

KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 16 DECEMBER 2009, IN MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

AGENDA

1. *Apologies*
2. *Matters of Importance to be raised as Urgent Business*
3. *Open Forum – Session for members of the public wishing to comment on items included in this agenda.*

The Council Meeting will adjourn following this item and will resume following the Finance and Policy Committee meeting.

4. **Minutes to be Confirmed:**
 - *Council 18/11/2009* *page 38*

Reports to be Adopted:

- *Works & Services Committee 18/11/2009* *page 50*
- *Environmental Services Committee 18/11/2009* *page 52*
- *Finance and Policy Committee 18/11/2009* *page 55*
- *Social Services Committee 2/12/2009* *page 56*
- *Tourism & Development Committee 11/11/2009* *page 60*

5. *Matters arising from Confirmed minutes*

6. *Minutes Action List Update*

MEETING	ACTION REQUIRED	BY	DATE ACTIONED
	18 FEBRUARY 2009		
Council	Inform Council when submissions are due on Environment Canterbury's 1080 Resource Consent	District Planner	Resource Consent application not yet lodged.
	15 JULY 2009		
Council	Investigate future management of drains in the Kaikoura District	Asset Manager	In Progress

7. *11.30am NZ Police Update*

- An update from Kaikoura Police will be provided in Public Excluded

8. *Youth Council*

- A representative from the Youth Council will be in attendance at 1.00pm to present this item.

9. Public Forum

TIME	NAME	SUBJECT
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10. Canterbury Water Management Strategy Endorsement *page 64*

- A representative of the Steering Committee will be in attendance at 1.30pm to present this item.

It is recommended that the Canterbury Water Management Strategy be endorsed.

11. Building Delegations *page 67*

12. Proposed Building Consent Fee Increase 2010 *page 74*

13. Natural Resources Regional Plan Submission *page 78*

14. Ministry for Economic Development Crown Minerals Survey *page 82*

15. Regional Land Transport Strategy Comments *page 84*

16. Committee Updates

17. Mayor's Report *page 86*

18. Urgent Business

19. Council Public Excluded Session

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting, namely

- a. Confirmation of Minutes of Council Public Excluded meeting on*
- b. New Zealand Police Update*
- c. Pacifica Lease*

The general subject 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) and 7(2)(i) of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each to be considered	Reason for passing this resolution in relation to each matter	Grounds of the Act under which this resolution is made
Minutes of the Council Public Excluded meeting 19/11/2009	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)(ii), 7(2)(c)(ii).
New Zealand Police Update	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its	Section 48(1)(a) and 7(2)(c)(ii).

	decision or recommendation.	
Pacifica Lease	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)(ii).

Endorsement Process

For Canterbury City, District and Regional Councils

24 November 2009

The “Strategic Framework” document of the Canterbury Water Management Strategy was published on schedule, on Thursday 5 November 2009. It was an update, with the benefit of the 70 submissions received, of the draft strategy published two months earlier.

Particular attention was given to the proposed governance structure of zone and regional committees and this aspect of the strategy was altered, mainly in operational terms, to accommodate concerns. Many other matters arising from submissions were considered relating to land use practices, auditing and review, existing consent holders, Water Conservation Orders, minimum flows and so forth. Responses to these points are summarised in Annex F of the Strategic Framework document and, where appropriate, alterations were made to the main text of the document.

Next Steps

Section 7 of the Strategic Framework document outlines a series of projects that are the “Next Steps” for the implementation phase of the strategy and which were extensively informed by submissions. It is important that these are noted by councillors.

1. **Zone boundaries** – extensive comments on boundaries and the transition programme were raised.

Position: discussions are to be held in coming months with adjacent local authorities and stakeholders before final zone boundaries are decided (by the Steering Group recommending to the Mayoral Forum)

2. **Targets** – indepth work on the targets is continuing with stakeholders including farmers, irrigators, environmental and conservation interests.

Position: this process will be allowed to reach its natural conclusion which is expected in early 2010. The final targets will be decided by the Steering Group recommending to the Mayoral Forum.

3. **Legal Powers** – this is a complex area requiring further and extensive analysis and consultation with government.

Position: no decision is expected on these matters until into 2010 at which point there will be discussion with local councils and stakeholders prior to a decision by recommendation of the Steering Group to the Mayoral Forum, in tandem with Central Government.

4. **Economic Assessment** – an economic model has been built for the purpose of assessing strategic options for water management and it is being reviewed.

Position: once reviewed, the assessment will be released publicly. As it is intended as an assessment instrument, no further work is possible until zone and regional implementation programmes begin to take shape.

5. **Financial analysis** – a financial analysis is being undertaken involving a wide spectrum of regional stakeholders. This will cover sources of funding for irrigation development and environmental protection and repair, the proposed Infrastructure and Services Entity and cost-levying on water.

Position: this report is in two stages and will involve public and stakeholder consultation. The decision-making process on these proposals has yet to be decided but will involve local authorities.

Points to be noted by councillors:

- Note: it is proposed that zone committees will operate under the Local Government Act as committees of adjacent councils and the regional council.
- Note: it is proposed that members of zone committees are appointed jointly by adjacent councils and the regional council with the advice of the Steering Group.
- Note: it is proposed that local councils and the regional council will jointly contribute to costs for environmental restoration and repair at the early stages of the implementation of the strategy but that ultimately those costs will be largely or wholly met from a water levy.
- Note: it is envisaged that ultimately some of the costs for the water executive would be met from water user charges.
- Note: one of the options for the formation of an Infrastructure and Services Entity involves local councils being equity holders in the entity. If councils are involved changes may be required to individual LTCCPs or a regional amendment to LTCCPs.

Endorsement by Local Authorities:

Local councils are respectfully requested to consider:

- endorsement of the Canterbury Water Management Strategy as published on 5 November, subject to satisfactory progress in resolving the ongoing matters outlined in the strategy document.
- Authorising the establishment of zone committees in line with the process outlined in the strategy document

CANTERBURY WATER MANAGEMENT STRATEGY

Mayoral Forum progress report 22 November 2009

With the delay in the Mayoral Forum, it is appropriate to provide Mayoral forum members with an update on progress of the Canterbury Water Management Strategy.

The Framework Document sets out the “Next Steps” in implementation of the Canterbury Water Management Strategy (Section 7). Many of these steps have tight deadlines for completion before the end of the year or early in the new year.

Each item on this list will be progressively signed off by the Steering Group and the Mayoral Forum at its next meeting will need to decide what items require its approval.

The drivers behind the brisk pace of the strategy is the desire of everyone for a solution and the need to maintain momentum, but particularly to provide Government with a direction for Canterbury with a view to securing government funding.

The next steps include:

- Endorsement by Councils and Ngai Tahu: Waimakariri District Council and Environment Canterbury have endorsed the strategy and consideration by other councils is being scheduled with most confirmed for their December meetings.
- Establishing the legal mandate for the water management committees and implementation programmes: The aim is to complete the discussions with Government by February 2010. A mandating workshop is scheduled for 30 November. Once proposals are refined this will be discussed with stakeholders and local authorities.
- Further work on the zone and regional committees so that they can be fully functional: this includes finalising terms of reference and practice guides, and, consultations on boundaries and timing of start up.
- Further work on the targets for completion by December 2009: The Targets subgroup is meeting on December 14. These will come back to the Steering Group for sign-off.
- Developing the economic modelling instrument for the comparison of water management scenarios: Refining the model and the analysis of one scenario is due by December 2009. An updated draft is currently being reviewed.
- Water Executive is to be in place in Environment Canterbury by February 2010: advertisements for initial positions including the Director have been placed and a selection panel involving Water Steering Group representatives is being established.
- The Immediate Steps programme for ecosystem protection and restoration is to be finalised and possible funding sources identified by March 2010.
- Business models for the Water Infrastructure Entity are being developed with a workshop of key interests on December 4.

There is also exploration of whether the Canterbury Water Management Strategy model can resolve the way forward for the Hurunui/Waiau Zone.

There is strong central government interest in ensuring the momentum is maintained.

Building Delegations

As a result of changes to the Building Act and the subsequent building control accreditation process the building control delegations require updating. Attached are the reviewed building delegations.

Recommendation:

It is recommended Council adopt the delegations as outlined in the following schedules.



COMMUNITY
2009

SCHEDULE OF DELEGATED AUTHORITIES.
Dave Laughton / Tony Jeal / Steve Dale - Building Control Officers

This schedule for Warrant identifies that the holder is authorised and appointed by the Kaikoura District Council pursuant to Section 232 of the Building Act 2004 and Clause 32 of Schedule 7 of the Local Government Act 2002 the council delegate all its functions powers and duties for the Building Act 2004 as listed in the following schedule:

Sections of the Building Act 2004	General description of the function, power or duty to be delegated
	PROJECT INFORMATION MEMORANDA
33	Determine the adequacy of information received with an application for a project information memorandum and require further information on an application
34 (1)	Issue project information memoranda
34 (4)	Determine if any project information memorandum already issued contains an error or omission, or determine if any information received affects that project information memorandum, and reissue the project information memorandum
35	Decide what information needs to be included in a project information memorandum
36	Determine if a development contribution is payable in relation to proposed building work and attach a development contribution notice to the project information memorandum relation to that work
	BUILDING CONSENTS
45/48 (2)	Determine the adequacy of information received with a building consent application or an application for an amended building consent, and require further information on the application
48	Process building consent applications and have regard to any New Zealand Fire Service Commission memorandum and whether any warning or ban applies to any building method or product that will or may be used in relation to any application

49	Determine whether the provisions of the building code would be met if building work were properly completed in accordance with a building consent application, and grant building consents
50	Determine whether to refuse any building consent and give written notice of the refusal and the reasons
51	Issue building consents
52	Determine applications for extension of time in which to commence building work
54	Advise a building consent applicant of the amount of the levy for a building consent
67	Determine whether a building consent is granted subject to a waiver or modification of the building code and impose any conditions considered appropriate
71-73	Determine all matters relating to the grant or refusal of a building consent for the construction of a building, or major alterations to a building on land subject to natural hazards, including granting any waiver or modification of the building code in respect of the hazard concerned and imposing any conditions on the grant of the consent.
74	Determine if any hazardous land entry on a certificate of title is no longer required
75/77	Issue and authenticate a certificate imposing a section 75(2) condition on a building consent
83	Determine if any entry on a certificate of title relating to a building on 2 or more allotments is no longer required and issue and authenticate a certificate approving any removal of the entry
90 (1)	<p>Inspections by building consent authorities:-</p> <p>Every building consent is subject to the condition that agents authorised by the building consent authority for the purposes of this section are entitled, at all times during normal working hours or while building work is being done, to inspect:-</p> <ul style="list-style-type: none"> a) land on which building work is being or is proposed to be carried out: and b) building work that has been or is being carried out on or off the building site: and c) any building.

222 (1)	<p>Inspections by territorial authorities:-</p> <p>An authorised officer is entitled at all times during normal working hours or while building work is being carried out :-</p> <ul style="list-style-type: none"> a) to inspect – <ul style="list-style-type: none"> i) land on which building work is or is proposed to be carried out; and ii) building work that has been or is being carried out on or off the building site; and iii) any building; and b) to enter premises for – <ul style="list-style-type: none"> i) the purpose of inspecting the building; or ii) the purpose of determining whether the building is dangerous, earthquake prone, or insanitary within the meaning of subpart 6 of Part 2.
	CODE COMPLIANCE CERTIFICATES
91	Agree to issue a code compliance certificate in relation to a building consent granted/issued by another building consent authority, where that authority is unable or refuses to issue the code compliance certificate
93-95	Determine all matters relating to whether a code compliance certificate will be issued, including requiring further information, and issue code compliance certificates
	CERTIFICATE OF ACCEPTANCE
96/98	Determine whether to grant or refuse an application for a certificate of acceptance and issue certificate of acceptance
98 (2)	Require further information on an application for a certificate of acceptance
99	Determine whether any qualification should be made and make any such qualification on any certificate of acceptance

	COMPLIANCE SCHEDULES AND BUILDING WARRANTS OF FITNESS
102	Issue a compliance schedule
103	Determine the content of a compliance schedule
106	Determine application to amend a compliance schedule and give written notice to the owner of the decision to amend and attach a copy of an amended compliance schedule to the notice or give written notice of any refusal to amend a compliance schedule and the reasons for that refusal
107	Determine whether an amendment to a compliance schedule is required and advise the owner and consider any submissions made by the owner in relation to the proposed amendment. Give written notice to the owner of any decision to amend and attach a copy of an amended compliance schedule to the notice
109	Consider and determine a licensed building practitioner's recommendation to amend a compliance schedule, advise the owner and consider any submissions made by the owner in relation to the recommendation. Give written notice to the owner of any decision to amend the compliance schedule
110	Require production of annual written reports
	ALTERATIONS/CHANGE OF USE, ETC
112	Determine all matters in relation to alterations to an existing building, including whether or not to grant a building consent for an alteration to an existing building that will not comply fully with the relevant provisions of the building code
113	Determine conditions and grant building consents for buildings with specified intended lives
115	Determine whether to permit the change of use of a building, and give written notice to the owner if satisfied of the matters in section 115
116	Determine whether to permit the extension of life of a building with a specified intended life
116 (A)	Determine whether to give effect to a subdivision that affects a building

	DANGEROUS, EARTHQUAKE-PRONE, AND INSANITARY BUILDINGS
124/125	Determine whether building is dangerous, earthquake-prone or insanitary and determine whether to put up hoarding/fences and/or attach a notice and/or give written notice in accordance with section 125
126	Apply to the District Court for an order to carry out work and recover costs from the owner
	NOTICE TO FIX
164	Determine whether any of the circumstances in s164(1) apply and issue notices to fix. Determine whether another authority should issue a notice to fix and notify and give reasons to the other authority
165	Determine the content of any notices to fix
167 (1)	Inspect, or arrange for an authorized agent to inspect, the building work to which any notice to fix relate
167 (2) (4)	Confirm or refuse that any notice to fix has been complied with. Give written reasons where a notice to fix is not confirmed and issue further notices to fix
	MATTERS RELATING TO DETERMINATIONS
177	Apply to the Chief Executive of Department of Building & Housing for a determination
180	Withdraw any application for a determination
	Make a submission on or appear at any determination hearing
189	Apply for the clarification of a determination

	INFRINGEMENT NOTICES
372	Determine whether any of the circumstances in s373(1) apply and issue infringement notices
373	Determine the content of any Infringement Notices
Clause K Schedule 1	Exempt building work

Proposed Building Consent Fee Increase for 2010

July 2008 was the last fee increase and was an increase of 10% across all building control activity with no increase in Project Information Memorandum fees. That fee increase was to bring fees into line with a better level of cost recovery and to help cover extra costs incurred by accreditation of the Building Control Authority.

Recently 'Risk Pool' who is Council's Insurers increased the annual premium by \$35,000. This is a direct increase to the building control function that is carried out by Council. The reason for this increase is fuelled by the 'Leaky Homes Syndrome'.

The proposal is to increase building consent fees with no change to fees for Project Information Memorandums. The proposed increase is 10% across all building control activity.

1 February 2010 will bring change to the way Council deals with Project Information Memorandums due to this function becoming non mandatory. The Building and Planning departments will still have to carry out a planning and building site assessment and notify accordingly any planning and non-compliances, site hazards and other mandatory building site requirements. It is intended to introduce a 'Planning and Building Site Assessment' requirement. This is so that Council can on-charge at cost recovery, with a \$200 deposit payable on application, all costs to produce a 'Planning and Building Site Assessment' if the client does not want to go through the formal Project Information Memorandum process.

Recommendation:

It is recommended Council adopt the new building control fees as per the schedule below and these fees come into effect on 1 January 2010.

Building Control Fees

These prices include processing, set inspections, and Code Compliance Certificate unless otherwise stated. Extra inspections required will be charged out at \$132.00 per inspection. (Prices includes GST). Building Consent Category A1 to D1 are **Deposit Only** with any extra costs invoiced to the client. Building Consent Category E1 to M1 and including W1, 2, 3, 4 will be subject to extra processing costs if these category's are processed by outside **Building Consultants**. (PBA – Planning/Building Assessment)

			Total Price	P.B.A	Proc/insp	Makeup of price
A1	Com/Ind	>\$500,000	\$3,630.00 (deposit)	\$285.00		
B1	Com/Ind	<\$500,000	\$2,302.00 (deposit)	\$190.00	\$2,112.00	(2hr PBA/ 4hr processing/11 insp/ccc)
B2	Com/Ind	Medium	\$1,642.00 (deposit)	\$190.00	\$1,452.00	(2hr PBA/ 3hr processing/7 insp/ccc)
B3	Com/Ind	Small with PBA	\$1,019.00.00 (dept)	\$95.00	\$924.00	(1hr PBA/ 2hr processing/4 insp/ccc)
B4	Com/Ind	Small without PBA	\$660.00 (deposit)		\$660.00	(no PBA/ 2hr processing/ 2insp/ccc)
C1	Com Accom	>9 occupants	\$3,585.00 (dept)	\$285.00	\$3,300.00	(3hr PBA/ 10hrs processing/14 insp/ccc)
D1	Com Accom	<9 occupants	\$3,009.00 (deposit)	\$237.00	\$2,772.00	(2 ¹ / ₂ PBA/ 7hrs processing/13 insp/ccc)
E1	Res dwelling	> 250m ²	\$2,698.00	\$190.00	\$2,508.00	(2hr PBA/ 8hrs processing/ 10 insp/ccc)
F1	Res dwelling	<250m ²	\$2,302.00	\$190.00	\$2,112.00	(2hrs PBA/ 7hrs processing/ 8 insp/ccc)
F2	2 flats one PBA		\$3,182.00	\$190.00	\$2,992.00	(2hrs PBA/7hr processing/ 16 insp/ccc)
NON DWELLING ALTERATIONS						
F3	Building Alter – Large (non dwelling)		\$2,038.00	\$190.00	\$1,848.00	(2hrs PBA/ 6hr processing/ 7 insp/ccc)
FA	Building Alter – Medium (non dwelling)		\$1,547.00	\$95.00	\$1,452.00	(1hr PBA/ 4 hrs processing/6 insp/ccc)
FB	Building Alter - Small PBA 5 inspections		\$1,151.50	\$95.00	\$1,056.00	(1hr PBA/2hr processing/5 inspec/ccc)
FC	Building Alter - Small no PBA/5insp		\$1,056.00		\$1,056.00	(no PBA/2hr processing/5 inspec/ccc)
FD	Building Alter - Small PBA 4 inspections		\$1,019.00	\$95.00	\$924.00	(1hr PBA/2hr processing /4 insp/ccc)
FE	Building Alter - Small no PBA/4 inspections		\$924.00		\$924.00	(no PBA/ 2hr processing/4 inspec/ccc)
FF	Building Alter – Small PBA 3 inspections		\$887.00	\$95.00	\$792.00	(1hr PBA/2hr processing/3 inspec/ccc)
FG	Building Alter - Small No PBA 3 inspections		\$792.00		\$792.00	(no PBA/2hr processing/3 inspec/ccc)
FH	Building Alter – Small PBA/2 inspec		\$755.00	\$95.00	\$660.00	(1hr PBA/2hr processing/2 inspec/ccc)
FI	Building Alter - Small no PBA/2 inspec		\$660.00		\$660.00	(no PBA /2hr processing/ 2 inspec/ccc)
DWELLING ALTERATIONS						
G1	Dwelling Alter – Large		\$1,906.00	\$190.00	\$1,716.00	(2hrs PBA/5 hrs processing/7 insp/ccc)
H1	Dwelling Alter – Medium		\$1,547.00	\$95.00	\$1,452.00	(1hr PBA/ 4 hrs processing/6 insp/ccc)
H4	Dwelling Alter	Small PBA 5 inspections	\$1,151.00	\$95.00	\$1,056.00	(1hr PBA/2hr processing/5 inspec/ccc)

H8	Dwelling Alter - Small No PBA/5 inspects		\$1,056.00		\$1,056.00	(no PBA/2hr processing/5 inspec/ccc)
H2	Dwelling Alter - Small PBA 4 inspections		\$1,019.00	\$95.00	\$924.00	(1hr PBA/2hr processing /4 insp/ccc)
H6	Dwelling Alter Small <i>no PBA</i> /4 inspections		\$924.00		\$924.00	(no PBA/ 2hr processing/4 inspec/ccc)
H7	Dwelling Alter – small PBA 3 inspections		\$887.00	\$95.00	\$792.00	(1hr PBA/2hr processing/3 inspec/ccc)
H3	Dwelling Alter -Small <i>No PBA</i> 3 inspections		\$792.00		\$792.00	(no PBA/2hr processing/3 inspec/ccc)
H9	Dwelling Alter - Small PBA/2 inspec		\$755.00	\$95.00	\$660.00	(1 hr PBA/2hr processing/2 inspec/ccc)
H5	Dwelling Alter Small <i>no PBA</i> /2 inspec		\$660.00		\$660.00	(no PBA /2hr processing/ 2 inspec/ccc)
I1	Dwelling reloc	Foundation & services	\$1,378.00	\$190.00	\$1,188.00	(2hr PBA/4hr processing/4 inspec/ccc)
J1	Garage	with plumbing	\$1019.00	\$95.00	\$924.00	(1hr PBA/ 2hr processing/4 inspec/ccc)
J2	Awning etc	2 inspect/PBA	\$623.00	\$95.00	\$528.00	(1hr PBA/2hr processing/2insp/incl ccc)
K1	Garage/farm bg	2 inspects/PBA	\$623.00	\$95.00	\$528.00	(1hr PBA/2hr processing/ 2 inspec/ incl ccc)
K2	Garage reloc	foundations & stormwater	\$491.00	\$95.00	\$396.00	(1hr PBA/ 2 hr processing/1spec/incl ccc)
K3	Garage	existing PBA	\$528.00		\$528.00	(no PBA/ 2hr processing/2insec/incl ccc)
K4	2 garages/farm	2 garages with 1 PBA	\$887.00	\$95.00	\$792.00	(1hr PBA/2hr processing/4 inspec/ incl ccc)
K6	Garage + 1	Garage extra inspection	\$755.00	\$95.00	\$660.00	(1hr PBA/2hr processing/3 inspec/ incl ccc)
L1	Sleepout	no plumbing	\$887.00	\$95.00	\$792.00	(1hr PBA/2hr processing/3 inspec/ccc)
M1	Sleepout	with plumbing	\$1,019.00	\$95.00	\$924.00	(1 hr PBA/2hr processing/4 inspec/ccc)
N1	Demol/Reml	Residential or Commercial	\$623.00	\$95.00	\$528.00	(1hr PBA/2hr processing/ 2 inspec incl ccc)
O1	Septic tank/drain	New or replacement	\$425.00	\$95.00	\$330.00	(1hr PBA/1 ¹ / ₂ hr processing/1 inspec nclccc)
O2	Plumbing	Minor plumbing/drainage	\$132.00		\$132.00	(1 inspec only – no processing needed)
P1	Minor work	Minor alterations (1 inspec)	\$264.00		\$264.00	(no PBA/1 hr processing/1inspec incl ccc)
P2	Minor work	Minor alterations + extra inspe	\$396.00		\$396.00	(no PBA/1hr process/2 inspec incl ccc)
R1	Solid Fuel Heaters	Freestanding	\$133.65		\$133.65	(special rate free standing)
S1	Solid Fuel Heaters	Inbuilt	\$222.75		\$222.75	(special rate inbuilt)
T1	Masts & Misc Specific Design		\$491.00	\$95.00	\$396.00	(1hr PBA/1 hr processing/1 inspec/ccc)
T2	Masts & Misc/no PBA		\$660.00		\$660.00	(1 hr processing/3 inspec/ccc)
T3	Small Signs		\$132.00		\$132.00	(1 inspection cover proc & inspec)
T4	Marquee over 50m ²		\$66.00		\$66	
T5	Marquee over 50m ² more than 1		\$99.00		\$99.00	

U1	Rectification work		\$132.00	\$132.00
	PBA only	Commercial >\$500,000	\$285.00	
	PBA only	Commercial Accom >9	\$285.00	
	PBA only	Commercial Accom <9	\$237.00	
	PBA only	Com/Residential/relocation	\$190.00	
	PBA only	Med/Small/garage	\$95.00	
W1	Dwelling Existing PBA		\$2,112.00	
W2	Large Dwelling Existing PBA		\$2,508.00	
W3	Large Alterations Existing PBA		\$1,848.00	
W4	Med alterations existing PBA		\$1,452.00	
X1	Work No Fees			
B.O.W. Audit Section 108 BA04 - \$132 per hour				
	Compliance Schedule/or amendments		\$132.00 + costs	<u>Building Compliance Levy</u>
	Notice to fix		\$130.00 + costs	.4% of value of building work up to \$20,000 or
	Section 37 (RMA Matters)		\$132.00 per hour	.13% of value of building work \$20,000 and over
	Section 52 (Lapse of Building Consent)		\$132.000 plus costs	
	Certificate of Acceptance (Sec 99) Application fee		\$550.0 +	
	Building Consent fee, levies if applicable plus any Cost of Legal Review.			
	Branz Fee	.1% of value of building work over \$20,000	DBH	.197 of value of building work over \$20,000

NATURAL RESOURCES REGIONAL PLAN

Outdoor Burning in Residential Areas and Emergency Provisions

Schedule 1 Consultation - Plan Changes 1 and Variations 15 and 16 Chapter 1 (Overview) and 3 (Air Quality)

Issue

At an ordinary Council meeting held on 24 September 2009, the Canterbury Regional Council part approved the NRRP Chapter 3 Air Quality. Under Clause 20 of the First Schedule to the Resource Management Act 1991, Chapter 3 became part operative on 27 October 2009.

At the same meeting, Council resolved to release a variation on the residential outdoor burning provisions of Policy 4 and associated methods, including Rule 29, which was the subject of an appeal by the Association for Independent Research.

The Air Plan Hearing Commissioners hearing the Air Plan were of the view that a change to the enclosed burner rules was “essential” to allow non complying burners to be used when the electricity network was disabled, either subject to maintenance or due to an accident or weather.

Accordingly Environment Canterbury staff has prepared some draft plan provisions and an accompanying section 32 analysis for RMA 1st Schedule consultation purposes. The matters subject to this consultation are:

- NRRP Variation 15 (Outdoor Burning in Residential Areas) for Chapter 1 (Overview) and 3 (Air Quality), and
- NRRP Chapter 3 (Air Quality) Plan Change 1 (Christchurch, Kaiapoi, and Ashburton: Emergency Provisions) and Variation 16 (Rangiora; Emergency Provisions),

Discussion

Process for Feedback

Environment Canterbury contacted Kaikoura District Council for comments to be sent to them as required under the 1st Schedule of the Resource Management Act. The date for formal comments is set for **4 December 2009**, attached is the formal comments prepared by Council staff on the review issues of the Natural Resources Regional Plan. Please note, given the timeframes, this document has already been lodged with Environment Canterbury, but can be modified or withdrawn.

Issues

Variation 15 deals with use of non-compliant indoor fires where there is a power outage or similar emergency. None of the matters in the variation apply to the Kaikoura District, however, support is given for the sensible approach of the provision.

The Natural Resources Regional Plan makes outdoor burning an activity that requires resource consent in the urban and residential areas. This is reasonable where alternative composting, recycling and reusing facilities are available. However, staff have a concern with areas such as a Settlement areas, which fall into the definition of Residential under the Natural Resource Regional Plan. In the opinion of staff, it is unreasonable to expect transportation of green waste and untreated wood long distances for recycling or processing, as long distance transportation may have more adverse effects on air quality than burning. Therefore, the submission is that these activities become permitted for the burning of green waste and untreated wood in the areas where it is unreasonable to transport these items to Innovative Waste for processing.

Conclusion

The comment lodged on the Natural Resources Regional Plan was considered to be in accordance with Kaikoura District Council principles and the intention of the Long Term Council Community Plan.

Recommendation

With due consideration of the above, it is recommended that the Council make the following determinations:

1. Discussion

That Council receives the information outlined in this report.

2. Feedback

That Council endorses the feedback on the statutory consultation for the proposed Plan Change 1 and Variation 15 and 16 to the Natural Resources Regional Plan for Canterbury.

NRRP Chapter 1 (Overview) and 3 (Air Quality) Schedule 1 Consultation Plan Changes 1 and Variations 15 and 16 Outdoor Burning in Residential Areas and Emergency Provisions

Kaikoura District Council makes the following comments:

- Plan Change 1 and Variation 16
Fully supportive of the emergency provisions for use of small scale burners.

- Variation 15
Support in part provisions proposed. Provisions addressed below.

Change proposed	Support	Reason	Outcome sought
Definition of kerbside collection	In part	Kaikoura District Council does not offer kerbside waste collection throughout the district, only kerbside recycling collection.	Include kerbside recycling collection in definition
Definition of refuse handling system	In part	Kaikoura District Council only offers recycling and processing facilities in the Kaikoura township. It is unreasonable to expect transportation of green waste long distances for recycling or processing, as long distance transportation may have more adverse effects on air quality.	Definition is not clear what defines a township and when these services are not available. No change to definition sought. To meet concern include an exemption in the rule AQL29B when the distance to a processing facility is greater than 25km.
<u>Policy AQL4</u>	Yes		
<u>Policy AQL4A</u>	In part	Explanation outlines that almost all households have access to disposal facilities. This is not true for residents of the settlement areas in the Kaikoura District as distances to facilities for disposal of greenwaste and untreated wood are over 25km for residents from Oaro, Raukatara, Clarence and Kekerengu. Other recycling is collected from these areas.	Rewrite explanation to reflect situation for rural settlement areas.

Revised Rule AQL29A and 29B	Yes		
New Rule AQL29B	In part	Kaikoura District Council only offers recycling and processing facilities in the Kaikoura township. It is unreasonable to expect transportation of green waste and untreated wood long distances for recycling or processing, as long distance transportation may have more adverse effects on air quality.	Create an exemption for rural settlement areas where the distance to the disposal facility is greater than 25km, making the activity permitted for green waste and untreated wood where there is a fire bylaw or permit system operating in the District.

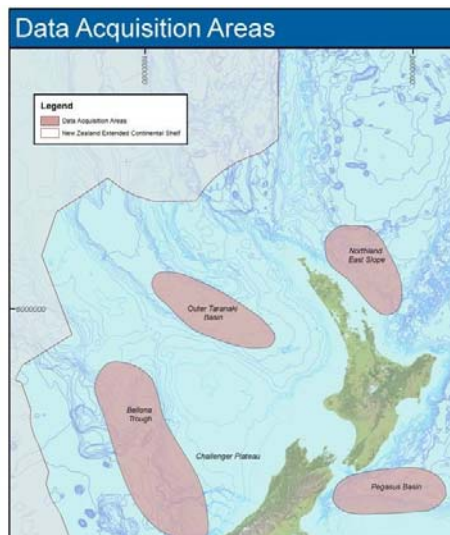
Ministry for Economic Development Crown Minerals Survey

Issue

On the 18th November 2009, an advertisement appeared in the Kaikoura Star for the Crown Minerals division of the Ministry for Economic Development to begin seismic surveys of the *Pegasus Basin*. As shown in the attached plan, the Pegasus Basin runs from the Wairarapa to South of Kaikoura Peninsula. The seismic survey begun on the 14th November 2009, and was to survey from Wellington to east of the Kaikoura Peninsula, finishing around Christmas 2009.

No consultation was undertaken with the Kaikoura community prior to the marine survey commencing. Limited consultation was undertaken with the Department of Conservation regarding marine mammal populations. Crown Minerals had engaged an Australian consultant to formulate a mitigation plan in line with Seismic Industry guidelines.

A consultation meeting was organized by Crown Minerals with the marine mammals operators on Monday 23rd November 2009. Rachel Vaughan of this office attended this meeting.



Discussion

Little is known about the effect of Seismic Survey operations on Marine Mammal. There are a number of conflicting reports available about the effects of seismic surveys on marine mammals. A Department of Conservation reference document states that the possible impacts can include:

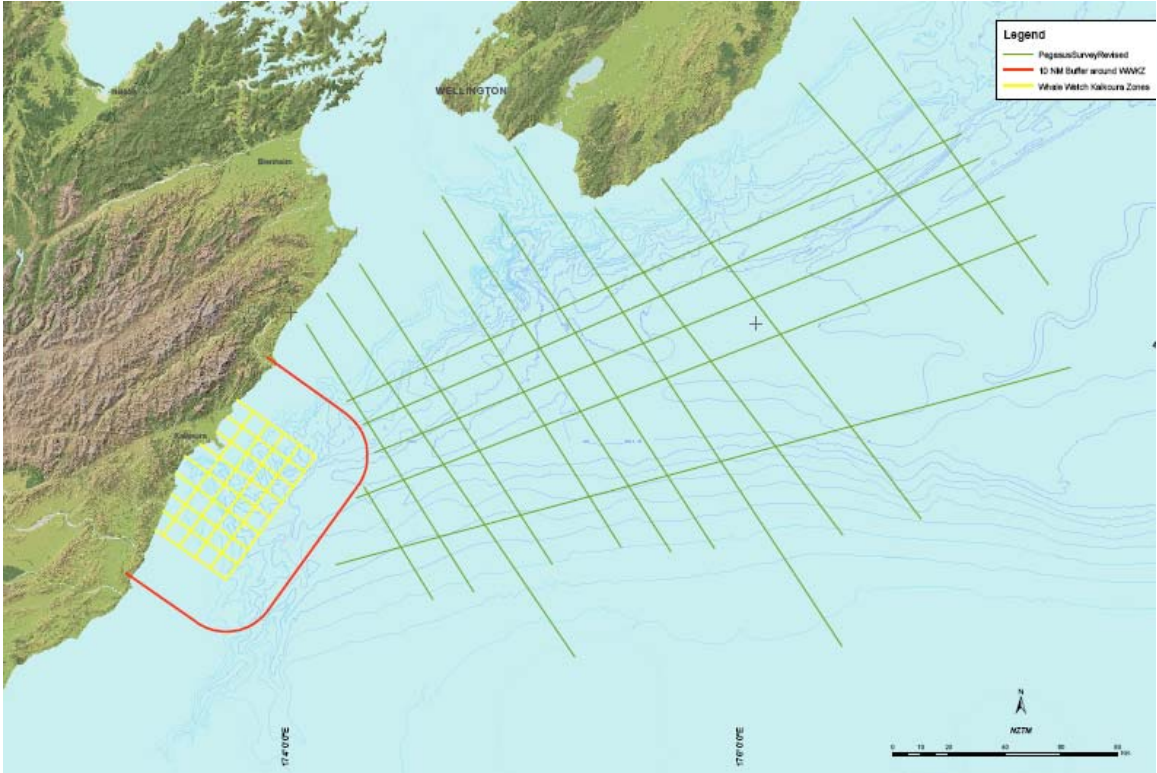
- Audibility (the simple fact that a sound can be heard by an individual)
- Behavioural response (this is typically avoidance of the acoustic source, or attraction to the acoustic source)
- Masking (the inability for marine mammals to hear naturally important sounds due to increased levels of anthropogenic sound in the marine environment)
- Physical effects (permanent or temporary hearing loss, discomfort or injury)

In addition the disturbance of or the reduction in prey species has also been identified as a potential indirect effect of seismic surveys (Slotte et al 2004).

The marine mammal operators were concerned by the prospect of the survey and the effect this could have on the mammals particularly over the summer months when the industry has the busy season. An information session presented by Crown Minerals was held at Dolphin Encounter, and the marine mammal operators attended. Rachel Vaughan attended as both a Community representative and a Te Korowai representative.

The major concern of the operators was that Crown Minerals survey included the entire East Coast from Cook Strait to 20km north of the Kaikoura Peninsula. The only marine mammal sensitivity shown was to exclude an area south of the Kaikoura Peninsula only, with a 20km buffer zone around this area. Following the meeting, discussions continued with Crown Minerals on the sensitivity of the Kaikoura area and the importance of the area as a marine mammal habitat in addition to importance to tourism.

The result of the discussions was a greater area was excluded from the seismic survey area. The survey excludes areas from the vicinity of Half Moon Bay to south of the Kaikoura Peninsula. A buffer area is also included, shown in red below.



Recommendation

With due consideration of the above, it is recommended that the Council make the following determinations:

- 1. Discussion
That Council receives the information outlined in this report.*

REGIONAL LAND TRANSPORT STRATEGY COMMENTS

The Kaikoura District Council has been asked to comment on what information should be included within the Regional Land Transport Strategy and what direction this document should take. Submissions closed on 9 December 2009. Attached is the submission sent to Environment Canterbury. As the Regional Land Transport Strategy is currently in the consultation as opposed to formal submission phase changes can be made to this submission if necessary.

Recommendation:

It is recommended that the following submission be received as information.

9 December 2009

James Ryan
Principal Regional Transport Planner
Environment Canterbury
PO Box 345
CHRISTCHURCH 8140

Dear James

COMMENTS REGIONAL LAND TRANSPORT STRATEGY

Thank you for the opportunity to provide general comments on the direction of the Regional Transport Strategy. Following on from our meeting 3rd December 2009 please find comments below.

Most Important Transport Issues and Challenges

When reviewing the Regional Land Transport Strategy (RLTS) it is important that we have a broad focus for the next 30 years. The RLTS must focus on overall needs of the overall needs of the regional transport system. Regionally it is considered that the most important issues facing Canterbury will be the creation of an integrated and active transport system for Canterbury. Such a system needs to recognise and provide for local, national and international transport needs. One of the current focuses is towards relief of congestion in major centres, greater importance needs to be placed on encouraging, promoting and providing for active transport for the whole of Canterbury. Bigger roads only encourage more cars. To reduce congestion a change of mindset needs to occur in all levels of the Canterbury community. A grass roots approach needs to be taken by supporting smaller towns in the region which can lead by example. Therefore in creating the strategy careful regard needs to be given to:

- The importance of smaller communities
 - Leading by example
 - Promoting active transport
- Effects of climate change – on existing and future networks
 - Storm events
 - Sea level rise / Storm surge
- Scarcity of natural resources – when developing and promoting transport options
 - Vehicle and lighting emissions
 - Peak Oil

Important Local Issues and Challenges

Kaikoura as a district is a successful tourist destination. Visitors (both domestic and internal) come to Kaikoura to interact with nature in a sustainable location. The Council itself places emphasis on the

importance of reducing environmental impacts and is involved in a number of environmental projects to ensure that Kaikoura remains 100% committed to the environment. Programmes include:

- Zero Waste/ Public Waste Recycling Bins
- Fantastic No Plastic
- Communities for Climate Protection
- Trees for Travellers
- Significant Natural Areas Programme
- Green Globe

Details of these programs are available at <http://www.kaikoura.govt.nz/>.

If managed poorly State Highway 1 and the Main North Railway line have the potential to conflict with Kaikoura's environmental vision. For example the recent SH1 Blenheim to Ashley River Bridge (Draft Strategy November 2009) states that across New Zealand as a whole the freight load is expected to double by 2020. If the existing roading infrastructure remains and the exiting splits between rail and road continues Kaikoura as an environmental destination will suffer.

The important local issues for Kaikoura are maintaining the national road and rail links while allowing the district to prosper. This can be achieved though improving:

- Provision of active transport - providing alternatives to private motor vehicle travel, for example the creation of cycling and walking tracks, better public transport to and from Kaikoura. The use of active transport has a number of well documented benefits including increased public health, reduction of emissions, reduced wear and tear on roads as well as domestic and international tourism benefits.
- Creation of safe road and rail networks.
- Improving the amenity of the roading and rail network especially near and within populated areas. The benefits and importance of good urban design is well documented.
- Reducing direct environmental impacts, for example use of new technology in lighting, which are more efficient and result in less light spill.
- Better partnerships between, road, rail, shipping and local government, creating synergies between organisations which should be heading in the same direction to benefit all of New Zealand.

Regional Transport System 2041

For Kaikoura in 2041 the transport system should offer the following:

- A focus on active transport.
- Range of transport options for freight, including road, rail and coastal shipping.
- Better range of transport options to/from and around Kaikoura.
- Improved amenity of transport networks and better integration of rail, state highway and local roads.
- Better use of public transport to Kaikoura, including options for cyclists to transport bikes with them and more stopping points north and south of Kaikoura.
- Provision for the aging population.
- Increased active transport (walking and cycling), given the health and environmental benefits.
- Greater personal awareness of the effect of different transport options.

It is noted that a copy of these comments will be presented to the Kaikoura District Council at the next Council meeting. If you have any questions regarding any of these aspects please contact me directly.

Sincerely

Matt Hoggard
District Planner

Mayor's Report

A brief report on the two meetings I attended in the past couple of weeks.

Rural/Provincial Councils meeting – Wellington – 19/20 November

These meetings are scheduled quarterly & can be costly. I often do not attend unless there is particular relevance to this District. However I believe it is important to us to have at least a presence once a year. If just for the solidarity profile and the networking.

I attended this meeting to specifically hear what the presenters had to say - in particular the Minister of Building – Mr. Maurice Williamson and the Minister of Infrastructure and Funding- Mr. Bill English.

I was interested in the M.of Bldg's address particularly to gain a more correct account of his policies rather than the mixed messages being put out by the minister of local Govt, Mr. Hide.

Of interest was:

- His lengthy justification of the Licensing of Building Practitioners highlighted the resistance the process is receiving around the country. It was made clear that resistance is futile, as the system is done and dusted and timeframes have been finalized.
- Multiple Design/Build consents is also on the way to being finalized and will include “minor variations”.
- A reduction of building inspections from approx. 15 to 4 is estimated at reducing the overall cost of building a home by \$10,000.
- A review and consultation of the Building Act will take place early 2010.

Minister of Infrastructure and funding, Bill English, spoke at length about the financial state of the Nation highlighting.....

- The country is borrowing 250 million dollars a week!
- The public sector has yet to feel the real effects of the recession and is soon to experience a “meltdown”. Ie. Massive redundancies and lay-offs. Wellington will feel the worst of it, but effects will filter to Local Govt. as well.
- His strongest message was that”*there is no more money! Do better with what we are getting or have got, because there is no more!*”

Another presenter was Geoff Dangerfield from NZTA.

- The message from this gentleman was very similar to that of Mr. English..... “There ain't no more money!” Districts with a high roading bill will just have to do better!
- At that point the lead balloon hit the floor!

Te Puni Kokare representatives presented on the issues of rating Maori land.

- The main point gleaned from that presentation was that if the land has income.... Then it should be rated.
- Full consultation over the issue will be embarked on early 2010.
- I have presentation notes if interested.

Local Govt CEO presented his version of the world of local government and made he following interesting (or not) points.

- The LGNZ organization has shifted its emphasis from asking the Govt. for money to developing a working relationship and partnership with each other.
- Rodney Hides' influence in Cabinet and his electorate has been “dented” via the travel/partner debacle and the comments recorded over brekky!
- LGNZ agrees that it accepts Climate Change, will plan for Climate Change and will advocate for mitigation of Climate Change.

- A review of the Local Govt. Act could well mean that LTCCP's could be even bigger and more expensive than current requirements.
- Rodney's referendums are OUT!
- The requirements to have "plain English" financials in annual reports are an EXTRA not an INSTEAD OF! – This is anticipated to add to auditing time therefore – costs.

The other meeting of interest was attended by Stuart and myself in Ashburton and was a request by the review committee who are looking into E-Cans performance. Points to note are:

- This review is not a NEW thing and not particularly instigated by the Mayors of Canterbury although the letter from the Mayors is considered as unprecidential.
- The Labour Govt noted issues and concerns-especially relating to water.
- The review committee recognizes that with the Mayors all singing from the same sheet there is an obvious substantial problem.
- Regarding the water issues it was recognized that water allocation versus the environment is also substantially problematic.
- Each District was allocated a time to speak frankly and confidentially to the committee (headed by Wyatt Creach) regarding their thoughts, their issues and their concerns with e-can. All of which were generally similar. Our CEO impassioned presentation was well received by other District personnel and mayors.
- We await eagerly for the findings of the committee – Stuart may well wish to comment.

Metake maata

Mayor Kevin