

Report of a meeting of the Regulatory and Planning Committee, held in the Council Chambers, 29 Bowler Avenue, Gore, on Tuesday 28 August 2018, at 6.11pm

Present His Worship the Mayor (Mr Tracy Hicks, JP), Cr Highsted (Chairman), Crs Beale, Bolger, Davis, Dickson, Gardyne, D Grant, P Grant, Phillips and Reid.

In Attendance The Chief Executive (Mr Stephen Parry), Chief Financial Officer (Mr Luke Blackbeard), General Manager Regulatory and Planning (Dr Ian Davidson-Watts), General Manager Infrastructure (Mr Ramesh Sharma), 3 Waters Asset Manager (Mr Matt Bayliss), Project Manager Infrastructure (Mr Hashem Ramezan-zadeh), Communications/Marketing Manager (Sonia Gerken), Building Control Manager (Mr Russell Paterson), Planning Consultant (Mr Keith Hovell), Junior Planner (Fran Davies), Animal Control Administrator (Rowena Burnby), Corporate Support Officer (Suzanne Lucas) and two members of the public in the gallery.

Apology Cr Sharp apologised for absence.

1. DOG CONTROL POLICY AND PRACTICES ANNUAL REPORT (SC2218)

A memo from the General Manager Regulatory and Planning had been received, together with the annual report on the Council's dog control policy and practices for the year ending 30 June 2018. This was an annual obligation contained in the Dog Control Act 1996.

The General Manager explained the report related to the period prior to the development of the Dog Action Plan, which was informally launched 1 July 2018.

The report provided technical data but future reports would show more positive information about practices and changes that were made to how the Animal Control team operated.

The Animal Control team had developed an education programme for schools and for owners including the cost and obligations of being dog owners. It was hoped this would reduce the issues that have been faced by the team.

Cr Gardyne referred to recent dog attacks on sheep and asked if the landowner had an obligation to shoot on sight. The General Manager said the Dog Control Act allowed owners of stock to take immediate action if stock was under threat from a dog out of control.

RECOMMENDED on the motion of Cr D Grant, seconded by Cr Davis, THAT pursuant to Section 10A of the Dog Control Act 1996, the Gore District Council report on Dog Control Policy and Practices for 2017/18 be adopted.

2. ANIMAL CONTROL ACTIVITIES FOR MAY, JUNE AND JULY 2018

The Council perused a report from the Animal Control Officer.

The Animal Control Administrator informed the Council that through the Dog Action Plan an incident pack had been developed with specific guidelines for dealing with dog attacks. This had been well received.

The General Manager commented there had not been any hearings to date and this was a reflection of the proactive actions of the dog control working group.

The General Manager said there had been a lot of incidents which had involved dogs which had jumped over the fence and escaped their enclosure and attacked other dogs or people. Education had been provided to the people responsible and in future instead of fining offending dog owners, they would be required to undergo training.

Cr D Grant asked if the Council received complaints regarding dogs that had exhibited threatening behaviour behind the fence and posed a risk to the public. The General Manager confirmed they had received a number of such like complaints.

RECOMMENDED on the motion of Cr Phillips, seconded by Cr Reid, THAT the report be received.

3. REPORT FROM THE BUILDING CONTRAOL MANAGER – JUNE AND JULY 2018

A report from the Building Control Manager had been received.

The Manager said that while the number of consents had decreased over the June and July period, compared to the previous two years, the value of works had increased considerably mainly due to the value of large projects such as MVM and BUPA.

RECOMMENDED on the motion of Cr D Grant, seconded by Cr Dickson, THAT the report be received.

Rowena Burnby and Russell Paterson left the meeting at 6.22pm

4. PLANNING DEPARTMENT REPORT

A report from the Planning Consultant and Junior planner had been received.

The Chairman asked if there had been any progress made in securing a Senior Planner.

The Chief Executive said the Council had been working with a preferred candidate and a verbal acceptance had been received.

The Chairman referred to the recent meeting with the Ministry for Culture and Heritage and asked for details of the uniform approach that was discussed in relation to the identification of heritage structures.

The Planner said going forward it would be structured around what the state of play was with the different Councils, what their provisions were and how well they were working in terms of protecting the heritage in the area.

The Chairman asked if the Subdivision and Land Development Bylaw was tracking well.

The Planning Consultant confirmed it was and said it was headed towards a combined subdivision Bylaw for Southland.

Cr Beale asked about the intention for the new development where the heritage building was on 128 Main Street. The Planning Consultant said no objections had been received and consent to demolish had been given subject to a number of conditions which were being worked through.

RECOMMENDED on the motion of Cr Phillips, seconded by Cr Dickson THAT the report be received.

5. REGULATORY SERVICES REPORT

A report from the Senior Regulatory Officer had been received.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr D Grant, THAT the report be received.

6. DRAFT SOUTHLAND BIODIVERSITY STRATEGY (SC0460)

A report from the General Manager Regulatory and Planning had been received about a Biodiversity Strategy that had been developed through the Southland Biodiversity Forum. The strategy pulled together an approach to increase awareness of biodiversity issues and importance to Southland from an economic and sustainable management of natural resources.

The General Manager said Environment Southland had coordinated the forum but did not own it. Community input was essential for the development of the strategy and

required proactive engagement with the community to determine how to help birds and bees and how they help us in the long run. How to mitigate circumstances such as climate change was also to be considered.

The General Manager said over the coming months there was an opportunity to receive formal feedback from the Council.

The Chairman asked how the feedback would be collected. The General Manager said he would collate the emails he received, ensure feedback was provided to the Council and then it would be taken to the forum.

Cr Bolger asked who decided on the weighting of biodiversity and determined the importance of the different endemic species. He also expressed his concern over the implications this might have for land owners. The General Manager said the purpose of the forum was to embrace thoughts of the community and that would encompass a variety of views.

In response to a question from the Chairman, the General Manager explained the action plan would be followed by the process of a District Plan development and how that looked would be determined by the Council. Resources would be aligned and people would work together to deliver the strategy.

Cr Bolger asked if the strategy would produce desirable outcomes that had to be included in the District Plan. The General Manager replied that as far as the strategy was concerned, Councillors discharged their duties under the RMA.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr D Grant, THAT the Regulatory and Planning Committee receive the Biodiversity Strategy document for comment/feedback.

7. NATIONAL PLANNING STANDARDS AND OPTIONS FOR DISTRICT PLAN REVIEW (SC0464)

The Council perused a report from the Planning Consultant which provided a summary of the draft National Planning Standards and the submissions lodged to them jointly and on behalf of the Southland Councils. Feedback was sought from the Council on its preferred approach.

The Chairman queried the situation with regard to the recent earthquakes in Christchurch and in terms of ensuring buildings were fit for purpose, was the review looking at appropriateness of the current list or was the list to be expanded.

The Consultant said there was a need to start afresh and what the criteria should be needed to be looked at. He said the focus was on the ease of the process.

The Consultant explained the National Planning Standards as set out in the report and he presented to the Council the options that were before it to be considered. He said feedback was needed and a preferred option decided upon. He said when the options

were considered it was important to have regard to the status of the various RMA documents in terms of the other Councils. Invercargill City Council was at the appeal stage, and hoped to have its plan operative early next year. The Southland District Council's plan became operative last year. For Environment Southland, the Regional Policy Statement became operative earlier this year and its Water Plan was at the appeal stage but the Environment Court had noted concerns about the document. All documents took into account National Environmental Standards and changes to the RMA.

The Consultant said the present District Plan was no longer fit for purpose. He said the Regional Policy Statement for Southland made it mandatory for the Gore district to have included in the District Plan a number of provisions which had not previously been addressed. The Council needed to consider the options that had been put before it. He said regardless of what option was chosen, there was a need to move quickly to ensure further industrial and residential land was developed for Gore and the spatial plan progressed.

The General Manager said this was a considered view by the Council and at several levels, discussions had been undertaken on how the region would work together. He said if the Council had its own District Plan, it had the benefit of full autonomy but would come at a greater cost and inconsistencies with other Councils was a concern. He thought the One Plan was perhaps too aspirational. He concurred with the Consultant that a decision needed to be made to address rezoning and heritage issues.

The Chairman asked which option would be seen to be the most efficient to move the Council forward. The Consultant replied rezoning was the first priority and how the District Plan was dealt with was a second priority and if that order was followed, it would be easier to integrate into a combined District Plan.

The Chief Executive said the Southland Chief Executives had rejected the one plan for all option, as regional issues were deemed to be quite different. There had been a desire to have unification of district planning which could be achieved by one plan or a commonality of rules. He said he could see the advantages of individuality but collaboration with other Councils and a combined district plan with local variances was an option.

However, that would be time consuming and there would be a lot of issues to wrestle with. He said he was warming to the notion of an individual plan but the best ideas of neighbouring Councils were being cherry picked. It would speed up the process but it would be long and difficult. However, the cost should come secondary to getting it right.

Cr Bolger said he thought one plan for all would be complex. He said he was aware of the commitment to SORDS but the better option for the Council was to have its own plan aligned with better aspects of other plans. The status quo was out of date and it was an opportunity for the Gore District Council to work with its own challenges within the district while working with its neighbours.

Cr Beale said the cost was of concern but there would be some modification of the existing plan while other ideas cherry picked.

Cr D Grant concurred. He said collaborating with other Councils in other regions would be difficult and a challenge.

The Chairman said the Council had to review its plan, it was mandatory and was not fit for purpose.

The Consultant said it might be worthwhile for Councillors to note he was one of the commissioners on the hearing of submissions to the Invercargill City plan and his role was to write all the decisions so the amount of information he held was considerable.

Cr Dickson also concurred and thought the Council might be more aligned with the Southland District Council with respect to biodiversity.

His Worship also agreed. He said there had been a long term desire to have a shared document but as time progressed it was seen as being too difficult. He said “we need to push our own boat but work closely with our neighbours”. There needed to be an alignment among the three Councils as much as possible to make the interaction with the public as easy as possible. He congratulated the Consultant and those associated with the complex issue at hand.

The General Manager added the spatial plan and Ready for Growth development were driving the change and the need to have a plan that was fit for purpose. Biodiversity and landscape studies were being shared and that information was used to inform the developer on the rules and policies around the plan. Great savings had been made by working with other agencies.

RECOMMENDED on the motion of Cr Bolger, seconded by Cr P Grant, THAT the Council note and endorse the submission made jointly by the staff of the Southland Councils to the National Planning Standards,

THAT the Council note that on the completion of the spatial plan a recommendation will be made to rezone additional land for residential and industrial purposes,

THAT the Council note a further report will submitted to the Council on the matter of the schedule of heritage structures following consideration of the matter by the Government,

AND THAT the Council develop its own plan for the preparation of resource management documents for the Gore District.

8. UPDATE OF STAFF DELEGATIONS (P/F)

A memo from the Building Control Manager had been received advising that Council staff were occasionally required to undertake certain enforcement activities as part of Bylaws and other regulatory functions that the Council administered.

Mr Alan Farquharson had recently joined the Council as a Building Control Officer and needed to be appointed and warranted by the Council under the Building Act 2004 and the Local Government Act 2002. A schedule detailing the delegations had been circulated with the agenda.

RECOMMENDED on the motion of Cr Davis, seconded by Cr Bolger THAT pursuant to the Buildings Act 2004 and Sections 174 and 177 of the Local Government Act 2002, the Council appoint and authorise Alan Farquharson as a Building Control Officer to undertake various duties in accordance with his role with the Council

The meeting concluded at 7.15pm.