

**Notice of the Ordinary meeting of**

## **Environment and Climate Committee**

### ***Te Kōmiti Taiao / Āhuarangi***

Date:	Thursday 26 May 2022
Time:	9.00a.m. - to HEAR submissions to Environmental Management Fees and Charges
Location:	Via Zoom

## **Agenda**

### ***Rārangi take***

**Chairperson**

Cr Kate Fulton

**Deputy Chairperson**

Cr Mel Courtney

Cr Brian McGurk

**Members**

Her Worship the Mayor Rachel Reese

Cr Yvonne Bowater

Cr Trudie Brand

Cr Judene Edgar

Cr Matt Lawrey

Cr Gaile Noonan

Cr Rohan O'Neill-Stevens

Cr Pete Rainey

Cr Rachel Sanson

Cr Tim Skinner

Ms Glenice Paine

**Quorum 7**

**Pat Dougherty**  
**Chief Executive**

Nelson City Council Disclaimer

Please note that the contents of these Council and Committee agendas have yet to be considered by Council and officer recommendations may be altered or changed by the Council in the process of making the formal Council decision. For enquiries call (03) 5460436.

## ***Excerpt from Nelson City Council Delegations Register (A11833061)***

### **Environment and Climate Committee**

#### **Areas of Responsibility:**

- Building control matters, including earthquake-prone buildings and the fencing of swimming pools
- Brook Waimarama Sanctuary Trust
- Bylaws, within the areas of responsibility
- Climate Change policy, monitoring and review
- Climate change impact and strategy overview - mitigation, adaptation and resiliency
- Climate change reserve fund use
- Environmental programmes including (but not limited to) warmer, healthier homes, energy efficiency, environmental education, and eco-building advice
- Environmental regulatory and non-regulatory matters including (but not limited to) animals and dogs, amusement devices, alcohol licensing (except where delegated to the Alcohol Regulatory and Licensing Authority), food premises, gambling, sugar-sweetened beverages and smokefree environments, and other public health issues
- Environmental science monitoring and reporting including (but not limited to) air quality, water quality, water quantity, land management, biodiversity, biosecurity (marine, freshwater and terrestrial), pest and weed management, and coastal and marine science
- Environmental Science programmes including (but not limited to) Nelson Nature and Healthy Streams
- Hazardous substances and contaminated land
- Maritime and Harbour Safety and Control
- Planning documents or policies, including (but not limited to) the Land Development Manual
- Policies and strategies relating to compliance, monitoring and enforcement
- Policies and strategies related to resource management matters
- Pollution control
- Regulatory enforcement and monitoring
- The Regional Policy Statement, District and Regional Plans, including the Nelson Plan
- Urban Greening Plan

#### **Delegations:**

The committee has all of the responsibilities, powers, functions and duties of Council in relation to governance matters within its areas of responsibility, except where they have been retained by Council, or have been referred to other committees, subcommittees or subordinate decision-making bodies.

The exercise of Council's responsibilities, powers, functions and duties in relation to governance matters includes (but is not limited to):

- Monitoring Council's performance for the committee's areas of responsibility, including legislative responsibilities and compliance requirements
- Developing, monitoring and reviewing strategies, policies and plans, with final versions to be recommended to Council for approval
- Developing and approving draft Activity Management Plans in principle, for inclusion in the draft Long Term Plan
- Reviewing and determining whether a bylaw or amendment, revocation or replacement of a bylaw is appropriate
- Undertaking community engagement, including all steps relating to Special Consultative Procedures or other formal consultation processes other than final approval
- Approving submissions to external bodies or organisations, and on legislation and regulatory proposals
- Approval of increases in fees and charges over the Consumer Price Index (CPI)

#### **Powers to Recommend to Council:**

In the following situations the committee may consider matters within the areas of responsibility but make recommendations to Council only (in accordance with sections 5.1.3 - 5.1.5 of the Delegations Register):

- Matters that, under the Local Government Act 2002, the operation of law or other legislation, Council is unable to delegate
- The purchase or disposal of land or property relating to the areas of responsibility, other than in accordance with the Long Term Plan or Annual Plan
- Unbudgeted expenditure relating to the areas of responsibility, not included in the Long Term Plan or Annual Plan
- Approval of notification of any statutory resource management plan, including the Nelson Plan or any Plan Changes
- Decisions regarding significant assets
- Actions relating to climate change not otherwise included in the Annual Plan or Long Term Plan
- Approval of final versions of strategies, policies and plans

**Karakia and Mihi Timatanga**

**1. Apologies**

An apology has been received from Councillor J Edgar

**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**

There is no public forum

**5. To hear submissions to the Change to regulatory fees and charges 2022/2023**

**4 - 11**

Document number R26906

Recommendation

***That the Environment and Climate Committee***

***1. Receives the submissions to the change to regulatory fees and charges 2022/2023 (A2889656).***

**5.1 Hearing Schedule and Speakers Submissions**

Ian McComb

Submission 31902-1

Page 7-8

**Karakia Whakamutanga**

# Submissions to the Change to regulatory fees and charges 2022/2023



A2889656

## Table of Contents

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1.	<u>31900 - Clive Lewis - Clive Lewis Design (2004) Ltd</u>	3
2.	<u>31902 - Ian McComb - Small Time Developments Ltd - SPEAKING</u>	4
3.	<u>31902-1 - Ian McComb - Small Time Developments Ltd - SPEAKING</u>	5
4.	<u>31903 - Kim Odendaal - Hospitality New Zealand Nelson Branch</u>	6
5.	<u>31903-1 - Kim Odendaal - Hospitality New Zealand Nelson Branch</u>	7

A2889656

## Item 5: To hear submissions to the Change to regulatory fees and charges 2022/2023: Attachment 1

### Fees and Charges

## Submission Summary

### Change to Regulatory Fees and Charges 2022/2023 - Submission #31900

#### Mr Clive Lewis

Director Clive Lewis Design (2004) Ltd

clivelewisdesign@gmail.com

Clive Lewis Design 128 The Ridgeway, Stoke  
Nelson 7011

03 547 3086

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	c) Raise the deposit for amendments to Building Consents from \$125 to \$450 to better reflect the actual final cost, minimising larger invoices at the time of issuing the amendment.		<p>Raising the fee for submitting an amendment is not going to encourage owners to apply for an amendment. Sometimes the changes can be minor like the layout of a bathroom. If the building consent officer inspecting the work requests an amendment a number of owners and builders do not bother. This causes problems further on when the Owner or builder applies for the Code Compliance Certificate.</p> <p>On previous work I have done for a minor amendment a revised layout was given to the building inspector when he next visited the site. The building inspector would add this to the building file and therefore this would not be an issue when the CCC was being done. The council records then show the amended layout and the as-built drawings are therefore correct. To apply for an amendment on the Simpli portal takes a lot of time and not justified for a minor amendment. For example you have to obtain a new title if it is 3 months since the consent was issued.</p> <p>There is already a serious problem with the procedure for obtaining the Code Compliance Certificates and a lot of consents are not being signed off. It is the Owner's responsibility to obtain the CCC and this is not being done for a lot of consents. Raising the costs of amendments will only make matters worse as owners and builders will not bother applying for amendments.</p> <p>It would be refreshing for the Council to help Owners and Builders with amendments and with obtaining the Code Compliance Certificates. Perhaps when the final inspection is made the council could work with the Owner to encourage completing the CCC. At the moment the Council is seen as unhelpful and only intent on charging extra fees.</p> <p>Clive Lewis</p>

Item 5: To hear submissions to the Change to regulatory fees and charges  
2022/2023: Attachment 1

## Submission Summary

### Change to Regulatory Fees and Charges 2022/2023 - Submission #31902

**Mr Ian McComb**  
Small Time Developments Ltd

ian@smallhome.nz

8 Orpington Place  
Nelson 7011

Speaker? True

Department	Subject	Opinion	Summary
NCC - Environmental Management	Your Feedback on Fees and Charges		Whilst the attached document relates only to the proposed Building Consent charges. My comments would be similar in supporting increases to the RMA charges.

31902-1

## **Feedback: Change to regulatory fees and charges 2022/23**

**Author:** Ian McComb. I own Small Time Developments Ltd, a company which aims to provide high quality small and affordable dwellings for individual households and communities. My background includes 10+ years as a council Development Engineer and Infrastructure Planner, including at Tasman District Council and Hamilton City Council.

### **Introduction:**

Overall, I strongly support the proposed changes and congratulate the Council for its approach to identifying the issues and consequences of not increasing fees. Whilst I acknowledge that mine will be an unusual answer, causing dissatisfaction to some, I encourage Council to increase the fees by 14%, to prepare for the future.

### **Issues with the current fees and proposed modest increases**

The consultation document identifies existing issues of:

- Rates overly subsidising building consent costs
- Difficulties attracting and retaining staff

These are both serious issues, and finding and implementing solutions to both should be prioritised.

### **Future Development Strategy**

Council's recent consultation on the Future Development Strategy (FDS) emphasised that approximately 1000 new infill dwellings were sought per year. If the result of the FDS process is a change to the Nelson Resource Management Plan (NRMP) that speeds up the resource consenting process, the aims of the FDS could be threatened if Council's building unit cannot keep up with the resulting workload. Infill houses are likely to be more site-specific than the standard options used by large building companies for greenfield development and hence each consent will take more than the average effort to review and inspect during construction. If the Building Unit is not adequately staffed, this will probably lead to extensive delays. Recent news articles have emphasised the problem in New Zealand:

Delays in Consenting - <https://www.stuff.co.nz/national/127923920/frustrating-delays-for-new-homes-as-consents-pile-up>

Delays in Inspections - <https://www.nzherald.co.nz/business/master-builders-calls-for-more-efficient-building-consent-system-due-to-major-delays/6S4IW63CZJ5HLAVNHMPMRK3G2PE/>

### **Longer term view**

Whilst I expect that other submitters will object to the proposed increase in fees, the reality is that Council fees are a small cost in the overall process. The effects of delays in Council processes can be far more costly from both the financial and personal stress perspectives (NCC staff, Industry, clients).

From my time working in and with Council, I know the crippling effect that staff turnover has. Given the overall context, I suggest Council creates a staff retention incentive policy for the Building Unit staff with the aim being for current and future staff to stay with Council for 10+years and hence facilitate the achievement of the FDS.

Dare I say, NCC should "go hard and go early" on increasing fees, to support setting the Building Unit up for the future.



Item 5: To hear submissions to the Change to regulatory fees and charges  
2022/2023: Attachment 1

## Submission Summary

### Change to Regulatory Fees and Charges 2022/2023 - Submission #31903

**Kim Odendaal**

Upper South Island Regional Manager Hospitality New Zealand Nelson Branch

kim@hospitality.org.nz

PO Box 503  
Wellington 6140

Speaker? False

Department	Subject	Opinion	Summary
NCC - Environmental Management	Your Feedback on Fees and Charges		Please see attached.

31903-1

## Hospitality New Zealand Nelson Branch



### Submission on Food Act Proposed Fees and Charges Statement of Proposal May 2022

Hospitality New Zealand (HNZ) is a voluntary trade association which has operated since 1902 and currently represents over 3,000 hospitality businesses throughout New Zealand, including Taverns, Pubs, Bars, Restaurants, Cafes, Retail Liquor and Commercial Accommodation providers such as Camping Grounds, Lodges, Motels, Hotels and Backpackers.

The Nelson Branch of Hospitality New Zealand includes and represents 123 Hospitality and Commercial Accommodation businesses. This submission is made on behalf of the Nelson Branch of Hospitality New Zealand.

Hospitality New Zealand has a 115-year history of advocating on behalf of the hospitality and tourism sector and is led by Chief Executive, Julie White. Hospitality New Zealand's Nelson Branch President is Ian Williams and the Regional Manager for the Branch is Kim Odendaal.

We appreciate the opportunity to give feedback to the Nelson City Council.

#### CONTACT DETAILS:

Kim Odendaal

Upper South Island Regional Manager

Hospitality New Zealand

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Item 5: To hear submissions to the Change to regulatory fees and charges  
2022/2023: Attachment 1

1. The Nelson Branch of Hospitality NZ does not support Nelson City Councils position to increase fees and charges relating to the Food Act.
2. We query the process, and the timing of this rate increase.
3. The process of completing the Template Food Control Plan template is extremely onerous on our members, with the New Registration Food Control template being 122 pages long.
4. Surely it is time to move away from the paper based 122 paged template and move towards a streamlined digital based template such as what Business Connect (<https://businessconnect.govt.nz/help/>) offers. This would reduce time and cost for all involved.
5. The hospitality industry has been one of the hardest hit sectors by the world wide Covid -19 pandemic. With the stress of trying to retain staff after a very difficult 2 years, where venues were unable to operate as normal due to Government restriction, cash flow concerns is a major concern. We do not believe this is the right time to increase fees on a sector struggling to survive.
6. We believe any fee increases should be put off until the 23/24 financial year so that business will have a chance to recover from 2 years of occurred debt.