

MINUTES OF A MEETING OF THE ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, CIVIC HOUSE, TRAFALGAR STREET, NELSON ON TUESDAY 21 MARCH 2006 COMMENCING AT 9.00AM

PRESENT: Councillor E Davy (Chairperson), Councillors I Barker, G Collingwood, M Cotton, J Fryer, I Ford, M Holmes and G Thorne.

IN ATTENDANCE: Councillor C Aitken and A Turley, V Altmets (Chief Executive), R Johnson (Divisional Manager Planning and Consents) and R Palmer (Administration Adviser).

APOLOGIES: An apology on behalf of His Worship the Mayor was received and accepted.

1.0 INTRODUCTION – MANAGER ENVIRONMENTAL POLICY

Mr Martin Workman was introduced to the Committee as the recently appointed Manager Environmental Policy, who had now taken up the position following the resignation of Mr Tony Quickfall.

2.0 PUBLIC FORUM

2.1 Visual Environmental Pollution

Mr and Mrs Williamson spoke to the Committee regarding their concerns in relation to the recently constructed Mitre 10 Mega store, which was in their sight line and considered by them to be visually offensive.

Mrs Williamson acknowledged that while they couldn't change the resource consent which had been granted, they could ask the Council to consider its future policies in relation to Mega store buildings, and in particular their size and location.

Mrs Williamson explained that information which she had read indicated that in Australia, huge malls were facing a backlash as town centres began to suffer, and a number of countries, including Norway, Poland and Thailand were starting to impose limits on big box retail outlets.

Mrs Williamson expressed the opinion that the Council needed to have regard for the effect which these big box retail outlets had on local businesses, and on the vitality of the Central Business District.

Mr Williamson echoed his wife's concern, expressing the opinion that the Council should have more regard for its ratepayers and those unable to access the big box retail outlets located outside the CBD, rather than the profits of these big businesses.

Mrs Williamson urged the Council to take a long term view of its policies in relation to the location, size and colour of buildings, and in particular in relation to big box retail outlets.

3.0 CONFIRMATION OF MINUTES

7 February 2006

Resolved

THAT the minutes of a meeting of the Environment Committee, held on Tuesday 7 February 2006, be confirmed as a true and correct record.

Barker/Holmes

Carried

4.0 MATTERS ARISING FROM THE MINUTES OR INFORMATION SHEETS

4.1 Freshwater Plan Change – Hearing Process (Clause 4.0)

The meeting was advised that the Independent Commissioner appointed by the Divisional Manager Planning and Consents was Mike Bowden of Christchurch.

4.2 Climate Change Adaptation Workshops (Information Sheets)

Councillor Collingwood queried whether or not the Council would be providing a coordinated response as to potential attendees to one of the four workshops being held on climate change adaptation.

The Divisional Manager Planning and Consents advised that the would follow this up.

5.0 PRIVATE PLAN CHANGES PO5/03 AND PO5/04-PROCESS

Report No 6881, dated 23 February 2006, file ref RM0100-07, agenda pages 4-10 refer.

Mrs J McNae (Consultant Planner – Staig and Smith Limited) and Mr S Calder (Representative of Stoke Valley Holdings Limited) spoke to the Committee regarding the two proposed changes, one being in respect of changes to the existing residential zoning of the area previously occupied by the Ngawhatu Hospital, and the other being a proposal to rezone an area of rural land to the south and east of that valley to residential. (Solitaire No 1 Plan Change).

Mrs McNae advised that although the Ngawhatu Hospital site was presently zoned residential it was subject to Schedule E, pages 7-110 of the Nelson Resource Management Plan, which inter alia restricted the density of development to 150 lots, and it was these limitations which the change sought to overcome.

Mrs McNae stressed that it was the owners' wish that these be processed as private plan changes so as to ensure that they did not get bogged down within the general group of plan changes which the Council was proposing.

She also stressed that the proposals were in keeping with the Nelson Urban Growth Strategy, and that no specific submissions to that Strategy were against these two proposals.

Attendance: Councillor Thorne left the meeting at this point.

Resolved

THAT plan changes P05/03 (Stoke Valley Holdings Ltd) and P05/04 (Solitaire Investments Ltd) be accepted under Clause 25(2)(b) of the First Schedule to the Resource Management Act 1991 as private plan changes;

AND THAT the two changes be notified as soon as practicable.

Fryer/Holmes

Carried

6.0 NELSON RESOURCE MANAGEMENT PLAN – OPERATIVE DATE FOR REGIONAL COASTAL PROVISIONS

Report No 6895, dated 9 March 2006, file ref RM0313, agenda pages 11-13 refer.

Resolved

THAT the date on which the Regional Coastal Plan, as adopted by the Council on 29 September 2005, and approved by the Minister of Conservation on 28 February 2006 becomes operative, be 1 May 2006;

AND THAT staff be instructed to issue a public notice to this effect.

Barker/Collingwood

Carried

7.0 DOG CONTROL ACTIVITY REPORT 2004-2005

Report No 6883, dated 28 February 2006, file ref AL0119, agenda pages 14-20 refer.

Attendance: Mr S Lawrence, Environmental Inspections Ltd, and the Manager Consents (Mr P Ruffell), spoke to the report.

Mr Ruffell advised that the design for the new dog pound was substantially complete, however as Port Nelson Limited had changed its plans for the area occupied by the present pound, there was less pressure on the Council to relocate. Notwithstanding this, it was proposed to tender the construction of the new pound some time this year.

Mr Lawrence advised that the number of complaints received in respect of aggressive dogs and dog attacks had dropped over the last six months, compared with the same period last year, and there seemed to be some evidence that the new policies and the increased enforcement were having an effect.

Mr Lawrence also explained that the Council policy in relation to the automatic neutering of dangerous dogs was causing some concerns, and it was his intention to report on this matter to the next meeting of the Committee.

Resolved

THAT Table 1 attached to Report No 6883 be accepted as the Nelson City Council Dog Control Activity Report for the year 2004-2005;

AND THAT the Report be publicly notified by way of newspaper notices, and forwarded to the Secretary for Local Government as required by section 10A(3) and (4) of the Dog Control Act 1996.

Collingwood/Cotton

Carried

8.0 CONSENTS DEPARTMENT – DOG CONTROL ENVIRONMENTAL HEALTH FEES AND CHARGES 2006/07

Report No 6902 dated 16 March 2006, file ref RA0103, agenda pages 17-20 refer.

The Manager Consents (Mr P Ruffell) elaborated on the report, advising that there was a small increase proposed in respect of the dog control fees basically to meet costs of the National Dog Database.

The meeting was advised that although a final figure had not been established, indications were that the Government would be imposing a levy of between \$2.50

and \$3.00 per dog to cover the costs of the Department of Internal Affairs administering this database.

It was generally agreed that once the amount of the levy was known, it would be appropriate that this be shown as a separate item on the invoice sent to registered owners so that they could see that it was not a Council charge.

Resolved

THAT the schedule of Dog Control Fees and Charges, as detailed in Appendix A to Report No 6902 be adopted;

AND THAT the schedule of Environmental Health fees and charges, as detailed in Appendix B to Report No 6902 be adopted;

AND THAT the charges apply as from 1 July 2006 until such time as they are varied or amended by the Council.

Holmes/Davy

Carried

9.0 POLICY ON DANGEROUS, INSANITARY AND EARTHQUAKE PRONE BUILDINGS

Report No 6897, dated 9 March 2006, file ref AL0108, agenda pages 21-64 refer.

The Manager Consents (Mr P Ruffell) explained that the report included three options, of which the first was preferred as having the least potential economic impact on the ratepayers of the City.

Mr Ruffell also advised that the matter was required to be the subject of the special consultative procedure prior to adoption.

The Divisional Manager Planning and Consents explained that while the general thrust of the policy was to ensure that the main obligation rested on the building owners, there were instances where the Council could be required to take action, particularly in relation to a dangerous or unsanitary building, and consequently there would be a need for some "bridging" finance to be available within its budget.

Resolved

THAT the Draft Dangerous, Insanitary and Earthquake Prone Building Policy Option A (Appendix 1 to Report No 6897) be adopted as the statement of proposal in terms of section 87(2) of the Local Government Act 2002;

AND THAT the statement of proposal be put out for public submission in accordance with the special consultative procedure pursuant to section 83 of the Local Government Act 2002.

Barker/Collingwood

Carried

10.0 COUNCILLOR REPORTS

10.1 Proposed Extension to Daylight Saving Hours

Agenda Page 65-66 refer.

The Chief Executive advised that in his opinion, if the Committee supported the proposal put forward by Councillor Holmes, it should be a recommendation to the

Council as it had wider policy implications than the Delegations Manual vested in the Committee.

Councillor Holmes elaborated on his reasons for the approach, and it was agreed that if the proposal was to be supported, it would be appropriate for the Council to seek the support of other Local Authorities.

It was agreed that in this eventuality the Chief Executive would have an opportunity to seek the views of his counterparts elsewhere in the country prior to the Council meeting.

Recommendation to the Council

THAT the Council make representation to the appropriate Minister and/or Government Department in respect of the timing of the start and finish of daylight saving, with the request that it be extended by two weeks in the autumn and one week in the springtime.

Holmes/Ford

Carried

10.2 Colour Schemes on New and Existing Buildings

Agenda page 67 refers.

Councillor Holmes elaborated on his suggestion, explaining that in his view, the policies within the Community Plan envisaged controls on the colour of commercial buildings, and that, having regard to the example set by Queenstown - Lakes District Council, such controls were a legitimate planning tool.

The Divisional Manager Planning and Consents expressed the opinion that the decision in relation to colour schemes involved a very subjective judgement as to what was appropriate, and it would be essential to establish rules which were directed to a clear environmental outcome.

He explained that an example of a situation where such rules might be appropriate would be a specific heritage precinct, where it could clearly be seen as a resource management issue to use “heritage” colours.

It was acknowledge that this would be one of the issues considered during the development of the Heritage Strategy.

A motion was proposed, moved Councillor Holmes, Seconded Councillor Ford,

THAT that staff examine possible changes to the Nelson Resource Management Plan, with a view to putting in place a colour control scheme for commercial buildings, and report back to the next meeting of the Committee.

The motion was put and lost.

The meeting closed at 11.53am.

CONFIRMED AS A CORRECT RECORD OF PROCEEDINGS

_____ CHAIRPERSON _____ DATE