

Notice is hereby given that a meeting of the Regulatory and Planning Committee will be held in the Council Chambers, 29 Civic Avenue, Gore, on Tuesday 24 November 2014, following the Operations Committee meeting.



**Stephen Parry**  
Chief Executive

**18 November 2014**

## Agenda

1. Schedule of building consents issued Pages 1-3
2. Building Control Activities Pages 4 – 5
3. Animal control activities reports for October Page 6
4. District Licensing Committee Report August – October Page 7
5. Planning department Activity Report – November Pages 8 -10
6. Joint Review of the Dog Control Policy and Bylaw Pages 11 – 12
7. Business to be considered pursuant to the Local Government Official Information and Meetings Act 1987:
  - Level of financial contribution for residential development

REGULATORY AND PLANNING COMMITTEE AGENDA

TUESDAY 25 NOVEMBER 2014

1. SCHEDULE OF BUILDING CONSENTS

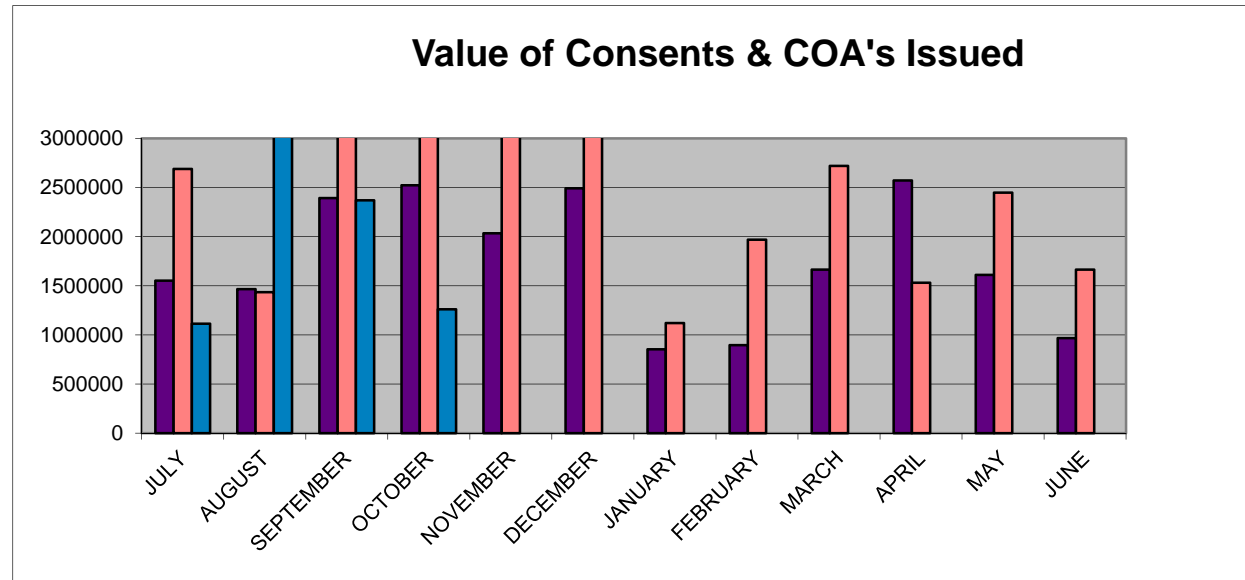
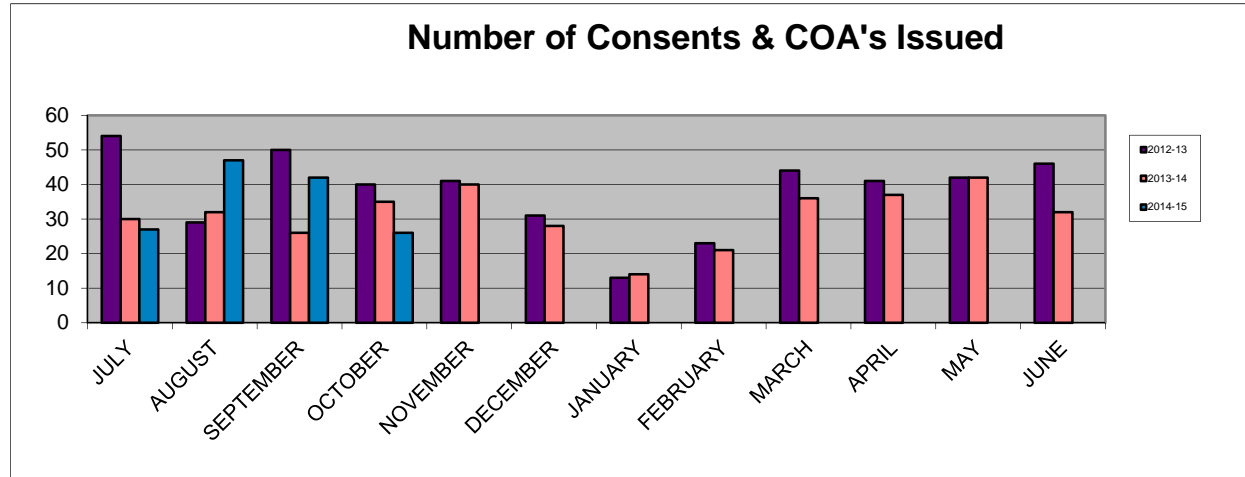
(Memo from Building Control Manager – 03.11.14)

- ↳ Attached is a schedule of building consents issued for October 2014, together with comparisons for the previous two years.

**RECOMMENDATION**

**THAT the information be received.**





## 2. BUILDING CONTROL ACTIVITIES FOR SEPTEMBER AND OCTOBER 2014

(Report from Building Control Manager – 13.11.14)

### **Consent statistics**

Building Control Authority (BCA) activity has been constant throughout September and October however the pre-Christmas build up experienced last year has not yet developed as anticipated.

The number of building consents issued in September remained steady while the October statistics took a significant drop, both in number and dollar value. I believe this is only a temporary lull in anticipation of a late pre-Christmas surge of consent applications.

Industry sources indicate that several building projects are now in the final design phase and are intended to be lodged before the Christmas consent cut-off date of 21 November 2014. (This is to allow the BCA sufficient time to process applications within the statutory twenty working day period under the provisions of the Building Act 2004).

The next few weeks may see a significant influx of building consent applications for processing before the office closure for the festive season. Unless we are aware of inspection work for urgent projects over this period, all BCA staff propose to observe the standard office closure until 12 January 2015.

### **Accreditation**

BCA staff have actively pursued the status of a significant number of historic building consents, which are those still active after the two year consent time frame has expired. In many cases staff members have been able to inspect and complete sign off or extend the consent for a further period of time. This issue was highlighted by a corrective action request (CAR) from International Accreditation New Zealand (IANZ) during their accreditation visit in late June.

Notice has been received this week to confirm that IANZ are happy with our CAR responses submitted over the last two months and have recommended the approval of BCA accreditation for a further two year period.

Trevor Gilder and myself have been studying towards achieving National Diplomas in Building Control Surveying, the same as Tony Osborne successfully completed last year. These diplomas are included in the limited suite of qualifications assessed by the Ministry as being “appropriate” for the building control functions we perform. These are viewed by IANZ as easily meeting the requirements of regulation 18, requiring technical qualifications for BCA employees or contractors performing a technical function.

Each of us provided a written portfolio containing examples of industry experience and presented to an assessment panel at the Otago Polytechnic on 30 September.

Both candidates have been awarded with two diplomas each, small buildings and medium to large buildings. The graduation function and diploma ceremony is scheduled for 12 December.

### **General**

A topic that has caught a lot of public attention is the proposed Regional Air Plan 2014 developed and put out for submission by Environment Southland. The BCA frontline counter staff have been very helpful with assisting enquirers on the phone or at the counter during the open submission period should they wish to access information or lodge a submission.

BCA staff have attended a range of industry training events over this period as well as the mandatory first aid refresher course, civil defence training and mock exercise, computer system updates, plus general health and safety items due to the pending changes next year.

We are looking at implementing some changes to the way we do business as a BCA. These are still in the planning stage but could potentially free up valuable time and resources to assist staff both at the counter and in a technical capacity. All BCA staff have been involved with draft ideas and these are being considered currently in consultation with the General Manager Community and Strategy, Dr Aaron Fox.

I represent the Gore District Council at regular Southern Building Control Cluster group (SBCG) meetings, the importance of which cannot be stressed enough. The combined voice of the south is certainly heard and respected within industry circles as the membership contains two Building Officials Institute of New Zealand (BOINZ) board members. These are the BOINZ president Stewart Geddes and his BCA manager Peter Laurenson, both from Queenstown Lakes District Council. The BOINZ board and CEO have direct contact with the Ministry and the Minister of Building and Housing, the Hon Nick Smith on a frequent basis.

### **RECOMMENDATION**

**THAT this report be received.**

### 3. ANIMAL CONTROL ACTIVITIES REPORT FOR OCTOBER 2014

(Memo from the Animal Control Officer – 11.11. 14)

There were 57 reported incidents in October.

All properties that had unregistered dogs were visited and there has been a good response with people coming into register their dogs.

A classified dangerous dog was impounded for non-compliance under the Dangerous Dog Act. The owner signed the dog over to the Council for euthanising. Two properties in Matura were also visited to follow up on dangerous dog classifications and inspections that they were meeting all requirements.

There have been routine visits to Hamilton Park to monitor defecation levels that owners have not been picked up and provided education to dog owners on carrying plastic bags when walking their dogs. Also educating dog owners on the need to carry leads at all times while walking their dogs.

While on routine day to day business two more unregistered dogs were found at different properties.

There have been on-going issues with hens and roosters in Matura and on-going stock issues on sections in town ie overstocking and no licences.

<b>Customer Requests - Monthly Statistics</b>	<b>Total</b>
Animals – Dog Attacks	0
Animals – Dog Enquiries	9
Animals – Dogs Barking	7
Animals – Dogs Lost/ Found	9
Animals – Dogs Wandering	22
Animals - Stock	10
Animals rehomed	2
<b>Total</b>	<b>59</b>

#### **RECOMMENDATION**

**THAT the report be received.**

#### 4. DISTRICT LICENSING COMMITTEE REPORT AUGUST-OCTOBER 2014

(Memo from the Senior Regulatory Officer – 13.11.14)

The Sale and Supply of Alcohol Act 2013 changed the way local authorities deal with licence applications. The legislative reforms passed by Parliament aim to improve New Zealand's drinking culture and reduce the harm caused by excessive drinking.

As a result there has been a noticeable increase in time required for processing applications, investigating and reporting on applications. This begins at the customer service level, consultation with external reporting agencies, preparing reports and draft decisions for the District Licensing Committee and finally issuing the licences.

A number of joint meetings have been held with the inspector and other reporting agencies such as the police and medical officer of health with applicants who are applying for special licences for larger scale events.

The benefit of meeting with the applicant prior to a licence being granted is to ensure that the sale, supply and consumption of alcohol will be undertaken safely and responsibly, and that the harm caused by the excessive or inappropriate consumption of alcohol will be minimised.

Since August, 38 applications have been approved by the Chairman of the District Licensing Committee. These have been dealt with on the papers as none of the applications received any opposition from the police, medical officer of health or the inspector.

Nineteen special licences were applied for and approved by the Chairman. Events applied for included private birthday parties, race meetings, golf Ambrose's, theatre restaurant, "Stars in Your Eyes" and a wide range of fundraising events in the community.

Nineteen applications were received for manager's certificates. Fifteen were for renewals and 4 for new manager's certificates. These were all approved by the Chairman.

<b>Application type</b>	<b>Total</b>
Special licences	19
New manager's certificates	4
Renew manager's certificates	15
<b>Total</b>	<b>38</b>

#### **RECOMMENDATION**

**THAT the report be received.**



## 5. PLANNING DEPARTMENT ACTIVITY REPORT – NOVEMBER 2014

(Report from the Senior Planner - 13.11.14)

Resource consent numbers have rebounded from an observed winter lull and are tracking towards a good outcome for the year overall. This represents consistent and sustained activity in both the housing and business sectors in the District (please see separate report).

The Regional Air Plan which was notified by Environment Southland in September 2014 required the combined response of the Planning Team to best assist our constituents to make submissions on the new rules and proposed changes. Rosie Given in particular familiarised herself quickly with the technicalities and successfully connected with the real issues being faced by our community when distressed individuals visited the Council. Building on the momentum provided by the Mayor's leadership on this issue, I believe that Rosie's efforts have ensured that Environment Southland has received several hundred well-informed submissions from the Gore community.

The planning team recently attended a 'Heritage Planners' Forum in Dunedin, a biennial event hosted on this occasion by the Dunedin City Council. It was both helpful and informative to hear from other Councils around the country on heritage planning issues, as well to receive an update from MBIE on likely changes to the Building Act in relation to earthquake strengthening. While there were few surprises from MBIE, in the context of advice from LGNZ I consider that the direction of travel appears to be one with which Councils would be comfortable. Russell Paterson will no doubt be in a better position to update Councillors on heritage and the Building Act at the upcoming Heritage Workshop on 25 November.

An application was lodged by Taha Fertilisers for the storage of Ouvea premix on the site of the former paper mill in Mataura. The application was subject to considerable scrutiny and as a result it was determined that the public notification of the application was justified. The applicant has employed a planning consultant and it is likely now that the updated application will be processed in the new year.

Thursday 20 November is the cut-off date for submitting applications for resource consent which have to be processed by the start of the statutory non-processing period outlined in the Resource Management Act. This means that "the clock" stops ticking from 20 December each year until 10 January in the following new year.

### **RECOMMENDATION**

**THAT the report be received.**

## LANDUSE & SUBDIVISION CONSENTS

As at 13 November 2014

Reference	Accepted	Working Days	Name	Location	Description	Status
LU 2010/13	23 April 2010		C Smith	Mandeville	Rationalising airfield consents	On hold
SC 11/2012 LU 2012/06	15 May 2012		G J & A C Caughey	Rautea Street	Subdivision to create 8 lots	On hold pending further information
SC 14/2012 CoC 2012/08	15 Jun 2012		C A & T M Leith	Wilden Street, Gore	Create 2 new lots	On hold pending feedback from applicant on conditions
SC 25/2012	4 Oct 2012		GD & JM Hall Family Trust	13 Naumai Street	To create 1 new lot	On hold pending feedback from applicant on conditions
SC 02/2013	25 Jan 2013		Q W Whitehead & H J Blake	89 Charlton Road	To subdivide create 2 rural lots	On hold pending further information
SC 40/2013 (SC 04/2011 s 127)	25 Nov 2013		A B & H M Meikle	173 Talbot Street	Variation to a consent condition	On hold pending further information
SC 44/2013	17 Dec 2013	33 s37 extension approved	Archer Corporation Ltd	3-7 Hokonui Drive	Boundary Adjustment	Approved 23 October 2014
LU 2014/57	14 Mar 2014	52	Public ink	12 Charlton Lane	New sign	Approved 19 September 2014
LU 2014/76	19 June 2014	8	J Ian and L Blythe	118 Wentworth Street	Erecting a dwelling and garage which does not comply with yards	Approved 27 August 2014
SC 82/2014	11 July 2014	18	DG, MY, BG, DH and SD Gibson	18 Boundary Road	Subdivide to create 2 lot	Approved 5 August 2014
LU 2014/83	13 Aug 2014	29 S37 extension requested	Dongwha Patinna NZ Ltd	301 Pioneer Highway	Expanding an existing building and establishing an MFB plant	Approved 22 September 2014
LU 2014/85	7 Aug 2014	13	T Newton	108 kakapo Street	Erect a garage too close to a boundary	Approved 25 August 2014
LU 2014/84	1 Aug 2014	7	W Aitken	7 Irving Street	Erect a garage too close to a boundary and a dwelling to close to a boundary	Approved 11 August 2014
LU 2014/86	11 Aug 2014	5	S Graham	39 Main Street Waikaka	Erect a garage to close to a boundary	Approved 4 September 2014

Reference	Accepted	Working Days	Name	Location	Description	Status
SC 87/2014	11 Aug 2014	18	G L McIntyre	48 Sandy Knowes Road	Subdivision to create 2 lots	Approved 4 September 2014
LU 2014/88	25 Aug 2014	10	K Richmond	80 Racecourse Road	Erect a garage too close to a boundary	Approved 5 September 2014
LU 2014/89	9 Aug 2014	1	J Small	4 Nelson Street	Erect a garage too close to a boundary	Approved 9 September 2014
LU 2014/90	8 Sept 2014	16	St peters College Hostel	129 Kakapo Street	Install two 1000 liter diesel tanks	Approved 1 October 2014
LU 2014/91 (LU 2004/25 s127)	5 Sept 2014	19	Bupa Care Services NZ Ltd	3 McKellar Street	Erect a garage	Approved 1 October 2014
SC 2014/92	15 Oct 2014	8	I and A Withers	134 Whiterig Road	Subdivision to create 2 rural lots	Approved 24 October 2014
LU 2014/93	30 Sept 2014	13	Redpath Pacific Ltd	768 Waimea Highway	Erect a wintering shed	Approved 16 October 2014
LU 2014/94	14 Oct 2014	10	B Taylor	12 Dungannon Street	Erect a dwelling	Approved 28 October 2014
LU 2014/95	8 Nov 2014	On hold	Taha Fertilizer Industries Limited	116-128 Kana Street	Store a hazardous substance over the quantity allowed	On Hold
LU 2014/96	28 Oct 2014	12	R Cooper	35 Railway Esplanade	Erect new motel units	Approved 12 November 2014
LU 2014/97	30 Oct 2014	9	J and D Smith	2 Mary Street	Erect a new Dwelling	Approved 11 November 2014
LU 2014/98	13 Nov		Transport repairs Ltd	40B Racecourse Road	Establish transport repairs workshop	Progressing
LU 2014/99	Not yet accepted	Not yet accepted	Transpower NZ Ltd	14 McBride Road 202 Charlton Road 114 Coalpit Road 173 Mason Road	Power pole replacement and maintenance	Not yet accepted

## 6. JOINT REVIEW OF THE DOG CONTROL POLICY AND BYLAW

(Report from General Manager Community and Strategy - 13.11.14)

### **Background**

Staff from the Southland District Council, together with the Invercargill City Council and Gore District Council have expressed interest in working together to review dog control policies and bylaws. While the Dog Control Act 1996 makes no provision for a joint Council bylaw and policy, the alignment where possible of policies and bylaws, and consultation and feedback procedures, would be of benefit.

The current review of the Southland District Council's dog control policy and bylaw was authorised at the 17 September 2014 Council Meeting. The meeting further endorsed the combined development of a Dog Control Policy and Dog Control Bylaw, 'should the Gore District Council and the Invercargill City Council resolve similarly'. The Southland District Council also endorsed 'Concurrent pre-draft and post-draft public and stakeholder feedback, while maintaining separation of information collected between each District; and the proportionate sharing of any development costs.'

### **Gore District Council Dog Control Policy and Bylaw**

The current Dog Control Policy dates from the introduction of the Dog Control Act 1996, while the Dog Control Bylaw was adopted by the Council on 27 May 2008, while. Together the Bylaw and Policy establish 'a practical framework which provides for the improved care and control of dogs throughout the district while meeting the needs and safety and the wider community.' The Policy and Bylaw also provide clear guidance for responsible dog owners and animal control officers.

Any review of the Council's Dog Control Policy and Bylaw would be primarily with respect to updating and aligning the documents with those amendments to the Dog Control Act 1996 which have been enacted since 2008. There is also an opportunity to confirm that the Council's dog control regime aligns, where possible, with those of the Southland District Council and Invercargill City Council. No costs to the Council are anticipated, other than staff time.

An amended Dog Control Policy must be adopted by the Council with the Special Consultative Procedure. The SCP is a more formal process than asking for feedback. The Council is required to give the community at least one month to make formal submissions on a proposal and make these submissions publicly available. It will be used when required by law, and when the Council considers there is a high degree of significance in the issue. In the interests of cost and time efficiencies, it is therefore proposed that the Gore District Council, Invercargill City Council and Southland District Council align the SCP consultation and feedback procedures required for each Council to adopt an amended policy.

**RECOMMENDATION**

**THAT the Committee authorise a review of the current Dog Control Policy and Bylaw**

**AND THAT the following be endorsed should the Invercargill City Council resolve similarly:**

- a. Combined development of the Dog Control Policy and Dog Control Bylaw; and**
- b. Concurrent pre-draft and post-draft public and stakeholder feedback, while maintaining separation of information collected between each District; and**
- c. Proportionate sharing of any development costs.**