



AGENDA

Ordinary meeting of the

Planning and Regulatory Committee

**Tuesday 3 October 2017
Commencing at 9.00am
Council Chamber
Civic House
110 Trafalgar Street, Nelson**

Membership: Councillor Brian McGurk (Co-Chairperson), Her Worship the Mayor Rachel Reese (Co-Chairperson), Councillors Luke Acland, Ian Barker, Bill Dahlberg, Kate Fulton, Stuart Walker and Ms Glenice Paine

Guidelines for councillors attending the meeting, who are not members of the Committee, as set out in Standing Order 12.1:

- All councillors, whether or not they are members of the Committee, may attend Committee meetings
- 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

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 room 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 27 July 2017

9 - 14

Document number M2772

Recommendation

That the Committee

Confirms the minutes of the meeting of the Planning and Regulatory Committee, held on 27 July 2017, as a true and correct record.

**6. Status Report - Planning and Regulatory Committee
- 3 October 2017****15 - 18**

Document number R8447

Recommendation

That the Committee/Subcommittee

Receives the Status Report Planning and Regulatory Committee 3 October 2017 (R8447) and its attachment (A1736802).

REGULATORY

7. **Parking and Vehicle Bylaw (2011), No 207 Amendments to Schedules**

19 - 38

Document number R7548

Recommendation

That the Committee

Receives the report Parking and Vehicle Bylaw (2011), No 207 Amendments to Schedules (R7548) ; and its attachment (A1837990): and

Approves amendments detailed in report R7548 to the following schedules of the Bylaw No 207, Parking and Vehicle control (2011):

- ***Schedule 4: Special Parking Areas***
- ***Schedule 8: Time Limited Parking Areas***
- ***Schedule 9: No Stopping***
- ***Schedule 13: Stop Signs***

8. **Resource Management (and Special Housing Area) charges and delegations**

39 - 62

Document number R8331

Recommendation

That the Committee

Receives the report Resource Management (and Special Housing Area) charges and delegations (R8331) and its attachments (A1826805) and (A1825487).

Recommendation to Council

That the Council

Approves the draft resource consent charges, planning document charges, monitoring charges and Housing Accord and Special Housing Areas Act charges contained in the Statement of Proposal in Attachment 1 of report R8331 (A1826805) for public consultation and notification using the

Special Consultative Procedure as set out in the Local Government Act 2002;

Approves the delegation of powers contained in Attachment 2 of report R8331 (A1825487) to the Chief Executive under the Resource Legislation Amendment Act 2017.

9. Changes arising from the Building (Earthquake-Prone Buildings) Amendment Act 2016 63 - 86

Document number R8457

Recommendation

That the Committee

Receives the report Changes arising from the Building (Earthquake-Prone Buildings) Amendment Act 2016 (R8457) and its attachments (A1823395 and A1823406); and

Confirms that the identification of priority buildings, required under the amendment Act, be conducted in 2018; and

Recommendation to Council

That the Council

Approves the amended Dangerous and Insanitary Buildings Policy, to remove the specific references to earthquake prone buildings, noting that a full review of the policy will take place in 2018

ENVIRONMENT

10. Nelson Plan - Timelines to Draft Release and Notification 87 - 94

Document number R8275

Recommendation

That the Committee

Receives the report Nelson Plan - Timelines to Draft Release and Notification (R8275) and its attachments (A1821033 and A1821035); and

Approves the proposed timelines to draft release and notification of the Nelson Plan; and

Approves that consequential changes to the Progressive Implementation Programme for freshwater management will be made and the Ministry for the Environment informed.

The meeting will adjourn for a short workshop prior to considering Item 11. Draft Environment Activity Management Plan 2018-2028.

11. Draft Environment Activity Management Plan 2018-28 95 - 140

Document number R8276

Recommendation

That the Committee

Receives the report Draft Environment Activity Management Plan 2018-28 (R8276) and its attachment (A1787292).

Recommendation to Council

That the Council

Approves the Draft Environment Activity Management Plan 2018-2028 (A1787292) as the version to inform the Long Term Plan (LTP) 2018-2028 noting the decisions regarding resourcing will be subject to the LTP process.

POLICY AND PLANNING

12. Nelson Plan - Draft Regional Policy Statement 141 - 157

Document number R7279

Recommendation

That the Committee

Receives the report Nelson Plan - Draft Regional Policy Statement (R7279) and its attachments (A1743457, A1829598, and A1743456); and

Agrees that the Nelson Plan Draft Regional Policy Statement will incorporate the changes identified in report R7279 and its attachment (A1829598); and

Agrees that further changes/refinement will be made to the Draft Regional Policy Statement throughout 2018 relating to how issues, objectives, policies, and methods are framed to ensure integration with the rest of the Nelson Plan, to recognise any further national policy or environmental standard changes, and to reflect the City vision once it has been adopted by Council; and

Agrees the Nelson Plan Draft Regional Policy Statement can remain as a working draft until it is updated and incorporated into the wider Nelson Plan for further community feedback in mid 2018.

PUBLIC EXCLUDED BUSINESS

13. Exclusion of the Public

Recommendation

That the Committee

Excludes the public 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	Re-contracting Regulatory Services from 1 July 2018	Section 48(1)(a) The public conduct of this matter would be likely to result in disclosure of	The withholding of the information is necessary: <ul style="list-style-type: none">• Section 7(2)(i) To enable the local authority to carry on, without prejudice or

Item	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Particular interests protected (where applicable)
		information for which good reason exists under section 7	disadvantage, negotiations (including commercial and industrial negotiations)

14. Re-admittance of the public

Recommendation

That the Committee

Re-admits the public 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 27 July 2017, commencing at 9.00am

Present: Her Worship the Mayor R Reese (Co-Chairperson), Councillor B McGurk (Co-Chairperson), Councillors L Acland, I Barker, B Dahlberg, K Fulton, and S Walker, and Ms G Paine

In Attendance: Councillor P Matheson, Group Manager Strategy and Environment (C Barton), Group Manager Community Services (C Ward), Senior Strategic Adviser (N McDonald), Manager Consents and Compliance (M Bishop), Manager Building (M Brown), Team Leader Regulatory (B Edwards), Senior Infrastructure Planner (L Gibellini), Manager Environment (M Heale), Team Leader Science and Environment (J Martin), Environmental Programmes Adviser (S Moore-Lavo), Manager Communications (P Shattock), Strategy and Environment Analyst (B Wayman), Team Leader Building Consents (C Wood), Administration Adviser (L Canton), and Youth Councillors B Rumsey and J Morgan

Apologies: Nil

1. Apologies

There were no apologies.

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 25 May 2017

Document number M2616, agenda pages 7 - 12 refer.

Resolved PR/2017/030

That the Committee

Confirms the minutes of the meeting of the Planning and Regulatory Committee, held on 25 May 2017, as a true and correct record.

Her Worship the Mayor/McGurk

Carried

6. Status Report - Planning and Regulatory Committee - 27 July 2017

Document number R8080, agenda pages 13 - 16 refer.

Resolved PR/2017/031

That the Committee

Receives the Status Report Planning and Regulatory Committee 27 July 2017 (R8080) and its attachment (A1736802).

Walker/Paine

Carried

7. Co-Chairperson's Report

Document number R8070, agenda pages 17 - 20 refer.

Her Worship the Mayor, Rachel Reese presented the report.

Resolved PR/2017/032

That the Committee

Receives the Co-Chairperson's Report (R8070); and

Refers to Council all powers of the Planning and Regulatory Committee relating to the Brook Waimarama Sanctuary Trust applications for further funding from the provision set aside in the Annual Plan 2017/18.

Her Worship the Mayor/Barker

Carried

8. Co-Chairperson's Report

Document number R8111, agenda pages 21 - 22 refer.

Co-chairperson Councillor McGurk presented the report.

Resolved PR/2017/033

That the Committee

Receives the Co-Chairperson's Report (R8111) and notes the contents.

Her Worship the Mayor/McGurk

Carried

9. Strategy and Environment Report for 1 April - 30 June 2017

Document number R7917, agenda pages 23 - 91 refer.

Manager Environment, Matt Heale, Team Leader Regulatory, Brent Edwards, Manager Consents and Compliance, Mandy Bishop, and Team Leader Building Consents, Chris Wood, presented the report. They provided updates and together with Senior Infrastructure Planner, Lisa Gibellini, answered questions.

Attendance: Mrs Paine left the meeting from 9.36am to 9.37am.

Resolved PR/2017/034

That the Committee

Receives the report Strategy and Environment Report for 1 April - 30 June 2017 (R7917) and its attachments (A1774079, A1786088, A1784621, A1791943, A1777407 and A1791962).

Fulton/Barker

Carried

Resolved PR/2017/035

That the Committee

Approves the Nelson City Council Dog Control Activity Report 2016-2017 in Attachment 1 to Report R7917 (A1786088); and

Approves the Nelson District Licensing Committee Annual Report 2016-2017 in Attachment 2 to Report R7917 (A1784621); and

Accepts the Nelson Plan Overview of Workshop Recommendations and Direction in Attachment 5 to Report R7917 (A 1777407).

Barker/Fulton

Carried

10. Voice Nelson - Warrant of Fitness for Rental Housing

Document number R8063, agenda pages 92 - 94 refer.

Manager Building, Martin Brown, and Team Leader Building Consents, Chris Wood, presented the report.

Resolved PR/2017/036

That the Committee

Receives the report Voice Nelson - Warrant of Fitness for Rental Housing (R8063).

Her Worship the Mayor/Dahlberg

Carried

Resolved PR/2017/037

That the Committee

Requests a report be brought to the Committee in June 2018 providing any update on Central Government or Local Government adoption of a Warrant of Fitness Scheme for Rental Housing.

Walker/Barker

Carried

11. Draft Terms of Reference for the Co-ordination Group for the Waimea Inlet

Document number R7743, agenda pages 95 - 105 refer.

Environmental Programmes Adviser, Susan Moore-Lavo, presented the report. She advised that Tasman District Council had approved the terms of reference but had overlooked adding a revision date.

The committee expressed a preference to amend the terms of reference in line with the officer recommendation to include a three yearly revision clause.

Her Worship the Mayor noted that Councillor Dahlberg had expressed an interest in being Council's representative on the Co-ordination Group.

Resolved PR/2017/038

That the Committee

Receives the report Draft Terms of Reference for the Co-ordination Group for the Waimea Inlet (R7743) and its attachment (A1779297).

Her Worship the Mayor/Walker

Carried

Recommendation to Council PR/2017/039

That the Council

Agrees to adopt the terms of reference (A1779297) for the Co-ordination Group for the Waimea Inlet with an amendment to add a revision clause; and

Appoints Councillor Dahlberg as Nelson City Council's representative on the Co-ordination Group for the Waimea Inlet.

Her Worship the Mayor/Barker

Carried

12. Proposal for Top of the South Conservation Partnership: Memorandum of Understanding

Document number R7765, agenda pages 106 - 119 refer.

Environmental Programmes Adviser, Susan Moore-Lavo, presented the report and provided updates.

Resolved PR/2017/040

That the Committee

Receives the report Proposal for Top of the South Conservation Partnership: Memorandum of Understanding (R7765) and its attachment (A1777693).

McGurk/Her Worship the Mayor

Carried

Recommendation to Council PR/2017/041

That the Council

Approves that Nelson City Council signs the Memorandum of Understanding (A1777693) between partners in the Kotahitanga mō te Taio Alliance; and that Her Worship the Mayor be delegated the authority to sign on Council's behalf.

McGurk/Her Worship the Mayor

Carried

Attendance: Councillor Acland left the meeting at 9.50am.

13. NPS-UDC Quarterly Monitoring Report March 2017

Document number R7967, agenda pages 120 - 138 refer.

Strategy and Environment Analyst, Brylee Wayman presented the report.

Resolved PR/2017/042

That the Committee

Receives the report NPS-UDC Quarterly Monitoring Report March 2017 (R7967) and its attachment (A1779576)

Her Worship the Mayor/Dahlberg

Carried

There being no further business the meeting ended at 9.56am.

Confirmed as a correct record of proceedings:

_____ Chairperson _____ Date

3 October 2017**REPORT R8447**

**Status Report - Planning and Regulatory Committee - 3
October 2017**

1. Purpose of Report

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

2. Recommendation

That the Committee/Subcommittee

***Receives the Status Report Planning and
Regulatory Committee 3 October 2017 (R8447)
and its attachment (A1736802).***

Attachments

Attachment 1: A1736802 Status Report Planning and Regulatory Committee
25May2017 [↓](#)

Status Report - Planning and Regulatory Committee – 3 October 2017				
MEETING DATE	SUBJECT	MOTION	RESPONSIBLE OFFICER	COMMENTS
25 June 2015	Land Development Manual Review	<p>Resolved PR/2015/015</p> <p>THAT the report Land Development Manual Review (R4261) and its attachments (A1365598) be received;</p> <p>AND THAT the Committee nominate Councillors Ward and McGurk to be members of the Land Development Manual Steering Group;</p> <p>AND THAT 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>AND THAT 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>AND THAT where possible both Tasman District Council and Nelson City Council use the same Hearing Commissioners to hear and make recommendations on submissions;</p> <p>AND THAT 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 next Steering Group meeting will be held in mid November where a final draft of the LDM will be presented. Due to the extended time frame of the Nelson Plan the LDM will separate from that review process with a view to public notification in mid 2018. A separate plan change to the NRMP will seek to incorporate the new Nelson Tasman Land Development Manual.</p> <p>Ongoing</p>

Status Report - Planning and Regulatory Committee – 3 October 2017

<p>21 April 2017</p> <p>Public Forum: Voice Nelson – Proposal for Nelson City Council to adopt a Warrant of Fitness for Rental Housing</p>	<p>Resolved PR/2016/015</p> <p><u>That</u> this report Public Forum: Voice Nelson – Proposal For Nelson City Council to adopt a Warrant of Fitness for Rental Housing (R5760) be received; and</p> <p><u>That</u> the Planning and Regulatory Committee consider a Warrant of Fitness for Rental Housing Scheme in May 2017; and</p> <p><u>That</u> staff continue to use non-regulatory approaches to support the intentions of a Warrant of Fitness for rental housing scheme in the interim.</p> <p style="text-align: right;">Martin Brown</p>	<p>The requested report was Included in the 27 July Agenda and a further report comes back in twelve months.</p> <p style="text-align: right;">Complete</p>
<p>23 February 2017</p> <p>Progressive Implementation Programme for Freshwater</p>	<p>Resolved PR/2017/007</p> <p>That the Committee</p> <p><u>Approves</u> for public notification the revised progressive implementation programme (Attachment 2 (A1693614)) to give effect to the National Policy Statement for Freshwater Management 2014; and</p> <p><u>Approves</u> the 2016 summary of implementation report (Attachment 3 (A1693618)) which details the extent to which the programme has been implemented during 2016 in Nelson, for publication on Council's website; and</p> <p><u>Approves</u> the Freshwater Working Groups' revised terms of reference including duration of establishment (Attachment 4 (A1694507)), noting that clarification is required as to whether the Freshwater Working Group is to provide recommendations to elected members or feedback.</p> <p style="text-align: right;">Diana Worthy</p>	<p>As discussed at the Nelson Plan freshwater workshop on 19 September, the freshwater working groups provide a 'sounding board' as staff work through the NPS Freshwater Management process. The groups are being used to solicit community input however the plan drafting team are ultimately developing the plan provisions and will make recommendations to Council. There is support by both the iwi working group and freshwater working groups for the current draft freshwater provisions.</p> <p style="text-align: right;">Ongoing</p>

Status Report - Planning and Regulatory Committee – 3 October 2017				
23 February 2017	National Policy Statement Urban Development Capacity	Resolved PR/2017/009 That the Committee <u>Receives</u> the report National Policy Statement Urban Development Capacity (R7054); and <u>Notes</u> that infrastructure projects needed to support residential and business growth in the Asset Management Plans, Long Term Plan and Infrastructure Strategy will be influenced by the capacity requirements undertaken under the National Policy Statement Urban Development Capacity with Tasman District Council; and <u>Directs</u> Her Worship the Mayor to write to the Ministers for the Environment, Transport and Business, Innovation and Employment, raising concerns that not including the state highway, active transport and public transport infrastructure within the National Policy Statement Urban Development Capacity undermines the benefit of integrated land development.	Lisa Gibellini	Urban development capacity assessments for the Nelson Urban Area continue to feed into the AMP and LTP process of both Nelson and Tasman Council's. Feasibility testing is underway with developers. The next Joint Council workshop is scheduled for 1 November to discuss Future Development Strategies as required by the NPS. Ongoing
		Resolved PR/2017/011 That the Committee <u>Receives</u> the report Nelson Plan - Draft Regional Policy Statement (R6958); and <u>Notes</u> that the next iteration of the draft Regional Policy Statement will be provided to the April 2017 Planning and Regulatory Committee meeting on the completion of a planning peer review.	Matt Heale	Item is on 3 October 2017 Planning and Regulatory agenda Ongoing

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

1. Purpose of Report

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

2. Recommendation

That the Committee

Receives the report Parking and Vehicle Bylaw (2011), No 207 Amendments to Schedules (R7548) ; and its attachment (A1837990): and

Approves amendments detailed in report R7548 to the following schedules of the Bylaw No 207, Parking and Vehicle control (2011):

- ***Schedule 4: Special Parking Areas***
- ***Schedule 8: Time Limited Parking Areas***
- ***Schedule 9: No Stopping***
- ***Schedule 13: Stop Signs***

3. Background

- 3.1 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 schedules require updating since the last update in February 2017.
- 3.2 Minor alterations and additions are proposed to Schedules 4, 8, 9 and 13 of the bylaw to allow for parking and safety improvements.

4. Discussion

4.1 Schedule 4 : Special Parking Areas

In September 2017, Council resolved under the Nelson Freedom Camping Bylaw (report R8282) to approve restricted freedom camping in the following carpark areas (Schedule 2 of the bylaw). The bylaw comes into effect on 1 December 2017.

- Buxton Carpark (Maximum of 23 self-contained vehicles);
- Montgomery Carpark (Maximum of 25 self-contained vehicles);
- Wakatu Carpark (Maximum of 20 self-contained vehicles);
- Wakapuaka Reserve Carpark (Maximum of 3 self-contained vehicles);
- Maitai Cricket Ground Carpark (Maximum of 2 self-contained vehicles);
- Queen Elizabeth II Drive Gardens (Self-contained vehicles in any available defined car parking areas);
- Trafalgar Park: Haven Foreshore (Kinzett Terrace Carpark) (Maximum 4 self-contained vehicles in northern Kinzett Tce area);
- Isel Park: Main Road Stoke Carpark (Maximum of 3 self-contained vehicles in any available defined car parking areas);

These locations will be signposted before 1 December 2017 and blue lines painted to indicate the designated area to park within.

4.2 Schedule 8: Time Restricted Parking Areas

4.2.1 Polstead Road

Operators of the convenience dairy and fish and chip shop have requested P30 parking outside their businesses as shown in attachment 1.1. Time restricted parking is common outside other convenience stores across the city. Currently there are some cars parked all day outside the Polstead Road shops. Adjoining property owners were consulted and no objections were received. Officers support this request.

4.2.2 Pascoe Street

Council contractor EIL and customers using the Dog Pound have requested a P30 park outside the entry to the pound as shown in attachment 1.2. Currently the area is used by cars and trucks all day and night. Restricting all night truck parking in the area will also improve sight lines for vehicles exiting the pound. Officers support this request.

4.2.3 Tahunanui Drive

A new convenience store has been constructed on Tahunanui Drive. Resource consent requirements specify two parking bays have a 10 minute parking restriction at the frontage as shown in attachment 1.3. Time restricted parking is already in place outside convenience stores across the city including Tahunanui and this and is consistent with that.

4.3 **Schedule 9: No Stopping**

4.3.1 Saxton Stadium Carpark

Safety concerns have highlighted inadequate line marking at a pedestrian crossing within the Saxton Stadium carpark area. Due to the immediate safety concerns and the busy winter sport season changes have been made as per attachment 1.4 and require retrospective approval.

4.3.2 Tamaki Street cul-de-sac

Residents report being unable to safely enter or exit their driveways and rubbish trucks have experienced difficulty turning in the area. Growing numbers of recreational walkers using the Tamaki Street steps have contributed to congestion. When letters requesting feedback were sent to residents there was a strong response supporting this as well as requesting an extension of existing No Stopping lines near the intersection of Orakei Street. Residents report parking adjacent to the hill crest had resulted in several "near misses" and anticipated preventing parking further up Tamaki Street would worsen that problem. It is proposed to mark No Stopping lines as shown in attachment 1.5.

4.3.3 Avon Terrace

Residents of this narrow one way terrace report being unable to enter or exit their driveways at times when cars are parked in the section shown in attachment 1.6. Private walls have been damaged in the past due to the narrowness of the lane and if cars were parked in the marked section tests have shown a fire engine would not be able to negotiate the road. Adjoining property owners were consulted and no objections was received. Officers support this request.

4.3.4 Rotoiti Street cul-de-sac

Residents and rubbish contractors report difficulty turning in this cul-de-sac due to some long term parking in the turning head. Installation of no stopping lines are requested as shown in attachment 1.7 and are consistent with other markings in small cul-de-sac streets. Adjoining property owners were consulted. One property owner contacted Council

with questions regarding the approval process but no formal objection was lodged and no other objections received.

4.3.5 Putaitai Street left turn lane

Reinstatement of the right hand turn out of Putaitai Street onto Main Road Stoke for all traffic may result in some queuing in the right turn lane. To ensure left hand turners can exit Putaitai Street efficiently removal of two carparks is required as shown in attachment 1.8.

4.2.6 Rutherford Street

Council would normally rely on the Road Rules for parking restrictions in the vicinity of intersections. However in a recent resource consent hearing the Commissioner noted there are situations where, historically this has not been the case and parking restrictions close to intersections exist. The intersection of Bronte St/Waimea Rd/Rutherford St is a complex intersection and the Commissioner requests that the extension of the existing parking restrictions, by 15m southwards, (as shown in attachment 1.9) should be included in the proposed consent conditions. The resource consent applicant is the only directly affected party.

4.2.7 Main Road Stoke

Council officers have received repeated concerns from staff and patients of the Stoke Medical Centre and neighbouring residents citing difficulty exiting the facility carpark and private driveways due to vehicles parking too close to the driveways obscuring sight lines. The NZ road rules prohibit drivers from parking vehicles closer than 1metre from a vehicle entrance. There is some existing No Stopping marked in the area but it appears inadequate and is inconsistent with marking across the street at the Nelson Nursing Practice (number 469) which extends across driveway entrances. It is proposed to extend the No Stopping lines as shown in attachment 1.10. This does not result in any loss of legal parking.

4.2.8 Rutherford Street at Anzac Park

Construction of the pedestrian refuge on Rutherford Street at Anzac Park has necessitated removal of 4 metered 120minute car parking spaces due to installation of associated kerb build-outs and visibility requirements. No Stopping lines have been extended by 23m as shown in attachment 1.11 and require retrospective approval.

4.2.9 Wakefield Quay

Construction of a new dwelling at 333 Wakefield Quay gained approval at resource consent stage to create a vehicle crossing and off street (garage) parking at this address. Road rules prohibit parking across a vehicle entrance which necessitated removal of existing marked car parking at the frontages as shown in attachment 1.12

4.2.10 Beccles Lane

Changed land use at Beccles Lane including creation of a storage facility on previously vacant land has created a demand for a turning head in the lane. The turning head has always existed as road and road reserve but has been informally used as a carpark. The adjacent land use change now necessitates the formal line-mark to enable turning within the cul-de-sac. It is proposed to mark this as shown in attachment 1.13

4.3 Schedule 13: Stop signs

4.3.1 Atawhai Drive and Malvern Avenue

Safety concerns have been raised regarding potential conflict at this complex intersection shown in attachment 1.14 The New Zealand Transport Agency (NZTA) and police have been consulted and support changing the current Give Way sign on Atawhai Drive to a Compulsory Stop.

5. Options

- 5.1 There are limited alternative options for the items presented in this report as the majority are procedural updates to the bylaw required for safety and efficient traffic movement.

Option 1: Adopt Schedule changes as attached	
Advantages	Changes to schedules are designed to improve safety and efficiency.
Option 2: Do not adopt Schedule changes as attached	
Risks and Disadvantages	<ul style="list-style-type: none"> • Failure to approve changes could result in unsafe and inefficient use of the roading network. • Failure to update schedules will open enforcement to challenge.

Margaret Parfitt
Team Leader Roading and Solid Waste

Attachments

Attachment 1: A1837990 Combined attachment showing aerial views of proposed amendments to schedules ↴

Important considerations for decision making	
1. Fit with Purpose of Local Government	The report recommendation meets current and future needs of communities in contributing to safe use of the roading and parking network in the City.
2. Consistency with Community Outcomes and Council Policy	The content and recommendation of this report is consistent with Council's Community Outcomes – "Our infrastructure is efficient, cost effective and meets current and future needs". In particular that we have good quality, affordable and effective infrastructure and transport networks. 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.
3. Risk	To ensure that the Bylaw is enforceable it is important to ensure that the Schedules are updated on a regular basis. Failure to update schedules will open enforcement to challenge.
4. Financial impact	Costs are within allocated annual budgets for road maintenance or capital projects.
5. Degree of significance and level of engagement	This matter is of low significance. Subdivision development requirements are dictated by the Land Development Manual. Other than sub-divisions nearby business or residents which could be affected have been consulted.
6. Inclusion of Māori in the decision making process	No consultation with Māori has been undertaken
7. Delegations	Amendments to schedules of the Parking and Vehicle Control Bylaw and the Parking Policy fall within the delegated authority of the Planning and Regulatory Committee

Attachment 1

1.1 Polstead Road



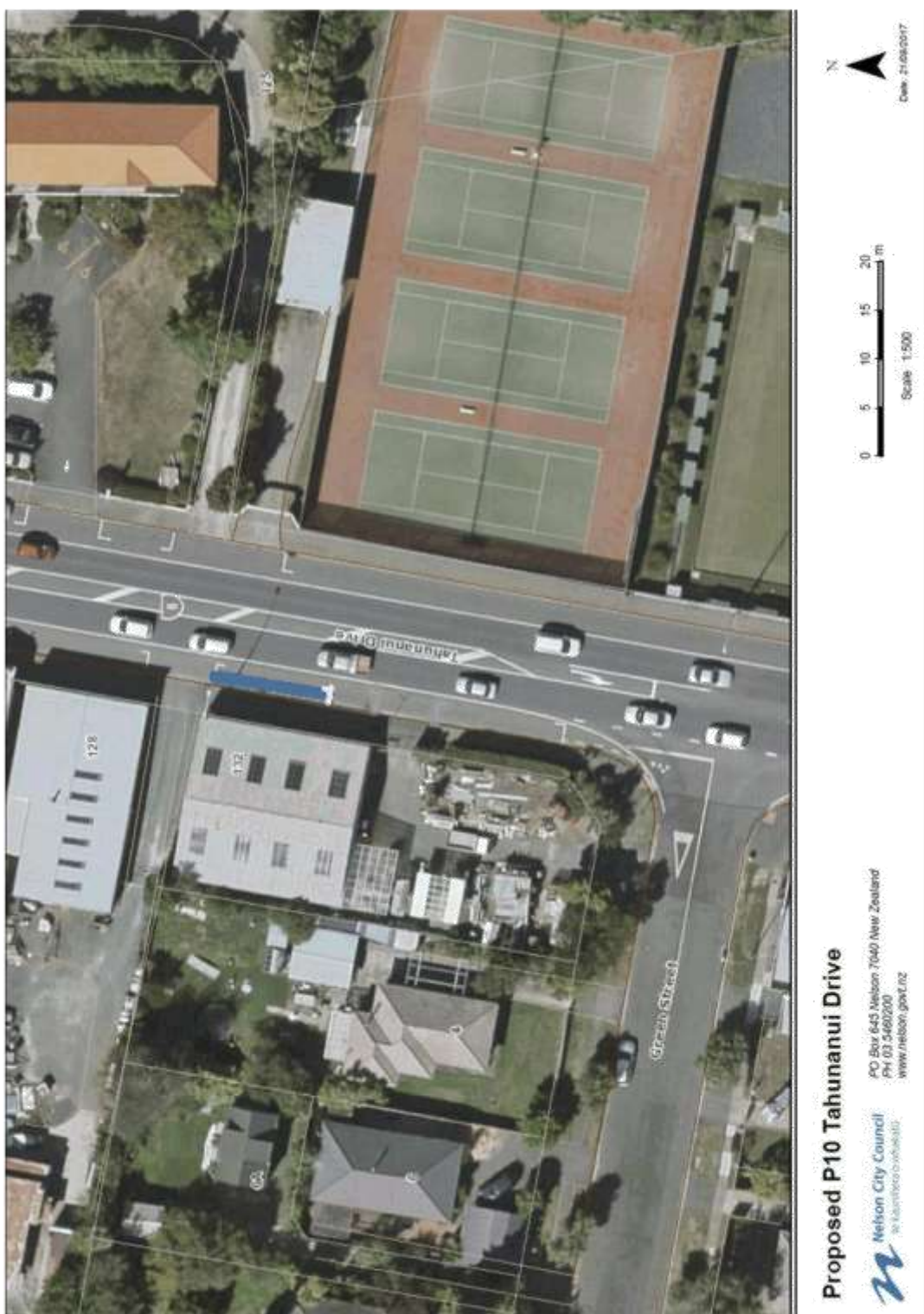
Attachment 1

1.2 Pascoe Street




Attachment 1

1.3 Tahunanui Drive



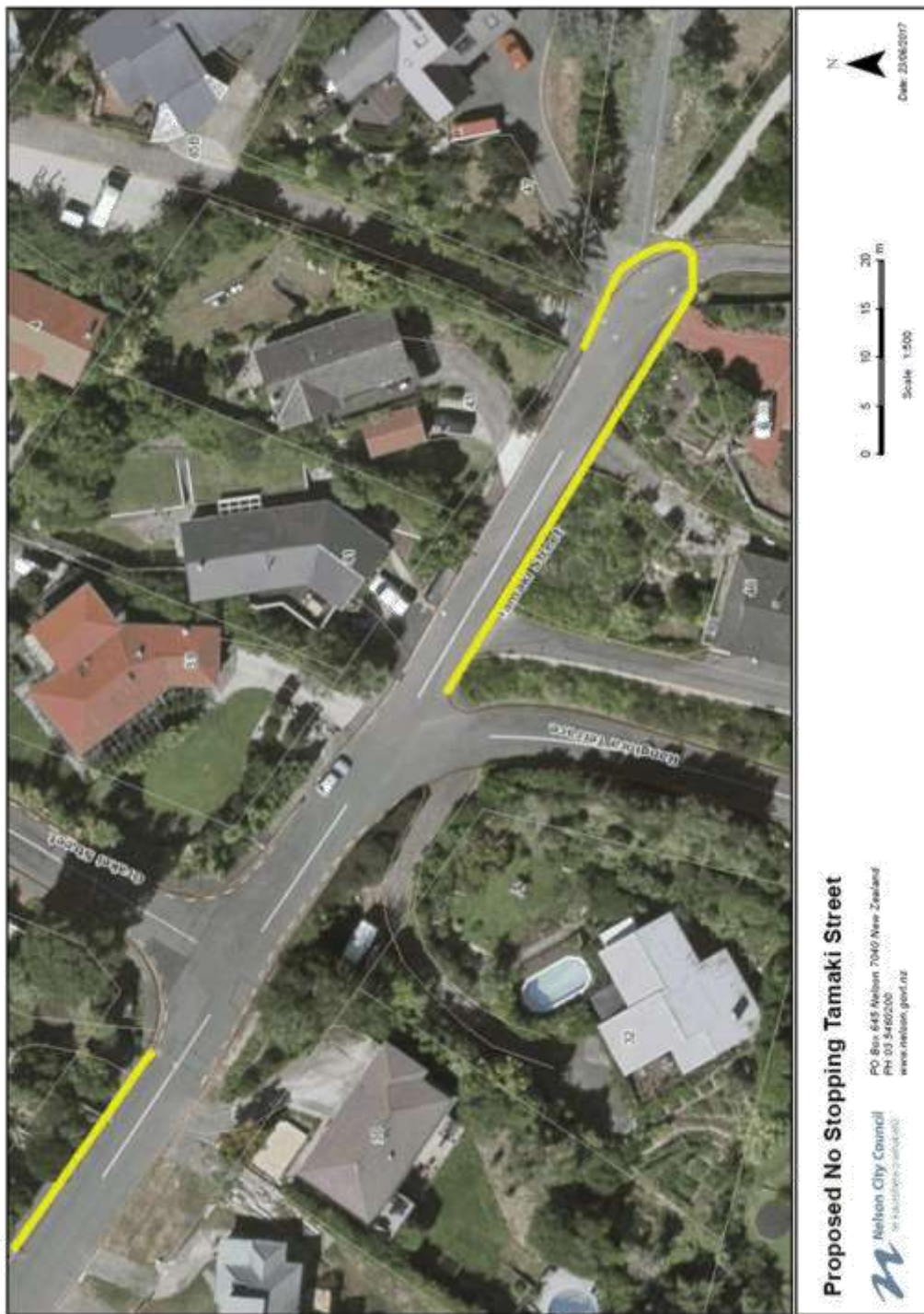
Proposed P10 Tahunanui Drive

 Nelson City Council
PO Box 645 Nelson 7040 New Zealand
PH (03) 5460200
www.nelson.govt.nz

Attachment 1
1.4 Saxton Stadium carpark



Attachment 1
1.5 Tamaki Street



Attachment 1

1.6 Avon Terrace



No Stopping Avon Terrace

450 Bay of Islands Road, New Zealand
PH 07 5440300
www.watson.govt.nz



Date: 20/01/17



1.7 Rotoliti Street

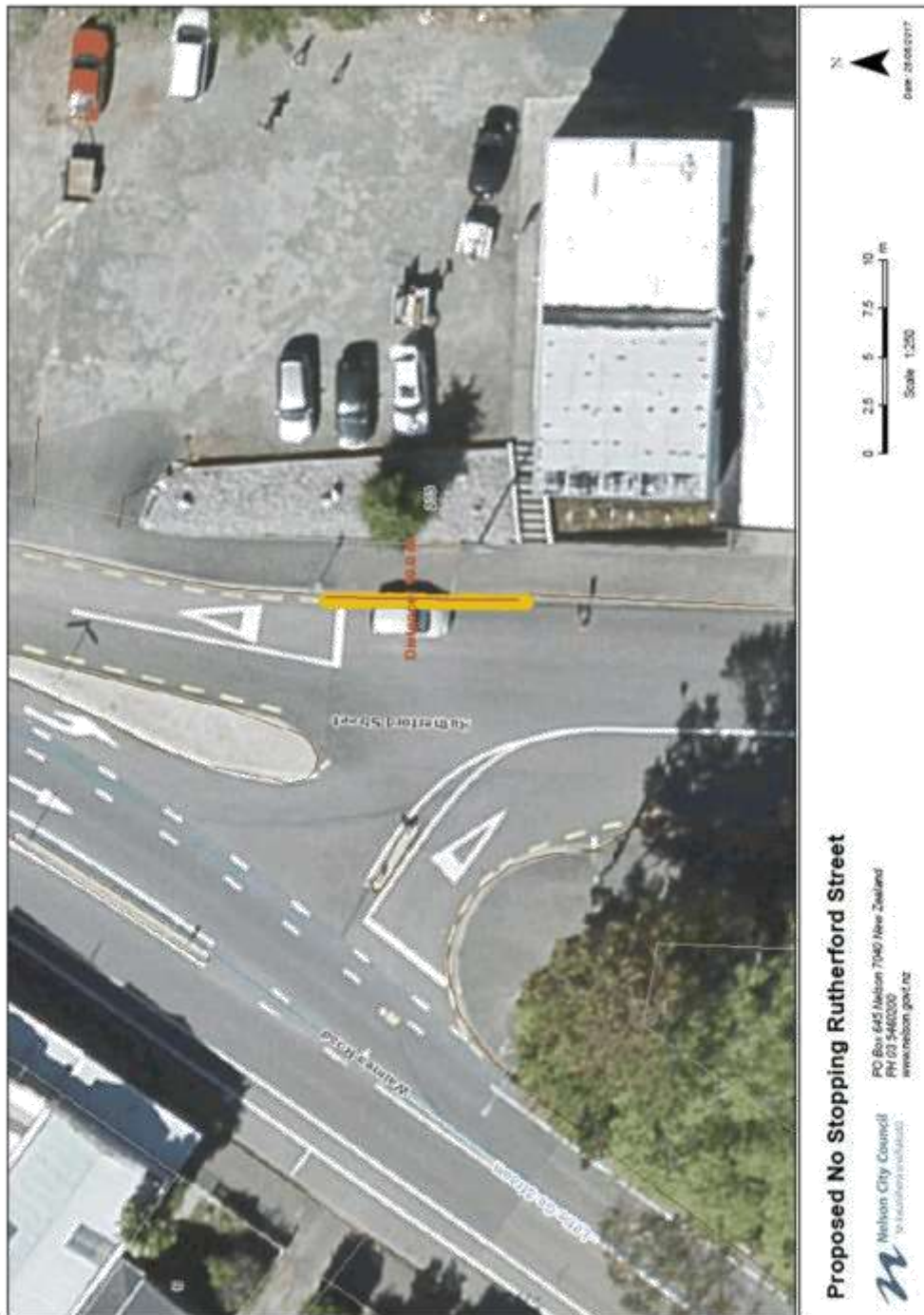
Attachment 1

Attachment 1
1.8 Putaitai Street



Attachment 1

1.9 Proposed No Stopping Rutherford Street



Attachment 1

1.10 Proposed extension of No Stopping Main Road Stoke





Combined attachment for Planning and Regulatory Committee report July 2017 (A1746584).docx27/09/2017 10:42 a.m. Page 11 of 11

1.11 Rutherford Street

Attachment 1

Attachment 1

1.12 Wakefield Quay



Attachment 1

1.13 Beccels Lane turning head



Attachment 1

1.14 Atawahi Drive Compulsory Stop



Proposed Compulsory STOP Atawahi Drive

 Nelson City Council
PO Box 645 Nelson 7040 New Zealand
PH 03 5462030
www.nelson.govt.nz

 N
0 5 10 15 20 m
Scale 1:500
Date: 09/05/2017

Resource Management (and Special Housing Area) charges and delegations

1. Purpose of Report

- 1.1 To seek Council approval of the draft charges for resource consent activities, Resource Management Act (RMA) planning documents and applications under the Housing Accord and Special Housing Areas Act (HASHA) for public consultation and notification using the Special Consultative Procedure (section 83 of the Local Government Act 2002). The Statement of Proposal is attached to this report (Attachment 1)
- 1.2 To seek Council approval to delegate powers to the Chief Executive under the Resource Legislation Amendment Act 2017 (RLAA) to consider new applications and exemptions (details are contained in Attachment 2).

2. Summary

- 2.1 New processes under the RMA come into effect from 18 October 2017. The current charges schedule and delegations need to be amended to include these processes.
- 2.2 Other charges have been reviewed and changes proposed where required to better reflect staff time to process applications and to ensure cost recovery goals can be met.

3. Recommendation

That the Committee

Receives the report Resource Management (and Special Housing Area) charges and delegations (R8331) and its attachments (A1826805) and (A1825487).

Recommendation to Council

That the Council

Approves the draft resource consent charges, planning document charges, monitoring charges and Housing Accord and Special Housing Areas Act charges contained in the Statement of Proposal in Attachment 1 of report R8331 (A1826805) for public consultation and notification using the Special Consultative Procedure as set out in the Local Government Act 2002;

Approves the delegation of powers contained in Attachment 2 of report R8331 (A1825487) to the Chief Executive under the Resource Legislation Amendment Act 2017.

4. Background

- 4.1 The Consents and Compliance Business Unit is responsible for a variety of functions that have an element of cost recovery. Current charges have been in place since 1 July 2016. Some charges are set by statute while other statutes give local authorities the power to set charges. This report considers charges for the following which are not prescribed by statute:
- Resource Consents: processing, monitoring and enforcing, administration;
 - Resource Management Act planning documents; and
 - Housing Accord and Special Housing Areas (HASHA): resource consent for qualifying areas.
- 4.2 Section 101(3) of the Local Government Act 2002 and Section 36AAA of the Resource Management Act 1991 (RMA) require that charges for regulatory functions are to be cost-effective with those gaining the benefit from the regulatory service paying a reasonable cost for that service.
- 4.3 Changes to the Resource Management Act under the Resource Legislation Amendment Act 2017 (RLAA) introduce new processes. These processes are the fast track consenting process and the permitted boundary, marginal or temporary activity.
- 4.4 RLAA changes take effect from 18 October 2017. It is necessary for the Council to delegate functions under RLAA to the Chief Executive who would then delegate these functions to the appropriate staff level.

- 4.5 The National Environmental Standard for Plantation Forestry will, on 1 May 2018, introduce the ability for some permitted activity monitoring costs to be recovered. Other charges have been reviewed and adjusted where needed to ensure the charges meet the fair and reasonable resource consent activity costs.
- 4.6 For the 2016/17 financial year resource consent charges recovered 68% of the costs. The year before it was 59% and for 2014/15 46% of costs were recovered. The current financial policy is to recover 40-60% of total costs. This policy is to be reviewed in the Long Term Plan process.
- 4.7 The main factors influencing the level of cost recovery are the number and complexity of resource consent applications. Consent numbers increased from 391 in 2014/15 to 459 in 2015/16 and 469 in 2016/17.

5. Discussion

RLAA

- 5.1 The new processes are:
- A fast track consenting process – for non-notified controlled activities only (excluding subdivisions), applications to be processed in ten working days instead of 20 working days;
 - A permitted boundary activity – for minor breaches of district land use rules (excluding subdivisions) relating to internal boundaries where the neighbouring owners having provided written approval; and
 - Marginal or temporary rule non-compliance – for activities where the breach is technical in nature only and the effects are no different to the effects of the activity had it complied.
- 5.2 Applicants can only apply for the fast track and the permitted boundary activity. The Council may use its discretion for the marginal or temporary activities. The boundary activity and marginal or temporary activity are exempt from needing a resource consent. The Council must issue an notice for the permitted activities.
- 5.3 The fast track process will be similar to our existing simple decision process and it is proposed to include this in the \$500 initial charge category. Additional charges or a refund will apply dependent on staff time required to process the application.
- 5.4 The boundary activity requires planners to: undertake a check to ensure no other rules are breached (and therefore trips it into the normal resource consent process); to issue a notice within ten working days describing the activity, the site and attaches plans signed by the neighbouring owners; and keep records of the process so it can be provided for Land Information Memorandum applications etc.

- 5.5 A set charge of \$300 is proposed to cover the estimated time of two hours to undertake the permitted activity process. No additional charges or refunds apply. It is considered that this process should not result in a range of times needed to produce the notice.

Monitoring

- 5.6 Consents that require monitoring currently get charged \$100 as part of their resource consent processing invoice. This amount is meant to cover the first hour of monitoring with additional monitoring charges invoiced at a later date. This initial charge does not cover the actual cost of one-off or initial monitoring costs and feedback from consent holders indicates they would rather have the initial charge reflect the more likely final cost than have multiple invoices. It is proposed to increase the initial monitoring charge to \$150 to better reflect the final cost for those consents that only require a one-off check.
- 5.7 Permitted activity monitoring cost recovery is also explicitly referred to in the charges schedule to recover these costs at the staff hourly rate when legislation enables this charge to be recovered.

Other proposed changes

- 5.8 The staff hourly rate has been reviewed and it is proposed to increase it from \$148 an hour to \$150 an hour including GST. This reflects the CPI increase of 1.7%.
- 5.9 In comparison with other councils Tasman and Marlborough charge \$150 an hour, New Plymouth is at \$176, Dunedin charges \$117 for a graduate, \$149 for a planner and \$165 for senior staff and Palmerston North has eight categories for staff ranging from \$150 to \$220.
- 5.10 It is proposed to remove the gravel extraction, replacement permits and swing mooring activities from the \$500 initial charge category. This means the initial charge required will be \$1,300. Gravel extractions generally take more time to process than the \$500 initial charge covers and better align with the \$1,300 charge.
- 5.11 Swing mooring applications will now require more assessment time as the priority areas identified in the Navigation Safety Bylaw for swing moorings are full. The replacement permit description is redundant as these are either new consents or are transfer of permits.
- 5.12 The Urban Design Panel charges have been updated in the schedule to include that the applicant meets the costs of the panel under the Special Housing Area Act. Currently the deed agreement between the Council and the applicant specifies the Panel costs are to be met by the applicant so the schedule has been updated to reflect this.
- 5.13 The costs associated with an objection hearing are identified as being met by the applicant where the applicant requests independent commissioner(s).

Factors influencing the level of charges

- 5.14 It is consent numbers and type of consents received that largely influence the level of income generated. The number of applications received is not a factor that is under the direct control of the Council and is difficult to predict from one year to the next. While the Nelson Resource Management Plan sets out when resource consent is required, the developer decides to either make a proposal comply or apply for consent.
- 5.15 Proposed changes within the Nelson Plan will potentially alter the level and type of consents applied for. Legislative changes will also alter this level. The Special Housing Areas applications are likely to continue to result in an increase of resource consent applications prior to September 2019 when HASHA is repealed.
- 5.16 Charges for various resource consent applications can be fixed (no refund or additional charge is applied) or are based on an hourly rate with an initial deposit made at the time of application. Most Councils fix the more constant certification-type processes. Hourly rate based charges tend to occur for applications that can range dependent on the nature and scale of the activity. Fixing more fees has a more predictable level of income but can mean some applicants pay much more or less than the actual costs.
- 5.17 RLAA introduces a power for regulations to be made requiring a fixed charge for processing applications. This could potentially require Councils to set a capped charge for a wide range of application types that will have cost recovery implications. It is recommended to continue to use time-based charging for applications that have variability in nature and scale and to fix costs for application types that have a predictable process. This recommendation better meets the fairness and reasonable test contained in section 36AAA of the RMA.

Delegations

- 5.18 In order for Council officers to process changes introduced by RLAA in a timely way the powers under the RLAA need to be delegated to the Chief Executive.

6. Options

- 6.1 The Council can choose to delegate powers to the Chief Executive under RLAA or can decline to do so, in which case all processing and decision making for applications made under these provisions will need to occur at the Council level. The potential delay with Council approving new RLAA processes will likely affect compliance with statutory timeframes and increase costs to the applicant.
- 6.2 Charges should be set to ensure they are not a barrier to growth and development while recognising the applicant or licence holder will receive

the majority of the benefit in holding such a document. There are four options:

Option 1: Amendments to current charges (this is the preferred option)	
Advantages	<ul style="list-style-type: none"> • Actual costs are more easily recovered with small increases and changes • Charges better align with nearby and similar sized Councils • Provides greater flexibility to change the level of cost recovery set under the new LTP • Consistent level of charging for similar consent types
Risks and Disadvantages	<ul style="list-style-type: none"> • Customers are not happy with the increased cost
Option 2: Status quo	
Advantages	<ul style="list-style-type: none"> • Easy to administer • Achieves 40-60% cost recovery as set under the current LTP • Consistent level of charging for similar consent types • Allows for certainty until the impacts of changes to the RMA and Nelson Plan are known
Risks and Disadvantages	<ul style="list-style-type: none"> • Actual costs may not be fully recovered leading to larger changes later on • May not enable any changes to the cost recovery set under the new LTP
Option 3: Varied hourly rate for different staff levels	
Advantages	<ul style="list-style-type: none"> • Reflects the different levels of expertise
Risks and Disadvantages	<ul style="list-style-type: none"> • More time consuming to administer • Adds more complexity to set charges to achieve cost recovery • Inconsistent level of charging for similar applications depending on the level of staff processing it
Option 4: Capping a greater range of charges	
Advantages	<ul style="list-style-type: none"> • Certainty for the applicant

	<ul style="list-style-type: none"> • Easy to administer • No time required to review costs that are queried and to follow up bad debts
Risks and Disadvantages	<ul style="list-style-type: none"> • May not reasonably reflect the actual costs associated with the process • Difficult to set the charge for application types that vary significantly in complexity

- 6.3 Currently there are 13 different fixed or capped fees for a variety of document executions, certifications or processes that have a relatively certain amount of staff time required to process these applications. Option 4 is not recommended until the impact of changes to the RMA and the Nelson Plan is known.
- 6.4 Option 3 will require further investigation to determine the appropriate hourly rate for various staff and whether this impacts on current processes and team structure. Current processes involve staff at all levels to administer, process and review each decision. Option 3 is not recommended until this proves to be fair to the applicant who has no option in selecting who processes their consent.
- 6.5 The status quo, option 2, is not recommended as new processes are being introduced that existing charges do not specifically cover. Small changes are proposed to existing charges to ensure they better reflect the actual costs and are clear for the applicant.
- 6.6 Option 1 is the preferred option to capture new processes and update existing charges to better reflect actual costs. The proposed staff hourly rate is aligned with or less than other Councils.

7. Conclusion

- 7.1 New processes taking effect from 18 October 2017 need to be captured in the charging schedule. A special consultative procedure is required by RLAA and the RMA.
- 7.2 Other adjustments to charges are proposed to better reflect the level of staff time involved in the process and to clarify existing provisions.
- 7.3 Delegations under RLAA from Council to the Chief Executive enable the most effective and efficient processing of consents and exemptions to occur.

Mandy Bishop

Manager Consents and Compliance

Attachments

Attachment 1: A1826805 - Statement of Proposal - charges under RMA and HASHA [↓](#)

Attachment 2: A1825487 - Proposed delegations under RLAA [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	The proposed charges aim to ensure the performance of regulatory functions are cost-effective for households and businesses by ensuring the reasonable costs are charged to those gaining the benefit of these services.
2. Consistency with Community Outcomes and Council Policy	The proposed charges will better align with the Long Term Plan cost recovery goals while not providing a barrier for growth as identified in Nelson 2060 (goal seven: our economy thrives and contributes to a vibrant and sustainable Nelson).
3. Risk	The proposed charges will better achieve the cost recovery goals ensuring those who benefit the most pay the reasonable cost of that service. Changing the charges in a different way may lead to higher costs for customers or higher costs for the general rate payer.
4. Financial impact	The proposed changes are consistent with legislation and better enable actual costs to be met through charges to the consent holder receiving the benefit from that consent. Otherwise the general rate payer meets these costs. No increased staffing will result from the recommended changes.
5. Degree of significance and level of engagement	This matter is of low significance because the changes are only likely to generate a low level of financial impact on the community and the Council. History has also shown there is no widespread interest in this matter and decisions can be amended should reviews warrant this. Consultation will occur in the form of a Special Consultative Procedure however as required by the RMA and Local Government Act 2002.
6. Inclusion of Māori in the decision making process	There has been no consultation with Māori regarding this recommendation
7. Delegations	The Planning and Regulatory Committee has the responsibility for considering resource management and other regulatory processes. The Planning and Regulatory Committee has the power to make a recommendation to Council on this matter.



STATEMENT OF PROPOSAL

DRAFT CHARGES UNDER THE RESOURCE MANAGEMENT ACT 1991 AND HOUSING ACCORD AND SPECIAL HOUSING AREAS ACT 2013

Commencing 21 March 2018

A1826805

1. Introduction

The Resource Consents activity has a variety of functions that have an element of cost recovery. While some charges are set by statute, other statutes give local authorities the power to set charges. This proposal considers charges for:

- a) Resource consents and all other activities under the Resource Management Act: processing, monitoring and enforcing, administration; and
- b) Resource Management Act planning documents; and
- c) Housing Accord and Special Housing Area applications for resource consent: processing, monitoring and enforcing and administration.

The Council regularly reviews the charges to:

- a) Ensure that those who benefit from the services of the resource consent activity pay a fair and reasonable share of the costs of these services; and
- b) Ensure charges reflect any new legislation and changes in the cost of providing these services; and
- c) Check that Nelson City Council charges are measured against equivalent costs for Tasman and Marlborough District Councils.

Funding is achieved by Council through a mix of general rates, charges and infringement fees and fines. The level of cost recovery from applicants affects the level of ratepayer funding that is required.

Section 101(3) of the Local Government Act 2002 and Section 36AAA of the Resource Management Act 1991 provide that charges for regulatory functions are to be cost-effective, with the purpose of recovering the reasonable costs incurred by the Council in respect of the activity to which the charge relates, with those gaining the benefit from the regulatory service paying the reasonable cost for that service.

Section 36(3) of the Resource Management Act 1991 requires the Council to seek public feedback on its proposed fees and charges through the Special Consultative Procedure under section 83 of the Local Government Act 2002.

2. The Approach to Charges

- 2.1 Council's current charging structure set out in Charges Schedule for Resource Management and Special Housing Area activities (see Appendix One) is based on applicants lodging an initial sum of money determined by the nature or category of consent or application. This is credited to the applicant's account. As the application is processed those processing costs are debited against the applicant's account.
- 2.2 The cost of the processing is based on:
 - a) The time spent by Council staff and any specialist advisers assessing and reporting on the application; and
 - b) The staff hourly charge (consultants are charged out at this rate if staff would normally process the consent), or the consultant charges (if there is a lack of expertise or conflict for staff); and

A1826805

Page 4

- c) Administrative costs; and
 - d) An initial charge incorporating the first hour of monitoring if monitoring is required. Subsequent monitoring is charged at the staff hourly rate.
- 2.3 When the decision on the consent is made, and processing is completed, the costs are calculated and a refund is made if the cost is less than the initial fixed charge, or an account for further payment is sent if the costs exceed the amount of the initial fixed charge.
- 2.4 The 2009 Amendments to the Resource Management Act 1991 included the introduction of a Discount Policy should the consent:
- a) Be processed outside the statutory timeframes; and
 - b) It was the fault of the Council.
- 2.5 The discount policy introduced by the 2009 amendment came into effect on 31 July 2010. The default discount is 1% of the consent processing costs per day the consent was late, up to a maximum of 50% of the costs of the consent. Councils can choose to give a more generous discount than the default.

3. The Proposal

- 3.1 The staff hourly charge out rate is proposed to increase from \$148 per hour to \$150 per hour.
- 3.2 Fast track consent process applications are proposed to be included in the \$500 charge category. The existing simple consent process will remain in this same category and be used for applications not meeting the fast track consent process criteria but are a similar simple scale and nature.
- 3.3 Gravel extraction, replacement permits and swing mooring applications are proposed to be removed from the \$500 category making their initial charge \$1,300.
- 3.4 A new category is proposed for the permitted boundary, marginal or temporary activity processes with a set charge of \$300 (no additional charge or refund applies).
- 3.5 The Urban Design Panel charge is clarified to specifically require costs to be met by applicants where the approval of the Panel has been required as part of the Housing Accord and Special Housing Areas Act process.
- 3.6 The costs associated with hearing an objection where the applicant requests the matter be heard by independent commissioner(s) have been identified as needing to be met by the applicant.
- 3.7 The initial monitoring charge is proposed to increase from \$100 to \$150.
- 3.8 A new provision has been added to enable permitted activity monitoring charges to be met by people carrying out activities that are able to be monitored and charged under specific legislation.

4. Reasons

- 4.1 The current staff charge out rate is adjusted by 1.7% being the consumer price index increase to ensure this rate is sufficient to meet the reasonable and actual costs of resource consent processing.

Resource Management (and Special Housing Area) Charges under the RMA and HASHA

- 4.2 The new fast track process introduced by legislative changes to the Resource Management Act is anticipated to take a similar amount of staff time as the existing simple decision process that is also in the \$500 initial charge category. The simple decision process will be used for less complicated applications that do not meet the fast track process criteria.
- 4.3 The overall costs associated with gravel extractions and swing mooring consents are usually, or will be more aligned with the \$1300 initial charge than \$500. The swing mooring priority area is now full so applications for moorings outside these areas will have more factors to consider in the consent processing. The replacement permit category is redundant as these are either new consents or are transfer of permits that are already in the schedule.
- 4.4 The permitted activities application requires Council staff to undertake a check for any other rule breaches, to issue a notice and keep records of the process. A set charge of \$300 is proposed to cover the estimated time of two hours to undertake this process.
- 4.5 The Urban Design Panel charge is clarified to require costs to be met by applicants where approval of the Panel has been required as part of the Special Housing Area process.
- 4.6 Costs for objection hearings heard by independent commissioners are required to be met by applicants as introduced in the Resource Legislation Amendment Act 2017.
- 4.7 The initial monitoring charge is added to consent invoices where monitoring is required. The initial charge is meant to cover the first hour of monitoring or the one-off monitoring requirements with additional monitoring charges invoiced at a later date. The current charge of \$100 does not cover the actual cost of initial or one-off monitoring costs and feedback from consent holders' state they prefer this charge to better reflect the final monitoring cost rather than have multiple invoices. It is proposed to increase this charge to \$150 to reflect the cost of the first hour of monitoring.
- 4.8 Permitted activity monitoring costs have not been able to be recovered from people carrying out the activity. New legislation will enable this to occur such as the National Environmental Standard for Plantation Forestry that comes into effect from 1 May 2018. The proposed provision enables monitoring costs for these specified activities to be recovered from the person carrying out the activity.
- 4.9 No changes are proposed for the charges under the Housing Accord and Special Housing Areas Act or for planning documents.

5. Assessment

- 5.1 The Council must have regard to criteria listed in section 36AAA of the Resource Management Act when fixing charges. Proposals in section 3 above have met this criteria as follows:
 - a) The charges are met by the applicant in each case as it is fair they pay the Council's actual cost in consent processing and monitoring since they receive the majority of the benefits of the consented development;
 - b) The consent processing and monitoring actions directly relate to, and are as a result of, the actions of the applicant ;
 - c) Monitoring charges reflect the degree of compliance of consent conditions or specific permitted standards. The consent holder or person

undertaking the activity is in control of the level of compliance and are therefore required to meet the costs of the associated monitoring; and

- d) Overall the charges have been set at levels that will recover the reasonable anticipated costs incurred by the consent authority. The set charge identified in section 3.4 above recognises the new processes will have a more certain process requiring a minimum of two hours of staff time.

6. The Alternatives

- 6.1 Retain the current staff charge out rate. This is not the preferred option as those who benefit from the services of the resource consent activity should pay a proportionate share of the costs of these services.
- 6.2 Place activities in different initial charge categories. This is not preferred as the category has been chosen based on the likely overall cost for that activity type.
- 6.3 Set more charges rather than have the initial charge and then either invoice for additional costs or partially refund charges based on the final time taken to process the application. This option is only considered beneficial for application types that have a predictable process. Time-based charging is suited for applications that vary significantly in nature and scale to ensure applicants do not pay much more or less than the actual cost.
- 6.4 Retain the current initial monitoring charge. This is not the preferred option as the current charge does not sufficiently recover the cost of the initial monitoring or one-off monitoring costs.

7. Special Consultative Procedure

In adopting the Statement of Proposal for public consultation, including a draft declaration indicating the proposed option, the Council is required to consider whether the Statement of Proposal meets the requirements of section 83 of the Local Government Act 2002. A statement of proposal must include:

- A statement of the reasons for the proposal; and
- An analysis of the reasonably practicable options, including the proposal; and
- Any other information that the local authority identifies as relevant.

The Council considers the Statement of Proposal meets these requirements.

8. Submissions

- 8.1 Any interested person or body is welcome to make submissions on any aspect of the Council's draft Charges under the Resource Management Act and Special Housing Areas Act. Council in making its decision will be taking account of all submissions made.
- 8.2 Submissions can be made by:
 - Visiting the Council website nelson.govt.nz/consultations and clicking on the link which will take you to the online submission form for the Charges under the Resource Management Act and Special Housing Areas Act
 - Email to submissions@ncc.govt.nz

- Dropping your submission form into Civic Offices, 110 Trafalgar Street, Nelson
- Posting your submission form to:

Draft Charges under the RMA and HASHAA
Nelson City Council
PO Box 645
Nelson 7040

All submissions, including name and contact details of the submitter, will be made available to the public and media on Council's website, unless you specifically request that your contact details are kept private. Council will not accept any anonymous submissions.

- 8.3 Submissions must be received no later than **5pm on Friday 20 November 2017.**

Any person who wishes to speak to the Council in support of their submission will be given the opportunity at a hearing which will occur mid December 2017, the specific date and time to be advised to all submitters wishing to be heard.

- 8.4 Copies of this statement of proposal may also be viewed on, and downloaded from, the Council's website.

All enquiries should be directed to Mandy Bishop on 545 8740 or email mandy.bishop@ncc.govt.nz

Attachments

1. Draft Charges under the Resource Management Act 1991 and Housing Accord and Special Housing Areas Act 2013

2. Submission Form

ATTACHMENT 1



**Charges under the Resource
Management Act 1991**

- **Resource Consent Charges**
 - **Planning Document Charges**
 - **Monitoring Charges**
- and**

**Housing Accord and Special Housing
Areas Act 2013 Charges**

Commencing 21 March 2018

Resource Consent Processing and Monitoring, Designations, Plan Changes, all other ~~activity~~ activities under the Resource Management Act 1991 (RMA) and the Housing Accord and Special Housing Areas Act 2013 will attract an initial fixed charge (deposit) payable at the time of lodging an application as per Section 1 below.

Where the cost of processing the consent is not fully covered by the initial fixed charge (deposit), additional charges will be applied (under Section 36(5) of the RMA). Only additional charges can be objected to under Section 357B of the RMA.

Section 2 below lists the various methods of how costs ~~that~~ may be charged to a consent.

All charges listed in this Schedule are GST inclusive

1. Initial fixed charges (deposits)

	Activity	Charge
1.1	All activities (other than listed below)	\$1,300
1.2	Subdivision 1-3 lots	\$1,300
	Subdivision 4 plus lots	\$2,000
1.3	Bore permits; Certificate of Compliance; Change of consent conditions or consent notice; Culverts, weirs and other minor structures on the bed of watercourses; Existing Use Certificate; Extension of lapsing period; <u>Fast track consent process;</u> Fences; Flats Plan update and check; Gravel extraction; Outline Plan approvals; Relocate building; Removal or trimming of trees listed in the Nelson Resource Management Plan (supported and carried out by a suitably qualified arborist); Replacement Permits; Right of Way approval; Signs; Simple consent process; Swing moorings; Transfer/part transfer of Permits	\$500
1.4	<u>Issue of a notice confirming a boundary (or a marginal or temporary) activity is a permitted activity (no additional charges or refunds apply)</u>	\$300
1.5	NOTIFIED APPLICATIONS: Additional charges for applications requiring notification/ limited notification. (This charge must be paid prior to notifying the application and is in addition to the initial charge paid when the application is lodged).	\$7,000

Nelson City Council Statement of Proposal
Charges under the RMA and HASHAA

	Activity	Charge
1.6	Removal of trees listed in the Nelson Resource Management Plan that are confirmed in writing by a qualified arborist (level 5 NZQA or equivalent), as diseased or a threat to public safety.	No charge
1.7	Heritage Buildings: Non-notified application to conserve and restore heritage building, place or object listed in the Nelson Resource Management Plan.	No Charge
1.8	Private Plan changes (Note: Council's policy is to recover 95% of the costs involved for the whole process from the applicant).	\$10,000
1.9	Heritage Orders	\$3,500

- 1.10 Where an application involves multiple consents the initial charge is payable at the higher rate plus \$250.00 for each accompanying application.
- 1.11 Where all or part of any initial charge (deposit) is not paid at application time, the Council reserves the right to not process that application.

2. Costs Charged to a Consent (less the initial fixed sum of money paid in accordance with section 1 above)

	Details	Charge
2.1	Council Staff – all staff time inclusive of overhead component associated with processing and assessing applications.	\$148-150 per hour
2.2	Hearings Panel Charges:	
	- per Councillor as Commissioner (rate set by Remuneration Authority)	\$80 per hour
	- Councillor as Chairperson (rate set by Remuneration Authority)	\$100 per hour
	- Independent Commissioner (requested by applicant)	Cost
	- Independent Commissioner (requested by submitter)	Cost less Councillor rate (applicant pays the Councillor rate)
	- Independent Commissioner(s) required for expertise or due to conflict of interest issues	Cost
2.3	Legal advisors and consultants engaged by Council, or reports commissioned, after discussion with the applicant, to provide expertise not available in-house under s.92(2) RMA.	Cost plus administration charges
2.4	Experts and consultants engaged by Council to undertake assessment of an application where the complexity of the application necessitates external expertise, or where resource consent processing is required to be outsourced due to conflict of interest issues (this is not a s92(2) RMA commissioning).	Cost plus administration charges
2.5	All disbursements, such as telephone calls, courier delivery services, all public notification costs, postage for notified applications and document copying charges.	Cost plus administration charges

	Details	Charge
2.6	Consultants engaged by the Council where skills are normally able to be provided by in-house staff or when Council staff workloads are unusually high.	\$148–150 per hour
2.7	Urban Design Panel reviews a proposal before a resource consent application is lodged <u>(except for circumstances identified in 2.8 below).</u>	No charge
2.8	The applicant agrees (as per 2.3 above) to the Urban Design Panel reviewing the proposal after a resource consent application is lodged; <u>or</u> The applicant is required to provide approval from the Urban Design Panel as part of the Housing Accord and Special Housing Area Act process.	Cost plus administration charges
2.9	<u>Where the applicant requests under s357AB independent commissioner(s) for an objection under s357A(1)(f) or (g), the applicant will meet the costs for that hearing</u>	<u>Cost plus administration charges</u>

2.10 Photocopying Charges

A4	\$0.20 per page;
A3	\$0.50 per page;
A2	\$2.00 per page
A1	\$3.00 per page

2.11 Monitoring Charges

- 2.11.1 If monitoring is required, a one-off charge of ~~\$100~~150.00 will be invoiced as part of the consent cost. Any extra work that is required to monitor compliance with the consent conditions will be charged at the ~~appropriate~~ hourly rate for Council staff in 2.1 above and separately invoiced.
- 2.11.2 Monitoring charges associated with review of information required to be provided by a condition of resource consent will be charged for at the appropriate hourly rate for Council staff or actual cost for specialist consultant.
- 2.11.3 Where the applicant is required or authorised to monitor the activity, the Council's costs in receiving and assessing the monitoring information will be charged directly to the consent holder at the appropriate hourly rate for Council staff or actual cost of the specialist involved.
- 2.11.4 Where permitted activity monitoring is able to be charged under legislative provisions (such as the National Environmental Standards for Plantation Forestry commencing 1 May 2018), the time taken by Monitoring Officers will be invoiced at the hourly rate for Council staff in 2.1 above.

2.12 Administration Charges

	Item/Details	Charge
2.12.1	Insurance levy – for each resource consent.	\$30
2.12.2	Street naming and numbering (costs of reporting to Hearings Panel and advising all statutory agencies).	Council staff hourly rate in 2.1 above
2.12.3	Street numbering – application for alteration.	\$125
2.12.4	Documents for execution – removal of building line restrictions; easement documents, caveats, covenants and other documents to be registered with LINZ presented after subdivision processed or where not associated with a subdivision application.	\$175 for each document
2.12.5	Certificate under Overseas Investment Act.	\$385
2.12.6	Confirmation of compliance with the Nelson Resource Management Plan for NZ Qualifications Authority.	\$385
2.12.7	Confirmation of compliance with the Nelson Resource Management Plan for liquor licence applications.	\$70
2.12.8	Section 357 Administration charge.	\$255
2.12.9	Private right-of-way – review against existing names and advising all statutory agencies where appropriate.	\$225
2.12.10	Authentication report for small-scale solid-fuel burning appliance or open fire.	\$70
2.12.11	Removal of designation.	\$305
2.12.12	Swing Mooring annual charge (monitoring costs are additional, refer 2.10.3 above).	\$75
2.12.13	Transfer of Consents to new owner (S.135(1)(a), S.136(1), S.136(2)(a), or S.137(2)(a) Resource Management Act)	\$150
2.12.14	Claiming a swing mooring the Council removed from the Coastal Marine Area that did not have a coastal permit	\$300
2.12.15	Claiming a vessel that was towed and hauled out of the Coastal Marine Area as it was tied to a non-consented mooring that was uplifted	Cost for tow and haul out

2.13 Discount for Late Consents

- 2.13.1 Where statutory processing timeframes have not been met and this is the fault of the Council, a discount of 1% of the total processing costs per each day the consent is late, up to a maximum of 50%, will be credited.

3. Invoicing

- 3.1 Where processing costs exceed the level of the initial charge (deposit), monthly invoices for any additional charges may be sent to the applicant.
- 3.2 Annual swing mooring charges shall be due on 1 December. The initial payment is due within 30 days of the mooring being installed. Moorings installed 1 December to 1 June will incur the full annual charge. Moorings installed from 1 June to 30 November will be charged half of the annual charge. The Council reserves the right to agree to other arrangements in writing.
- 3.3 The Council has no obligation to perform any action on any application until the charges for the action have been paid in full; such payment will be required by the 20th of the month following invoice.
- 3.4 Where any interim invoice is disputed, work on processing the application will be stopped until the matter is resolved at the discretion of the Manager Consents and Compliance.
- 3.5 The option of monthly invoices only, in lieu of initial charges, may be available on strict credit conditions as follows:
- a) The consent process, or Council involvement in the project, is likely to extend over a period in excess of 6 months; and
 - b) The total amount for invoices is likely to exceed \$5,000; and
 - c) The applicant is in good financial standing with a satisfactory credit record and agrees to abide by the Council's usual credit terms or
 - d) The applicant is a regular customer of the Council's Resource Consents Business Unit, is in good financial standing with no record of unpaid invoices, who agrees to pay each and every invoiced charge by the 20th of the month following the date of issue of the invoice.

Any disputes relating to an invoiced charge must be resolved after the invoice has been paid. Failure to meet these criteria will result in the option of monthly invoices, in lieu of initial charges plus monthly invoices being withdrawn.

The decision on whether to waive the required charge and institute a system of monthly invoicing shall be made by the Manager Consents and Compliance or Group Manager Strategy and Environment, having regard to the above criteria.

4. Pre-Application Charges

Detail	Charge
Pre-application discussion with staff on feasibility of a proposal that may not proceed to resource consent.	First half hour – no charge. Additional time charged on an hourly basis at the Council staff charge out rate as per 2.1.

5. Resource Management Planning Documents

Copies of Plans	Cost
Nelson Resource Management Plan - Text (hard copy)	\$150
Nelson Resource Management Plan - Maps (hard copy)	\$150
CD ROM – combined Nelson Resource Management Plan and Nelson Air Quality Plan – updated annually in Spring	\$15 annually
Nelson Resource Management Plan - hard copy updates issued as required	\$25 annually for text \$25 annually for maps
Nelson Air Quality Plan	\$50
Land Development Manual	\$100

Proposed Delegations under the Resource Legislation Amendment Act 2017

Description
Section 20 (inserting s36(1)(cc) of the Resource Management Act) Permitted activity monitoring charges Charging a person who carried out a permitted activity for the monitoring of that activity.
Section 21 (inserting s36AAA) Fixing administrative charges To require a person or particular persons to pay charges fixed by the Council.
Section 21 (inserting s36AAB) Other matters relating to administrative charges Discretion to remit in whole or part any charge, decision not to perform any process not paid for in full, to publish and maintain a list of charges on the Council website.
Section 129 (inserting s36(1)(ae)) To require a person to pay charges for the issuing of a notice for permitted activities under s87BA or s87BB
Section 129 (inserting s36(1)(af)) To require a person to pay charges for the cost of the objection hearing process considered by independent commissioner(s), the costs being determined by that commissioner(s)
Section 132 (inserting s41D) Striking out submissions Decision on whether to strike out a submission meeting the criteria.
Section 135 (inserting s87BA) Boundary Activities To issue an exemption notice for boundary activities.
Section 135 (inserting s87BB) Deemed permitted activities To decide to issue an exemption notice.
Section 147 (inserting s108AA) Requirements for conditions of resource consents To include conditions
Section 148 (inserting s115(4A)) Fast track notice Issued in 10 working days

Description
<p>Section 167 (inserting s357AB)</p> <p>Delegate functions powers and duties to one or more independent hearings commissioners to consider objection</p>
<p>Section 188 (inserting s116B)</p> <p>To notify the applicant when the exchange of recreation reserve land procedures under s15 and s15AA of the Reserves Act 1977 and required by resource consent are complete</p>

Changes arising from the Building (Earthquake-Prone Buildings) Amendment Act 2016

1. Purpose of Report

- 1.1 To consider the requirements of the Building (Earthquake Prone Buildings) Amendment Act 2016.
- 1.2 To consider the changes required to Councils current Earthquake Prone, Dangerous and Insanitary Buildings Policy 2006.

2. Summary

- 2.1 This report will outline the key changes required as a result of the enactment of the Building (Earthquake Prone Buildings) Amendment Act 2016.

3. Recommendation

That the Committee

Receives the report Changes arising from the Building (Earthquake-Prone Buildings) Amendment Act 2016 (R8457) and its attachments (A1823395 and A1823406); and

Confirms that the identification of priority buildings, required under the amendment Act, be conducted in 2018; and

Recommendation to Council

That the Council

Approves the amended Dangerous and Insanitary Buildings Policy, to remove the specific references to earthquake prone buildings, noting that a full review of the policy will take place in 2018

4. Background

- 4.1 The Building (Earthquake Prone Buildings) Amendment Act 2016 commenced on 1 July 2017. This Amendment Act requires action to be completed by the Territorial Authority in the key following areas:
 - 4.1.1 Councils must review the buildings in their jurisdiction and identify any **"potentially earthquake prone"** and any **"priority buildings"**, as required and defined in sections 133AE, 133AF and 133AG of the Amendment Act.
 - 4.1.2 Identification must be completed within ten years for any potentially earthquake prone building and five years for priority buildings as Nelson is located in an area of medium seismic risk.
 - 4.1.3 The Territorial Authority must use the special consultative procedure under Section 83 of the Local Government Act 2002 to identify certain priority buildings under Section 133AF of the Amendment Act.

5. Discussion

- 5.1 As the Territorial Authority must fulfil the requirements of both the Building (Earthquake Prone Buildings) Amendment Act 2016 and the Building Act 2004 for the Dangerous and Insanitary Buildings Policy, the following is proposed.

Current Earthquake Prone, Dangerous and Insanitary Buildings Policy

- 5.2 Under the Building Act 2004 Transitional provisions Schedule 1AA all existing Territorial Authority Earthquake-prone, Dangerous and Insanitary Buildings Policies (required under section 131 of the Building Act 2004) must as soon as is reasonably practicable, after the commencement date, be amended or replaced to remove references to earthquake-prone buildings.
- 5.3 Under the Building Act 2004 Transitional provisions Schedule 1AA the special consultative procedure, in section 83 of the Local Government Act 2002, does not apply unless the amendment materially affects the policy.
- 5.4 This report recommends removal of all references to earthquake-prone buildings (as Attachment 1) from the current policy to meet the requirements of Schedule 1AA.

Priority Buildings

- 5.5 The Building (Earthquake Prone Buildings) Amendment Act 2016 requires action from the Territorial Authority in relation to identification of priority buildings.
- 5.6 Priority building categories are defined as:
- 5.6.1 Hospital buildings likely to be needed in an emergency, buildings likely to be used as emergency shelters or centres, buildings for emergency response services, educational buildings regularly occupied by at least 20 people or more (such as registered schools, child care centre, private training establishment or tertiary institution under Education Act 1989) and;
 - 5.6.2 Buildings where unreinforced masonry may fall onto thoroughfares, public roads or footpaths which have sufficient vehicle or pedestrian traffic to warrant prioritising for remediation; and
 - 5.6.3 Buildings identified by the Territorial Authority which meet the criteria for potentially earthquake prone and may impede a transport route of strategic importance in terms of emergency response if the buildings were to collapse.
- 5.7 The Territorial Authority have not specifically identified any Priority buildings at this stage under the new legislation.
- 5.8 Under the prior policy approximately 50% (1000 of likely total of 2000) potentially earthquake prone buildings have been identified. There is confidence, noting we have already identified a significant number of the unreinforced masonry buildings in the city, that those identified include many buildings which fit the new Priority buildings categories.
- 5.9 The Amendment Act requires that the Territorial Authority use the special consultative procedure to establish the priority buildings which fall under the unreinforced masonry category as described in 5.6.2 and buildings on routes of strategic importance described in 5.6.3.
- 5.10 All priority buildings must be identified within five years i.e. by 30 June 2022. The proposed timeframe to undertake the initial identification of those buildings requiring special consultative procedure, is around April 2018.
- 5.11 Consultation under a special consultative procedure will be commenced in May 2018.

Revised Dangerous and Insanitary Buildings Policy

- 5.12 Notwithstanding the initial work to remove earthquake prone references, the Dangerous and Insanitary Building Policy requires a review and an amendment to include 'affected buildings'.

- 5.13 To review and amend the policy the Building Act 2004 requires a special consultative procedure under Section 83 of the Local Government Act 2002. The intention will be to undertake this at the same time as the priority buildings process commencing in May 2018.

6. Options

- 6.1 As the Territorial Authority is bound by the legislation the work must be undertaken. The main options are around phasing and the strategy to complete this in an efficient manner.

Option 1: Undertake works in line with the recommendations of this report	
Advantages	<ul style="list-style-type: none"> • Completes the initial alignment for the current Earthquake Prone, Dangerous and Insanitary Buildings Policy, by removing references to earthquake prone • Sets up a prompt response to the priority buildings requirement of the Building (Earthquake Prone Buildings) Amendment Act 2016 • Combines the two requirements for special consultative procedure into one process to be commenced in May 2018.
Risks and Disadvantages	<ul style="list-style-type: none"> • Does not deal with the Dangerous and Insanitary Building policy in full now and defers amendments until 2018.
Option 2: Change the phasing of the works required and deal with the Earthquake prone, Dangerous and Insanitary Buildings Policy in full, then undertake work on priority buildings as a separate exercise.	
Advantages	<ul style="list-style-type: none"> • Undertake the changes to the current Earthquake prone, Dangerous and Insanitary Buildings Policy in full, including special consultative procedure for the review and amendments in late 2017.
Risks and Disadvantages	<ul style="list-style-type: none"> • Results in two separate special consultative procedures which will mean additional work for staff and elected members.

Martin Brown
Manager Building

Attachments

- Attachment 1: A1823395 - Draft Changes to the Earthquake-prone, Dangerous and Insanitary Buildings Policy [↓](#)
- Attachment 2: A1823406 - Extract of Building (Earthquake-prone buildings) Amendment Act 2016 sections 133AE to 133AG [↓](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	The report recommendation meets current and future needs of communities in contributing to safe use of buildings in relation to seismic events.
2. Consistency with Community Outcomes and Council Policy	The content and recommendation of this report is consistent with Council's Community Outcomes – "Our urban and rural environments are people friendly, well planned and sustainably managed" this report and the workflow created is aligned to ensuring areas are designed to be child, family and people friendly and safe.
3. Risk	To ensure that the Territorial Authority meets its statutory requirements under both the Building Act 2004 and the Building (Earthquake-prone buildings) Amendment Act 2016.
4. Financial impact	The new legislation will require time resources within the team to manage the transition and it's resulting additional workflow and changes to 50 current notices. There are no specific additional costs expected in meeting the new requirements as these will be undertaken utilising existing resources.
5. Degree of significance and level of engagement	This matter is of medium significance because it has potential to impact on private building owners as it may be determined that they own priority buildings. Therefore the following Special consultative procedures is required to be undertaken by the legislation.
6. Inclusion of Māori in the decision making process	No consultation with Māori has been undertaken.
7. Delegations	The Planning and Regulatory Committee has the delegated authority to recommend to Council any development or review of policies and strategies relating to these areas of responsibility.



Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006

Nelson City Council
PO Box 645 Nelson 7040

Phone 03 546 0200
~~Fax 03 546 0239~~

www.nelsoncitycouncil.co.nz www.nelson.govt.nz

~~May 2006~~ Updated 2017

DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)

Index

EARTHQUAKE-PRONE BUILDINGS (EPB)	3
Introduction and Background	3
Glossary of Terms	4
1.1 Policy principles	5
1.2 Overall approach	5
1.3 Identification of EPB's	6
1.4 Assessment criteria	6
1.5 Taking action on earthquake-prone buildings	7
1.5.1 Required level of structural improvement	7
1.6 Interaction between EPB policy and the Building Act 2004	7
1.6.1 Section 112: Alterations to existing building	7
1.6.2 Section 115: Change of use	7
1.7 Dealing with building owners	8
1.8 Recording a building's EPB status	8
1.9 Economic impact of policy	8
1.10 Access to EPB information	8
2 Priorities	9
3 Heritage Buildings	11
3.1 Special considerations and constraints	11
DANGEROUS OR INSANITARY BUILDINGS	12
1.0 Identifying Dangerous or Insanitary Buildings	12
1.1 Assessment Criteria	12
1.2 Taking action on insanitary buildings	12
1.3 Taking action on dangerous buildings	13
1.4 Record-keeping	14
1.5 Access to Information	14
1.6 Economic Impact of the Policy	14
1.7 Heritage Buildings	14
1.8 Priorities	14
Earthquake Prone Buildings Policy: Outline Implementation Programme	15
PROGRAMME REMOVED	15

Earthquake-prone buildings (EPB)

Introduction and Background

Section 131 of the Building Act 2004 requires territorial authorities (TA's) to adopt a policy on Dangerous, Insanitary and Earthquake-prone buildings by 31 May 2006.

131 Territorial authority must adopt policy on dangerous, earthquake-prone, and insanitary buildings

- (1) A territorial authority must, within 18 months after the commencement of this section, adopt a policy on dangerous, earthquake-prone, and insanitary buildings within its district.
- (2) The policy must state—
 - (a) the approach that the territorial authority will take in performing its functions under this Part; and
 - (b) the territorial authority's priorities in performing those functions; and
 - (c) how the policy will apply to heritage buildings.

The definition of an earthquake-prone building is set out in section 122 of the Building Act 2004 and in that related regulations that define moderate earthquake¹. This definition covers more buildings and requires a higher level of structural performance of buildings than that required by the Building Act 1991.

122 Meaning of earthquake-prone building

- (1) A building is earthquake-prone for the purposes of this Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building—
 - (a) will have its ultimate capacity exceeded in a moderate earthquake (as defined in the regulations); and
 - (b) would be likely to collapse causing—
 - (i) injury or death to persons in the building or to persons on any other property; or
 - (ii) damage to any other property.
- (2) Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building—
 - (a) comprises 2 or more storeys; and
 - (b) contains 3 or more household units.

This document sets out the policy adopted by Nelson City Council in accordance with the requirements of the Building Act 2004 by resolution of the Environment Committee at its meeting on 2 May 2006, and confirmed by Council at its meeting of 18 May 2006.

¹ The government has, in regulations, defined a moderate earthquake as 'in relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at that site'.

File: DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)

The policy is required to state:

- the approach that the Nelson City Council will take in performing its functions under the Building Act 2004,
- Nelson City Council's priorities in performing those functions, and
- how the policy will apply to heritage buildings.

~~In developing and adopting its earthquake-prone buildings policy, Nelson City Council has followed the special consultative procedure set out in section 83 of the Local Government Act 2002.~~

Nelson City Council has made extensive use of the Department of Building and Housing's guidance document and, for ease of reference, the policy has been set out in the same format as its policy template.

~~This policy does not apply to ordinary residential homes unless they are two or more storey's and they contain 3 or more household units.~~

Glossary of Terms

EPB.....	Earthquake Prone Building
LIM.....	Land Information Memorandum
PIM.....	Project Information Memorandum
NZSEE.....	New Zealand Society of Earthquake Engineers
NRMP.....	Nelson Resource Management Plan
NZHPT.....	New Zealand Historic Places Trust
NZHPAct.....	New Zealand Historic Places Act 1993
TA.....	Territorial Authority

1 Policy approach

1.1 Policy principles

Provisions of the Building Act in regard to earthquake-prone buildings reflect the Government's broader concern with the life safety of the public in buildings and, more particularly, the need to address life safety in earthquake.

The development of EPB policies is up to each Territorial Authority and this policy has been developed after due consultation with Nelson City Council ratepayers and stake-holders in accordance with section 83 of the Local Government Act 2002.

1.2 Overall approach

Nelson is in a zone of moderately high seismicity. Its buildings comprise a range of types and ages reflecting steady development over the last 100 years, from unreinforced masonry buildings to modern multi-storey steel and concrete buildings.

In spite of the relatively small size and moderately high seismicity of Nelson, Nelson City Council has pursued strengthening unreinforced masonry buildings under the Local Government Act 1974 and the Building Act 1991. It thus has experience of the social and economic implications of implementing earthquake-prone building legislation. The timetables for strengthening under the previous legislation reflected the economic and social constraints and were arrived at after considerable debate by the Council.

Nelson City Council's earthquake-prone building policy under the Building Act 2004 embodies a similar approach and reflects the Council's determination to reduce earthquake risk over time in a way that is acceptable in social and economic terms to its ratepayers.

Nelson City Council will:

- a. review the City's building stock to identify buildings that fall within the scope of potential earthquake-prone buildings under the Building Act 2004
- b. require building owners to assess the performance of those buildings in relation to the new building standard and, in particular, to the standard defined for earthquake-prone buildings
- c. determine from this broad assessment those buildings that are earthquake-prone in terms of the Building Act 2004
- d. contact owners of these buildings and invite them, within a limited time-frame, to meet with and/or obtain further details from the Council on future requirements
- e. give written notices to all owners of earthquake-prone buildings once the deadline for meeting Council has passed and, subject to the results of discussions, to require them to carry out work to reduce or remove the danger or demolish the building within a specified time-frame

File: DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)

- f. allow owners a right of appeal as defined in the Building Act 2004, by applying for a determination under section 177

1.3 Identification of EPB's

Nelson City Council will:

- a. undertake an initial desktop review of Council files to assess which buildings could be earthquake-prone
- b. follow this with a brief inspection of each building where necessary
- c. require these building owners to carry out an initial evaluation of performance in earthquakes by using the NZSEE Initial Evaluation method process
- d. require building owners to do a detailed assessment on buildings identified as earthquake-prone in the initial evaluation, unless otherwise agreed in discussion following the initial evaluation
- e. categorise the earthquake-prone buildings according to the following:
 1. Buildings with special post-disaster functions as defined in AS/NZS 1170.0:2002, Importance Level 4.
 2. Buildings that contain people in crowds or contents of high value to the community as defined in AS/NZS 1170.0:2002, Importance Level 3.
 3. Buildings with a Heritage Classification of A or B under the Council's NRMP or registered under the NZHP Act.
 4. Buildings with an Importance Level less than 3 as defined in AS/NZS 1170.0:2002.

1.4 Assessment criteria

For practical purposes, Nelson City Council will define EPBs as those that, when subject to moderate earthquake shaking, do not meet or exceed the criteria for ultimate limit state as defined in the loadings and materials Standards for new buildings.

Nelson City Council will use the NZSEE Recommendations as its preferred basis for defining technical requirements and criteria. These Recommendations are designed to be used in conjunction with AS/NZS 1170 Loadings Standard, NZS 3101 Concrete Structures Standard, NZS3404 Steel Structures Standard and other materials Standards.

The definition of moderate earthquake is subject to continuous review by the Department of Building and Housing. At the date of this policy it is taken to be:

A moderate earthquake is considered to be an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one-third as strong as, the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at the site.

1.5 Taking action on earthquake-prone buildings

Nelson City Council will:

- a. advise and liaise with owners of buildings identified as earthquake-prone
- b. require owners to carry out an independent assessment of the structural performance of those buildings identified as earthquake-prone
- c. serve formal notices on owners of earthquake-prone buildings in accordance with the Building Act 2004, requiring them to remove the danger
- d. allow owners to appeal against the classification within 12 months of receipt of notice

1.5.1 Required level of structural improvement

Nelson City Council will require buildings identified as earthquake prone to be strengthened to at least 34 percent² of the standard NZS1170.5:2004 Structural Design Actions Part 5: Earthquake Actions – New Zealand.

1.6 Interaction between EPB policy and the Building Act 2004

1.6.1 Section 112: Alterations to existing building

Whenever a Building Consent application is received for significant upgrading or alteration of a building that is or could be earthquake-prone, then, irrespective of the general priorities set by Nelson City Council for dealing with earthquake-prone buildings, the Council will not issue a building consent unless it is satisfied that the building is not earthquake-prone and that the building work will not detrimentally affect the building's compliance with the NZ Building Code.

If the building is shown to be earthquake-prone, then the Council will require that the building be strengthened to the level identified in Section 1.5.1.

1.6.2 Section 115: Change of use

Whenever a Building Consent application is received for change of use of a building that is or could be earthquake-prone, then, irrespective of the general priorities set by Nelson City Council for dealing with earthquake-prone buildings, it will be a requirement of the building consent that the owner make a detailed assessment of the earthquake-prone building in its existing condition.

² Due to the changes accepted by Council in the meeting of the 19 March 2015 the following changes are required to our Council Policy 'Earthquake-Prone, Dangerous and Insanitary Buildings Policy' 2006:

THAT the Earthquake-Prone, Dangerous and Insanitary Buildings Policy 2006 be amended from: 'Nelson City Council will require buildings identified as earthquake prone to be strengthened to at least 67 percent of the standard NZS1170.5: 2004 Structural Design Actions Part 5: Earthquake Actions – New Zealand.'

To: 'Nelson City Council will require buildings identified as earthquake prone to be strengthened to at least 34 percent of the standard NZS1170.5:2004 Structural Design Actions Part 5: Earthquake Actions – New Zealand.'

Noting the section below is now no longer relevant so should also be deleted: 'In accordance with the recommendations of the New Zealand Society for Earthquake Engineering, the Council considers this to be an appropriate level for the requirement to reduce or remove the danger.'

If the building is shown to be earthquake-prone then the Council will require that the building be strengthened to comply as nearly as is reasonably practicable with every provision of the NZ Building Code that relates to structural performance as is required by section 115(b)(i)(A) of the Building Act 2004. (In this instance the requirement for earthquake-prone buildings would be the same as that for non-earthquake-prone buildings.)

1.7 Dealing with building owners

The steps in the process are outlined in 1.5 above.

- a. Before exercising its powers under section 124, Nelson City Council will seek, within a defined time-frame, to discuss options for action with owners with a view to obtaining from the owner a mutually acceptable approach for dealing with the danger, leading to receipt of a formal proposal from owners for strengthening or removal.
- b. In the event that discussions do not yield a mutually acceptable approach and proposal, Nelson City Council will serve a formal notice, under section 124 of the Building Act 2004, on the owner to strengthen or demolish the building.

1.8 Recording a building's EPB status

Nelson City Council will keep information relating to earthquake-prone buildings on the relevant property file. This information will note the status of requirements for improvement or the results of improvement as applicable.

In addition, the following information will be placed on any LIM or PIM for each earthquake-prone building:

- a. address and legal description of land and building
- b. statement that the building is on the Council's register of earthquake-prone buildings
- c. date by which strengthening or demolition is required (if known)
- d. statement that further details are available from the Council to those who can demonstrate a genuine interest in the property

1.9 Economic impact of policy

No specific analysis for the city of the economic impact of this legislative requirement has been carried out.

An accurate analysis can only be made after the buildings have been evaluated to identify the nature and extent of any strengthening work.

1.10 Access to EPB information

Information concerning the earthquake status of a building will be set out on the relevant LIM.

The Council will keep a record of the NZSEE grade of all buildings assessed.

Nelson City Council will not require earthquake-prone buildings to have an identifying plaque. Having the information available at the council offices is sufficient notice.

The requirements of the Local Government Official Information and Meetings Act 1987, and the Local Government Act 2002 will be met.

2 Priorities

Nelson City Council has prioritised both the identification and the requirement to strengthen or demolish buildings as follows.

Figures in the table indicate the latest date for identification and notification by the Council and the maximum time for strengthening or demolition by the owner. Times required for strengthening or demolition commence on the date of issue of formal notice. Specific times will be assigned for action according to the assessment of structural performance and the nature of concerns.

The priority order is:

Table 1

Building Category and Action Timeframes	
Building Category	Date of Identification and Subsequent Action
Importance Level 4 Buildings with special post-disaster functions as defined in AS/NZS 1170.0:2002	December 2008 (15 Years)
Importance Level 3 Buildings that contain people in crowds or contents of high value to the community as defined in AS/NZS 1170.0:2002	December 2009 (20 years)
Heritage Classification A and B Buildings with a Heritage Classification of A or B under the Council's register	December 2010 (25 years)
Importance Level of less than 3 Building with an Importance Level of less than 3 as defined in AS/NZS 1170.0:2002	December 2011 (30 years)

Once each priority/category of building in Table 1 has been reviewed and the earthquake-prone buildings within it identified, the process of liaising with owners and serving notice on them will commence. Identification of buildings in each category will proceed according to the priorities identified above.

The overall approach and timetable is summarised in the accompanying Outline Implementation Programme.

DRAFT

File: *DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)*

3 Heritage Buildings

3.1 Special considerations and constraints

It is important that heritage buildings have a good chance of surviving a major earthquake.

However, Nelson City Council does not wish to see the intrinsic heritage values of these buildings adversely affected by structural improvement measures.

Heritage buildings will be assessed in the same way as other potentially earthquake-prone buildings and discussions held with owners and the New Zealand Historic Places Trust to identify a mutually acceptable way forward. Special efforts will be made to meet heritage objectives.

Following this consultation period, notices will be served requiring improvement or demolition within a stated (and preferably agreed) time-frame.

DRAFT

Dangerous or Insanitary Buildings

1.0 Identifying Dangerous or Insanitary Buildings

The Council will:

- a. Respond and investigate all building complaints about dangerous or insanitary buildings.
- b. Identify from these any buildings that may be dangerous or insanitary.
- c. Notify the owners of the building to take appropriate action.
- d. Consult with the Medical Officer of Health as required. (This is especially the case if occupants are considered neglected or infirm.
- e. Liaise with the NZ Fire Service when appropriate in accordance with section 121(2) of the Building Act 2004.

1.1 Assessment Criteria

Assessment will be made in accordance with the Building Act 2004 Sections 121 or 123 and the NZ Building Code. Assessment will include:

- a. If the building is occupied
- b. The building use
- c. If the building is likely to cause injury or death to people
- d. If conditions present a danger to the health of occupants
- e. Potential for damage to other property
- f. Whether a fire hazard exists

Where a building is occupied an assessment of insanitary conditions will include a review of:

- a. The adequacy of sanitary facilities for the use. NZ Building Code G1, Personal Hygiene
- b. The adequacy of potable water, NZBC G12 Water Supplies
- c. The extent of separation of kitchen from other sanitary facilities
- d. Evidence of moisture penetration, NZBC E2 External Moisture
- e. Defects in cladding to roof
- f. Construction materials
- g. If the building is offensive or likely to be injurious to health because of how it is situated or constructed or whether or not it is in a state of disrepair

1.2 Taking action on insanitary buildings

The Council will:

- a. Notify the owner of the building of the assessment findings
- b. Attach a notice to the building requiring rectifying work to be carried out within a time stated to be not less than 10 working days
- c. Give copies of the notice to the owners, occupiers and every person who has an interest in the land, and if the building is a heritage building, to the New Zealand Historic Places Trust

File: DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)

- d. Contact the owner at the expiry of the time period set down in the notice so that access to the building can be gained to assess compliance with the notice
- e. Determine if enforcement action should be pursued under the Building Act if the requirements of the notice are not met.

If immediate action is required, the Council will:

- a. Cause action to be taken under Section 129 of the Building Act 2004, to fix the insanitary conditions
- b. Take action to recover all costs from the owner
- c. Inform the owner that the amount recoverable by the Council will become a charge on the land on which the building is situated.

If owners dispute the Council's actions, they can seek a Determination from the Department of Building and Housing. That decision can be subject to appeal at the District Court.

1.3 Taking action on dangerous buildings

The assessment of whether or not a building is considered to be a dangerous building will include a review of:

- a. If the building is occupied
- b. The building use and occupancy
- c. If the building is likely to cause injury or death to people
- d. If the building is likely to cause damage to other property
- e. Whether a fire hazard exists

The Council will:

- a. Notify the owner of the building of the assessment findings
- b. Attach a notice to the building requiring rectifying work to be carried out within a time stated to be not less than 10 working days
- c. Give copies of the notice to the owners, occupiers and every person who has an interest in the land, and if the building is a heritage building, to the New Zealand Historic Places Trust
- d. Contact the owner at the expiry of the time period set down in the notice so that access to the building can be gained to assess compliance with the notice
- e. Determine if enforcement action should be pursued under the Building Act if the requirements of the notice are not met.

If immediate action is required, the Council will:

- a. Cause action to be taken under section 129 of the Building Act 2004 to fix the dangerous conditions
- b. Take action to recover all costs from the owner
- c. Inform the owner that the amount recoverable by the Council will become a charge on the land on which the building is situated.

File: DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 - Martin Brown 29Aug2017 (A1821867)

If owners dispute the Council's actions, they can seek a Determination from the Department of Building and Housing. That decision can be subject to appeal at the District Court.

1.4 Record-keeping

Any building identified as dangerous or insanitary will have a note placed on the property file. That note will be uplifted once the issues conditions have been addressed.

LIM's and PIM's will note that the building is dangerous or insanitary, and include

- a. Copy of the notice
- b. Any report on how the matter is to be rectified

1.5 Access to Information

Information concerning the dangerous or insanitary status of a building will be set out in the relevant LIM. The requirement of the Local Government Official Information and Meetings Act 1987, and Local Government Act 2002 will be met.

1.6 Economic Impact of the Policy

The Council receives very few complaints about dangerous or insanitary buildings. At this level, and having in mind not all complaints are upheld, the economic impact of the policy is considered to be negligible, but no specific assessment has been carried out.

1.7 Heritage Buildings

Heritage buildings will have to comply with this policy.

1.8 Priorities

Priorities will be assigned by risk. Generally, because of the life safety issues involved, a high priority is assigned to the matter.

Priority will be given where immediate action is required to remove and fix dangerous conditions.

Where immediate action is not required, Council action will be subject to the timeframe set in any notice.

**Earthquake Prone Buildings Policy: Outline Implementation Programme
PROGRAMME REMOVED**

Nelson City Council
PO Box 645 Nelson 7040
Phone 03 546 0200 Fax 03 546 0239
www.nelsoncitycouncil.co.nz

DRAFT

File: *DRAFT CHANGES - Earthquake-prone, Dangerous and Insanitary Buildings Policy 2006 -
Martin Brown 29Aug2017 (A1821867)*

15

9. Changes arising from the Building (Earthquake-Prone Buildings) Amendment Act 2016 - Attachment 1 - A1823395 - Draft
Changes to the Earthquake-prone, Dangerous and Insanitary Buildings Policy

133AE Meaning of priority building

- (1) In this subpart, **priority building** means any of the following that are located in an area of medium or high seismic risk:
- (a) a hospital building that is likely to be needed in an emergency (within the meaning of the Civil Defence Emergency Management Act 2002) to provide—
 - (i) emergency medical services; or
 - (ii) ancillary services that are essential for the provision of emergency medical services;
 - (b) a building that is likely to be needed in an emergency for use as an emergency shelter or emergency centre;
 - (c) a building that is used to provide emergency response services (for example, policing, fire, ambulance, or rescue services);
 - (d) a building that is regularly occupied by at least 20 people and that is used as any of the following:
 - (i) an early childhood education and care centre licensed under Part 26 of the Education Act 1989;
 - (ii) a registered school or an integrated school (within the meaning of the Education Act 1989);
 - (iii) a private training establishment registered under Part 18 of the Education Act 1989;
 - (iv) a tertiary institution established under section 162 of the Education Act 1989;
 - (e) any part of an unreinforced masonry building that could—
 - (i) fall from the building in an earthquake (for example, a parapet, an external wall, or a veranda); and
 - (ii) fall onto any part of a public road, footpath, or other thoroughfare that a territorial authority has identified under section 133AF(2)(a);
 - (f) a building that a territorial authority has identified under section 133AF(2)(b) as having the potential to impede a transport route of strategic importance (in terms of an emergency response) if the building were to collapse in an earthquake.
- (2) For the purposes of subsection (1)(a) and (b), the likelihood of a building being needed in an emergency for a particular purpose must be assessed having regard to—

(a) any national civil defence emergency management plan made under section 39 of the Civil Defence Emergency Management Act 2002; and

(b) the civil defence emergency management group plan approved under section 48 of the Civil Defence Emergency Management Act 2002 that covers the district in which the building is situated.

(3) If only part of a building meets the criteria set out in subsection (1), only that part of the building is a priority building.

(4) Whether a building is a priority building affects—

(a) the deadline by which a territorial authority must identify whether the building or a part of the building is potentially earthquake prone (see section 133AG); and

(b) the deadline for completing seismic work on the building or a part of the building, if it is subject to an EPB notice (see section 133AM).

133AF Role of territorial authority in identifying certain priority buildings

(1) This section applies to a territorial authority whose district includes any area of medium or high seismic risk.

(2) The territorial authority,—

(a) for the purpose of section 133AE(1)(e) (prioritising parts of unreinforced masonry buildings), must use the special consultative procedure in section 83 of the Local Government Act 2002 to identify any part of a public road, footpath, or other thoroughfare in an area of medium or high seismic risk—

(i) onto which parts of an unreinforced masonry building could fall in an earthquake; and

(ii) that has sufficient vehicle or pedestrian traffic to warrant prioritising the identification and remediation of those parts of unreinforced masonry buildings; and

(b) for the purpose of section 133AE(1)(f) (prioritising buildings that could impede a strategic transport route),—

(i) may, in its discretion, initiate the special consultative procedure in section 83 of the Local Government Act 2002 to identify buildings for that purpose; but

(ii) must not identify buildings for that purpose other than in accordance with the special consultative procedure.

(3) However, a territorial authority is not required to act under subsection (2)(a) if there is no reasonable prospect of any thoroughfare in its district satisfying the criteria set out in subsection (2)(a)(i) and (ii).

(4) If a territorial authority is required by subsection (2)(a) or decides under subsection (2)(b) to use the special consultative procedure in section 83 of the Local Government Act 2002, it must use the procedure within a time frame that enables the territorial authority to meet the applicable time frame under section 133AG(4) for identifying potentially earthquake-prone priority buildings in its district.

Identifying earthquake-prone buildings

133AG Territorial authority must identify potentially earthquake-prone buildings

(1) Within the applicable time frame under subsection (4), a territorial authority—

(a) must apply the EPB methodology to buildings in its district to identify buildings or parts of buildings that are potentially earthquake prone; and

(b) may, if it has reason to suspect that a building or a part of a building in its district may be earthquake prone, identify the building or part as potentially earthquake prone, whether or not by reference to any aspect of the EPB methodology.

(2) Until the end of the applicable time frame, a territorial authority must report to the chief executive on its progress towards identifying buildings or parts of buildings within its district that are potentially earthquake prone as follows:

(b) if the district includes an area of medium seismic risk, but no areas of high seismic risk, every 2 years; or

(3) After the end of the applicable time frame, a territorial authority may, if it has reason to suspect that a building or a part of a building in its district may be earthquake prone, identify the building or part as potentially earthquake prone, whether or not by reference to the EPB methodology.

(4) The **applicable time frame** is the period commencing on the day on which this section comes into force (the **commencement date**) and ending on,—

(b) for each area of medium seismic risk, the expiry of the following period after the commencement date:

(i) 5 years for priority buildings; and

(ii) 10 years for other buildings; and

Nelson Plan - Timelines to Draft Release and Notification

1. Purpose of Report

- 1.1 To consider and approve proposed revised timelines relating to the draft release and subsequent notification of the Nelson Plan.

2. Summary

- 2.1 Council is currently reviewing and replacing its operative Regional Policy Statement (RPS) and resource management plans, with a plan – the Nelson Plan. Staff have been working to an indicative timeline agreed by Council in November 2016 (R6698). At that point, public notification was anticipated in January 2018.
- 2.2 Since November 2016, a number of significant changes have affected the indicative timeline. Amended project timelines are attached for consideration. The key dates are draft Plan release in August 2018 and public notification in May 2019.
- 2.3 A consequential revision of the progressive implementation programme for freshwater management is also required.

3. Recommendation

That the Committee

Receives the report Nelson Plan - Timelines to Draft Release and Notification (R8275) and its attachments (A1821033 and A1821035); and

Approves the proposed timelines to draft release and notification of the Nelson Plan; and

Approves that consequential changes to the Progressive Implementation Programme for freshwater management will be made and the Ministry for the Environment informed.

4. Background

- 4.1 The Resource Management Act 1991 (RMA) requires Council to review the regional policy statement (RPS), regional plan and district plan every 10 years. The operative Regional Policy Statement (1997), Nelson Resource Management Plan (regional, coastal, and district plan provisions - 2006) and Air Quality Plan (a regional plan - 2008) are overdue for review. These documents will be replaced by the Whakamahere Whakatu Nelson Plan, which represents an integrated RPS, regional and district plan.
- 4.2 In preparing the Plan, the Planning Team's capacity is supplemented by external consultants whose ongoing involvement has been secured and funded for the 2017-18 year. The development of the Plan is also reliant on input from other teams in Council; notably Infrastructure, GIS, Resource Consents and Compliance, and Communications. Points for input and necessary commitment levels continue to be signalled directly with those teams.
- 4.3 Considerable progress has been made in preparing the Nelson Plan. The development to date of the RPS component is outlined in R7279. Council workshops on draft regional and district plan provisions have been held with elected members from February – September 2017.
- 4.4 In November 2016, Council agreed the process and indicative timeframe for the Nelson Plan (R6698). At that time it was envisaged that Council workshops on draft content would run through from January to May 2017, community feedback on the provisions would be sought March to July, and the draft Plan would be compiled from September that year, with a target date of January 2018 for notification.
- 4.5 In February 2016, the Committee approved a revised Progressive Implementation Programme (PIP) for freshwater management, which is required by the National Policy Statement for Freshwater Management (R6960). To ensure integration, the PIP aligns with the Nelson Plan timelines.

5. Discussion

- 5.1 A detailed task identification and project planning exercise has now been completed. This paper highlights that a January 2018 milestone for notification is no longer achievable or preferred due to increased engagement expectations, national policy changes and a desire for enhanced quality control.
- 5.2 Public notification of the Nelson Plan is proposed to be delayed for the following reasons:
 - 5.2.1 To enable elected members to meaningfully engage with Plan content, the workshop series was extended to September 2017 (from May 2017).
 - 5.2.2 Delays in the Government's release of an amended National Policy Statement for Freshwater Management, and the new National

Environmental Standard on Plantation Forestry. Until recently, staff have been unable to analyse their implications for our plans, including the need to effect transitional amendments to the operative Plan. Staff are still awaiting revised National Environmental Standards for Air Quality.

- 5.2.3 Amendments to the draft RPS and Nelson Plan approach are required to implement the National Policy Statement on Urban Development Capacity.
- 5.2.4 The recent release of the Nelson Link Southern Investigation by NZTA will need to be considered in relation to significant issues, designations and relevant chapters. Officers are yet to engage with NZTA on possible amendments.
- 5.2.5 Recent amendments to the RMA relating to natural hazards, urban capacity and resource consent pathways need to be accounted for in Plan drafting.
- 5.2.6 Engagement with potentially affected landowners and stakeholders on draft designations and natural hazard, heritage, farm plan, biodiversity, infrastructure, freshwater and landscape provisions has needed to be more extensive than originally anticipated.
- 5.2.7 The development community seeks more in depth engagement on Council's likely direction on the draft provisions. A series of workshops have been scheduled.
- 5.2.8 There has been a desire for greater quality control, including peer review, to ease the burden on elected members. Unitary plans are particularly complex and require careful integration. Even at a draft stage, the Plan must be of sufficient quality that it allows Plan users and interested parties to easily navigate the text and mapping, and focus on matters that are relevant to them and/or they support or are concerned about. To assure elected members that this is the case, robust and independent peer and legal reviews, content proofing, consent testing, cost benefit analysis and issues and options evaluation tasks have been identified, and are built into the timelines. Quality control processes have been programmed in parallel where they can be.
- 5.2.9 Iwi partners have engaged throughout the Plan's development but have requested a three month period to review the draft Plan as a whole, in advance of the general public having the same opportunity. Other stakeholders, including Freshwater Working Groups, have expressed a similar interest.
- 5.2.10 Council is committed to making a draft version of the Plan available for public input, to increase buy-in and reduce the likelihood of opposition at notification. This approach is widely supported by stakeholders, including the development community. A ten week period for public engagement is recommended.

- 5.2.11 A delay in the development of the Government's National Planning Standards has meant that additional time is required to ensure the Plan aligns sufficiently with the Standards.
- 5.2 Most of the additional tasks above necessitate points at which recommended changes to the Plan are brought to the full Council for advice or approval. This ensures all elected members are aware and supportive of the Plan as it moves through the process. Time has been allowed for these touch points to occur, as set out in Attachments 1 and 2.
- 5.3 An implication of extending the Nelson Plan timeline is that the review of the Land Development Manual (including its alignment with Tasman District Council) will proceed ahead of the Nelson Plan via a separate change to the operative Nelson Resource Management Plan next year. The Land Development Manual will later be referenced in the Nelson Plan.

Options

- 5.4 The proposed timelines to public release of the draft Plan (August 2018) and public notification (May 2019) are set out in Attachments 1 and 2, respectively.
- 5.5 If the timelines for the Nelson Plan are amended as proposed, then consequential changes will need to be made to the notified PIP for freshwater management and the Freshwater Working Groups' terms of reference so that they remain aligned.

Option 1: Approve the proposed timelines set out in Attachments 1 and 2	
Advantages	<ul style="list-style-type: none"> • Meets iwi expectations for input of the draft Plan • Meets Council's commitment to releasing a draft Plan for input • Ensures the Plan is fit for purpose for draft release and notification • Increases likelihood of broad support and buy-on the Plan (likely measured in volume of submissions in support, reduced length of hearings, lower prospect of appeals and less pressure for Plan changes) • Bolsters Council's reputation for engagement
Risks and Disadvantages	<ul style="list-style-type: none"> • Increases the timeline to notification
Option 2: Continue with the current timeframe for notification (January 2018)	

Advantages	<ul style="list-style-type: none"> • Minimises the timeline to notification and to subsequent hearings and Plan adoption
Risks and Disadvantages	<ul style="list-style-type: none"> • Would not meet iwi engagement requirements for input on the draft Plan; may result in a judicial challenge • Would not meet Council's commitment to release a draft Plan for public input • Plan would not be fit for purpose for draft release and notification • Increased likelihood of opposition to notified Plan (likely measured in volume of submissions in opposition, length of hearings, prospect of appeals and pressure for Plan changes) • Potential damage to Council's reputation

6. Conclusion

- 6.1 Considerable progress has been made in developing the Plan to date. The Council's collaborative approach has ensured that elected members, iwi and stakeholders have actively participated in developing the Plan. The proposed timeframes outlined in Attachments 1 and 2 and covered by Option 1 will ensure that this successful approach will continue, as the Plan moves towards draft release and notification.

Mark Leggett
Team Leader Planning

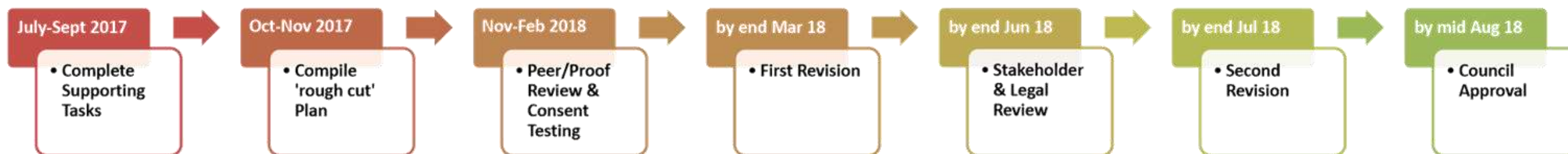
Attachments

Attachment 1: A1821033 - Nelson Plan Timeline to Public Release of Draft [↴](#)

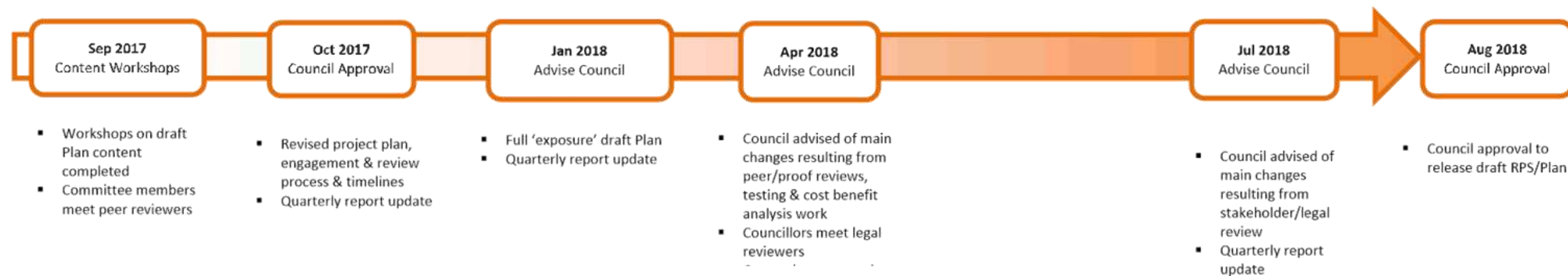
Attachment 2: A1821035 - Nelson Plan Timeline to Notification [↴](#)

Important considerations for decision making	
1. Fit with Purpose of Local Government	The proposed timelines will ensure that the community is able to provide meaningful input into the development of the Nelson Plan, which is one of the key means by which the Council performs its regulatory functions. That input will ensure the Plan represents the most cost effective means of achieving the purpose of the Local Government Act.
2. Consistency with Community Outcomes and Council Policy	The proposed timeframe is consistent with Council policy including annual plan and long term plan requirements, and supports the following community outcome: <i>Our Council provides leadership and fosters partnerships, a regional perspective, and community engagement.</i>
3. Risk	The proposed timelines are based on a detailed task identification and project planning exercise, which should ensure that they will be met.
4. Financial impact	At this stage, it is not anticipated that the proposed timelines will have a significant impact on the Council's budget, although the desire for peer and legal review will add costs. The proposed timelines may have a longer term benefit in reducing hearing and appeal costs associated with the Plan.
5. Degree of significance and level of engagement	This matter is of low significance because the proposed timelines provide for additional input from the community.
6. Inclusion of Māori in the decision making process	Members of Council's Iwi Working Group have sought the provision of a three month period for input on the Plan – this is catered for in the proposed timeline.
7. Delegations	The Committee has the ability to consider the timeframe and process for the Nelson Plan.

Attachment 1: Timeline to public release of draft Nelson Plan



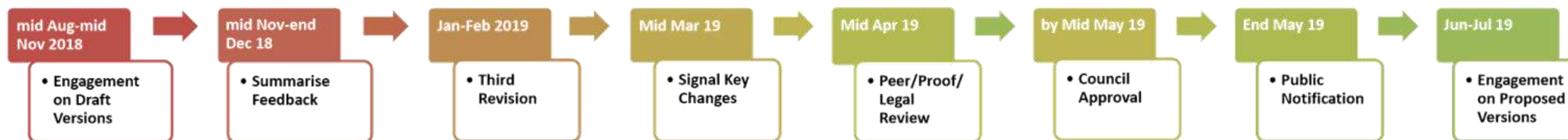
Engagement with Elected Members



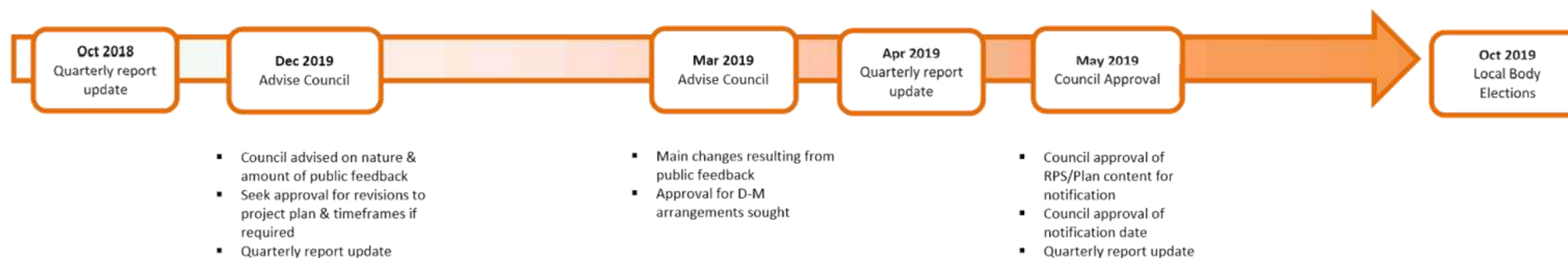
Alignment with other initiatives



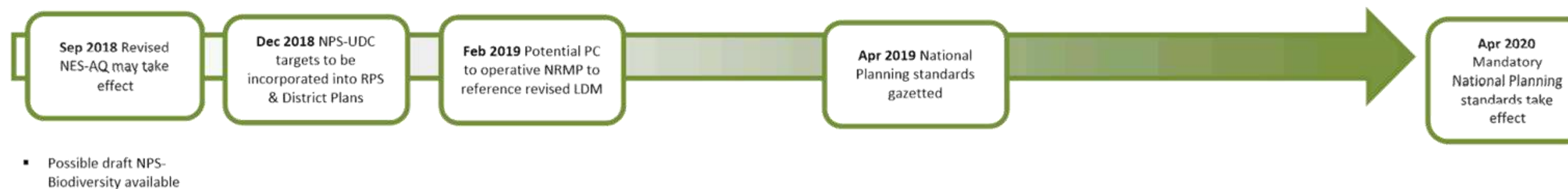
Attachment 2: Timeline to notification of proposed Nelson Plan



Engagement with Elected Members



Alignment with other Initiatives



Draft Environment Activity Management Plan 2018-28

1. Purpose of Report

- 1.1 To approve the Draft Environment Activity Management Plan (AMP) 2018-2028.

2. Recommendation

That the Committee

Receives the report Draft Environment Activity Management Plan 2018-28 (R8276) and its attachment (A1787292).

Recommendation to Council

That the Council

Approves the Draft Environment Activity Management Plan 2018-2028 (A1787292) as the version to inform the Long Term Plan (LTP) 2018-2028 noting the decisions regarding resourcing will be subject to the LTP process.

3. Background

- 3.1 The 2018-2028 Environment Activity Management Plan (AMP) is the second AMP covering the Environment portfolio to be presented to Council. The original Environment AMP in 2015 solely focussed on the Planning, Resource Consents, and Environmental Programmes activities of Council. This plan now brings together the Planning, Consents and Compliance, Building, City Development, and Science and Environment activities under one plan for the first time.
- 3.2 The general approach for the AMP was workshopped with the Planning and Regulatory Committee on 25 May 2017.

4. Discussion

- 4.1 Draft AMPs are prepared and approved by Council to inform development of the Long Term Plan 2018-2028. Following consultation on the Long Term Plan and subsequent decisions, AMPs will be updated to align with the adopted Long Term Plan. The Final updated Plans will be brought back to Council early in 2018 for adoption.
- 4.2 Nelson is a growing city with significant social, economic, and environmental assets. To accommodate growth and maintain these assets we need to grow and develop in a way that supports environmental outcomes such as clean air and water, enhanced biodiversity and landscapes, and healthy and productive coastal and marine areas. Our built environment also needs to respect our heritage and adapt to natural hazards.
- 4.3 The following are the focus areas for the Environment AMP:
- Biodiversity
 - Freshwater
 - City Development
 - Natural Hazards
 - Coastal and Marine
 - Biosecurity
- 4.4 The focus areas for the Environment AMP respond to legislative requirements and community expectations.
- 4.5 It is important to note that this draft AMP may undergo some change in the next six months as different key needs and priorities are identified through the Long Term Plan consultation and Levels of Service are refined to align with national and regional policy changes.
- 4.6 Supporting the delivery of the Levels of Service will be a request for increased budget and staff resource. At this stage the requests are:
- (a) 4 additional staff resources in the Strategy and Environment Group. A staff resource to manage bylaws; and 3 additional staff to address regional council functions. Staff resources are yet to be discussed within the Senior Leadership Team to confirm priorities across the organisation and will be subject to change.
 - (b) Ongoing funding for 3 potentially additional staff resources in the Resource Consents and Building Teams which are currently going through an approval process with the Senior Leadership Team.

- (c) Ongoing funding for one staff member in the City Development Team which has previously been approved by the Senior Leadership Team.
- (d) Financial resourcing (these amounts have been totalled and for a more detailed breakdown refer to section 5 of the Attachment):
 - (i) Building = \$55k for system support for Go-Shift and IANZ accreditation;
 - (ii) Warmer Healthier Homes = \$100k per annum to continue home insulation beyond 2017/18.
 - (iii) Nelson Plan = \$250k in 18/19 for Hearing costs and \$30k per annum for years 2 to 10 for ongoing EPlan maintenance.
 - (iv) City Development = \$200k per annum for National Policy Statement Urban Development work.
 - (v) Water quality = \$200k per annum to continue with the Project Maitai/Mahitahi work in that catchment and across the other catchments in Nelson.
 - (vi) Monitoring = \$100k permitted activity monitoring e.g. forestry; \$20k per annum for license requirements for LAWA – Land and Water Aotearoa; \$100k for water monitoring equipment and an ongoing \$50k per annum for data calibration; \$40K for years 1 to 3 for air quality equipment and \$15k every second year for air quality modelling.
- 4.7 There is a discussion that has commenced regarding City Centre development and strategy work. This has not yet been costed.
- 4.8 A development timeline for the AMP will be discussed at the meeting.

Options

- 4.9 Council can decide to approve the draft Environment AMP to inform the Long Term Plan 2018-2028, make changes to the draft before approving, or not approve the draft.

5. Conclusion

- 5.1 It is recommended that the Committee seek Council approval of the draft AMP to inform the Long Term Plan.

Matt Heale
Manager Environment

Attachments

Attachment 1: A1787292 - Draft Environment AMP 2018-2028 [↓](#)

Important considerations for decision making

1. Fit with Purpose of Local Government

This decision allows Council to set its strategic direction for its support and contribution to the Environment activity for the benefit of Nelson.

2. Consistency with Community Outcomes and Council Policy

This decision aligns with Council's community Outcomes:

- Nelson's unique natural environment is healthy and protected
- Nelson's urban and rural environments are people friendly, well planned and sustainably managed.
- Nelson's infrastructure is efficient, cost effective and meets current and future needs
- Our communities are healthy, safe, inclusive, and resilient.
- Nelson's communities have opportunities to celebrate and explore their heritage, identity and creativity.
- Nelson's communities have access to a range of social, educational and recreational facilities and activities
- The Council provides leadership and fosters partnerships, a regional perspective, and community engagement

And Nelson 2060 goals:

- Goal 1 – We support and encourage leaders across our community;
- Goal 2 – We are all able to be involved in decisions;
- Goal 3 – Our natural environment – air, land, rivers and sea – is protected and healthy;
- Goal 4 – We produce more of our own food;
- Goal 5 – We are able to rapidly adapt to change;
- Goal 6 – We move from using fossil fuels to renewable energy sources;
- Goal 7 – Our economy thrives and contributes to a vibrant and sustainable Nelson;
- Goal 8 – Nelson is the centre of learning and practice in Kaitiakitanga and sustainable development;
- Goal 9 – Everyone in our community has their essential needs met;
- Goal 10 – We reduce our consumption so that resources are shared more fairly.

<p>This outcome will inform Council's Long Term Plan 2018-2028</p>
<p>3. Risk</p> <p>Approving the Environment AMP is unlikely to result in adverse consequences. Potential risks of the activity have been identified in the draft AMP.</p>
<p>4. Financial impact</p> <p>The draft Environment AMP sets out the budget for the Long Term Plan. The recommended level of funding seeks to increase previous levels set in the LTP.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of medium significance because the draft Environment AMP will set direction for the Long Term Plan. No specific engagement on the AMP will be undertaken as this will form part of the engagement on the Long Term Plan. The key focus areas in the AMP have been informed by a range of previous community engagement.</p>
<p>6. Inclusion of Māori in the decision making process</p> <p>Māori have not specifically been consulted with regards to this report.</p>
<p>7. Delegations</p> <p>The Planning and Regulatory Committee has the responsibility for considering a range of environmental and regulatory functions covered by the Environment AMP. The Planning and Regulatory Committee has the power to make a recommendation to Council on this matter.</p>

Environment Activity Management Plan 2018-2028

Building, City Development, Regulatory, Planning, and Science & Environment Activities



Version:	3
Date:	20 September 2017
Status:	Draft
Author:	Matt Heale, Manager Environment
Adopted:	Not adopted

A1787292 - last updated: 27 September 2017

Contents

EXECUTIVE SUMMARY 1

1. Introduction 2

2. How The Environment Activity Is Delivered 9

3. Key Focus Areas 15

4. Levels of Service 23

5. Future Work 29

6. Financial Information 31

7. Significant Negative Effects..... 34

8. Significant Forecasting Assumptions and Uncertainties 34

9. Plan review 35

10. Conclusion..... 35

APPENDIX 1 FINANCIAL PROJECTIONS 2018 – 2028..... 36

Executive Summary

Environment Activity Management Plan 2018-28

The Environment Activity Management Plan (AMP) brings the Building, City Development, Regulatory (Resource Consents, Compliance, and Enforcement), Planning and Science & Environment activities together. The AMP identifies Council's programme for environmental management, and describes Council's programmes for delivery against set priorities over the next 10 years, commencing 1 July 2018.

Nelson is a growing city with significant social, economic, and environmental assets. To accommodate growth and maintain these assets we need to grow and develop in a way that supports environmental outcomes such as clean air and water, enhanced biodiversity and landscapes, and healthy and productive coastal and marine areas. Our built environment also needs to respect our heritage and adapt to natural hazards.

The following are particular focus areas:

- Biodiversity
- Freshwater
- City Development
- Natural Hazards
- Coastal and Marine
- Biosecurity (land and Marine)

The focus areas respond to legislative requirements and community expectations.

This AMP covers the following programmes that give effect to these focus areas:

- **Planning** – development of our integrated resource management plan - the Nelson Plan - and relevant bylaws;
- **City Development** – enabling adequate supply of feasible residential and business land and ensuring our city development partners have the best possible customer journey;
- **Science** (Assessing, monitoring, and reporting to inform decision making and meet statutory requirements) **and Environment** (education, community engagement, advice and assistance to individuals, landowners and groups);
- **Consents, Compliance, and Enforcement** – processing of resource and building consents, management of earthquake prone buildings and swimming pool fencing, providing Land Information Memorandums, licencing, compliance, monitoring, enforcement and navigation safety duties.

A1243203 - last updated: 27 September 2017

1. Introduction

AMP Structure

- 1.1. Section 1 of this plan is the introduction and sets the background for the rest of the document. Section 2 looks at how we deliver the work programmes of the business units. Section 3 describes the key focus areas and the different activities that will take place in each of these areas. Section 4 lists the proposed Levels of Service for the Environment Activity. Section 5 details factors affecting the future work that will be required to meet the Levels of Service, and section 6 onwards contains supporting financial information.
- 1.2. Nelson City Council is a unitary authority with significant environmental management responsibilities.
- 1.3. Delivery of positive environmental outcomes is not solely achieved through the Environment Activity Management Plan therefore other AMP's need to give effect to these outcomes (eg) All infrastructure, parks and reserves, property and facilities, and heritage AMP's.

Purpose

- 1.4. The purpose of the AMP is to describe Council's:
 - Delivery of the environment activity;
 - Levels of service;
 - Resource requirements.

Legislative Context

- 1.5. Council's programme for the environment is directed by approximately 20 Acts of parliament, Te Tau Ihu Settlement Acts 2014, Government regulations, National Policy Statements and Environmental standards. Some of the key documents are outlined below (for a comprehensive list refer to Appendix 2):

National legislation:

- Resource Management Act 1991;
- National Policy Statements and Environmental Standards including:
 - National Policy Statement Freshwater;
 - National Policy Statement Urban Development Capacity;
 - National Environmental Standard Air Quality;
 - National Environmental Standard Plantation Forestry;
 - New Zealand Coastal Policy Statement;
 - National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health;

- National Environmental Standards for Electricity Transmission Activities;
- Resource Management (Measurement and Reporting of Water Takes) Regulations.
- Housing Accords and Special Housing Areas Act 2013
- Building Act 2004 and associated building regulations
- Local Government Act 2002;
- Local Government Official Information and Meetings Act 1987
- Biosecurity Act 1993;
- Hazardous Substances and New Organisms Act 1996;
- Te Tau Ihu Settlement Acts 2014 including:
 - Ngāti Kōata, Ngāti Rārua, Ngāti Tama Ki Te Tau Ihu, and Te Ātiawa O Te Waka-A-Mauī Claims Settlement Act 2014;
 - Ngāti Apa Ki Te Rā Tō, Ngāti Kuia, Rangitāne O Wairau Claims Settlement Act 2014; and
 - Ngati Toa Rangatira Claims Settlement Act 2014.
- Dog Control Act 1996;
- Food Act 2014;
- Sale and Supply of Alcohol Act 2012;
- Maritime Transport Act 1994.

A1243203 - last updated: 27 September 2017

Council's strategic documents:

- Regional Policy Statement and Resource Management Plans;
- Nelson 2060 Strategy;
- Biodiversity Strategy;
- Regional Pest Management Plan;
- Marine Biosecurity Partnership;
- Waste Minimisation Plan;
- Other Activity and Asset Management Plans;
- Reserve Management Plans;
- Land Development Manual;
- Dog Control Policy;
- Navigation Safety Bylaw 218;
- Various other bylaws including City Amenity and Urban Environments;
- Regional Authority Policy on Dangerous Dams;
- Revised policy on Dangerous, Insanitary and Affected Buildings.

Resource Management Policy and Plans

- 1.6. Nelson City Council, as a unitary authority, has both regional and territorial council functions to fulfil in achieving the purpose of the Resource Management Act (see s30-31 RMA). Council has a responsibility to ensure its resource management plans are kept up to date and reviewed every 10 years (see s79 RMA). Nelson has a number of resource management plans at different stages:

Plan	Focus	Review Date
Nelson Regional Policy Statement	Council's overview of regional resource management issues outlining the region's strategic direction	2007 (overdue for review)
Nelson Resource Management Plan	District, Regional, and Coastal Plan	2014 (apart from coastal and freshwater provisions which are due for review in 2016 and 2017 respectively)
Nelson Air Quality Plan	Management of Nelson's air resource	Due for review in 2018/2019

- 1.7. In 2014 Council resolved to undertake a comprehensive review of resource management plans and incorporate this into one integrated resource management plan – The Nelson Plan.

A1243203 - last updated: 27 September 2017

- 1.8. Collectively these documents seek to achieve the sustainable management purpose of the RMA by providing an overview of the Region's resource management issues, and by outlining objectives, policies and methods (including rules) for the integrated management of Nelson's natural and physical resources. These plans set the direction for growth and development while protecting a range of values including our natural landscape, biodiversity, heritage, amenity values, and water and air quality.
- 1.9. Council implements these provisions through:
- regulatory mechanisms such as resource consents;
 - statutory obligations to monitor the state of the environment and the efficiency and effectiveness of resource management plans (s35 RMA);
 - A number of non-regulatory programmes that support the objectives established in Nelson's resource management plans and deliver on Council's statutory obligations.

1.10. Councils new vision and Strategy and Environment Group vision?

Nelson 2060 Strategy

- 1.11. In 2013 Council adopted the Nelson 2060 Strategy. This is a non-statutory document that deals with matters relating to sustainability.
- 1.12. The relevant goals from Nelson 2060 for this AMP are:
- Goal 1 – We support and encourage leaders across our community;
 - Goal 2 – We are all able to be involved in decisions;
 - Goal 3 – Our natural environment – air, land, rivers and sea – is protected and healthy;
 - Goal 4 – We produce more of our own food;
 - Goal 5 – We are able to rapidly adapt to change;
 - Goal 6 – We move from using fossil fuels to renewable energy sources;
 - Goal 7 – Our economy thrives and contributes to a vibrant and sustainable Nelson;
 - Goal 8 – Nelson is the centre of learning and practice in Kaitiakitanga and sustainable development;
 - Goal 9 – Everyone in our community has their essential needs met;
 - Goal 10 – We reduce our consumption so that resources are shared more fairly.

Biodiversity Strategy

- 1.13. The Nelson Biodiversity Strategy was adopted by Council on 1 May 2007 and is currently undergoing its third review. It was supported by a group of 26 partner organisations who continue to work together as the Nelson Biodiversity Forum to support Council to implement the strategy.

A1243203 - last updated: 27 September 2017

- 1.14. The purpose of the strategy is to create a biologically rich and sustainable future for Nelson through aligned action on biodiversity and it has the following goals and objectives:

Goal 1 - Active protection of native biodiversity

- Nga taonga tuku iho (the treasured resources), native species, and natural ecosystems of Nelson/Whakatu are protected and restored.
- Objective 1.1 - Ecological health, mauri and wairua of natural ecosystems are sustained.
- Objective 1.2 - Native biological diversity is restored, enhanced and, where appropriate, connected.

Goal 2 Ecologically sustainable use of biodiversity

- The community has the living resources it needs, and has minimised adverse effects on valued biodiversity.
- Objective 2.1 - Biodiversity use is ecologically sustainable.
- Objective 2.2 - Biodiversity resources are available for the community to prosper including tangata whenua customary use of nga taonga tuku iho.

- 1.15. The focus of the strategy is on aligned action on biodiversity by responsible agencies and the community. Biodiversity is the full range of living things that interact with one another and their environment - the web of life.

Regional Pest Management Plan

- 1.16. The Tasman-Nelson Regional Pest Management Strategy 2012-2017 came into effect on 7 November 2012. The Biosecurity Act requires a major review to be undertaken by 2017 and this is taking place. The purpose of this Regional Pest Management Plan (RPMP) is to provide a framework for efficient and effective pest management in the Tasman-Nelson Region so as to:

- minimise actual and potential unintended effects associated with the organisms identified as pests;
- maximise the effectiveness of individual pest management action by way of a regionally co-ordinated response.

- 1.17. Tasman District Council is tasked by Nelson City Council to implement the RPMP across Nelson and Tasman. Additional pest management occurs in the marine space through the Top of the South Marine Biosecurity Partnership and on land via Nelson Nature. Council provides funding and officer support for various initiatives.

Marine Biosecurity Partnership

- 1.18. Nelson's coastal waters are under threat from invasive marine species. These have the potential to impact on the ecology of Tasman Bay and on the marine economy that the Bay supports. Council is a founding member of the Top of the South Marine Biosecurity Partnership. It co-funds the Partnership along with Tasman and Marlborough District Councils and the Ministry for Primary

Industries. The goals of the Partnership are to enable the integrated management of marine biosecurity through:

- clear leadership;
- consistent and co-ordinated operations;
- efficient, effective sustained action;
- wide public support and community engagement.

Waste Minimisation Plan

- 1.19. In 2012 Council adopted a Joint Waste Management and Minimisation Plan with Tasman District Council, as required under the Waste Minimisation Act 2008. The plan provides common goals, objectives and policies across the region, to reduce waste and increase recycling. There is also flexibility for each council to choose different methods to achieve results.

Other Activity and Asset Management Plans

- 1.20. The following Council Activity and Asset Management Plans are relevant for the Environment activity:

AMP	Relevant priorities/issues covered
Water Supply; Wastewater; and Stormwater/Flood Protection Asset Management Plans	Water quality Resource consent renewals
Parks and Reserves Asset Management Plan	Biodiversity Landscape Amenity Tahuna Beach erosion
Solid Waste Asset Management Plan	Waste minimisation programme
Heritage Activity Management Plan	Heritage incentives
Transport Asset Management Plan	Vehicle network Cycling network Pedestrian network Public transport
Community Facilities AMP	

- 1.21. The way that these Asset and Activity Management Plans are implemented is critical to the achievement of the Environment AMP. As a significant land and asset owner, Council is in a strong position to model good environmental practices in the way it plans, builds, maintains and operates its network infrastructure and community assets. The Environment AMP sets the foundation for environmental matters that should then be reflected in the other AMPs.

Community Outcomes

- 1.22. The environment activity contributes to the community outcomes in the following ways: (Note these may need to change as the vision is developed.)

Community Outcomes	How Environment will contribute to achieving the outcome (Proposed)
1. Nelson's unique natural environment is healthy and protected.	Land, air, water and coastal environments are sustainably managed through sound planning, monitoring, compliance, science and non-regulatory programmes so that we can be leaders in environmental matters.
2. Nelson's urban and rural environments are people friendly, well-planned and sustainably managed.	Good planning and urban design provides an attractive, well-built, safe and walkable city for people of all ages and abilities. Unique built and natural sites and systems are protected and people are supported to make environmentally sustainable choices. Housing choice is broadened, land is used more efficiently.
3. Nelson's infrastructure is efficient, cost effective and meets current and future needs.	Coordinating our growth and infrastructure planning.
4. Nelson's communities are healthy, safe, inclusive and resilient.	High standards of statutory compliance for built and natural environments contribute to the health and safety of the community. The community understands natural hazard risk and is supported to deal with natural hazard risks resiliently.
5. Nelson's communities have opportunities to celebrate and explore their heritage, identity and creativity.	Heritage sites are protected. Non-regulatory methods are used to retain heritage sites. Promotion of our heritage resource is achieved.
6. Nelson's communities have access to a range of social, educational and recreational facilities and activities.	Sound planning and regulatory processes that include Iwi and community groups enable a range of activities to occur both on land and water.
7. The Council provides leadership and fosters partnerships, a regional perspective, and community engagement.	Forge strategic partnerships e.g. the Department of Conservation and private philanthropists to achieve even greater gains for Nelson's Environment. Leadership in climate change through the Mayor's Declaration.

A1243203 - last updated: 27 September 2017

8. The region is supported by an innovative and sustainable economy.	Council is recognised for its helpful and business friendly approach to building, regulatory and planning activities while promoting environmental management best practice.
--	--

2. How the Environment Activity Is Delivered

- 2.1. The Environment Activity is delivered by the following teams: Planning, City Development, Science and Environment, Consents and Compliance, and Building.
- 2.2. The Planning, City Development, Resource and Building Consents, Inspection, Compliance and Enforcement, Environment and Science, and monitoring functions sit within the Strategy and Environment Group.

A clearer version of the following diagram will be provided at the meeting



A1243203 - last updated: 27 September 2017

- 2.3. The Strategy and Environment Group brings regulatory and non-regulatory, policy and implementation functions for all urban, rural and coastal contexts together. To achieve effective environmental outcomes all these functions need to knit together (e.g.) Plan (Planning), Do (City Development, Resource and Building consents), Monitor (Compliance and Science), and review based on learnings through the plan, do, monitor and review cycle.
- 2.4. Environmental outcomes can be achieved via regulatory and non-regulatory means.
- 2.5. This approach recognises that policy development is usefully informed by sound information, implementation and monitoring outcomes. It also recognises that policy outcomes can be delivered through both regulatory and non-regulatory programmes.
- 2.6. The **Planning Team** is responsible for the review and development of the Regional Policy Statement, District and Regional Resource Management Plans. These Plans set objectives, policies and rules for management of the Region's resources. The Planning team also develops Council's strategies and policies such as relevant bylaws (Urban Environments, Dogs, etc).

What we do	Why we do it
Nelson Resource Management Plans	To fulfil statutory requirements of the RMA and to ensure the integrated management of Nelson's natural and physical resources
Environmental Bylaws	To fulfil statutory requirements and address public health and safety, nuisance, and amenity issues.
Provide Planning/Strategic advice	To enable the community to make informed decisions

- 2.7. The **City Development Team** is responsible for the implementation of the National Policy statement Urban Development Capacity (NPSUDC) and Housing Accord and Special Housing Areas Act (HASHA), including provision of Special Housing Areas. There is a need to work with Tasman District Council, developers, infrastructure providers, and the wider community to ensure there is adequate supply of feasible residential and business land and to ensure our city development partners have the best possible customer journey.
- 2.8. There is also a need to work closely with Council's social and physical infrastructure providers to ensure that our landuse and infrastructure planning is fully integrated and growth areas can be appropriately serviced.

What we do	Why we do it
Monitor and analyse Business and Housing Market	To fulfil requirements under the NPS UDC; to provide information to inform policy/plan development and our community

A1243203 - last updated: 27 September 2017

Infrastructure Standards	The Land Development Manual ensures sufficient and appropriate infrastructure is created during development process, and sets out methods for achieving Nelson Plan rules.
Development and Infrastructure Planning	To implement the NPS UDC, LGA requirements (Infrastructure Strategy, AMPs, Development Contributions), RMA requirements (sections 30(1)ba, 30 (1) (gb), and 31 (1)(aa) regional and district functions, inform the Nelson Plan and provide for growth for the community.
Signatory to Housing Accord until 2021 Creation of Special Housing Areas	Required under HASHAA once medium income to medium house price threshold reached. Commitment to Government to work together with developers to enhance housing supply. Required to consider requests under Housing Accord and HASHAA in order to enhance housing supply.
City Development Projects & Advice	Non regulatory method to implement development outcomes (e.g. Betts, Stoke Centre, Haven, Marina, NMIT, Farmers, Progressives, housing) and provide integrated and coordinated process to facilitate development.
Future Development Strategy	Required under NPS UDC and to ensure sufficient and adequate business and residential land supply and infrastructure provision for the Nelson urban Area (i.e. across TA boundary to Hope).

- 2.9. The **Consents and Compliance Team** provide and are responsible for regulatory services and processes applications for activities covered by the Resource Management Plans and other legislation and then checks compliance, monitors and undertakes enforcement. They ensure the outcomes described in the objectives, policies and rules are achieved when consents are issued. Compliance and enforcement duties are currently performed by external contractors under the oversight of the Consents and Compliance Team.

What we do	Why we do it
Processing of resource consents and monitoring consent conditions and permitted standards	To fulfil statutory requirements of the RMA; to ensure that adverse effects of activities, development and land uses are avoided, remedied or mitigated; to ensure that the objectives of the NRMP and other Plans and Standards are addressed.
Provide planning, property, consenting information	To provide information to enable our customers to make informed decisions.

A1243203 - last updated: 27 September 2017

Animal control	To ensure wandering stock and dogs and barking do not cause harm or nuisance to others
Noise control	To ensure noise levels are not excessive
Parking enforcement	The parking resource can be fairly accessed by all and the use and parking of vehicles is safe
Food safety and public health compliance	Food preparation and other activities are managed to prevent harm to people's health
Alcohol licensing and compliance	The sale and supply of alcohol is managed to prevent harm to people
Navigation safety	To ensure the safety of various users of the coastal marine area
Pollution response	To be ready to respond to any pollution events to minimise harm to the environment
Dangerous goods and hazardous substance response	To undertake inspections and respond to incidents to prevent harm to people and the environment
Response to complaints	To prevent harm to people and the environment

- 2.10. The **Building Team** processes building consents and undertakes building inspections in accordance with the Building Act and building regulations.

What we do	Why we do it
Building consent processing and inspections, and certification of acceptance for unauthorised works	To ensure new buildings and alterations are safe and completed in accordance to the Building Act and Regulations
Building warrant of fitness compliance	To ensure buildings open to members of the public have operable and safe systems
The management of earthquake prone buildings	To ensure buildings are upgraded or replaced to improve compliance with or meet current building standards
Provide Land Information Memorandums (LIMs)	Potential purchasers of the property are made aware of relevant information and any restrictions for the land which the Council holds on its records

A1243203 - last updated: 27 September 2017

Monitoring of residential Swimming pools (includes motels)	Under the Building (Swimming Pools) Amendment Act 2016 – ongoing review and monitoring of measures to prevent access and drowning in residential swimming pools
--	---

- 2.11. The **Science and Environment Team** delivers non-regulatory programmes such as environmental education and the provision of advice and assistance to landowners and community groups as well as delivering Councils science function.

What we do	Why we do it
Biodiversity/land management support and advice	To improve the habitat for native flora and fauna and manage soil erosion and other land management.
Biosecurity management	To ensure the biosecurity of the Top of the South via partnership, enforcement, and plan development such as the Top of the South partnership and small scale management plans.
Water quality and quantity management	To work with iwi and the community to improve the in-stream values of our waterways
Air quality management	To minimise emissions to air
Eco Building Design Advice	To provide impartial advice to property owners on environmentally friendly ways to keep their home warm and healthy
Waste minimisation programme	To reduce the amount of waste disposed of to landfill
Heritage Incentives	To encourage and enable protection and maintenance of heritage buildings
Enviroschools Programme Management	To promote an action-based approach to education through which children and young people plan, design and implement sustainable projects and become catalysts for change in their families and the wider community
Regional Pest Management Plan	To minimise the risks posed by weeds and pests on native biodiversity
Marine Biosecurity	To minimise the risk of invasive marine species impacting on the Tasman Bay environment and industry. Work collaboratively through the Top of the South Marine Biosecurity Partnership.

- 2.12. The above activities are supported by the **Science Team** through environmental monitoring, research and reporting to ensure fact-based decision making across Council.

What we do	Why we do it
State of Environment Monitoring, including:	To fulfil statutory requirements of the RMA (section 35); to provide information to inform our policy/plan development and our community
Air Quality Monitoring	To track progress and inform actions contributing to National Environmental Standard (NES) Air Quality objectives
Freshwater Quality Monitoring	To track progress and inform actions contributing to NPS Freshwater
Hydrology	To identify and take action when low flows are measured
Recreational Bathing Water monitoring	To ensure the safety of residents using recreational waters
EnviroLink programme	To utilise research for practical outcomes

3. Key Focus Areas

- 3.1. In September 2014 the Council confirmed the following strategic outcomes for the Nelson Plan:

City Development

- 3.2. 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.

This outcome will be achieved by providing for growth and development in a way that:

- Creates a vibrant and attractive City;
- Co-ordinates Growth and Infrastructure;
- Connects communities;
- Adapts to our hazards;
- Looks after our heritage;
- Achieves natural resource outcomes.

Natural Resources

- 3.3. Natural resources should be managed in an integrated and sustainable way to maintain and enhance natural, ecological, recreational, human health and safety, and cultural values.

This outcome will be achieved by creating:

- Clean and Accessible water;
- Healthy Coastal and Marine Areas;
- Enhanced Natural Areas and Landscapes;
- Clean Air.

- 3.4. These strategic outcomes inform the levels of service for the Environment AMP.

Efficiency and Effectiveness Review

- 3.5. A range of environmental issues have recently been comprehensively considered along with significant national policy changes. These matters were captured in the NRMP Efficiency and Effectiveness review in 2012/2013. The review highlighted the existing plan provisions that are working well and do not need changing. Key areas identified for improvement include:

- Managing growth and development – particularly retail location, land use and infrastructure integration, and residential development in sensitive environments;
- The need to recognise a wider representative range of Nelson's heritage;
- Better management of natural hazards;
- Improving our water management to address flooding, public access and water quality issues;
- Coastal management – particularly provision for aquaculture, management of coastal hazards, and landscape protection;
- Enhanced protection of Nelson's special biodiversity and landscape values;
- The need to establish meaningful and enduring relationships with iwi on an ongoing basis.

4. Relationships with Iwi/Māori

- 4.1. Partnership with and acknowledgement of all eight Te Tau Ihu iwi is critical including:

- Partnering in delivery of environmental projects
- Giving effect to Iwi Management Plans
- Recognising post settlement development opportunities
- Protecting areas of significance to iwi
- Involvement in the Nelson Plan development and resource consent processes

- 4.2. Officers have been working closely with iwi in the development of the Nelson Plan via the kotahitanga/Council mandated Iwi Working Group (IWG). A

A1243203 - last updated: 27 September 2017

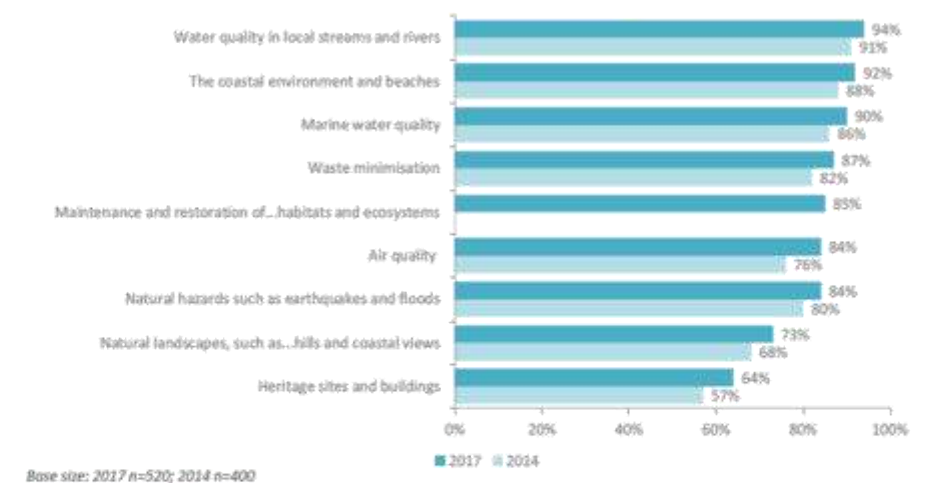
number of environmental programmes have also been discussed at IWG and via the Biodiversity Forum which also has iwi representation. Iwi have been involved in the development of Nelson Plan freshwater provisions through involvement in Freshwater Management Unit groups.

- 4.3. Iwi are involved in resource consent processes and Cultural Impact Assessments are carried out for significant Council projects and other consent applications.
- 4.4. Recent RMA reform has introduced the option of Mana Whakahono a Rohe (iwi participation arrangements) to formalise iwi involvement in resource management plan development. Nelson City Council, in conjunction with Tasman District Council, are currently in the process of establishing an agreed approach with Te Tau Ihu Iwi about how the Councils and iwi could work more effectively together in the future.

Community Feedback

- 4.5. The 2017 residents' survey sought a range of community feedback.
- 4.6. Residents were asked how important and very important they felt it was for Council to focus on a number of different environmental issues. This is presented in the chart below as combined important and very important ratings. The water quality in local streams and rivers received the highest rating with 94% residents indicating this should be a priority for Council. This is followed by the coastal environment and beaches (92%), marine water quality (90%), waste minimisation (87%) and the maintenance and restoration of natural habitats and ecosystems (85%). Ratings for heritage sites and buildings were (64%) and natural landscapes (73%). These results remain fairly similar to 2014.

A clearer version of this will be provided at the meeting.



- 4.7. The focus areas outlined above will be addressed in the following ways.

City Development

- 4.8. Nelson is a growing city with significant social, economic, and environmental assets. To accommodate growth and maintain these assets we need to create vibrant and attractive places across the city. We need to support key businesses and encourage greater density of residential and employment development in and around our key centres and enable a range of housing choice within our urban and rural areas. We need to be smart about how we develop our infrastructure and service growth over the next 30 years to meet our future business and residential land demand and ensure affordability and environmental outcomes such as clean air and water, enhanced biodiversity and landscapes, and healthy and productive coastal and marine areas. Our built environment also needs to respect our heritage and adapt to natural hazards.
- 4.9. We are currently managing our city development through a range of regulatory initiatives including progressing the Nelson Plan and Bylaw programme, providing for Special Housing Areas, monitoring business and residential land supply, and carrying out our consent, compliance, and enforcement functions.
- 4.10. A number of non-regulatory programmes also support how our city develops such as EnviroSchools, waste education, citizen science, behaviour change programmes, heritage assistance programme, financial assistance for home insulation, and eco design advice.
- 4.11. A number of our other Asset and Activity Management Plans influence how our city grows and develops, particularly those relating to our physical and social infrastructure.
- 4.12. Looking forward we want our city development partners to have the best possible customer journey and will have our Nelson Plan in an E-plan format and Building consent processing on-line. We want to continue to support owners of heritage properties. We want to support the broader community to make their homes as dry and as energy efficient as possible. We also need to continue to focus on making sure our buildings are safe in the event of an earthquake. Our various monitoring programmes and associated equipment will need improvement to ensure that we have adequate baseline information to meet national standards and gauge future performance.
- 4.13. To achieve these outcomes we need:
- dedicated long term customer partnerships working with developers and ongoing funding for urban growth analysis
 - Staff resource in the consents area.
 - Science support staff
 - Funding for air quality monitoring equipment, E-Plan maintenance, increased development, monitoring and enforcement of bylaws, and Nelson Plan hearing costs.
 - Alignment between AMP's which will require additional funding to lift environmental performance.

A1243203 - last updated: 27 September 2017

Freshwater Management

- 4.14. Central Government has recently amended the National Policy Statement for Freshwater Management (NPSFW). The purpose of the amendments is to achieve improved and more consistent management of freshwater around New Zealand. The changes to the national framework will support the Council's intention to improve water quality where it is degraded and elsewhere maintain and enhance water quality.
- 4.15. Council has been working with four freshwater management groups to consider how it gives effect to the NPSFW as part of the Nelson Plan review. Council has undertaken a range of non-regulatory responses including the following: catchment management planning, working with community stream care and monitoring groups, riparian planting and fencing, monitoring and investigating water quality issues, working with iwi and with landowners, and ensuring our infrastructure works achieve our environmental objectives. Changes have also been made to how Council monitors our freshwater quality and quantity to align with national standards. Our compliance and consents team has played a role in ensuring what goes into and what is taken out of our rivers and streams is appropriately managed.
- 4.16. Looking forward we aim to give effect to the NPSFM by maintaining or enhancing ecosystem health and improving E.coli levels in our rivers and streams. To do this we need to get a better understanding and present our SOE monitoring information for our freshwater and coastal areas and improve our monitoring programme including sediment and flow monitoring. This will give us the baseline information we need to take further action via our urban and rural streams project which looks to expand Maitai initiatives across the wider city. Work will also continue with freshwater groups on the development of freshwater provisions in the Nelson Plan. It is anticipated that draft provisions will be considered by the community in 2018 with notification planned for mid 2019. Additional funding is sought for project based work in catchments other than the Maitai/Mahitahi and links to infrastructure improvements and funding through other AMPs.

Biodiversity

- 4.17. Council adopted a programme of actions supporting the Nelson Biodiversity Strategy in 2014. A number of key actions were identified which led to Council's Nelson Nature Programme which provides much more extensive targeted support to ensure key habitats in our Region are protected and enhanced. This includes terrestrial, coastal (cliffs, dunes and estuaries) and freshwater ecosystems. The programme comprises of six separate projects based on ecosystems, management regimes and land ownership.
- 4.18. Baseline data determining the current condition of these ecosystems has been established, wilding conifer eradication is underway, and goat eradication is planned. Officers have also been working with landowners to protect significant natural areas. Work has also been undertaken with the community to improve the health of our urban streams, particularly in the Maitai and York, with more

A1243203 - last updated: 27 September 2017

work planned on our rural streams. Funding is critical for ongoing improvement in the freshwater space.

- 4.19. The focus for the future is to prioritise efforts in Significant Natural Areas (SNA's), develop strategic partnerships to attract more funding, update the Nelson Plan to include additional SNA's, and work with others to achieve landscape level transformative change (eg) Te Tau Ihu partnership.
- 4.20. Department of conservation staff assist with pest plants and animals. This arrangement is in place until the end of 2018. There will be a need to fund this work on an ongoing basis to continue the good work that is currently underway.

Natural Hazards

- 4.21. Natural hazards of one kind or another affect significant parts of Nelsons wider landscape. The community are becoming increasingly knowledgeable about natural hazards as new information becomes available. The management of significant risks from natural hazards has been identified as a matter of national importance in recent RMA reforms.
- 4.22. Council has recently engaged with all landowners who are potentially affected by flooding, liquefaction, fault rupture. Tsunami risks have also been discussed with the wider community from a civil defence perspective. Work on slope risk and coastal erosion is still ongoing and expected to be completed in 2017/2018. This work will be collectively used to inform risk based hazard planning and infrastructure management to be incorporated into the Nelson Plan and our infrastructure work programme.

Coastal and Marine

- 4.23. The sea provides food, transport, recreation, and economic return and it is a huge part of Nelson's identity. Because our marine environment is so significant to Nelson a bigger focus is needed. There has been a local focus on the Waimea inlet and a national focus on Tasman Bay through the Sustainable Seas National Science Challenge. There is concern over the scallop fisheries collapse and a need to better understand more about marine and estuary sedimentation and the drivers for this. Marine biosecurity issues, coastal erosion, and the potential effects of sea level rise also need to be better understood.
- 4.24. Council is involved in discussions about the Waimea inlet and sustainable seas work. We are beginning to work on estuary sediment monitoring and coastal erosion studies. We are also launching the small scale management programme for Sabella and the Nelson Nature coastal project. Looking forward Council will take a more active role in this work and expand the work programme to investigate how we can better manage sensitive receiving environments such as Delaware Bay and Kokuroa Estuary, focus more on marine biodiversity and biosecurity, and understand the sources of marine sedimentation and contamination.
- 4.25. In order to be more effective at ensuring we have a healthy and productive marine and coastal environment we will need increased funding for estuarine and marine monitoring and investigations and pest management including a

staff resource to drive the work programme. Additional support is also needed for navigation safety and education programmes for safety at sea.

5. Key issues and Solutions for this activity

Key issue	Discussion of Key Issue	Planned Solution
Attracting and retaining suitably qualified staff	Recruitment and retention of building staff is stable as at August 2017. There are still vacancies in the Planning, Science and Environment, and Resource consents team. The City Development team is still being established. Additional Staff are needed in order to make workloads manageable and to address other key issues outlined below. Utilisation of consultants/contractors is also necessary to address peak work flows in the absence of contracted staff.	Provide additional staff resource as follows: 1 FTE in Resource consents over short to medium term to address increased resource consent demand. 1 FTE in Planning team from year one to meet increased Bylaw development needs. 1 FTE for data management to support LAWA and compliance monitoring 1 FTE in Science team to manage water resource programme 1FTE in Science team for coastal scientist 0.5 FTE Graduate for year 1-2 in Building team for admin support for back scanning etc to be shared with Tasman District Council Ongoing funding for accepted roles in: 1 FTE in City Development team from year one to partner developers through processes including SHA's. 1FTE Building Inspection
Maintaining IANZ Accreditation	Reassessment in 2015, and again in 2017, with no corrective actions has reinforced the work required to achieve this. The accreditation regulations have changed as 1 st July 2017. This will require a level of re-investment in the current, accepted practices and process and revision to align with the new regulations this will be commenced and completed in the 12 months to 1 July 2018.	The costs for IANZ have moved to a time and expense model. The BCA would expect to be paying approximately \$30K, every two years. This will commence from 2018/19 FY (as next review is planned for June 2019). These are in addition to the staff costs and any system costs (like GOshift).

Keeping pace with national policy/legislative change and best practice	<p>Ensuring time is given to keeping up to date with training and best industry practice and the expectation that Building Officers are fully up to date with products and building practices. The need to keep up to date with industry best practice also applies to Planning, monitoring, and Resource consent functions to ensure Council is making sound regulatory decisions.</p> <p>There have been a significant number of national environmental policy/legislative changes that require Council to revise systems and processes and apply additional staff resource. In some cases this has caused delays in projects such as the Nelson Plan.</p> <p>It is anticipated that national policy change will continue over the next 10 years.</p>	<p>Additional</p> <p>\$250k OPEX to Planning budget for 2018/19 for Nelson Plan hearing costs</p> <p>\$20k OPEX per annum for software licence/updates to support LAWA and compliance monitoring.</p> <p>\$100k CAPEX for sediment source equipment/site establishment and \$50k per annum for ongoing calibration and data acquisition</p> <p>\$40k CAPEX (years 1-3 – Each year, total of \$120k) for replacement and maintenance of air quality equipment.</p> <p>\$15K OPEX per annum for year 1,3,5,7,9 for air quality modelling work</p> <p>\$200K OPEX per annum for professional and system support for Urban Development work and annual monitoring and Capacity assessments.</p> <p>\$100K OPEX per annum for permitted activity monitoring, particularly for forestry and freshwater.</p> <p>\$200k per annum to expand healthy streams programme to all catchments post Project Maitai.</p>
Continuing to provide good customer service	<p>Staff time, additional financial support, and systems changes are required to meet the changing expectations of the community.</p> <p>Customers are now demanding the ability to access services such as building consents and planning documents online.</p>	<p>\$270k OPEX to Planning Budget over years 2-10 (30k per annum) to cover Eplan maintenance.</p> <p>\$100K OPEX per annum to support Warmer Healthier Homes and continue home insulation programme beyond 2017/2018</p>

A1243203 - last updated: 27 September 2017

	There are also ongoing expectations that Council will support home insulation and heritage tree maintenance programmes to enable the public good derived from these initiatives.	\$25K OPEX in year 1 and 2 for online building consent applications via GoShift
--	--	---

6. Levels of Service

Introduction

- 6.1. A key objective of this AMP is to match what we do in providing the service as required by law and in accordance with expectations of the community and their willingness to pay for the service. Activity management planning requires a clear understanding of why we do what we do, and to specify the levels of service delivered. The levels of service are intended:
- to inform people of the proposed type and level of service to be offered (now and in the future);
 - as a focus for the work required to deliver the agreed level of service;
 - to enable people to assess suitability, affordability and equity of the services offered.
- 6.2. There are many factors that need to be considered when deciding what level of service the Council will aim to provide. These factors include:
- Council needs to aim to understand and meet the needs and expectations of the community;
 - Council must meet its statutory obligations;
 - The services must be operated within Council policy and objectives;
 - The community must be able to fund the level of service provided.
- 6.3. To this end levels of service have been designed to align with statutory requirements, community feedback, Council strategies, responding to environmental issues, and the Nelson Plan programme.

Level of service	Measure	Actuals			Targets									
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
Nelson's air quality is compliant with National Air Quality Standards	Airshed A – Number of breaches	1	1	1	<3	<3	<3	1	1	1	1	1	1	1
	Airshed B1 – Number of breaches	0	1	2	1	1	1	1	1	1	1	1	1	1
	Airshed B2 – Number of breaches	0	0	0	0	0	0	0	0	0	0	0	0	0
	Airshed C – Number of	0	0	0	0	0	0	0	0	0	0	0	0	0
Nelson's natural waterways are compliant with NPS Freshwater requirements	Monitored swimming sites meet swimming quality standards				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
	Pristine water bodies are maintained at current state as a minimum				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Water quality in all water bodies is either maintained or improved				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
	Compulsory NPS-FM values are exceeded in all rivers				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
	Allocation limits are maintained in all catchments				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
Areas and condition of native ecosystems improve	Increase on 2017 baseline of the number of residents provided with advice and support for animal and pest plant control				10%	20%	30%	40%	50%	60%	70%	80%	90%	100%
Regional Pest Management Plan and Sabella programme meets Biosecurity Act requirements	Number of incursion or establishment of exclusion pests				0	0	0	0	0	0	0	0	0	0
	Number of control programme pests spreading to new areas				0	0	0	0	0	0	0	0	0	0
	Reduction of progressive containment programme pests within specified areas				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
	Pest populations of eradication programme listed pests are reducing to zero density within specified area				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC

Level of service	Measure	Actuals			Targets									
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
	Site led programme pests reducing to zero density within specified areas				TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC
Marine bathing sites are monitored	Marine bathing sites are monitored and the public is advised when water quality standards are breached				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Reduction in the amount of waste per resident sent to landfill	Annual decrease per capita in waste from Nelson to Landfill				1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
	Increase in participation in Enviroschools				1%	1%	1%	1%	1%	1%	1%	1%	1%	1%
Landowners are advised of natural hazard risk	LIM statements are applied to properties subject to potential natural hazard risk			100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
State of the Environment monitoring is published annually	SOE monitoring carried out and reported annually in accordance with MfE frameworks				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Urban Development Capacity is sufficient to meet future demand	Adequate land is zoned and serviced				100%	100%	100%							
	Adequate land is zoned and services are provided for in LTP				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Nelson Plan milestones are met	Draft Nelson Plan released				100%									
	Nelson Plan notified					100%								
	Nelson Plan decisions released							100%						
Individuals and groups in the community receive current information to assist improving health of their home environments	Number of talks given to community groups about healthy home environments				10	10	10	10	10	10	10	10	10	10
	% of requests for home visits or information undertaken within 20 working days				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Resource consents compliance with statutory timeframes	% non notified processed within 20 working days			98%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	% of fast track consents within 10 working days				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%

Level of service	Measure	Actuals			Targets									
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
	% of limited notified consents processed within 100 working days			98%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	% of notified consents processed within 130 working days			98%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Building Unit compliance	% of building consents and code compliance certificates issued within 20 working days			99%	99%	99%	99%	99%	99%	99%	99%	99%	99%	99%
	% of inspections undertaken within 72 hours			97%	80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
	IANZ accreditation		100%		100%		100%		100%		100%		100%	
	% of Certificate for Public Use issued within 20 working days				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	% of fencing of swimming pool monitoring completed annually				33%	33%	33%	33%	33%	33%	33%	33%	33%	33%
	Issue requirements for work to be undertaken and time limits for all earthquake prone buildings						100%	100%	100%	100%	100%	100%	100%	100%
	Undertake Building warrant of Fitness audits				80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
Dog and Animal Control	% of all complaints responded to within 1 day				90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
	Weeks of routine dog patrols >10 hours per week				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Noise Control	% of complaints responded to in 30 minutes except Fri and Saturday nights				90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
	% of complaints responded to in 30 minutes on Fri and Saturday nights				80%	80%	80%	80%	80%	80%	80%	80%	80%	80%
Parking Enforcement	% of non-urgent complaints responded to in 3 working days				90%	90%	90%	90%	90%	90%	90%	90%	90%	90%
	% of medium priority complaints responded to within 8 hours				90%	90%	90%	90%	90%	90%	90%	90%	90%	90%

A1243203 - last updated: 27 September 2017

Level of service	Measure	Actuals			Targets									
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
	% of high priority complaints responded to within one hour				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Patrol hours meet average standards (90hrs/week April-Nov, and 120hrs/week Dec-March) and two school patrols/wk during term time				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Food Safety and Public Health	One full inspection/audit of each premise annually				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Alcohol Licensing	Carry out 2 inspections of each licensed premise annually				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Monitor special licensed premises issued each year				10%	10%	10%	10%	10%	10%	10%	10%	10%	10%
Harbour and Coastal Safety	Review Navigation and safety Bylaw								100%					
	Respond to incidents to avoid loss of life, injury, and damage to vessels				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Inspect and replace navigation and safety aids annually				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Pollution response	Respond to emergencies within 30 mins and all other incidents within one day				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Check industry compliance for 300 hours staff time				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Dangerous goods/hazardous substances	Respond to emergencies within 30 mins and all other incidents within one day				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
	Provide comments on consents within 3 working days				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Response to complaints	Respond to high priority complaints within 4 hrs and other complaints within one day				100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Bylaw Development	Review Dogs Bylaw				100%					100%				

Level of service	Measure	Actuals			Targets									
		2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027
	Review Urban Environments Bylaw						100%					100%		
	Review Navigation and Safety Bylaw				100%					100%				
	Review City Amenity Bylaw								100%					100%
	Review Freedom Camping Bylaw								100%					100%

7. Future Work

Factors Affecting Delivery and Demand for Activity

- 7.1. Council recognises that future demands for Environmental Management will be influenced by:
- Population and economic growth and demographic change;
 - Changes in community expectations;
 - Environmental changes such as natural hazards;
 - Changes in legislation and planning documents;
 - Changes in the environmental risk profile.
- 7.2. The impact of these influencing factors on the demand for Environmental Management and the effect on the current scale and mode of delivery is discussed below.

Population and Economic Growth and Demographic Change

- 7.3. The rate of population growth anticipated in the region is likely to be reflected in a proportionate increase in activity levels within this function. In addition, demographic change, such as an increasing median age of the city's population and the continuing immigration, could result in changing values and expectations of the community that require planning responses.
- 7.4. Overall numbers of consents have been increasing and consent applications have become more complex in nature. The number and type of consents received is also dependent upon Resource Management Plan rules, what activities the Plan requires consent for, and those activities that are enabled (eg) Ultra Low Emission Burners. The Council is engaged in a full plan review and the impact of this on the number and type of resource consent applications is yet unknown.
- 7.5. The Resource Consent and Building business unit will need to ensure it has flexibility to adapt and respond to any future changes in a way that maintains current performance and customer service levels.

Trends in Community Expectations

- 7.6. The 2017 Residents Survey, indicates that the key focus area for the environment activity is correctly positioned. An increasing level of awareness of environmental issues, pressure on land and other resources as work progresses will mean Council will have to lead and respond to such community views.

Environmental Changes Such As Natural Hazards

- 7.7. Changing patterns of weather, long term changes in the climate or the occurrence of natural hazards will affect the rate and scope of policy responsiveness that is required concerning land and water use and associated risks such as increased pest risk exposure, sudden and severe weather systems,

increasing drought risk and the increased incidence of storm driven seawater inundation of low-lying coastal land. The likelihood of new pest incursions arising for reasons other than climate change is also an issue we are starting to see which is not easy to anticipate.

- 7.8. There is an expectation that Local Government will respond proactively to the consequence of climate change. Government scientists have given a strong and consistent message that climate change is likely to result in an increase in the frequency, geographical range and intensity of adverse weather events.

Changes in Legislation and Policies

- 7.9. Changes to Environmental Management Activity policies will be driven from a number of political directions. They could be internally driven through Council or externally by other organisations such as the Government or other agencies. Council will continue to monitor these factors when reviewing and developing forecasts and strategies.
- 7.10. Changes to the RMA in 2017 seek to streamline the consent process and standardise plan making across the country. Amendments also seek to increase iwi involvement and elevate hazard risk to a matter of national importance. This will require changes to the current consent process and re-alignment of the Nelson Plan.
- 7.11. Changes to national policy such as the NPS Urban Development Capacity and NPS Freshwater Management have resulted in increasing commitment to ongoing monitoring information and plan changes. The new NES Plantation Forestry will also require plan changes. MfE also has an ambitious plan to introduce a range of additional national guidance over the coming years which means the Council will need to adapt its work programme accordingly.
- 7.12. The Government has also undertaken changes to the Resource Management Act which will have impacts on timeframe requirements for the processing of resource consents. There is also a greater emphasis on natural hazards, land supply and provision of infrastructure. The NPSUDC and Special Housing legislation will also influence the number of resource and building consents in the future. The full impact of these changes is not yet known.
- 7.13. The Ministry for the Environment has introduced a new National Monitoring System which includes changes to what information needs to be gathered and how.

Changes in the Environmental Risk Profile

- 7.14. Through various resource management actions the risk of adverse effects from resource use activities should diminish. Where this applies, monitoring programmes or sites within monitoring programmes should be reduced. External factors such as natural hazards may increase the risk of effects from certain activities. This may mean more monitoring to assess these effects.

Renewals Capital Expenditure and Depreciation

- 7.15. This activity uses Council buildings and office equipment and vehicles which are managed as part of the business overheads. The only other capital cost is involved in providing and maintaining a reliable environmental monitoring system and these capital costs are low.

Future Programme

- 7.16. Unless the Government or Council introduce new legislation or regulations, no new categories of business costs are expected except those likely to arise as a result of increased activity levels.

Funding the Annual Net Cost

- 7.17. The current funding sources available for environmental activities include:
- general rate;
 - voluntary targeted rate;
 - grants;
 - sponsorship;
 - sales;
 - sundry income;
 - fees and charges recovery.

8. Financial Information

Funding Issues

Planning/Strategy Advice

- 8.1. The public generally benefits from Council having an ability and willingness to respond to national initiatives which might otherwise impact on Council's business. This sub-activity receives funding from the general rate. Opportunities for recoveries are limited. Currently the ratio is a Public 100%, Private 0% split.

Resource Management Policies and Plans

- 8.2. Council considers that the community as a whole benefits through having in place a planning framework for promoting sustainable management of natural and physical resources and minimising biosecurity risk. It receives a small contribution through plan sales and application fees for private plan changes. The balance coming from general rate. The funding ratio is Public 100%, Private 0% split.

Environmental information

- 8.3. The public generally benefits from Council having a good understanding of environmental pressures and trends and the state of resources in the region, the information about which can go towards making good policy and consent

decisions. The public also benefits from having in place a system for monitoring and responding to hazard events. Currently the ratio is a Public 100%, Private 0% split.

Resource Consents

- 8.4. The Consents and Compliance Business Unit is responsible for a variety of functions that have an element of cost recovery. While some charges are set by statute, other statutes give local authorities the power to set charges. Funding is achieved by Council through a mix of general rates, fees and charges, and infringement fees and fines. The level of cost recovery from applicants affects the level of ratepayer funding that is required.
- 8.5. Fees and charges aim to recover about 60% of the total resource consent activity costs as resource consent staff typically spend 50% of their time processing resource consents. At least 30% of resource consent staff time is spent responding to public enquiries with the other 20% spent on training, professional development, business unit and organisational meetings and other employee responsibilities. Rates cover 50% of resource consent activity costs.
- 8.6. The activities with a non-recoverable cost basis include:
 - Monitoring of permitted Nelson Resource Management Plan standards (although some fines are recovered from enforcement action if rule breaches are discovered);
 - The provision of a general enquiry service by resource consents staff to assist members of the public to understand general planning requirements. Customers (external and internal) either make appointments to see a duty planner, send emails, phone or walk in to the Customer Service Centre. There is provision to charge people after 30 minutes but in practice this has not occurred due to appointments generally taking less than half an hour;
 - Assessing and deciding on objections to consent conditions or costs;
 - Staff time and legal costs associated with resource consent appeals;
 - Staff time and most legal costs associated with enforcement actions although some recovery is obtained through fines and costs awarded by the Court;
 - Investigating and resolving claims of Council errors in processing applications;
 - Staff time assisting the Hearings panel for non-RMA matters.
- 8.7. Resource consent holders pay for the entire cost of monitoring and enforcing their consent conditions.
- 8.8. The Resource Management Act 2009 Amendments included the introduction of a Discount Policy should the consent:
 - be processed outside the statutory timeframes; and
 - it was the fault of the Council.

- 8.9. The discount came into effect on 31 July 2010. The default discount is 1% of the consent processing costs per day the consent was late, up to a maximum of 50% of the costs of the consent. Councils can choose to give a more generous discount than the default.
- 8.10. There is a level of financial risk to the Council associated with not achieving statutory timeframes.

Building and Regulatory functions

- 8.11. Building Unit income is recorded against projection on a monthly basis to allow the Building Unit to track and advise projections to Council. The current funding policies contained within the Long term Plan (page 229) advise – 'User charges recover the majority of costs for this (Building Consent) activity' and on funding it records – 'Private 60 to 80%, Public 20 to 40%' funding model.
- 8.12. The dog control, food safety, alcohol licensing and public health activities are self-funded. No rates are required to cover the expenses for providing these services. Animal control, harbour safety, noise control, dangerous goods and response to complaints are essentially fully funded from rates. A small amount is recovered from fines or fees.
- 8.13. Maritime New Zealand has provided some funding for navigation safety but this is not a regular occurrence. Pollution response is around 65% funded from rates with assistance provided from the Maritime Safety Authority.

Development Contributions

- 8.14. The Local Government Act does not allow the cost of developing and administering the Development Contributions Policy to be offset against monies collected for future capital works. This sub-activity receives funding from the general rate. Opportunities for recoveries are limited. Currently the ratio is a Public 100%, Private 0% split.

Compliance

- 8.15. In relation to compliance activities, the cost of monitoring consents is 100% recovered from consent holders through section 36 RMA charges as the consent holder is seen as the beneficiary. Some income is secured through recoveries, fines, and sales (of uncollected, impounded equipment), however, the Council does not budget for income from penalties as it could be seen to create a perverse incentive.
- 8.16. Permitted activity monitoring is funded from the rates base. Generally the public and future residents are the beneficiaries of this type of monitoring.
- 8.17. General compliance monitoring is also carried out, however, this covers a number of different activity areas, some of which are not covered in this Activity Management Plan.

Biosecurity

- 8.18. The public generally benefits from Council undertaking pest management responsibilities with attendant reduction in risks to primary production, biodiversity, and the environment. Nelson City Council pays Tasman District Council for work done in accordance with the Regional Pest Management Strategy. Public 100%, Private 0% split.

Environmental Education and Advocacy

- 8.19. Council considers that the community generally benefits from having in place a system for promoting an awareness of environmental issues and responsible behaviour towards the environment and appreciation of sustainable management objectives. Some non-rate funding for this activity could come from sponsorship, grants, and land owner contributions. Currently the ratio is a Public 100%, Private 0% split.

Schedule of Fees and Charges

- 8.20. The fees and charges are reviewed when triggered by RMA reforms and increased at least by the CPI. Environmental monitoring activities are funded in part by annual charges set under section 36(1)(c) of the Resource Management Act. Setting of fees is subject to separate process.

9. Significant Negative Effects

- 9.1. There are no significant effects from the activity, other than the costs of providing the services, however, particular actions and decisions may result in adverse media coverage that may be regarded as being representative of a negative effect. In such cases, Council will manage this prospect by properly assessing options and implications and clearly justifying decisions.

10. Significant Forecasting Assumptions and Uncertainties

- 10.1. The most significant assumptions and uncertainties that underlie the approach that has been outlined herein are:
- A reasonable degree of reliability can be placed on the population and other growth projections that have been used as forecast assumptions for the priorities in the Environment activity. However, these remain projections, and need to be carefully tracked to ensure that they remain a reliable indicator of likely future trends.
 - Government regulation and other regulatory changes are capable of changing the scope, nature and processes associated with this activity. However, no allowance has been made for changes in legislation.
 - Future budgets are based on a similar level of effort being required to respond per issue to the demands of this activity, but with growth and increasing contests over resource use, the outlook is for a slow level of increase in aggregate effort over the ten year period.
 - The importance of public education, its message, delivery and review should never be under estimated.

11. Plan review

- 11.1. This AMP is a living document that is relevant and integral to daily management of the activity. To ensure the plan remains useful and relevant, an on-going process of AMP monitoring and review will be undertaken, including a comprehensive review at intervals of not less than three years, and each review will be completed to coincide with the next review of the Long Term Plan.

12. Conclusion

- 12.1. The Council will undertake its Environmental Activity Management activities in accordance with its legal obligations and in a manner that ensures community outcomes are achieved.

Appendix 1 Financial projections 2018 – 2028

Account	Total Annual Plan Budget 2017/18	2018/19 (Year 1 AMP)	2019/20 (Year 2 AMP)	2020/21 (Year 3 AMP)	2021/22 (Year 4 AMP)	2022/23 (Year 5 AMP)	2023/24 (Year 6 AMP)	2024/25 (Year 7 AMP)	2025/26 (Year 8 AMP)	2026/27 (Year 9 AMP)	2027/28 (Year 10 AMP)
Grand Total	4,804,995	5,950,496	5,886,167	5,299,589	5,193,610	5,022,936	4,935,686	5,180,175	4,295,423	4,291,173	4,270,807
4502 Monitoring The Environment	996,257	1,008,659	1,142,597	1,008,068	948,068	945,818	915,818	1,069,847	978,068	915,818	948,077
4504 Developing Resource Mgt Plan	799,580	1,110,831	989,645	654,645	639,645	554,645	539,645	554,645	539,645	554,645	539,645
4514 Environmental Advocacy/Advice	582,517	1,137,736	1,191,296	1,191,296	1,141,296	1,141,296	1,141,296	1,141,296	438,783	438,783	438,783
4518 Pest Management	243,352	223,447	223,400	187,400	198,150	187,400	187,400	187,400	187,400	198,150	187,400
4521 Clean Heat Warm Homes	51,000	55,183	49,867	24,403	9,549	0	0	0	0	0	0
4702 Dog Control	450,498	468,429	468,296	468,296	468,296	468,296	468,296	468,296	468,296	468,296	468,296
4704 Animal Control	16,903	17,682	17,677	17,677	17,677	17,677	17,677	17,677	17,677	17,677	17,677
4706 Liquor Licencing	165,000	173,297	173,250	173,250	173,250	173,250	173,250	173,250	173,250	173,250	173,250
4708 Food Premises	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000	130,000
4712 Public Counter Land & General	5,165	10,754	5,375	5,375	10,750	5,375	5,375	10,750	5,375	5,375	10,750
4714 Building Services	128,401	185,255	142,966	175,216	142,966	185,216	142,966	175,216	142,966	175,216	142,966
4720 Harbour Safety	129,216	136,166	173,979	136,144	136,144	136,144	136,144	173,979	136,144	136,144	136,144
4722 Pollution Response	93,385	97,130	97,103	97,103	97,103	97,103	97,103	97,103	97,103	97,103	97,103
4738 Resource Consents	500,306	516,838	516,763	516,763	516,763	516,763	516,763	516,763	516,763	516,763	516,763
4742 Enforcing Bylaws	329,584	338,988	338,920	338,920	338,920	338,920	338,920	338,920	338,920	338,920	338,920
4747 Building Claims	50,000	215,062	100,000	50,000	100,000	0	0	0	0	0	0
6005 Waste Minimisation	133,831	125,039	125,033	125,033	125,033	125,033	125,033	125,033	125,033	125,033	125,033

A178792 - last updated: 27 September 2017

Appendix 2 – Legislative context

- Amusement Device Regulations 1978
- Animal Welfare Act 1999
- Biosecurity Act 1993
- Building Act 2004 and Building Regulations
- Camping Ground Regulations 1985
- Dog Control Act 1996
- Environmental Reporting Act
- Food Act 2014, Food Act 1981, Food Hygiene Regulations 1974
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956 and Health Regulations 1966
- Health burial Regulations 1946
- Health Hairdressers Regulations 1980
- Impounding Act 1955
- Land Transport Act 1998 and Regulations 1998, 1999, 2011
- Litter Act 1979
- Local Government Act 2002
- Local Government Official Information and Meetings Act 1987
- Machinery Act 1950
- Maritime Transport Act 1994
- Plumbers, Gasfitters and Drainlayers Act 2006
- Resource Management Act 1991
- Sale and Supply of Alcohol Act 2012
- **Regulations**
- Water
- **National Policy Statements**
- NZ CPS, NPS FWM, NPS UDC, NES CS, NES ET, NES AQ, NES PF Potential NPS for Hazards and Biodiversity

A178792 - last updated: 27 September 2017

- Building Consent processing and inspections;
- Building Warrant of Fitness compliance;
- The management of earthquake prone buildings;
- Fencing of swimming pools compliance;
- The issuing of Land Information Memorandums;
- Dog control;
- Animal control;
- Noise control;
- Parking enforcement;
- Food safety and public health licensing and compliance;
- Sale and Supply of Alcohol licensing and compliance;
- Harbour and coastal safety;
- Pollution response;
- Dangerous goods and hazardous substances response; and
- Response to complaints.

A178792 - last updated: 27 September 2017

Nelson Plan - Draft Regional Policy Statement

1. Purpose of Report

- 1.1 To consider the feedback on the Draft Regional Policy Statement (RPS) and provide direction on the matters that need to be considered as the RPS and Nelson Plan are developed and refined throughout 2018.

2. Summary

- 2.1 Council released the Draft RPS for feedback in May/June 2016. Feedback was received from approximately 50 groups and individuals resulting in some 800 individual points of feedback. Further feedback was also sought from the Iwi Working Group in November 2016. Council officers provided a general overview of this feedback at Council workshops on 22 November and 1 December 2016 and to the Planning and Regulatory Committee meeting on 23 February 2017.
- 2.2 A Planning peer review of the Draft RPS has been undertaken.

3. Recommendation

That the Committee

Receives the report Nelson Plan - Draft Regional Policy Statement (R7279) and its attachments (A1743457, A1829598, and A1743456); and

Agrees that the Nelson Plan Draft Regional Policy Statement will incorporate the changes identified in report R7279 and its attachment (A1829598); and

Agrees that further changes/refinement will be made to the Draft Regional Policy Statement throughout 2018 relating to how issues, objectives, policies, and methods are framed to ensure integration with the rest of the Nelson Plan, to recognise any further national policy or environmental standard changes, and to reflect

the City vision once it has been adopted by Council.

Agrees the Nelson Plan Draft Regional Policy Statement can remain as a working draft until it is updated and incorporated into the wider Nelson Plan for further community feedback in mid 2018.

4. Background

- 4.1 The Resource Management Act (RMA) 1991 requires Council to review the regional policy statement, regional plan and district plan every 10 years. The current Regional Policy Statement (1997), Air Plan (2008) and Nelson Resource Management Plan (regional, coastal, and district plan 2006) are overdue for review.
- 4.2 In late 2014 Council decided that it would undertake an integrated review of Nelson's resource management plans called the Whakamahere Whakatu Nelson Plan. Officers have been undertaking technical work, working in partnership with iwi and engaging with a range of key stakeholders on the Nelson Plan.
- 4.3 Throughout 2015 officers ran a series of workshops with Council and Iwi to define Nelson's significant resource management issues and how to respond to those issues - strategic outcomes. Community feedback was sought in November 2015 that informed the development of the Draft RPS <http://nelson.govt.nz/feedback-overview-nrmp>
- 4.4 In early 2016 Council workshopped the Draft Regional Policy Statement ahead of seeking community and stakeholder feedback in May/June. A summary of the feedback was provided to Councillors in September 2016 and can be found at <http://nelson.govt.nz/rps-feedback>
- 4.5 Officers then considered the feedback, briefed the new Council on the draft RPS and workshopped general responses to that feedback with councillors on 22 November and 1 December 2016.
- 4.6 An overview of the Nelson Plan process and feedback on the Draft RPS was reported to the 23 February 2017 Planning and Regulatory Committee meeting. The Committee resolved that the next iteration of the Draft Regional Policy Statement will be reported following the completion of a planning peer review. The report also noted that the Draft RPS will remain as a working draft throughout 2017 as the wider Nelson Plan is developed to ensure that the RPS and wider Nelson Plan are fully integrated.
- 4.7 The report also indicated that the following feedback would be considered in the next report:

- Public feedback with officer recommendations
 - Proposed officer changes following further advice
 - Officer recommendations on Council workshop feedback
- 4.8 A planning peer review of the Draft RPS has now been completed and is discussed below.

5. Discussion

Feedback and Recommendations

Wide range of feedback received on the draft RPS

- 5.1 The RPS sets the strategic direction for the remainder of the Nelson Plan, which contain the regional, district and coastal provisions.
- 5.2 Feedback was received from approximately 50 groups and individuals including Iwi, Grey Power, Victory Community Centre, Federated Farmers, Friends of the Nelson Haven, Nelson Environment Centre, Brook Sanctuary, Southern Inshore fisheries, Forest and Bird, and Nelson Forests.
- 5.3 A number of National/government agencies also provided feedback including New Zealand Transport Agency (NZTA), Transpower, NZ Defence Force, Tasman District Council, Nelson Marlborough District Health Board, and Heritage NZ.
- 5.4 Overall there were approximately 800 individual pieces of feedback.
- 5.5 Feedback on the draft RPS was provided by Councillors at the 22 November and 1 December 2016 workshops. A summary of this feedback is attached at Attachment 1(A1743457).
- 5.6 Council officers have arranged for the Draft RPS and Nelson Plan to have a planning peer review. A later legal review will also occur as the wider Nelson Plan is in draft form. In summary the Planning peer review recommendations of the Draft RPS identified the need to:
- Ensure that regionally significant resource management issues and objectives are regionally significant and improve how they are framed.
 - Include a s32 (cost benefit analysis) to capture the rationale for the policy approach in the Draft RPS.
 - Ensure alignment from issues right through to the methods and show the link between RPS and District and Regional Plan objectives, policies, and rules when the District Plan is developed.
 - Address overlapping objectives such as natural character in the amenity chapter and landscape chapter.

- Include specific methods for addressing cross boundary issues with TDC staff and update issues and other plan content with relevant RMA and National Policy Statement (NPS) provisions.
- Streamline methods to make sure they have a regional focus and where they do not relegate them to the District/Regional Plan level.
- Make methods action focussed and measureable.
- Clarify how Te Taiao values are going to be considered by RPS and the District and Regional Plan.

Officer Recommendations generally align with feedback

- 5.7 A track change version of the Draft RPS is attached at Attachment 2 (A1829598). This indicates changes that have been recommended by officers and whether they are in response to public feedback, feedback from Council workshops, Officer feedback, or feedback resulting from the Planning Peer review.
- 5.8 A summary of officer recommendations, is provided below. These changes generally align with feedback received on the Draft RPS.

General Recommendations highlight the need for amendments to improve integration and keep pace with national policy change

- 5.9 Feedback from the general public was generally supportive and largely sought minor changes to text. Some feedback also sought changes that were more appropriate at the District Plan level and some gaps were identified in the Draft RPS.
- 5.10 Officers have recommended that minor text changes are generally supported and that District Plan matters will be further considered at the rule drafting stage of the Nelson Plan.
- 5.11 The following recommendations are made in relation to the gaps identified by the general public:
- The Draft RPS is not changed to clarify Councils role or the need to take a precautionary approach as this is provided for in legislation or caselaw (see RMA (s84) and LGA (s39)).
 - A climate change chapter has not been added to the Draft RPS as the effects of climate change are a cross cutting issue rather than a chapter specific issue. Feedback has also sought that the causes of climate change are addressed in the Draft RPS. The RMA has a narrower focus than this as it directs Councils to have particular regard to the effects of climate change (RMA s7(i)) and limits Councils ability to control discharges unless an National Environmental Standard allows this (RMA s70A&B).

- The economic benefit of fisheries and the impact that landuse activities have on Nelson's fisheries resource should be acknowledged in the Draft RPS.
- The role of specific areas, such as the importance of industrial areas, medical facilities, future residential areas, and the role of different centres, is recognised in the Draft RPS.

5.12 The Planning peer review has highlighted the need for a number of general issues that need to be addressed. The following changes are recommended:

- The RPS is streamlined once the regional and district plan objectives, policies, and rules are developed.
- In order to keep the Nelson Plan concise it is not proposed to repeat issues, methods, anticipated environmental results or principal reasons at the Regional and District Plan level. While Council has the option to include these matters these are not mandatory under the RMA. It is considered in Nelson's case these do not need to be repeated as all regional and district plan matters broadly stem from those issues identified at the RPS level.
- Improvements will be made to frame issues as issues rather than outcomes. Council was initially keen to frame issues as outcomes to help tell the story about what Council is trying to achieve up front. The vision section of the plan in the introduction has now been amended to do this so that issues throughout the document can be re-written as regionally significant resource management issues. These issues have been tested using operative RPS criteria and have been through extensive council workshops and community engagement. Further explanation about how the issues were identified is included in section 1.6 of the Introduction chapter and will be comprehensively outlined in the s32 cost benefit analysis that sits behind the Nelson Plan. Issues will be reframed throughout 2017 as the Council workshops the Nelson Plan rules to ensure vertical alignment between the RPS Issues and the rest of the Nelson Plan.
- The Draft RPS will be re-written to ensure that there is alignment right from issue to methods and provisions align with relevant sections of the RMA and National policy guidance and are framed correctly. Methods have been reviewed to ensure they are action focussed and measureable, and these will be further streamlined as the Nelson Plan develops.
- No substantial changes are recommended as Cross boundary issues have been agreed with TDC and MDC planning officers.
- Draft RPS objectives, policies, and methods will be reviewed as the rest of the Nelson Plan is developed so that vertical alignment can be achieved once the rules are drafted. This is one of the reasons why the

Draft RPS is proposed to stay as a working draft until the rest of the Nelson Plan is developed in a draft form.

- Officers are currently refining a RMA s32 cost benefit analysis for the Draft RPS and this will be available when the Draft Nelson Plan is released for feedback. While the RMA only requires this at notification it is best practice to assess options as plan provisions are considered.
- Te Taio (environment) values will be considered at the regional and district plan level as these documents need to give effect to the integrated RPS, which needs to be read as a whole. This is why the regulatory methods section of the Iwi chapter indicates that assessment against the Aoturoa framework (which addresses the implementation of Maori traditional understanding of Te Taiao with resource management processes) is required. Relevant policies have been amended to clarify this.

- 5.13 A number of chapter specific changes have been sought via feedback. Officers have also recommended a number of additional changes as a result of further technical work that has been undertaken, national policy changes that have been signalled, and more recent discussions with key stakeholders such as Freshwater Working Groups and Iwi stakeholders. Councillors were briefed on these recommended changes at the 22 November and 1 December workshops. A summary of these changes was reported at the 23 February 2017 Planning and Regulatory Committee meeting and are attached at Attachment 3 (A1743456).
- 5.14 A summary of all officer recommendations, by chapter, is provided below. The summary also identifies whether the recommendation results from workshop, community, officer or peer review feedback.

Chapter by Chapter Recommendations

Introduction

- Outline how significant resource management issues were identified.
- The role of Nelson 2060 and Councils strategic outcomes have been clarified and the vision updated accordingly. (Workshop, Community, Peer review).
- Strategic outcomes have been altered to highlight the importance of the Central City (Workshop).
- Cross boundary issues highlight the role of the Nelson Regional Development Agency and emphasise the importance of economic development (Workshop).
- The vision emphasises the importance of energy efficient housing and key transport links (Workshop).

- Updating timelines for Nelson Plan and release of National Environmental Standard for Air Quality (officers).

Chapter 1 (Tangata Whenua Iwi of Whakatu)

- Additional interpretation has been added to Appendix 1 along with clarifying that Council is still working with Iwi to identify “places of significance” (Workshop, Community).
- Changes to Objective Rima and Policy Wha to clarify iwi participation (Community).
- Alter Policy Rua to include places of significance to Maori and access to natural resources used for customary purposes (Community, Workshop).
- Alter Policy Rima to clarify Te Aoturoa Framework (peer review).
- Amend methods to include monitoring programmes and iwi engagement and training needs (Community, Peer review).
- Add Anticipated Environmental Result about tikanga Maori (Community).

Chapter 2 (Infrastructure and Energy)

- Highlight the positive effects that can be generated by infrastructure and the importance of national infrastructure (Community).
- Update policies (2.9), methods and Anticipate Environmental Results to reflect National Policy Statement Urban Development Capacity (Community, Officers).
- Broaden Policy 2.1 to include wider transport and healthcare facilities (community).
- Amend Policy 2.2 to align better with RMA and other chapters of the RPS (community, Peer review).
- Emphasise that some infrastructure cannot be avoided in high risk hazard areas in policy 2.4 (community).
- Include discussion that outlines waste wood is a renewable energy resource and Ultra Low Emission Burners also new technology for reducing emissions (workshop).
- Emphasise the link between funding and infrastructure rollout (officer).

Chapter 3 (Character and Amenity)

- Emphasise the need for greater urban design/amenity guidance in plan, especially in centres and note that shading can generate adverse amenity effects (workshop, community).

- Re-order policies 3.2 and 3.3 to clarify that essential amenity values should be identified first so that development in centres can reflect these values (peer review).
- Clarify, in policies 3.5 and 3.7, how adverse amenity effects will be addressed in the Industrial and Rural zones (Peer review, workshop, community).
- Combine Policy 3.9 and 3.10 (notable trees) to improve explanation of what is to be protected and how it will be identified (peer review).

Chapter 4 (Social and Economic Wellbeing)

- Re-order issues (Officers).
- Emphasise the importance of the coastal and marine environment (community).
- Remove reference to 3-4 storeys at Stoke/Tahuna, include the impact tourism activities has on housing supply , include provision for second dwellings, and discuss the role of Haven, Marina, and Saxton in centres hierarchy (workshop).
- Clarify the role of existing commercial activities in Industrial zones (community).
- better reflect the National Policy Statement Urban Development Capacity requirements to monitor residential business and land supply and other factors (officer, community).
- Clarify the role of Farm Plans and Large Property Plans in Policy 4.9 (Community)
- Clarify what sensitive activities are in Policy 4.11 and 4.12 (community).

Chapter 5 (Natural Hazards)

- Changes to issues to clarify the nature and extent of natural hazards (Community).
- Policy 5.1 - Clarify what is meant by a risk based approach (Community).
- Alter Policy 5.2 to allow activities in high risk areas where comprehensive hazard management plans are in place and avoidance is impractical (officer).
- Clarification (Policy 5.4) that areas of coastal hazard need to be identified before we can develop an appropriate land management approach (officer).
- Clarify the flood event to be used for Building and Subdivision respectively in Anticipated Environmental Results(officer).

Chapter 6 (Heritage)

- Reframe provisions to better reflect wording of the RMA and national guidance (peer review, Community, Iwi).
- consider amenity values alongside heritage values, and include building consent remission for strengthening heritage buildings as a method(workshop).

Chapter 7 (Landscape)

- Clarify that the chapter also includes Coastal Natural Character values and how these values will be identified (community)
- Clarify the focus on skylines (workshop, Community, Officer).
- Include reference in explanations to issue statements, policies and anticipated environmental results to areas exhibiting high and very high landscape and natural character values in the coastal environment, together with the associative and cultural values of the Maitai (Mahitahi) Valley (Community, officer).

Chapter 8 (Biodiversity)

- Clarify that freshwater and marine biodiversity matters are addressed elsewhere, Genetically Modified Organisms regulation to be left to Environmental Protection Agency, acknowledge and recognise the role of voluntary work and community groups in management of biodiversity, and confirm mapping Significant Natural Areas is the best approach due to added certainty (workshop, Community).
- Relocation of policy reference to biodiversity corridor and riparian enhancement and removal of reference in Methods section to using narrative descriptions of acutely or chronically threatened ecosystems (in preference to mapping these areas)(officer).
- Highlight the role of biodiversity corridors and riparian areas (community).
- Include reference to biodiversity offsets (peer review).

Chapter 9 (Land)

- Ensure property plans address run-off from steep and impervious land and recognise baseline water quality levels (policy 9.1)(workshop).
- Recognise impacts on coastal, freshwater, and iwi values (community).

Chapter 10 (Coastal)

- Include more discussion of Tasman Bay State of the Environment (Issue 10.4), Include a map of the Coastal Marine Area and include the Marine reserve (workshop, community).
- Removal of introductory text as this is duplicated elsewhere (officer).
- Removal of off-setting policy provision (officer).
- Highlight the need to meet marine water quality standards in Policy 10.4 (officer).
- Recognise the social and economic importance of the marine environment and the fishing industry (Community, Workshop).
- Highlight the importance of access to the coast (Workshop).

Chapter 11 (Freshwater)

- Removal of introductory text but include in Issue 11.1 and include a cost benefit assessment to assess swimmable/wadable values as the Nelson Plan develops (workshop).
- Include a reference to investigating rating for water use as a method and add measuring ground water take rates and quality changes as an Anticipated Environmental Result (officer).
- Emphasise the cross boundary nature of water management (Community).
- Include policy for over allocation (community).
- There is a need to comprehensively redraft this chapter following Freshwater Management Group and Iwi input along with the additional technical work that has been completed since this chapter was originally drafted (officers).

Chapter 12 (Air)

- Updating timelines for Nelson Plan and release of National Environmental Standard for Air Quality (officers).
- "Significant" adverse impact on health will be better explained once the latest NES is released(workshop).

City Vision

- 5.15 The Council has recently been working on developing a City Vision that will guide Council policy. It is recommended that the City Vision is incorporated into the Draft RPS once it has been adopted by Council.

6. Options

- 6.1 The options for management of the Draft RPS are outlined in the table below.

Option 1: Keep RPS as working draft until Nelson Plan developed	
Advantages	<ul style="list-style-type: none"> • Allows greater time for engagement • Would deliver an integrated Nelson Plan to ensure rules and strategy align • Ensures RPS is consistent with National Policy being developed in 2017 • Allows for comprehensive legal and peer review
Risks and Disadvantages	<ul style="list-style-type: none"> • Strategic direction is not set and would be subject to change
Option 2: Adopt RPS as final Draft	
Advantages	<ul style="list-style-type: none"> • Plan drafters would have confidence that strategic direction will not change and can draft Plan content accordingly
Risks and Disadvantages	<ul style="list-style-type: none"> • Less robust planning document opening up greater possibility of challenge • Less time for engagement on RPS • National Policy Changes cannot be considered • Limited peer and legal review

Option 1 Recommended - Keep RPS as a working draft until Nelson Plan is developed

- 6.2 It is recommended that the Draft RPS remains as a working draft so that changes can be made to the RPS as the Nelson Plan is developed. This will allow the Council and community to have further input to the Draft Nelson Plan as a whole in mid 2018. Keeping the RPS draft will also allow officers to consider how further technical work, needed to develop rules, might affect the overall strategic direction provided by the RPS.
- 6.3 There are also some parts of the RPS that cannot be finalised until further national policy guidance is provided throughout 2017, in particular the National Environmental Standard (NES) - Air Quality, the NES - Plantation Forestry, the national plan standard, and the National Policy Statement – Urban Development Capacity (in terms of whether Nelson/Richmond is a high growth area), amendments to the National

Policy Statement Freshwater Management, and anticipated guidance on hazard risk and climate change.

- 6.4 The recent (September 2017) release of the Nelson Southern Link Investigation by NZTA will need to be considered in relation to significant issues and relevant chapters. Officers are yet to engage with NZTA on the release of this report.
- 6.5 Officers have also commenced further community engagement on freshwater, biodiversity, landscape, hazards, and heritage that will usefully inform Draft RPS provisions. For example Draft RPS freshwater provisions are waiting for community groups to finalise values, objectives, and limits.

7. Conclusion

- 7.1 The Draft RPS has now been through initial community engagement, Council workshops, and a planning peer review. Officers have recommended changes to the Draft RPS to better align with the purpose of the RMA and national policy guidance, and address the issues raised by the community and the peer review to date. It is appropriate to make some initial changes to the Draft RPS as a working draft while the rest of the Nelson Plan develops. This will ensure ongoing integration and to keep pace with national legislative and policy changes.

Matt Heale

Manager Environment

Attachments

- Attachment 1: Nelson Plan Summary of Changes to draft RPS sought at Council workshops nov dec 2016 [↓](#)
- Attachment 2: Draft Regional Policy Statement October 2017 (*Circulated separately*) [⇒](#)
- Attachment 3: Nelson Plan Summary of Officer recommendation to Draft RPS May 2017 [↓](#)

Important considerations for decision making
<p>1. Fit with Purpose of Local Government</p> <p>The preparation of the Draft RPS and wider Nelson Plan meets the Council obligations under the Resource Management Act 1991 (RMA). It is considered that this approach is the most efficient way to achieve the purpose of the Local Government Act.</p>
<p>2. Consistency with Community Outcomes and Council Policy</p> <p>The Draft RPS process aligns with the delivery of the Council's regulatory functions under the RMA, the Long Term Plan community outcome 'our urban and rural environments are people-friendly, well planned and sustainably managed' and the Nelson 2060 goals of 'we are all able to be involved in decisions' and 'our natural environment – air, land, rivers and sea – is protected and healthy'.</p>
<p>3. Risk</p> <p>To be successful as a planning document, the RPS and the wider Nelson Plan need to be well integrated and free of any conflicting or contradictory policy. Keeping the RPS draft while the wider Plan is developed will ensure that this objective is achieved, and reduce the potential for legal challenge and disintegrated consent decisions in the future.</p>
<p>4. Financial impact</p> <p>There are no direct costs associated with keeping the RPS in draft while the wider Nelson Plan is developed.</p>
<p>5. Degree of significance and level of engagement</p> <p>This matter is of medium significance because collectively the RPS and Nelson Plan will establish a planning framework for 10 to 20 years. It is therefore of considerable interest to residents, ratepayers, landowners, occupiers, business interests, resource users, other stakeholders and iwi alike. The extent to which the RPS and Nelson Plan are well-integrated will have a bearing on how the entire Plan is received by those parties.</p>
<p>6. Inclusion of Māori in the decision making process</p> <p>The Iwi Working Group (IWG) established by Council and representing Te Tau Ihu has guided the development of the draft RPS to date. IWG representatives have indicated a preference for reviewing the combined draft RPS and Nelson Plan as a whole, so that they are able to provide meaningful feedback. Keeping the RPS in draft will assist in this.</p> <p>Wider Maori will be engaged through future consultation.</p>

7. Delegations

The Planning and Regulatory Committee has the responsibility for considering resource management issues and to perform all functions, powers and duties relating to the areas of responsibility conferred on Council by relevant legislation (for example in this instance the RMA 1991). The Planning and Regulatory Committee has the power to decide this matter.

Summary of Changes sought to Draft RPS at Council Nov/Dec 2016 workshops

- 1.1 Intro – Work on vision to:
 - Incorporate Nelson 2060
 - Broaden description of Industrial land needing to be used efficiently
- 1.2 Strategic outcomes
 - Highlight the importance of the CBD
 - Include future economic development as a key cross boundary issue – Involve NRDA
 - Highlight the importance of energy efficient housing and key transport links
- 1.3 Iwi – Interpretation (taonga (treasures)and matauranga (knowledge))
 - Clarify that still working with Iwi to determine where “places of significance to Iwi are
- 1.4 Infrastructure and energy – Clarify reverse sensitivity in Objective 2.2, role waste wood plays in renewable energy as well as role of ULEB’s
- 1.5 Character and amenity – Role of Urban design Panel and greater urban design/amenity guidance in plan esp in centres. Note that shading can generate adverse amenity effects
- 1.6 Social and Economic Wellbeing – Revisit 3-4 storeys at Stoke/tahuna – Need to look at impact tourism activities has on housing supply , include provision for second dwellings – Consider role of Haven, Marina, and Saxton in centres hierarchy
- 1.7 Natural hazards – confirmed veracity of flood modelling info but acknowledged that coastal erosion and inundation would have to dealt with later
- 1.8 Landscape – revisit use of skyline vs ridgeline, Provide Councillors with flyover, drone shots, and Bayview development mock ups
- 1.9 Heritage – List what building elements to protect, consider amenity values alongside heritage values, need to communicate requirement for HPT assessment for pre 1900 buildings, consider building consent remission for strengthening heritage buildings
- 1.10 Biodiversity – need to be clear that freshwater and marine biodiversity matters are addressed elsewhere, GMO’s regulation to be left to EPA, Acknowledge and recognise the role of voluntary work and community

groups in management of biodiversity, support for mapping SNA's due to added certainty.

- 1.11 Land – Ensure property plans address run-off from steep and impervious land and recognise baseline water quality levels (policy 9.1)
- 1.12 Coastal – Include more discussion of Tasman Bay state of the Environment (Issue 10.4), Include a map of the Coastal Marine Area and include the Marine reserve.
- 1.13 Freshwater – Need to highlight need for cross boundary management of water such as the Roding (covered in Cross Boundary p19) – Include visionary text up front (See Issue 11.1) – Need to include a cost benefit assessment to assess swimmable/wadable values.
- 1.14 Air – need to better explain “significant” adverse impact on health once have latest NES.

Summary of Officer Recommendations reported to 23 February 2017 Planning and Regulatory Committee

- Updating timelines for Nelson Plan and release of National Environmental Standard for Air Quality in Introduction and Air Chapters.
- Removal of introductory text in Freshwater and Coastal Chapter as this is duplicated elsewhere.
- A range of cross referencing and minor text changes throughout the document for improved readability.
- Include a reference to investigating rating for water use as a method and add measuring ground water take rates and quality changes as an Anticipated Environmental Result to Freshwater Chapter.
- Emphasise the link between funding and infrastructure rollout in the Infrastructure Chapter.
- Removal of off-setting policy provision in the Coastal and Marine Environment Chapter
- Relocation of policy reference to biodiversity corridor and riparian enhancement and removal of reference in Methods section to using narrative descriptions of acutely or chronically threatened ecosystems (in preference to mapping these areas) in the Biodiversity Chapter.
- Include reference in explanations to issue statements, policies and anticipated environmental results to areas exhibiting high and very high landscape and natural character values in the coastal environment, together with the associative and cultural values of the Maitai (Mahitahi) Valley in the Landscape and Coastal Natural Character Chapter.
- Changes to the Social and Economic chapter to better reflect the National Policy Statement Urban Development Capacity requirements to monitor residential business and land supply and other factors.
- Clarification in the Natural Hazards chapter that areas of coastal hazard need to be identified before we can develop an appropriate land management approach.