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

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

**On Thursday 21 April 2016, commencing at 12.50pm**

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

In Attendance: Councillors P Matheson, G Noonan and P Rainey, Group  
Manager Strategy and Environment (C Barton), Manager  
Building (M Brown), Manager Communications and Acting  
Manager Libraries and Heritage Facilities (P Shattock),  
Manager Administration (P Langley), Administration Adviser  
(E-J Ruthven), and Youth Councillors (C Collins and T Shuker)

Apologies: Her Worship the Mayor, and Councillor Copeland

### 1. Apologies

Resolved PR/2016/014

***THAT apologies be received and accepted from  
Her Worship the Mayor and Councillor Copeland.***

Barker/Davy

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

#### 4.1 Karena Shannon and Tonia Allen

Mary Ellen O'Connor introduced Karena Shannon, landlord, and Tonia  
Allen, property manager, who spoke about the rental property warrant of  
fitness scheme, and tabled a document (A1537774).

Ms Shannon said that the development of a warrant of fitness scheme for rental properties was positive, as it would help her protect a major asset, and take proactive steps to be the best landlord possible. She added that it would be useful for rental properties that were maintained to a good standard to be recognised.

Ms Allen outlined her property management experience, and noted she was currently working for Bayleys. She said that a warrant of fitness scheme was appropriate to ensure rental properties were clean, tidy, warm and secure, and that such properties were easier to rent out and attracted more stable tenants. She said that the costs to landlords of a warrant of fitness scheme were not high, and that Bayleys was considering undertaking its own warrant of fitness scheme for rental properties.

In response to questions, Ms Allen explained that rental prices were unlikely to increase as a result of a warrant of fitness scheme, but that a scheme may increase certainty in the property market. She added that the level of rental prices did not determine the quality of tenants.

#### Attachments

- 1 A1537774 - Public Forum Tabled Document

Attendance: The meeting adjourned for lunch from 1.06pm to 1.26pm.

### **5. Public Forum: Voice Nelson - Proposal for Nelson City Council to adopt a Warrant of Fitness for Rental Housing**

Document number R5760, agenda pages 37 - 39 refer.

Attendance: The Chair explained that the meeting would consider item 10, Public Forum: Voice Nelson – Proposal for Nelson City Council to adopt a Warrant of Fitness for Rental Housing prior to the rest of the agenda.

Manager Building, Martin Brown, presented the report. He said that a formatting issue had led to a paragraph on page 38 of the agenda being obscured by a table, and tabled a replacement page 38 (A1537590).

In response to a question, Mr Brown explained that the potential for rent increases as a result of a warrant of fitness scheme was based on the likelihood that lower-level rental properties may require the greatest amount of work to achieve a warrant of fitness, thereby leading to higher rents for the sector of the market least able to afford rent increases.

In response to further questions, Mr Brown explained the current legislative framework in relation to minimum housing standards. He said it was unclear whether warrants of fitness for rental properties could be enforced by Council, and whether there was any mechanism for Council to recover associated costs from landlords.

There was a discussion regarding whether landlords could voluntarily undertake a warrant of fitness scheme, and Mr Brown confirmed that there was no impediment to landlords choosing to meet the standards on

the proposed warrant of fitness checklist. Group Manager Strategy and Environment, Clare Barton, added that, currently, there was insufficient staff resource available to confirm whether landlords had voluntarily met the proposed warrant of fitness standards.

Ms Barton noted further that the recommendation to wait 12 months before taking any further action would allow Council to understand how the pilot cities had dealt with the issues raised during discussion.

Councillor Barker, seconded by Ms Paine, moved the recommendation in the officer report.

Attendance: The meeting adjourned from 1.57pm to 2.03pm.

Councillor Fulton, seconded by Councillor Lawrey moved an amendment to the second clause:

*AND THAT the Planning and Regulatory Committee consider a Warrant of Fitness for Rental Housing Scheme in May 2017.*

The committee discussed the amendment. Committee members in favour of the amendment suggested that the benefits of a warrant of fitness scheme for rental properties were clear, and that there was no need to reassess the merits of a scheme in 2017. Committee members against the amendment suggested that the wording of the original clause was sufficient to allow the Committee to consider the experiences of the pilot cities in 2017.

There was further discussion regarding whether there were any other steps that Council could take prior to reconsidering the warrant of fitness scheme for rental properties in 2017.

Following discussion, and with the agreement of the meeting, the mover and seconder of the amendment added an additional clause:

*AND THAT staff continue to use non-regulatory approaches to support the intentions of a Warrant of Fitness for rental housing scheme in the interim.*

A variety of views for and against the inclusion of the additional clause in the amendment were expressed.

Committee members in support of the additional clause noted that there was a good chance that warrants of fitness for rental properties may be required in the future, and that there were benefits to any further action regarding minimum standards for rental housing that Council could take, for example through conversations with landlords. Committee members against the additional clause suggested that the clause was vague in its requirements of staff, and addressed matters on an operational, rather than governance, level.

Attendance: The meeting adjourned from 2.17pm to 2.21pm.

The amendment was passed and became the substantive motion.

Resolved PR/2016/015

**THAT this report Public Forum: Voice Nelson - Proposal For Nelson City Council to adopt a Warrant of Fitness for Rental Housing (R5760) be received;**

**AND THAT the Planning and Regulatory Committee consider a Warrant of Fitness for Rental Housing Scheme in May 2017;**

**AND THAT staff continue to use non-regulatory approaches to support the intentions of a Warrant of Fitness for rental housing scheme in the interim.**

Barker/Paine

Carried

#### Attachments

1 A1537590 - Tabled document - replacement page 38

Councillor Barker requested that his vote against the motion be recorded.

## 6. Confirmation of Minutes

6.1 18 February 2016

Document number M1711, agenda pages 6 - 16 refer.

Councillor Matheson explained that he had left the previous meeting for item 12, and had not returned.

Resolved PR/2016/016

**THAT the minutes of the meeting of the Planning and Regulatory Committee, held on 18 February 2016, be confirmed as a true and correct record.**

Paine/Fulton

Carried

## 7. Status Report - Planning and Regulatory Committee - 21 April 2016

Document number R5773, agenda pages 17 - 18 refer.

Resolved PR/2016/017

***THAT the Status Report Planning and Regulatory Committee 21 April 2016 (R5773) and its attachment (A1155974) be received.***

McGurk/Ward

Carried

## **8. Chairperson's Report**

Document number R5779, agenda pages 19 - 20 refer.

Resolved PR/2016/018

***THAT the Chairperson's Report (R5779) be received and the contents noted.***

McGurk/Paine

Carried

## **9. Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules**

Document number R5605, agenda pages 27 - 36 refer.

Attendance: The Chair explained that item 9, Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules would be considered before item 8, Parking and Vehicle Control Bylaw (2011), No 207 Amendment to Bylaw.

Team Leader Roading and Solid Waste, Marg Parfitt, presented the report.

In response to a question, Ms Parfitt explained that Alton Street had requested an additional two P15 parks, as the two existing P15 parks had been removed to create the linger node.

Resolved PR/2016/019

***THAT the report Parking and Vehicle Control Bylaw (2011), No 207 Amendments to Schedules (R5605) and its attachments (A1515405, A1515274, A1515439, A1515461, and A1515457) be received;***

***AND THAT the amendments detailed in report R5605 to the following Schedules of Bylaw No 207, Parking and Vehicle Control (2011), be approved:***

- ***Schedule 4: Special Parking Areas;***
- ***Schedule 9: No Stopping.***

Ward/Fulton

Carried

**10. Parking and Vehicle Control Bylaw (2011), No 207 Amendment to Bylaw**

Document number R5493, agenda pages 21 - 26 refer.

Group Manager Strategy and Environment, Clare Barton, presented the report.

In response to questions, Ms Barton advised that vehicle removal would take place prior to the market set-up, and would exclude stall holder vehicles displaying the appropriate permits.

Resolved PR/2016/020

***THAT the report Parking and Vehicle Control Bylaw (2011), No 207 Amendment to Bylaw (R5493) and its attachment (A1511934) be received.***

Ward/Barker

Carried

Recommendation to Council PR/2016/021

***THAT the addition of Clause 22.2 of Bylaw 207 Parking and Vehicle Control to enable the recovery of costs for moving or removing an unauthorised vehicle parked in the licensed area for the operation of the Market between 3.00am and 2.30pm on Saturdays and Sundays be approved;***

***AND THAT the alteration to Schedules 5 and 9 of Bylaw 207 Parking and Vehicle Control to prohibit public parking in Montgomery Square for the operation of the Market be approved.***

Ward/Barker

Carried

**11. Submission on Progressive Enterprises Ltd Private Plan Change Application**

Document number R5658, agenda pages 40 - 44 refer.

Group Manager Strategy and Environment, Clare Barton, presented the report.

In response to a question, Ms Barton explained that the written submission addressed issues on a broad level, and that, detailed evidence regarding the issues noted in the submission could be provided during the resource consent hearing.

The committee discussed the proposed submission and agreed that there were clear issues with the proposed development regarding the potential effects for the Stoke commercial centre, and the ability of the roading network to support a greater volume of traffic in this area.

Resolved PR/2016/022

**THAT the report Submission on Progressive Enterprises Ltd Private Plan Change Application (R5658) and its attachment (A1518105) be received;**

**AND THAT the submission (A1518105) on the Private Plan Change application to the Tasman Resource Management Plan by Progressive Enterprises Ltd is confirmed.**

Ward/Lawrey

Carried

There being no further business the meeting ended at 2.40pm.

Confirmed as a correct record of proceedings:

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