

MACKENZIE DISTRICT COUNCIL

MINUTES OF A MEETING OF THE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBERS, FAIRLIE, ON THURSDAY, JULY 24, 2014, AT 3.30PM

PRESENT:

Mayor Claire Barlow (Acting Chair)
Cr Graham Smith
Cr James Leslie
Cr Evan Williams
Cr Russell Armstrong
Cr Noel Jackson

IN ATTENDANCE:

Wayne Barnett (Chief Executive Officer)
Nathan Hole (Planning and Regulation Manager)
Arlene Goss (Committee Clerk)

APOLOGIES:

An apology was received from Cr Murray Cox and from senior policy planner Toni Morrison.

DECLARATIONS OF INTEREST:

There were no declarations of interest.

MINUTES:

Resolved that the minutes of the meeting of the Planning and Regulation Committee held on June 12, 2014, including those parts taken in public excluded, be confirmed and adopted as the correct record of the meeting.

Graham Smith/Russell Armstrong

REPORTS:

PLANNING AND REGULATION MANAGER'S ACTIVITY REPORT:

The purpose of this report was to provide the committee with an activity report for planning and regulations for the period 5 June to 16 July, 2014.

Nathan Hole raised the issue of the Heslip Determination under the Building Act 2004, which is attached to this report.

He said the Heslip's believed they were exempt from needing a building consent in relation to some work they carried out. A determination from the Department of Building and Housing says they do need a building consent for this work.

Council has asked for a notice to fix or that the building be removed. If this is not responded to council has no option but to apply to the court to have the building removed.

Nathan Hole said he has brought this matter to the committee's attention because if the notice is not complied with the committee will need to make a decision on this matter at a future meeting.

Resolved that the report be received.

Russell Armstrong/Graham Smith

MEMORANDUM OF UNDERSTANDING WITH ECAN:

The purpose of this report was to seek ratification of a proposed Memorandum of Understanding between Environment Canterbury and the Mackenzie District Council on planning matters. This document has been revised since the agenda was sent out. At the meeting Nathan Hole handed around the latest version which shows minor tracked changes. This is attached to these minutes.

The chief executive said this MOU is designed to get the two organisations to work more closely together and sets out the intent and scope of the relationship. Council revised the MOU to spread the scope wider than the district plan review and include other areas of responsibility. Ecan are happy with this.

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That the Memorandum of Understanding between Environment Canterbury and Mackenzie District Council in relation to collaborative planning is ratified by the committee.

Claire Barlow/James Leslie

ANNUAL PLAN SUBMISSION FROM MCNEILLY:

Nathan Hole said this submission relates to an issue with two buildings in Twizel that don't have adequate set-back from the boundary. He said Mr McNeilly is correct in his observations and the issue has come up due to confusion regarding whether the distance from the boundary is measured to the wall of the building or to the eaves.

This matter has already been resolved in the district plan and council staff are aware of the correct procedure. They are careful to check this on new building consents.

Nathan Hole will write a letter to Mr McNeilly responding to his submission.

REPORTS FROM THE WATER ZONE COMMITTEES:

Due to Cr Cox being away and Cr Williams having just returned from leave there were no reports from the water zone committees at this meeting.

It was noted that Nathan Hole was planning to report to councillors at a later date to update them in relation to Plan Change 3.

PUBLIC EXCLUDED:

Resolve that the public, be excluded from the following part of the proceedings of this meeting namely:

1. Discussion on the previous minutes of the Planning and Regulation committee on June 12, 2014.
2. Plan Change 13 Second High Court Appeal (attached).
3. Building Practitioners Board Complaint (attached).

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Discussion of previous minutes June 12.	Maintain legal professional privilege	48(1)(a)(i)
Plan Change 13 Second High Court Appeal	Maintain legal professional privilege	48(1)(a)(i)
Building Practitioners Board Complaint	Protect the privacy of natural persons	48(1)(a)(i)

This resolution is made in reliance on Section 48(1)(a)(i) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows: *Discussion of previous minutes June 12, and Plan Change 13 Second High Court Appeal under section 7(2)(g). Building Practitioners Board Complaint under section 7(2)(a).*

Graham Smith/Evan Williams

The Planning and Regulation Committee continued in open meeting. The following resolutions relate to a matter discussed in the public excluded session that is to be confirmed in open meeting.

BUILDING PRACTITIONERS BOARD COMPLAINT:

Resolved:

1. That the report be received.

Graham Smith/Evan Williams

2. That the committee retains the delegation to make complaints to the Building Practitioners Board.

Noel Jackson/Graham Smith

3. That the resolutions regarding the delegation to make complaints to the Building Practitioners Board be confirmed in the public part of the meeting.

Noel Jackson/Graham Smith

**THERE BEING NO FURTHER BUSINESS THE
CHAIRMAN DECLARED THE MEETING CLOSED AT 4.33pm**

CHAIRMAN: _____

DATE: _____