379) be received;

AND THAT the Planning and Regulatory Committee approve the further exemptions detailed under point 6.1 (in report R4379) in full.

4. Background

- 4.1 Territorial Authorities have provided extensions to the legislated list of works which do not require a building consent. As a result Nelson City Council Building Consent Authority (BCA) noted the Building Act Schedule 1 list of works not requiring a building consent could be extended when taking a risk based approach
- 4.2 Territorial Authorities can consider discretionary exemptions for work that is not listed in Schedule 1, under Schedule 1 Part 1 (item 2) of the Building Act 2004.

- 4.3 Where the Territorial Authority is satisfied that the building work is likely to comply with the building code then a discretionary exemption can be granted.

5. Discussion - Extended lists of exempt works

- 5.1 The current list provided by MBIE covers several items of work which can be exempt. A guide to exempt building work (Schedule 1 of the Building Act 2004) is available from MBIE.
- 5.2 It is proposed to extend these, based on level of risk, to provide some flexibility and benefit to customers.
- 5.3 Any discretionary exemption must consider the following:
- Will the work be carried out by or under supervision of suitably qualified person?
 - What reasons are there to consider that compliance with the New Zealand Building Code will be achieved?
 - If compliance with the building code is not achieved will the building endanger people or any building?
- 5.3 Any discretionary exemption must consider the following:
- Less documentation and cost for the customer
 - Shorter processing times, or no processing time at all
 - Construction can often start sooner than if a consent is required.

6. Options

- 6.1 The following is a list of the works which it is proposed should be added to the list of exempt work:

Current exemption under Schedule 1 of the Building Act 2004	Conditions for Proposed extended exemption under Schedule 1 Part 1 (item 2) Building Act 2004
Part 1(3) Single-storey detached buildings not exceeding 10 square metres in floor area.	
Part 1(3) Single-storey detached buildings not exceeding 10 square metres in floor area (1) Building work in connection with any detached building that— (a) is not more than 1 storey (being a floor level of up to 1 metre above the supporting ground and a height of up to 3.5 metres above	Buildings as described in schedule 1 Part 1(3)(a)(c)(d) and (2) – Under schedule 1 part 1(3)(1)(b) Allow increase up to 15 square metres in floor area and subject to PIM.

<p>the floor level); and</p> <p>(b) does not exceed 10 square metres in floor area; and</p> <p>(c) does not contain sanitary facilities or facilities for the storage of potable water; and</p> <p>(d) does not include sleeping accommodation, unless the building is used in connection with a dwelling and does not contain any cooking facilities.</p> <p>(2) However, sub clause (1) does not include building work in connection with a building that is closer than the measure of its own height to any residential building or to any legal boundary.</p>	
<p>Part 1(4) Unoccupied detached buildings</p> <p>(1) Building work in connection with any detached building that—</p> <p>(a) houses fixed plant or machinery and under normal circumstances is entered only on intermittent occasions for the routine inspection and maintenance of that plant or machinery; or</p> <p>(b) is a building, or is in a vicinity, that people cannot enter or do not normally enter; or</p> <p>(c) is used only by people engaged in building work—</p> <p>(i) in relation to another building; and</p> <p>(ii) for which a building consent is required.</p> <p>(2) However, subclause (1) does not include building work in connection with a building that is closer than the measure of its own height to any residential building or to any legal boundary.</p>	<p>Plant rooms including diesel generators and the like.</p> <p>Any single storey plant rooms; must be designed and supervised by a Chartered Professional Engineer.</p> <p>They must be external to any existing building and 5 metres from any property boundary or other existing building.</p> <p>Applications for exemption are to be supported by construction documents.</p> <p>Importance level 1, non-inhabitable building work on rural zoned land greater than 1 hectare, as long as it is 10 metres from a property boundary or other structure.</p> <p>Applications for exemption are to be supported by construction documents.</p>
<p>Part 1 (5)Tents, marquees, and similar lightweight structures Short-term structures;</p> <p>Building work in connection with any tent or marquee, or any similar lightweight structure (for example, a stall, booth, or compartment used at fairs, exhibitions, or</p>	<p>Marquees erected for not more than 1 month;</p> <p>Schedule 1 Part 1 (5) (a) Can be over 100 square meters but must be limited to 100 building occupants.</p> <p>Must be its own height from another</p>

markets) that— (a) does not exceed 100 square metres in floor area; and (b) is to be, or has been, used for a period of not more than 1 month.	structure (or property boundary); Applications for exemption are to be supported by construction documents.
Part 1(18) Carports Building work in connection with a carport that— (a) is on or attached to an existing building; and (b) is on the ground level of the building; and (c) does not exceed 20 square metres in floor area.	Carports outside the scope of Schedule 1 Part 1 (18) (a) (b)– Under Schedule 1 Part 1(18)(a) Allow to cover freestanding carports. Under Schedule 1 Part 1(18)(c) extend floor area up to 25 square meters. Must be own height from boundary and open on at least two sides.
Part 1(15) Closing in existing veranda or patio Building work in connection with the closing in of an existing veranda, patio, or the like so as to provide an enclosed porch, conservatory, or the like with a floor area not exceeding 5 square metres.	Residential conservatories of proprietary design which are external to the thermal envelope of the house – Proprietary designed conservatories up to 15m ² allowed without building consent. (Resource Consent must be explored by customers as this may be required)
Part 2(37) Replacement of open-vented water storage heater connected to supplementary heat exchanger The replacement of any water-storage heater connected to a solid-fuel heater or other supplementary heat exchanger if the replacement— (a) is a comparable open-vented water storage heater; and (b) is fixed in the same position, and uses the same pipe work, as the replaced water storage heater	Adding open vented solar collectors to an existing controlled water storage heater, which has provision for solar connection. Applications for exemptions are to be supported by construction documents.

6.2 The following sets out the levels of risk to Council for exemptions and how information is recorded and submitted to Council. The extended list items sit in the highlighted column.

RISK PROFILE	Legislated Exempt Work (No risk)	NCC initiated extended exemptions list. (low risk)	Other possible exempt work (Ad hoc review as requested) (Medium risk)	Items which would not likely be accepted as being exempt. (High Risk)
ACTION	Exemptions detailed under	Notification required through	This requires an assessment and is undertaken	Work which BCA will need higher level of certainty of

	Schedule 1 of the Building Act 2004.	current system Planning check but low cost (one off fee \$100.00)	currently. More information required and slightly higher cost to undertake review (\$250.00)	compliance to allow as exempt work. (Occurrence of these jobs will be limited and rare) (at cost)
HOW TERRITORIAL AUTHORITY IS NOTIFIED	No notification required. Customers discretion to notify only.	Submit an exemption notification form and documentation (where prudent). This will be recorded on property file.	Submit an application for exemption with documentation. This will be recorded on property file.	Requires application for exemption and significant documentation to determine if the work can be given an exemption. Record on Property File

6.4 It is important to recognise how this aligns to NCC values:

- 6.4.1 This activity will benefit the customers as it will allow more flexibility around some areas of building work.
- 6.4.2 The extensions will make the Building Unit more efficient as the jobs likely to be exempt are jobs from the low fee earning potential band. Though a figure is not determined for any potential loss of income it is expected to be minimal and offset by the 'intangible' benefit to customer focus.
- 6.4.3 The risks come from stepping outside the MBIE covered extensions, so risk lies with the Council. However, noting the proposed extensions are for small increases to that accepted by MBIE, the risk profile is low.

7. Alignment with relevant Council policy

- 7.1 The benefits of these exemptions is to provide simpler process around the building consent applications for low risk and simple buildings. Provide clearer information on fees for customers and simplify process for customers.
- 7.2 There have been no prior decisions around this area of the Building Consent Authority.
- 7.4 In terms of 2060 this aligns with the need to adapt to change.

8. Assessment of Significance against the Council's Significance and Engagement Policy

- 8.1 This decision is not significant under the Councils Significance and Engagement Policy.

9. Consultation

9.1 There is no consultation required on this matter.

10. Inclusion of Māori in the decision making process

10.1 Maori have not been consulted on this matter

11. Conclusion

11.1 The extensions proposed mean a better situation for customers. It should also promote better communication with the Building Consent Authority on these 'borderline' situations and allow a greater level of flexibility. It is acknowledged this brings a slight increase in risk to Council and that there may be some limited risk of a slight revenue reduction. This risk based methodology, however, is being adopted by other territorial authorities across the New Zealand.

Martin Brown
Manager Building

Attachments

Nil



Strategy and Environment Report for 1 July to 30 September 2015

1. Purpose of Report

- 1.1 To provide a quarterly update on activity and performance for the Council's planning, regulatory and environmental programmes functions.

2. Delegations

- 2.1 The Planning and Regulatory Committee has the power to decide and perform duties relating to developing and monitoring policies, environmental monitoring and performance monitoring of Council's regulatory activities.

3. Recommendation

THAT the report Strategy and Environment Report for 1 July to 30 September 2015 (R4816) and its attachments (A1422892, A1438034, A1420863, A1439736 and A1378644) be received.

4. Background

- 4.1 The report and attachments detail the performance monitoring of the Council's activities and how these activities impact on or assist developments in our community, progress the Nelson Plan and deliver environmental programmes.

5. Discussion - Building

Summary of Issues

- 5.1 Compliance with time limits - The building unit has had one breach in the granting of a building consent within 20 working days. The root cause of this was a human error where a status was not changed which meant the consent was not put back on the clock and was not picked up for processing until day 20 so breached by one day.

- 5.2 Additionally a change to the way Code Compliance Certificates are applied for resulted in two code compliance certificates not being issued within 20 days. The root cause was the change which has now been embedded as business as usual so is unlikely to occur again.

Challenges

- 5.3 Consent applications received are meeting the 'conservative' projection for the first quarter; 200 projected and 204 were received. It is expected that the projection will continue to be met but it is hoped this will be exceeded as the busy period generally occurs in October to December. Resource consent work has picked up over the first quarter so it is likely an increase in building consents will follow.
- 5.4 As more owners want to develop land in flood hazard areas, a cross council departmental approach is underway to develop a practice note to assist knowledge sharing and consistency on this challenging regulatory area.
- 5.5 The 'lodgement meeting' for residential building consents is being planned for a go live date in late December. Though the pilot had limited uptake it is considered the programme will give benefits in the time taken and knowledge sharing with customers. It aims to improve the general quality of applications received. This is a key aspect in preparation for any move towards 'electronic receipt of information or online applications'.

Successes

- 5.6 New Fees and Charges for 15/16 year were completed and went live on the 1st October 2015.
- 5.7 Meetings to submit responses to 'Requests for Information' on residential properties went live on 1st October 2015. This will give a more time efficient service to customers and will allow discussion on how responses have been provided and any improvement to aid swift completion of processing.
- 5.8 For consents over four years old which have no code compliance certificates, the team has recently recruited an extra staff resource. This position will work on systems and methods to ensure the BCA make decisions after two years from granting. They will also work with customers on legacy consents as they try and attain a Code Compliance Certificate.

6. Discussion – Consents and Compliance

Summary of Issues

- 6.1 69 complaints were received for smoke nuisance from residential properties. All properties were visited and given information on good wood burning practice. No abatement notices were served.
- 6.2 A kayaker ran into a fishing vessel exiting a berth – no injuries were sustained. A waka had to take evasive action to avoid being hit by a dingy.

Challenges

- 6.3 Six premises notified the Council they would extend their on-licence opening hours for the Rugby World Cup games screening. The police are closely monitoring these businesses to ensure the sale, supply and consumption of alcohol during these extended hours is undertaken safely and responsibly.
- 6.4 Over 40 vessels were stopped by the harbourmaster: 23 for lack of safety equipment, 6 were speeding, 4 incidents of not having lifejackets and 4 kayakers stopped due to being too close to berths and ships (including being in The Cut when it is not permitted). Harbourmasters have also been involved in two vessel rescues.

Successes

- 6.5 A controlled purchase operation for the sale of alcohol to minors was conducted in September visiting 21 premises. No sales to minors occurred.
- 6.6 Maritime New Zealand approved the Nelson Port and Harbour Marine Safety Code after conducting an audit in June and this was received by this Committee on 17 September.
- 6.7 Preparations are well underway to offer boaties rewards for carrying and using the correct safety equipment. This will complement the harbourmaster school visits on boating safety.

7. Discussion – Environmental Programmes

Challenges

- 7.1 Increasing pressure around environmental monitoring and data management to meet regional council reporting requirements to the Land, Air and Water Aotearoa (LAWA) portal.
- 7.2 Enabling time in the programme of work to providing information to contractors and council officers writing the Nelson Plan review.
- 7.3 Additional monitoring for the Freshwater Management attributes and reporting to catchment management stakeholder groups.
- 7.4 Increasing marine biosecurity awareness across recreational fishers.

Successes

- 7.5 Monthly flow gauging continues with this information contributing to the development of water quality loads and limits for freshwater management units. Monitoring has detected fine sediment discharges to Poorman Valley Stream, which have been followed up by the compliance team.
- 7.6 NCC and TDC staff have worked together to provide web content and data sources for the new Water Quantity module launched on the Land, Air and Water Aotearoa (LAWA) web portal.

- 7.7 Hilltop software has been installed to manage the Council's environmental monitoring data. The software enables open data sharing and reporting via the web.
- 7.8 The first section of fish passage and riparian planting in Pipers Park Reserve (Emano Street) has been completed.
- 7.9 5 yearly monitoring of gases (Carbon monoxide (CO) and Nitrogen dioxide (NO₂)) was undertaken in Airsheds A (St Vincent St) and B1 (Blackwood St) from May to August this year. There has only been 1 exceedance of the National Environmental Standards limit of 50µg/m³ for P_{M10} over winter. A level of 56µg/m³ was recorded at the St Vincent St site (Airshed A) on 30 May.

Air Quality

7.10 In summary:

- The National Environmental Standards or Ambient Air Quality Guidelines for CO or NO₂ were not exceeded.
 - The maximum and average CO concentrations were higher at the St Vincent Street site than at the Blackwood Street site.
 - The maximum and average NO₂ concentrations were higher at the Blackwood Street site than at the St Vincent Street site.
 - Elevated CO concentrations occurred from 08:00 to 10:00 and from 19:00 to 01:00. These may be regarded as traffic and home heating emission peaks respectively.
 - Elevated NO₂ concentrations occurred from 08:00 to 11:00 and from 17:00 to 23:00. These may be regarded as traffic and home heating emission peaks respectively.
 - Apart from noticeable increase in 1-hour average for NO₂ in Airshed A, levels are not significantly different from 2010 to 2015; and all well within the standards or guidelines.
- 7.11 This information will complement air quality monitoring that NZTA are doing this year at Waimea Road and Blackwood Street - their results are expected early next year.

Nelson Nature

- 7.12 Contracts for consultants to carry out baseline monitoring are being finalised; monitoring is planned to start in October.
- 7.13 The Taiwan cherry eradication programme is well underway for the year. Where trees have been identified property owners will be visited in October with an offer for the trees to be removed.

- 7.14 The Great Kereru Count was held in September; Council supported this initiative as part of Nelson Nature. Face book coverage reached more than 11,000 people and generated 28 comments and 22 shares.
- 7.15 Planting projects were undertaken at Poorman's Stream, Delaware Bay and along the stream near the Frisbee Golf Course. These projects involved staff from Hira School, students from the Nelson Christian Academy, Stoke Rotary Club and Council staff.
- 7.16 At the fish spawning site near Whakatu Drive a buffer zone has been planted to help protect the area.

Historic heritage

- 7.17 Funding agreements have been issued for this year's Heritage Project Fund. A total of \$100,000 has been allocated to 13 heritage building owners.

Project Maitai/Mahitahi

- 7.18 Low tide, dry weather monitoring at Collingwood St bridge swimming hole has indicated generally low *E.coli* levels in the river. Duplicate monitoring has begun at low and mid tide on the same day to see if the incoming tide increases *E.coli* levels at the swimming hole. Last summer there were six red alerts at this location.
- 7.19 Research is underway into the drivers for Cyanobacteria (toxic algae) blooms. The Cawthron Institute is running four research projects using staff and summer students to help us understand where we should focus efforts to reduce these blooms.
- 7.20 Fish ladders and refuges have been created in the stream at Pipers Reserve (at the top of Emano St) to support the population of Banded Kokopu living there.
- 7.21 A community planting in August saw the reserve below the Maitai Camp completed, and planting areas in the Maitai and Brook have been allocated for next winter. Bollards and chains have been installed in the reserves at the Sharland/Maitai confluence to allow the ground to recover from heavy vehicle use and reduce sediment run off into the river. These areas will be opened again in summer.
- 7.22 Council staff are working with Nelson Central School parents on an adopt-a-reach idea for the Brook Stream near Nelson Central and St Josephs Schools. They plan to do monitoring, planting, weeding and litter pickups along this section of the stream.
- 7.23 Design and consultation is complete for the fish passage improvements at the Waahi Taakaro ford and the works are scheduled for late November.

Nelson 2060

- 7.24 The Environment Activity Management Plan has been updated to include the full list of Nelson 2060 goals.

- 7.25 The recruitment process to find a replacement for the Environmental Programmes Adviser who will be the Council officer responsible for reporting back on Nelson 2060 has been completed and the new staff member joins the Council on 5 October.

Warmer Healthier Homes Nelson Tasman project

7.26 2014/ 2015 year summary

The following contributions funded the scheme:

\$ 40,000 Nelson City Council
 \$125,000 Rata Foundation (formerly The Canterbury Community Trust)
 \$ 25,000 Rata Foundation (for project administration)
\$225,000 EECA
 \$415,000 Total (including \$25,000 for project administration costs)

- 7.27 The scheme insulated a total of 145 houses across Nelson & Tasman, 102 houses in Nelson, 43 houses in Tasman.

- 7.28 Nelson City Council's \$40,000 combined with the \$60,000 EECA matched funding insulated 41 houses.

7.29 2015/2016 year

The following funding has been confirmed for this year:

\$100,000 Nelson City Council
 \$150,000 The Rata Foundation (formerly The Canterbury Community Trust)
 \$ 30,000 NMDHB
\$280,000 EECA
 \$560,000 Total

Calwell Slipway

- 7.30 This contaminated sites remediation project is running to plan with Milestones 1 and 2 complete and 3 and 4 underway. No major issues to report to date.

Milestone 1: Completion and approval of Project Management Plan.

Milestone 2: Procurement of consultant to prepare detailed Risk Assessment Plan (RAP).

Milestone 3: Detailed RAP preparation.

Milestone 4: Consultation.

Milestone 5: RAP review and decision to proceed in line with RAP through to Phase 4.

Milestone 6: Ministry for the Environment to prepare and lodge consent application(s).

Milestone 7: Consenting ongoing process support post lodging of application.

Milestone 8: Prepare and lodge CSRF application for phase 4 – site remediation.

8. Discussion – Planning

Summary of Issues

- 8.1 Engagement with Nelson Plan key stakeholders and Iwi partners has been ongoing. Council officers have sought direction from Council on the development of the Nelson Plan through a number of workshops. Discussions also progressed on the air chapter of the Nelson Plan.

Challenges

- 8.2 Flood modelling for the Brook, and the York catchments has been delayed and modelling for the remaining catchments is not able to be completed until the start of 2016. A workshop is planned for December 2015 to provide an update on modelling to Councillors as well as to discuss the flood practice note and coastal hazard areas.
- 8.3 Some sectors of the community have indicated a desire to speed up progress on the air chapter of the Nelson Plan. The implications of this are discussed in a separate paper and could potentially have a flow on impact in terms of wider Nelson Plan timeframes.
- 8.4 There has been a vacancy in the Planning team that has impacted on progress of the Landscape and Biodiversity work-streams. This position will be filled by 27 October 2015 and some additional consultant assistance has been engaged.

Successes

- 8.5 Council adopted the Urban Environments Bylaw and confirmed the Terms of Reference for the Developers Advisory Group.
- 8.6 Officers have updated the Nelson Resource Management Plan incorporating Plan Change 18 and National Policy Statement Freshwater changes.
- 8.7 The Planning and Regulatory Committee endorsed officers submission on the NES-Plantation Forestry.
- 8.8 The Environment Activity Management Plan was updated to reflect LTP decisions.
- 8.9 The seismic strengthening survey was completed with 87 responses and a response rate of 31%. Survey results are summarised in Attachment 1. These results will be used to inform the development of the Nelson Plan.

- 8.10 Regular quarterly reports on retail spending have been set up from Marketview, using Paymark spending data. These reports will be included in Councillor newsletters, shared with EDA, Uniquely Nelson and Chamber of Commerce, and made available on the website.
- 8.11 In July, Statistics New Zealand updated population projections for Nelson's 27 area units, giving us more detail on the drivers and demographics of future population growth in different parts of Nelson and will be used to inform Council's future planning.

9. Discussion – Draft Whakamahere Whakatu Nelson Plan

- 9.1 The Nelson Plan is currently in the engagement phase with a range of meetings held with iwi partners and key stakeholders. Community meetings are planned in Tahunanui, Victory, City Centre, and Hira for late November 2015.
- 9.2 Council workshops were held for Freshwater, Hazards, Heritage, Iwi, Coastal, and Integration topics. Additional workshops are planned as follows:
- 13 October – Growth Areas
 - 20 October – Stoke
 - 17 November – Air
 - December – Flooding and Coastal Hazards
 - February and March 2016 – Regional Policy Statement
- 9.3 A report to the Planning and Regulatory Committee on 6 August 2015 summarised Council workshops completed for the year. The report included a summary of strategic outcomes and draft objectives, policies and methods to guide the development of the Nelson Plan. Officers are currently using this work to inform drafting Regional Policy Statement provisions for the Nelson Plan.

Development and Infrastructure

- 9.4 The joint TDC/NCC review of the Land Development Manual has progressed with an inter-Council steering group established to guide the review.
- 9.5 The Developers Advisory Group has had its first meeting. Topics of discussion were: the Nelson Housing Accord, city development projects, city demographics and projections, opportunities for inner city living and flooding issues and the Land Development Manual review.

Freshwater

- 9.6 Officers have held Freshwater Advisory Group meetings for North Nelson (Wakapukaka and Whangamoa FMU), Stoke, and the Maitai. The groups have started defining freshwater values and objectives.

- 9.7 Water use by rural households and farms has been estimated for different catchments in Nelson. As this water use is a permitted activity, the actual use is not metered. Stock water use estimates were informed by a phone survey of owners of large blocks of grazing land. These estimates are being used to inform work reviewing the freshwater allocation limits, which also consider river flow data and consented water extraction.
- 9.8 A draft analysis of the state of Nelson's water quality in relation to ecosystem and human health values and a review of surface water allocation limits and minimum flows have both recently been received. These will be finalised over the coming month.

Air

- 9.9 A community meeting was held to discuss woodburner options to inform modelling work. A summary of the options from the meeting is provided at Attachment 4. Modelling work, looking at options and dispersion between airsheds, has now commenced to inform plan drafting in November ahead of reporting to Council in December 2015.

Hazards

- 9.10 Work is progressing on developing a flood practice note for the Maitai River Flood Model and flood modelling has commenced for the Stoke and Nelson North catchments.
- 9.11 A report on the geohazard risk in Lower Toitū area in central Nelson has recently been completed. The report recommends more work is undertaken to review available data to determine if further testing work is required.

Coast

- 9.12 NIWA has been engaged to update the storm-tide analysis with the latest coastal water level and wave data (approx 7 years of additional data now gathered by Port Nelson Ltd. since 2009). This will help inform work for the LDM and coastal hazard risk for Nelson.

Heritage

- 9.13 Attachment 5 contains a copy of Draft Strategic outcomes, objectives, policies and methods that have been developed as a result of Council workshops and initial discussions with key stakeholders.
- 9.14 Further technical work is also being carried out following the Council workshop including a review of Category C heritage buildings and a backlog of nominated heritage items. Local trees are also in the process of being assessed. Officers are working with local iwi to identify sites of significance and value that are worthy of consideration for recognition.

Designations

- 9.15 Council received feedback from requiring authorities regarding their designations on 4 September 2015 about how they would like their designations dealt with in the plan review. The majority of designations will be rolled over without modification, some are no longer required and a number will be modified. Officers are involved in ongoing discussions with several requiring authorities including the NZTA, the Airport and both Nelson and Tasman Councils.

10. Discussion – CBD Development

- 10.1 The resource consent to demolish and replace the Trathen building in Trafalgar Street is undergoing public notification.
- 10.2 The Brown House at 52 Rutherford Street has sought resource consent to change the commercial use of the narrow heritage building (category C) to residential use and to add another residential unit to the site that fronts Vanguard St.

Earthquake Prone Building Policy

- 10.3 The Building (earthquake-prone buildings) Amendment Bill had a Select Committee review on 2 September. Enactment is expected in the near future.
- 10.4 No properties have been issued section 124 Notices in respect of the Earthquake Prone Buildings Policy over the first quarter.
- 10.5 Five notices were lifted from Council buildings: Ex Hunting and Fishing building, Zumo Coffee House, Ex Four Seasons building, the Granary and Goodmans Bakery at Founders Park.

11. Discussion – Other Development

District

- 11.1 A seven unit comprehensive development was granted for the Three Ridges subdivision development near the corner of Aripiki Road and The Ridgeway. Consent has been granted to convert the upper floor of a building in Halifax Street into four two bedroom apartments.
- 11.2 A 239 residential unit and 54 bed care unit with associated subdivision and earthworks application off Princes Drive has been lodged. The next stage of 85 lots in the Montebello Village in Ngawhetu has also been lodged.
- 11.3 St Luke's Health Centre on Waimea Road is expanding into the adjacent site. A pre-school application has been lodged for up to 50 children in Atawhai. Z Energy station in Stoke is to be redeveloped. Council has applied for the construction and operation of the Stoke Community Centre.

Regional

- 11.4 Council has consents granted to construct and operate public toilets in Maori Pa Road and flood protection works in Orphanage Creek. Consent applications have been lodged for the upgrade of Saxton Creek and the new water supply pipeline consents in the Brook Street area.
- 11.5 Port Nelson required consents for borehole drilling for testing in association with Calwell Slip remediation investigations

Development Trends

- 11.6 Comparisons for building consent applications received year to date with the last three years are provided in Attachment 2
- 11.7 The 'new development' element of consent applications received for the first quarter were 41 applications for new dwellings, 1 application for new apartments and 6 other new commercial buildings (i.e. not office or accommodation). All other consents were for building alterations.

12. Discussion – Legal Update

Proceedings

- 12.1 The Jatco case was settled on 15 August 2015.
- 12.2 The proceeding regarding non action on a 'Notice to Fix' for a residential retaining wall is adjourned currently as the owner has submitted a consent and this is being processed.
- 12.3 Both Environment Court appeals against abatement notices have resulted in the owner applying for resource consent.

Legislation Changes

- 12.4 Under the Sale and Supply of Alcohol (Rugby World Cup 2015 Extended Trading Hours) Amendment Act 2015, eligible licensed premises can open outside their usual licence and Plan rule hours to televise the Rugby World Cup games.
- 12.5 After public consultation on proposals for regulations to support full commencement of the Food Act 2014, Cabinet has taken final policy decisions in relation to the regulations. The regulations are being drafted and are anticipated to be available at the end of the year.
- 12.6 The Fencing of Swimming Pools Act 1987 is under review and a new proposed Building (Pools) Amendment Bill has been released. Submissions to select committee are due 05/11/2015.

13. Iwi Liaison

13.1 Preparing Cultural Impact Assessments for Council resource consent applications was put out to tender. Decisions are being made on the tenders received.

14. Options

14.1 The Planning and Regulatory Committee has the option of receiving the report or seek further information.

15. Alignment with relevant Council policy

15.1 The Council's Long Term Plan includes performance measures for various activities and this report enables the Council to monitor progress towards achieving these measures.

15.2 Progress towards setting the context to achieve identified goals in Nelson 2060 can also be tracked.

16. Assessment of Significance against the Council's Significance and Engagement Policy

16.1 The decision is not a significant decision in terms of the Council's Significance and Engagement Policy.

17. Consultation

17.1 No consultation has been undertaken.

18. Inclusion of Māori in the decision making process

18.1 No consultation with Māori has been undertaken.

Mandy Bishop

Manager Consents and Compliance

Attachments

- Attachment 1: A1422892 - 2015 Seismic Strengthening Survey - Summarised Results
- Attachment 2: A1438034 - First Quarter Building Unit Statistics
- Attachment 3: A1420863 - Consents and Compliance Statistics
- Attachment 4: A1439736 - Woodburner Options from community meeting
- Attachment 5: A1378644 - excerpt Draft Nelson Plan Strategic outcomes, objectives, policies and methods for Historic Heritage

Survey on Seismic Strengthening of Central City and Heritage Buildings 2015

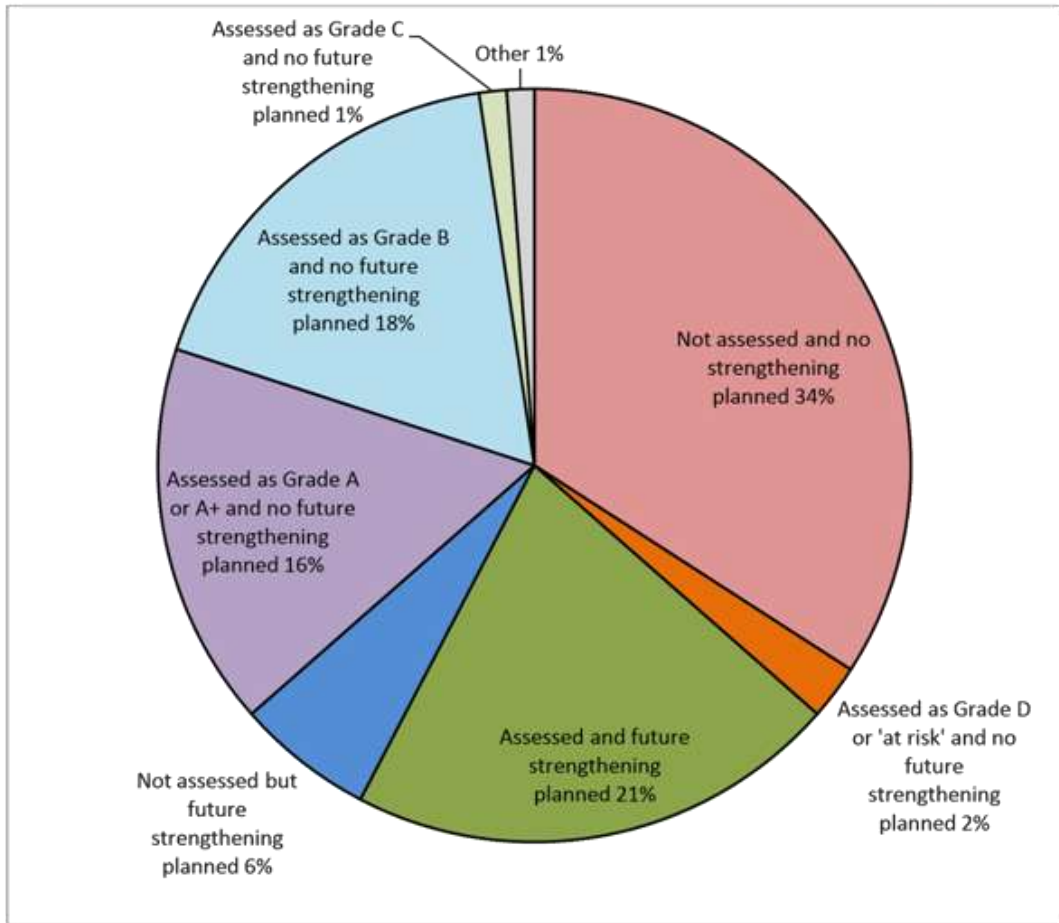


The objectives of the survey were to gauge building owner awareness of seismic strengthening requirements, investigate the economic implications of strengthening work, and inform the development of the Whakamahere Whakatu Nelson Plan (which incorporates a review of the Nelson Resource Management Plan).

The survey targeted properties that were either in the inner city centre or were heritage buildings that fell within the Council's Earthquake Prone Building Policy. There were 279 properties selected. 59 were heritage buildings, of which 25 were in the central city.

There were 87 responses to the survey (including 19 relating to heritage buildings), a response rate of 31%.

Assessment status and intentions for seismic strengthening



(Refer *Seismic Assessments and Grades* section at end for Grade descriptions).

Assessment status and intentions for seismic strengthening

- About a third of buildings in the survey have not had a seismic assessment and are not considering seismic strengthening. The ages of these buildings vary:
 - 10 percent were built before 1940
 - 21 percent were built between 1940 and 1980
 - 14 percent were in the 1980s or 1990s
 - 31 percent were built since 2000
 - 24 percent were of a mixed age, meaning different parts of the building have been built or renovated at different times
- Two percent are not considering seismic strengthening, despite having been assessed as Grade D (below 33% of the New Building Standard) or as 'at risk'
- Of the 33 buildings not being strengthened and that either have no assessment or have been assessed as below 33% of the New Building Standard, 20 have owners who don't think strengthening is required:

Reasons why building owners are not strengthening their building	Number of responses, out of 33 Respondents could select multiple reasons
Don't think (further) strengthening is required	20 (61%)
Cannot afford to undertake the work	5 (15%)
Cannot afford detailed design drawings	3 (9%)
Need more information before deciding	3 (9%)
The return would not be worth the investment	2 (6%)
Cannot afford the seismic assessments	2 (6%)
Don't have access to finance	0
Will lose tenants while work is done	0
The works will result in a loss of rentable space	0
Geotechnical conditions make the job too expensive	0

- About a quarter (27%) of buildings are being or will be strengthened. Twelve percent have work already underway, eight percent will be strengthened within the next five years and seven percent have no timeframe.
 - Of the buildings with strengthening work planned, most have a budget of less than \$50,000 for Phase 1 – investigation and obtaining reports
 - For Phase 2 – completing the strengthening works, 16 owners were able to give an indication of the budget:
 - five will cost less than \$50,000
 - six estimate up to \$250,000
 - three estimate between \$250,000 and \$500,000
 - two estimate it would cost between \$1-2 million

Heritage buildings

There were 19 responses about heritage buildings.

- 89% are aware that they need to apply for a resource consent and possibly a building consent to significantly alter or demolish their building
- 82% are aware of the rate remissions available for heritage maintenance and 53% were aware of the Heritage Project Fund. Only two owners of heritage buildings are aware that there are zero fees for non-notified resource consents to conserve or restore a heritage building
- Of the five respondents who had accessed rates remissions, four rated them as helpful
- Only one respondent had accessed the Heritage Project Fund and also rated it as helpful

The 19 owners of heritage buildings were also asked whether they felt the following comments applied to them or their building:

Comments relating to heritage buildings	Number out of 19 who agreed
Council heritage rules mean that I need a resource consent but I can make changes internally and externally that are sensitive to the heritage values of my building	9 (47%)
I would prefer that my building was not considered a heritage building	8 (42%)
I'd like a plaque on my building confirming its heritage status	5 (26%)
My building's heritage values help me in the use of my building	4 (21%)
I am not bothered about whether my building is a heritage building or not	3 (16%)
Council heritage rules allow only internal space changes	3 (16%)
Council heritage rules mean I can't change anything	0
Council heritage rules don't stop any changes to my building	0

Suggestions for potential Council assistance

People were asked to rate how helpful the following suggestions were, on a scale of 1 (not helpful at all) to 5 (very helpful):

- Building consent fee rebate for strengthening work (88% rated it 4 or 5)
- Remission of rates for strengthened buildings (up to 5 years) (86%)
- Percentage contribution towards the cost of physical strengthening works (83%)
- Monetary grants for strengthening works (79%)
- Assistance in obtaining and funding structural engineering reports (78%)
- Assistance in obtaining and funding geotechnical engineering reports (74%)
- Building consent fee reimbursement for work required to strengthen heritage buildings (67%)
- Remission of rates where building is not fit for purpose (unoccupied) during strengthening works (66%)
- Access to a Council-funded project manager to act as a conduit to relevant Council departments as needed (57%)

Comments

People were asked to provide any other comments including how Council could assist building owners.

Several people noted that requirements under the Building Act could be onerous, e.g. needing to improve means of fire egress at the same time. It was also requested that council lobby Government to allow tax deductions for earthquake strengthening or relax timeframes for completing works.

There were contrasting opinions relating to Council's financial assistance. Some felt that it was Council's responsibility to assist owners, as the work was being imposed by Council and would put pressure on rents resulting in vacant buildings. Others felt that those buildings were private investments and that owners have either had plenty of time to maintain and strengthen their buildings or have made a poor investment choice. Several felt that financial assistance should be available to those that have already strengthened their buildings.

There were several responses supporting preservation of heritage buildings and consideration of quality architecture for new builds.

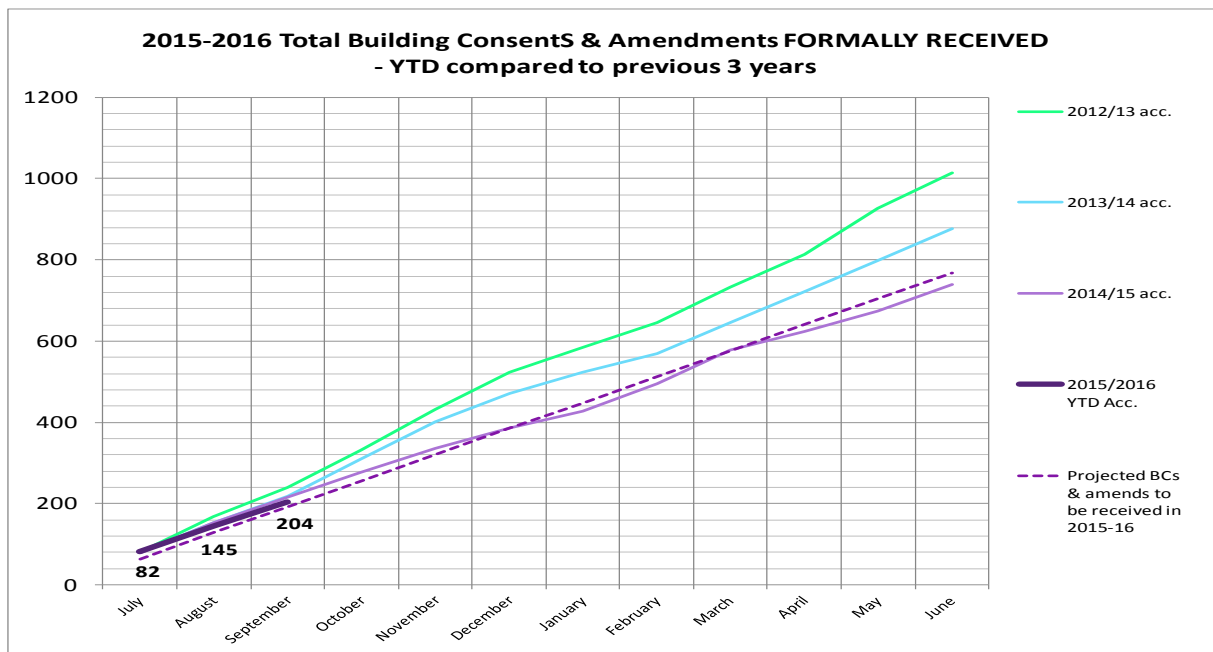
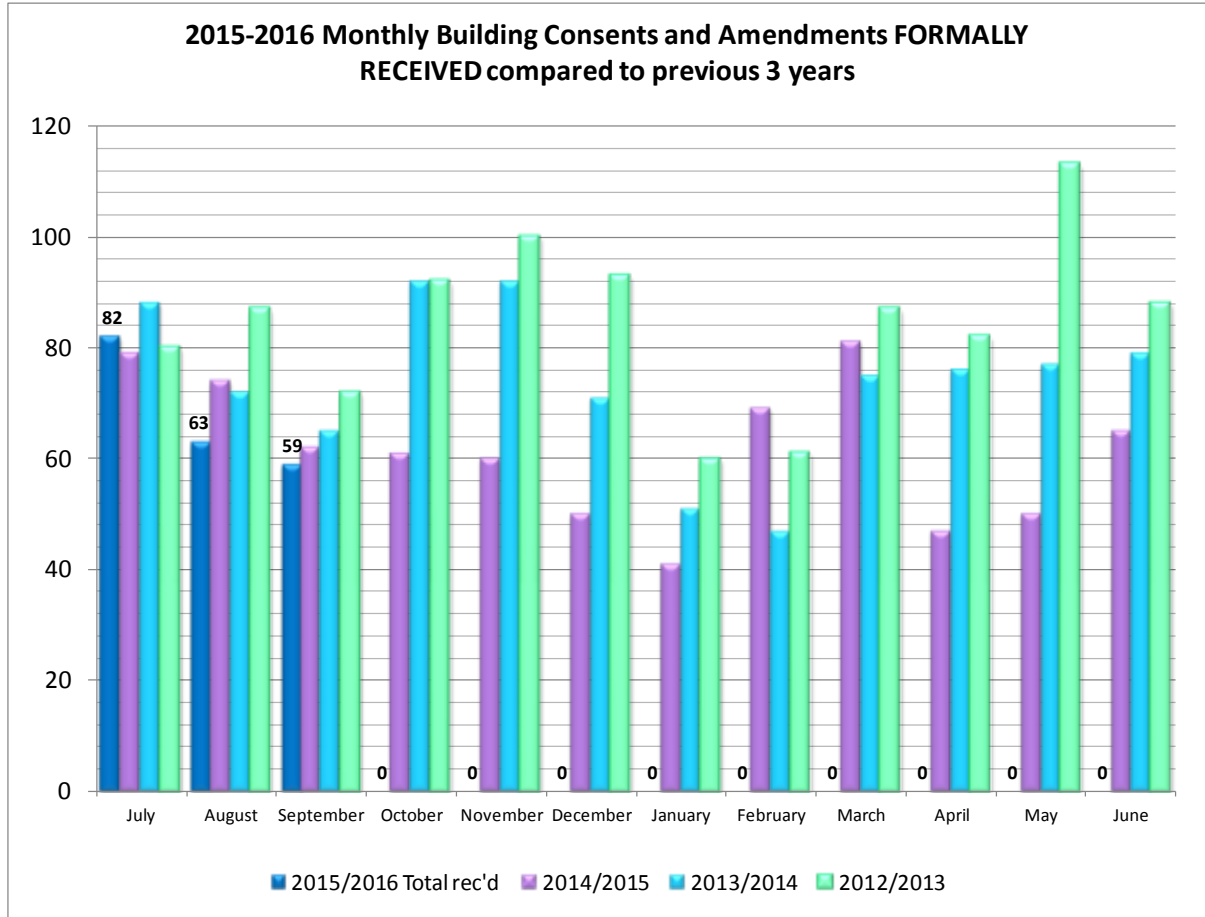
One respondent noted that seismic risk needs to be looked at more closely in terms of cost/benefit, as earthquakes occur so infrequently. Other suggestions included producing a certificate to be displayed after a building had been strengthened (and include mention of council's contribution if any), improved consistency in Council's Building Consents' approach and establishing a historical society for downtown Nelson.

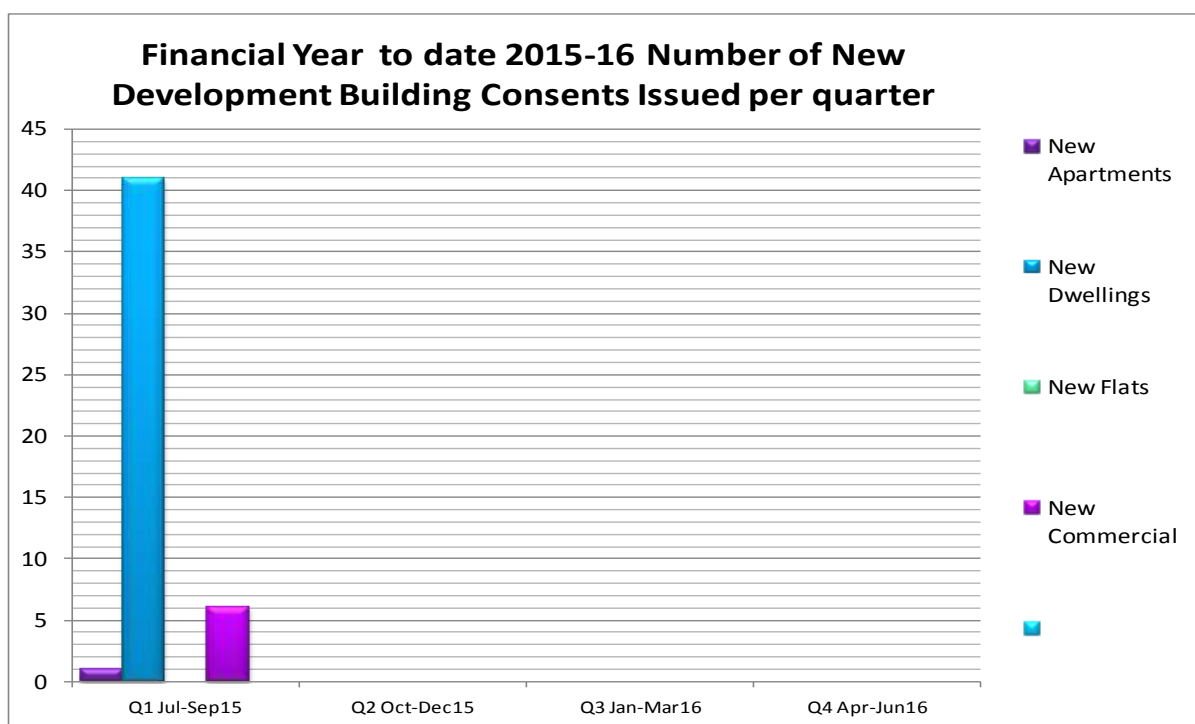
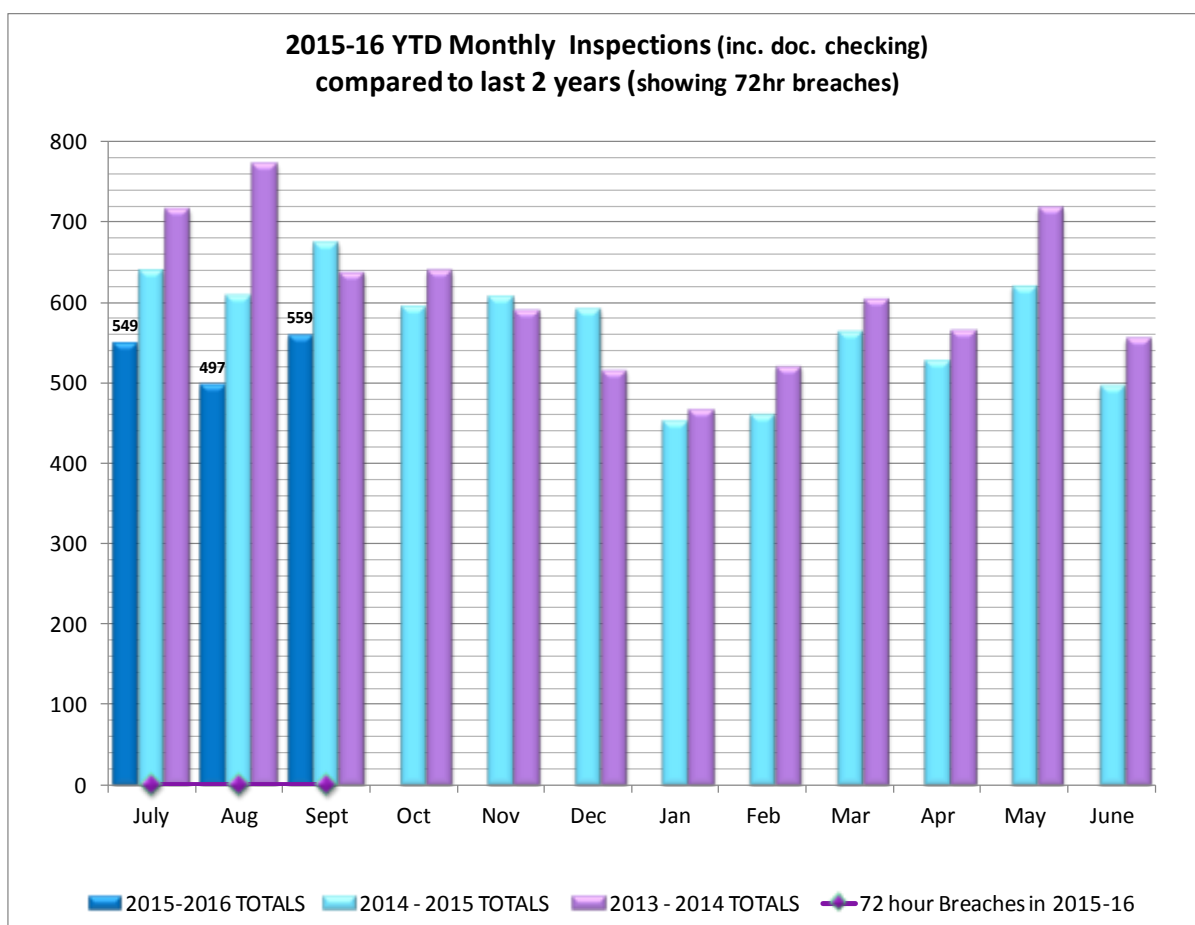
Seismic Assessments and Grades

%NBS	0%	20%	33%	67%	80%	100%
Seismic Grade	E	D	C	B	A	A+
Relative Risk	High		Moderate	Low		
Designation as per BA 2004	Earthquake Prone Building (%NBS <=33)		Earthquake Risk Building (33 < %NBS < 67)		Low Potential Earthquake Risk (%NBS >= 67)	

Building Unit Statistics 1 July – 30 September 2015

1. Building Consent Applications received first quarter comparison.





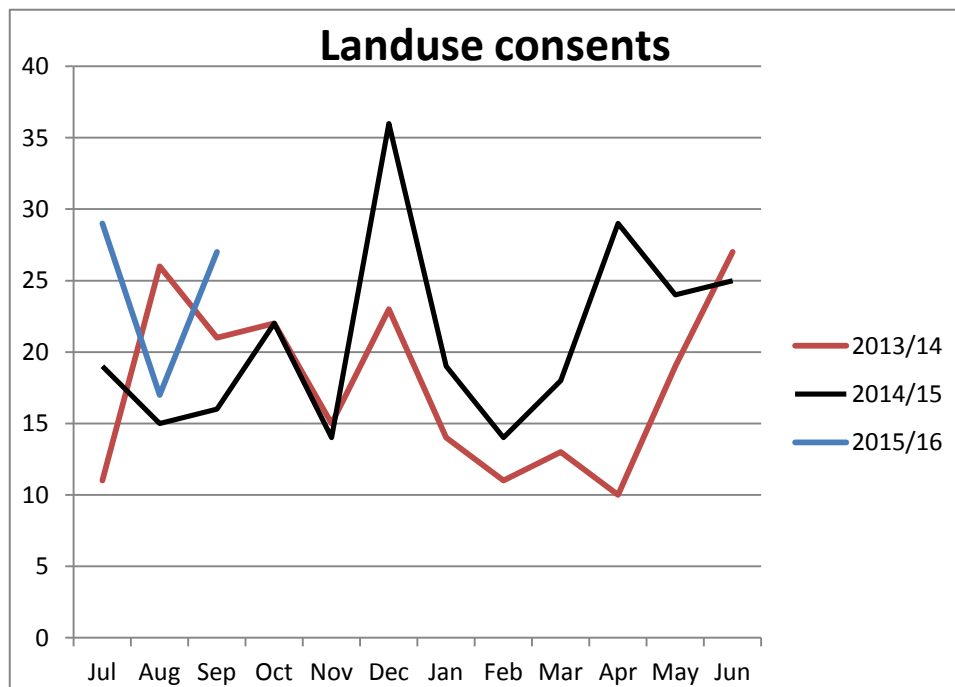
Attachment 3

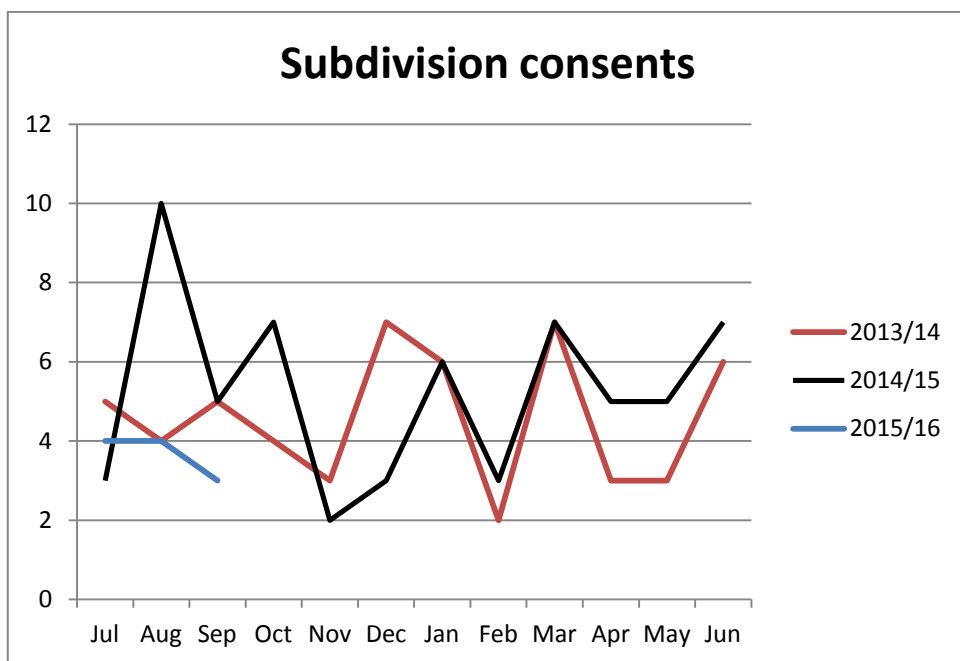
Consents and Compliance Statistics 1 July – 30 September 2015

1. Resource Consent Processing Times

Month	NON NOTIFIED				NOTIFIED AND LIMITED NOTIFIED		
	% processed on time	Average process days	Median process days	Consent numbers	% processed on time	Average process days	Consent numbers
July	100	13	11	40			0
August	100	14	14	27	100	45	2
September	100	14	16	33			0
Average from 1 July 2015	100	14	14	33	100	45	1
Total from 1 July 2015							2
2014/15 average	100	12	12	32	83	59	1
2014/15 totals				378			15

2. Land use and subdivision consent numbers





3. Parking Performance

Activity	July	August	September
Enforcement			
Safety	125	125	116
Licence labels /WOF	387	440	350
Licence labels/WOF (Warnings)	295	191	77
Meters/Time restrictions	1063	1439	1137
Total Infringement notices issued	1870	2195	1680
Service Requests			
Abandoned Vehicles	16	16	11
Requests for Enforcement	58	46	49
Information /advice	31	33	32
Total service requests	105	95	92
Courts			
Notices lodged for collection of fine	481	323	413
Explanations Received	157	193	189
Explanations declined	56	65	81
Explanations accepted (within guidelines)	41	44	20

Activity	July	August	September
Explanations accepted (outside guidelines)	60	84	86
Explanations accepted (warden error)	0	0	2
NOTE: Tickets are cancelled when explanation accepted			

4. Environmental Health and Dog Control Activities

Activity	Responses			Year to Date
	July	August	September	
Dog Control	162	123	161	446
Resource consent monitoring	246	148	249	643
Noise nuisance	50	73	70	193
Bylaw / Building / Planning	39	54	53	146
Liquor applications	38	38	70	146
Liquor Inspections	3	2	31	36
Pollution	36	34	24	94
Stock	4	8	3	15

5. Summary of Hearing Panel Activities

Date	Matter	Location	Outcome
29/7/15	Objection to classification of a dog as menacing under the Dog Control Act 1996	N/A	The objection was dismissed and the menacing dog classification upheld
29/7/15	Applications for exemption under s6(1) of the Fencing of Swimming Pools Act 1987	23 Taunton Place	Exemption granted subject to conditions
		18 Stansell Ave	Exemption granted subject to conditions
		174 The Ridgeway	Exemption granted subject to conditions
		516A Waimea Road	Exemption granted subject to conditions
		78 Chamberlain St	Exemption granted

Date	Matter	Location	Outcome
			subject to conditions
29/7/15	Street naming application	Saxton Fruit Ltd subdivision off 33 Saxton Road West	"Findlay Place" name approved
		Stage 3A Wahanga Ltd subdivision off 145 Champion Rd	"Ngāti Rārua Street" name approved
21/9/15	Applications for exemption under s6(1) of the Fencing of Swimming Pools Act 1987	11 Fergusson St	Exemption granted subject to conditions
		27 Bay View Rd	Exemption granted subject to conditions
		12 Boyes Place	Exemption granted subject to conditions
		158 Nayland Rd	Exemption granted subject to conditions
		7 Panorama Dr	Exemption granted subject to conditions
		36 Exeter St	Exemption granted subject to conditions
		42 Kaka St	Exemption granted subject to conditions
		160 Nayland Rd	Exemption granted subject to conditions
		319 Annesbrook Dr	Exemption granted subject to conditions
		424 Brook St	Exemption granted subject to conditions
21/9/15	Applications for exemption under s6(1) of the Fencing of Swimming Pools Act 1987	104A Songer St	Exemption granted subject to conditions
		13 Hereford St	Exemption granted subject to conditions

11. Strategy and Environment Report for 1 July to 30 September 2015 - Attachment 3 - A1420863 - Consents and Compliance Statistics

6. Official Information Act Requests

Period	Number received	Number completed	Number outstanding
1 July – 30 September	23	16	7

7. Summary of Legal Proceedings

Party	Legislation	Matter & date of initial action	Status
Handforth	Building Act 2004, Building Regulations 1992	28 September 2014 Notice to Fix issued for Construction of a retaining wall without building consent. In addition the engineers information indicates the wall is not in compliance with the Building Regulations 1992.	Court proceedings against an owner for failing to comply with a Notice to Fix for a retaining wall on their property, has been adjourned as the party is now cooperating with the requirements of the notice to fix.
R MacDonald	Resource Management Act 1991	Appeal against abatement notice for breach of fence rule 30 April 2015	Resource consent authorising the non-compliance was granted 9 September, the abatement notice withdrawn ending the appeal.
W Luthje	Resource Management Act 1991	Appeal against abatement notice for breach of access splay rule 22 April 2015	Mediation occurred 12 August, resource consent authorising the non-compliance was lodged 18 September.

Community Meeting – Air Plan

30 July 2015

List of options recorded on white board and throughout the meeting in addition to those already being considered:

- More compliance
- Nelson Hospital energy use for wider community (gas or water)
- Good wood needs to be dry
- Wanting to use existing burners that have missed the phase out dates – there are significant health issues
- Pyroclastic fires
- Boundary changes
- Solid fuel burners that meet pellet fire standards
 - Make rules based on performance of burners rather than on type of burners.
- Definition changes for “woodburners”
- “Intensifier” type options
- Special dispensation for people with special health needs
- Making sure fires are appropriate for the size of the house (discuss with retailers)
- Control hours of operation of burners (7-midnight)
- Mobile monitoring sites
- Enforcement approach for woodburners (compliant vs. non-compliant)
- Survey of people not using heating due to affordability issues.
- People’s heating habits have changed.
- Little punishment of non-compliant burners (as some emit less than compliant ones)

Options NCC had already noted for consideration:

- NES compliant burners
- Phase out older burners
- Allow ULEB’s (generally or within limits)
- Emission Control Technology (check limits)
- Behaviour change
- Tradable burner rights,

- Enhanced insulation requirements,
- Boundary changes,
- Point of sale phase out for older burners

<p>Historic heritage</p>	<p><i>The City will be a vibrant, attractive place in which people can live, work, and play, and in which business can operate successfully now and into the future.</i></p> <p><i>This outcome will be achieved by providing for growth and development in a way that looks after our heritage, by appropriately managing the heritage resources of our city.</i></p>	<p>Updates existing objective to bring into line with RMA, and raise the profile of Māori cultural heritage.</p> <p><i>Retain or enhance historic heritage resources that contribute to an understanding and appreciation of Whakatu Nelson's history, cultures or legacies, and</i></p> <ul style="list-style-type: none"> <i>the region's character, identity, visual amenity, or</i> <i>the cultural affiliation of tāngata whenua with their areas or sites of significance.</i> 	<p>Update policies to:</p> <ul style="list-style-type: none"> Clarify methodology for assessing items. Review categories for listed items, in particular around whether to include unprotected items and how to recognise and protect Māori cultural heritage. Review approach to archaeological sites e.g. relationship with Heritage NZ process. Strengthen link between heritage and hazards. Review incentives for protection. 	<p>Regulatory</p> <p>List heritage items in schedules and show on planning maps/GIS (unless inappropriate to disclose location).</p> <p>Rules that apply special regulatory provisions to the items, e.g.</p> <ul style="list-style-type: none"> demolition, removal, alteration or subdivision of identified heritage items, trees or features of significance to iwi; the maintenance of the heritage significance of buildings in relation to proposed construction, alteration, demolition or removal of buildings in heritage precincts; modification or destruction of site of significance to iwi, or archaeological site considered to be of particular significance to the district <p>Ensure rules do not overly restrict restoration, hazard mitigation or adaptive reuse where heritage value is not compromised, or works to trees if required to improve safety or following climatic events.</p> <p>Favourably consider departure from plan rules on other aspects of development if heritage items are protected.</p> <p>Use overlays where it is impractical to specifically identify all items (e.g. where a high density of archaeological sites or sites of significance to Māori occurs) and include rules to control activities in those overlays.</p> <p>Design guides (with rules referring to them) for renovating and altering existing buildings and for new buildings within Heritage Precincts.</p> <p>Non-regulatory</p> <p>Consider financial assistance (for example as recommended by the Whakatu Nelson Heritage Strategy 2006) for listed items including:</p> <ul style="list-style-type: none"> contestable fund for specific projects remission of rates for maintenance zero fees for resource consents additional advice and assistance for owners of heritage items affected by natural hazard risk or fire (or hazard mitigation requirements) assistance for iwi to protect or enhance sites of significance e.g. site maintenance, weed control, fencing sites, planting, interpretation panels, pamphlet production. <p>Maintain an inventory register (to sit outside of the Plan) of items worthy of recognition but not worthy of regulatory protection.</p> <p>Provide free tree inspection and pruning service for listed trees.</p> <p>Use awards to recognise sympathetic new buildings or restoration, subdivisions or developments which take care to retain heritage items.</p> <p>Information sharing regarding the location, history, and significance of Nelson's heritage items, as well as on restoration techniques for buildings, tree care or rehabilitation of archaeological sites.</p> <p>Tree planting, landscaping and provision of appropriate non-standard services in precincts e.g. street lighting and paving in keeping with the heritage theme.</p> <p>Council will consider the purchase of significant heritage resources in order to protect and enhance the amenity values enjoyed by the people of Nelson City.</p>
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