



Ashburton District Council

AGENDA

A MEETING of the ASHBURTON DISTRICT COUNCIL
will be held as follows:

Date: Thursday 25 February 2010

Venue: Council Chamber
5 Baring Square West
Ashburton

Time: 1.30 pm

MEMBERS:

His Worship the Mayor, M B O'Malley
Cr R C Beavan
Cr N A Brown
Cr I J Burgess
Cr J A Everest
Cr K L Holmes
Cr R J Kilworth
Cr J A Kingsbury
Cr L J Leadley
Cr K W P Lowe
Cr P W Reveley
Cr J Sparks
Cr B A Tasker

B LESTER
Chief Executive

19 February 2010

AGENDA

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Timetable	
1.30 pm	Ordinary Meeting Commences OPENING PRAYER
3.00 pm	Afternoon Tea

19 February 2010

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1
DATE: 25 February 2010
REPORT TO: Council
FROM: Mayor

4.1. MAYOR'S REPORT

4.1.1 CALENDAR

Some of the meetings and functions I have attended since reporting to the last Council meeting on 17 December 2009 ---

- 18 December Chaired Canterbury Water Management Strategy meeting
- 19 December Opened Warehouse Stationery Shop in Ashburton
- 21 December Attended Morning tea at Ashburton Resource Centre
- 22 December Met with representatives of Aquatic Park Trust
Visited patients at Ashburton and Tuarangi Hospitals

2010

- 11 January Visited Alec & Greta Williamson on the occasion of their 60th wedding anniversary
- 16-22 January On leave out of district
- 24 January Met with Philippines Ambassador -Dr Bienvenido Tejano
- 25 January Met with LGNZ President Lawrence Yule, Christchurch
- 26 January Chaired Ashburton Business Estate Project Board meeting
Attended part of Ecan workshop meeting held in Methven
- 27 January Met with Ian Paterson re Stadium siting
Met with dog owner re registration issues
Attended Advance Ashburton Trust meeting
- 28 January Attended Stadium Project Group meeting
- 1 February Attended Advance Ashburton Trust photo session
- 2 February Met with Ashburton Learning Centre representatives
Met with Hon Ruth Dyson (at ADC)
Hosted ADC Councillors at home
- 3 February Met with Ashburton Plunket Society representatives
Attended Hamilton Hindin Greene function, at Event Centre
- 4 February Attended Chapman Tripp function, Christchurch
- 5 February Met with Aquatic Park Trust representatives
- 7 February Attended Concert in the Park
- 8 February Met Bob Parker and Mark Solomon re CWMS, Christchurch
- 10 February Met with Sue Newman re Guardian column
Met with Te Hono Tangata Trust
Met with Aquatic Park Trust representatives
- 11 February Briefing with CWMS Project Manager
Attended meeting re Lake Hood Extension Project
- 12 February Chaired Canterbury Water Management Strategy meeting
Met with Lincoln University research staff re CWMS, Christchurch
- 14 February Attended opening of new Filipino Produce Shop, Ashburton

- 15 February Attended Regional Transport Committee meeting, Christchurch
Met with Mr A Lumsden, re Tradewaste Bylaw
Attended opening of Youth Café, Ashburton
Chaired Ashburton Silver Band AGM
- 17 February Met with Federated Farmers representatives
Attended Stadium Project Group meeting
- 18/19 February Attended LGNZ Rural/Provincial Sector meeting, Wellington
- 20 February Attended Girls on Bikes event, Methven - opening in morning and
prizegiving in afternoon
Attended opening of new Chocolate Shop (Bull Rush), Ashburton
- 21/22 February Attended Mayoral Forum, Christchurch
- 22 February Attended Ashburton Trust Charitable Foundation meeting
- 25 February Chaired Ashburton Business Estate Project Board meeting
Met with Terry Heiler & Carl Bakker re water issues
Attended Launch of Ashburton Success Academy

I have been represented at other functions / events during this time as follows:

Cr Leadley attended:

- 16 January Attended 50th Anniversary celebration of Piper Cherokee dinner,
Ashburton Airport
- 25 January Attended lunch meeting with Philippines Ambassador -Dr Bienvenido
Tejano, Ashburton Hotel
- 31 January Attended Annual Pipe Band Competitions, Ashburton Domain
- 5 February Attended meeting at Hakatere Marae – fundraising launch for Stage 2 of
\$3 million project
- 12 February Welcomed 50 cyclists riding the length of NZ to raise funds for \$5
million Cardiovascular Research Unit at Auckland University

M B O'MALLEY
Mayor

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/3
DATE: 25 February 2010
REPORT TO: Council Meeting
FROM: Chief Executive

4.2 CHIEF EXECUTIVE'S REPORT

4.2.1 PHILIPPINES AMBASSADOR

I attended a lunch meeting with the Ambassador for the Philippines, Dr Bienvenido Tejano on 25 January with Cr Leadley. A number of the local Filipino community were also present.

The Ambassador was most impressed with what we do in our community for his people, and referred particularly to the Social Wellbeing Strategy. He was also working on opportunities to strengthen our economic ties (particularly beef exports). The contact is worthwhile strengthening.

4.2.2 ACTON IRRIGATION SCHEME

The licence to occupy and management agreements have been signed and construction commenced. We are working with the contractors to ensure affected race users are kept informed and interruptions to supplies minimized / mitigated.

The Barrhill Chertsey uptake is now 2.9 cumecs.

4.2.3 CANTERBURY WATER MANAGEMENT STRATEGY

We hosted a meeting at the ADC of the local authority Chief Executives on 1 February. This was to ensure all authorities were up to date as we move to implementation, and to consider the terms of reference for the Zone / Regional Committees.

Input was then referred to the Steering Group meeting held on 12 February where the Terms of Reference were finalized for recommendation to the Mayoral Forum (22/02). It is expected these to be approved.

The review of Ecan has recommended that the CWMS process proceeds. We should be looking to set up three Zone Committees and the Regional Committee in March / April.

It was pleasing to note that this project was referred to and supported by the Prime Minister in his opening address to Parliament this year.

4.2.4 LOCAL GOVERNMENT NEW ZEALAND -- REMIT PROCESS

Any remits that are proposed for consideration at the LGNZ 2010 Annual General Meeting are required to be with LGNZ by Monday 17 May 2010. Remits:

- must be relevant to local government as a whole
- should be of a major policy nature
- must have support from at least one Zone or Sector group meeting

4.2.5 Q E II NATIONAL TRUST

There are two vacancies on the National Trust. I have been forwarded a list of candidates (19) with profiles. Ballot papers are to be received by the Trust by 8 March. If any Councillors have a particular interest and wish to comment on the candidates, please see me.

4.2.6 SOLGM RETREAT

I attended the SOLGM Retreat on 7-9 February. A good range of topics were covered, including:

- Mayor Dale Williams (Otorohanga District Council), Entry Trades Course. This is a transition from school to work, based on a 16 week course. They have also developed an apprenticeship scheme through the Waikato Institute of Technology, guaranteeing work on completion.
- Michael Willis, CEO Surrey Heath Borough Council (formerly New Plymouth, and Blue Mountains (Aust)). Michael referred to his experiences in overseas local government, including:
 - NSW rates capping has been in place for 25 years and taken its toll with local infrastructure badly rundown. Once in place, capping is impossible to remove. Corruption is an ongoing issue.
 - USA most councils are small. Highly dependent on local sales tax so very sensitive to local economic conditions. Small scale, (5 – 10,000 people)
 - UK tightly controlled by Central Government through regulation, funding and tax capping. Over 200 Central Government performance targets / measures. Two tiers with boroughs and counties, highly politicized. Surrey Heath 80,000 population with 40 councillors. L G accounts for 10% of domestic expenditure (NZ, 3%). Major funding issues / cost cutting. Indications are Unitaries perform better (80% at level 3 / 4). Partnerships developing, including sharing managers. Outsourcing does give some cost savings but loses flexibility.He has observed that New Zealand LA's are far better at strategic planning, but should be wary of mandatory comparisons as detailed inspections are likely to follow.
- Arthur Klapp, CEO, NZ Winter Games. Arthur has been involved in many events in New Zealand. He sees the need for a National Strategy on events to identify our points of difference and to target events. This should then be supported by local events strategy to focus on local identity and avoid duplication.
- John Beattie, Infinity Investment (Pegasus Township). John gave a 'difficult' outlook for property investments based on demographics changing demand (higher density, smaller properties), tax signals encouraging investment away from properties, spike in house prices with no rationale to remain at these levels. He was of the opinion that the cost of dealing with local government is high, and getting higher. There were a number of views that could be debated, but a good opportunity to reflect.
- Alison Banks (Waitaki) / Norm Hewitt, on Innovation in small communities.

Specific reference to programmes in Waitaki (some existing in Ashburton).
Key message, Trust the Community

 - they know what to do
 - they know what works

- Rachel Dunningham, Buddle Findlay – discussed recent Court Cases around local government decision making. Whakatane District Council v. Bay of Plenty Regional Council and Council of Social Services in Christchurch v. Christchurch City Council. The decisions were ‘contradicting’. The Bay of Plenty decision is to be appealed by Whakatane District Council which should provide a clearer precedent. Rachel’s opinion was to support the Bay of Plenty judgment.
- Jardine Lloyd Thomson – on insurance / risk. Believes the insurance market is currently stable which should lead to stable prices over the next two years. Councils are seen as relatively low risk from major claims, but high number of small claims related to vandalism / intentional damage.

B LESTER
Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/1/5
DATE: 25 February 2010
REPORT TO: Council
FROM: Manager Democracy & Community Services
SUBJECT: Elected Members' Remuneration

4.7 ELECTED MEMBERS' REMUNERATION JULY 2010/ELECTION DAY

4.7.1 SUMMARY

Each year the Remuneration Authority advises councils of the pool available for distribution amongst elected members. This year the authority has decided that, from 1 July 2010 to Election Day (9 October), both mayoral salaries and the indicative pool from which Councillors and Community Board members are paid will be held at the level set for the current financial year.

4.7.2 RECOMMENDATION

"That Council receives the report."

4.7.3 BACKGROUND

The Remuneration Authority has advised that it has reviewed the pool for the indicative remuneration pool and Mayor's salary which will apply in Ashburton from 1 July 2010 until the 2010 local body elections and decided to hold them at the current level. In coming to its decision the Authority advises it has taken into account the statutory criteria of fairness both to elected officials and to the ratepayer. The present levels are:

Indicative Pool	333,529.91
Mayor's Salary	73,191.00

The Mayor's salary is included in the total indicative pool reducing that amount to \$253,415. This is then divided amongst Councillors and Community Board Members pursuant to certain formulae set by the Council and approved by the Commission.

The Authority has given the following reasons for its decision.

The pool approved by the Authority in December 2008 provided a total movement in Local Authority remuneration around 3%, although this fell unevenly across authorities according to the pattern of growth (or decline). This reflected the Authority's best judgement of slowing remuneration growth during 2008/09 and into 2009/10. At that time we indicated that data this year might not support any significant increase in the pool for 2010/11. This has proved to be the case, with movements in public sector remuneration being subdued through the year.

The amount of the post election indicative pool will be made available by mid-year.

4.7.4 OPTIONS AND RISKS

There are no options.

4.7.5 STATUTORY IMPLICATIONS

Schedule 7, Part 1, Clause 6(1) of the Local Government Act 2002 states –

The Remuneration Authority must determine the remuneration, allowances and expenses payable to –

- (a) mayors, deputy mayors, chairpersons, deputy chairpersons, and members of local authorities;
- (b) chairpersons of committees of local authorities;
- (c) chairpersons and members of community boards;
- (d) chairpersons of committees of community boards.

4.7.6 CONSULTATION

Not applicable.

4.7.7 STRATEGIC LINKS

Not applicable.

4.7.8 FINANCIAL

The expenditure is budgeted.

Prepared By

J G ROLLINSON

Manager

Democracy & Community Services

Approved By

B LESTER

Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/13/1
DATE: 25 February 2010
REPORT TO: Council
FROM: Manager Democracy & Community Services
SUBJECT: Triennial Elections 2010

4.8 TRIENNIAL ELECTIONS 2010

4.8.1 SUMMARY

The Triennial Elections will be held on 9 October 2010. A copy of the Election Timetable is attached.

The purpose of this report is:

- a) to seek approval for the early processing of the returned voting documents; and
- b) to establish the order in which the candidates' names are to be shown on the voting documents

A. Early Processing of Votes

4.8.2 RECOMMENDATION

“That the returned voting documents for the 2010 Ashburton District Council elections be processed during the voting period, such early processing to be undertaken in accordance with Section 79 of the Local Electoral Act 2001 and the Local Electoral Regulations 2001.”

4.8.3 BACKGROUND

Section 79 of the Local Electoral Act 2001 provides that a local authority may process (but not count) returned voting documents over the voting period.

The Ashburton District Council carried out early processing in the 1998, 2001, 2004 and 2007 elections. The benefits of adopting early processing are that the extracting, progressive roll scrutiny and checking of voting documents is able to be undertaken progressively over the three week voting period (under strict security and under the supervision of a Justice of the Peace). Being able to process the votes before the close of the poll almost guarantees a quick and accurate result being available.

4.8.4 OPTIONS

1. Processing commences after the close of the poll; or
2. Processing commences during the voting period.

Processing after the close of the poll will delay the result until such time as the voting documents have been processed and counted – which could be anything up to about 7 pm. Option 2 is as recommended.

4.8.5 STATUTORY IMPLICATIONS

The option to allow early processing is provided by Section 79 of the Local Electoral Act 2001.

4.8.6 CONSULTATION

This is not a matter where Council is required to consult and no consultation is envisaged.

4.8.7 STRATEGIC LINKS

Not applicable.

4.8.8 FINANCIAL

There are no cost implications.

B. Order of Candidates' Names

4.8.9 RECOMMENDATION

<p>“That the names of the candidates in the 2010 Ashburton District Council elections be arranged on the ballot paper in random order.”</p>

4.8.10 BACKGROUND

Historically, candidates' names were required to be listed on the voting documents in alphabetical order, by surname.

Clause 31(1) of the Local Electoral Regulations 2001 now allows the Council to decide whether the names are to be arranged on the voting documents in alphabetical order of surname, pseudo-random order or random order. In the absence of any Council resolution approving another arrangement, the candidates' names must be arranged in alphabetical order of surname.

4.8.11 OPTIONS

1. Alphabetical Order of Surname

This is the order which has been required to be used at elections prior to 2004, and is self explanatory.

2. Pseudo-Random Order

Under this arrangement, the candidates' names for each issue are drawn out of a hat or similar receptacle with the candidates' names being placed on all voting documents for that issue in the order in which they are drawn.

3. Random Order

Under this arrangement, the names of the candidates for each issue are shown in a different order on each and every voting document, utilizing software which permits the names of the candidates to be printed in a different order on each paper.

4.8.12 STATUTORY IMPLICATIONS

Cl. 31(1) Local Electoral Regulations 2001.

4.8.13 CONSULTATION

Consultation is not required prior to Council's decision. However, if it is determined that pseudo-random order or random order is to be used, the Electoral Officer must state, in the public notice required to be given, the date, time and place at which the order of candidates names will be arranged. Any person is then entitled to attend while the arrangement is in process.

4.8.14 STRATEGIC LINKS

Not applicable.

4.8.15 FINANCIAL

The cost of printing the voting documents employing either arrangement 1 or arrangement 2 (above) will be identical. Should the Council adopt arrangement 3 (random order) there is a minor increase in cost, because of the need to individually print each document.

Prepared By

J G ROLLINSON

Manager

Democracy & Community Services

Approved By

B LESTER

Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 0900/01
DATE: 25 February 2010
REPORT TO: Council
FROM: Property Manager
SUBJECT: Recreation Reserves Designations

4.9 RECREATION RESERVES DESIGNATIONS

4.9.1 SUMMARY

To consider the removal of designations on urban recreation reserves and the rollover of designations on rural recreation reserves.

4.9.2 RECOMMENDATION

“1. That Council agrees that as a Requiring Authority pursuant to the Resource Management Act 1991 section 166 it does not have any requirement to retain the current designation for the following sites:

- (i) Robilliard Park & Recreation Reserve - East Street to Chalmers Ave Ashburton;
- (ii) Digby Park - Chalmers Ave Ashburton
- (iii) Ashburton Domain - West St Ashburton
- (iv) Devon Park Creek Road – Kelvin Crescent Ashburton
- (v) Argyle Park – Middle Road Ashburton
- (vi) George Glassey Park – Agnes Street Tinwald

And advises the Ashburton District Council as Planning Authority pursuant to the provisions of the Resource Management Act 1991 sec 168A that it requires the present designations on the above sites be NOT rolled over into the Proposed Ashburton District Plan; and

2. That Council as a Requiring Authority pursuant to clause 166 Resource Management Act 1991 advises the Ashburton District Council as Planning Authority that pursuant to section 168A of the Resource Management Act 1991 that it requires the designations of the following lands:

- (i) Chertsey Domain – SH 1 Chertsey;
- (ii) Greenstreet Domain – Staveley Road Greenstreet;
- (iii) Hinds Domain – Islesworth Road Hinds;
- (iv) Lynford Domain – Boundary Road;
- (v) Mayfield Domain – Arundel Rakaia Gorge Road;
- (vi) Mt Somers Domain – Hoods Road Mt Somers;
- (vii) Pendarves Domain – Corner of Christys and Chertsey Kyle Roads;
- (viii) Rakaia Domain – Barrhill Methven Road;
- (ix) Ruapuna Domain – Corner of Ruapuna School and Ross Roads;
- (x) Highbank Domain – Corner of Highbank School and Cairnbrae Roads;
- (xi) Methven Domain – Methven;
- (xii) Tinwald Reserve – Maronan Road;
- (xiii) Seafield Domain – Seafield road;
- (xiv) Wakanui Hall Reserve – Corner of Beach and Wakanui School Roads

To be rolled over for inclusion in the proposed Ashburton District Plan.”

4.9.3 BACKGROUND

The matter of retaining present designations on council owned / administered Recreation Reserves was the subject of a Council Workshop on 2 February 2010.

In respect of the Urban Reserves the view was that these lands should be considered for a specific zoning relating to their Open Space characteristics. The proposed zoning would provide for a continuation of the present uses whilst protecting the ability to undertake limited “built environment” work.

Currently all council-owned or controlled recreation reserves in (2) above are designated for recreation purpose under the District Plan with the underlying zoning usually being the same as the surrounding environment, e.g. Chertsey Domain has an underlying zoning of Rural A and is designated for recreation purposes.

The Ashburton District Council is both a requiring authority and a planning authority, pursuant to the Resource Management Act 1991. As a requiring authority, Council as land owner may require that the planning authority provide for its land to be designated for a specific purpose and provide reasons for such designation.

The placing of a designation for a particular purpose has the effect that any activity and provision of facilities may be carried out on the land without requiring a resource consent; PROVIDED the activity and facilities are in accord with the designated purpose. If a proposal does not fully comply with the designated purpose but is a permitted activity within the underlying zoning, a resource consent would not be required either.

Should a resource consent be required, the Council, as landowner, will normally engage an independent consultant to assess the application, and must refer the application to a commissioner for decision.

It should be remembered, however, that any development may require that an outline plan be submitted to the land owning requiring authority, in this case Council, for approval, whether it complies with a designation or underlying zoning or not.

With respect to the approach taken to designations on the district’s rural reserves, the issue of underlying zoning is of some importance when it is considered that substantial areas of some recreation reserves are utilized for varying periods for non recreational activities, eg grazing and general agricultural purposes. Such activity is a permitted activity where the underlying zoning is rural. Much of this non-recreational activity financially supports the running of the recreational portions of the reserve and / or the clubs which use the income derived from the activity to support their existence.

The use of specific zone mechanisms to protect recreational values could adversely affect the ability to generate an income stream for some reserves and recreational orientated clubs.

It is recognized that any activity may be achievable via a resource consent, however it is questionable whether a community should be required to finance a resource consent in order to achieve an historic ability to create an economic recreation facility.

Similarly it is questionable as to the potential necessity for a local sports club to require a resource consent to enhance its facilities for the enjoyment of its community. Such would be the case if the land is not designated unless any zoning provided the same parameters as would exist under designation. Again, it should be noted that even where land is designated for recreational purposes Council still retains ultimate control as land owner.

It is for these reasons that designations in tandem with underlying zoning consistent with the surrounding environment provides for suitable flexibility whilst providing a high degree of protection from inappropriate developments out of kilter with the local environment.

4.9.4 OPTIONS AND RISKS CONSIDERED

Option 1: rollover designations and underlying zonings.

Risks associated - no risks identified as designation rules define what a permitted activity is and any other development / activity needs to comply with the underlying zoning. This can be further strengthened by the development of management plans for each of the rural reserves pursuant to the Reserve Act. While there are delegations to reserve / domain boards, Council as land owner has ultimate control regarding any decisions related to the use of the land.

Option 2: remove designation and zone reserves under the proposed open space zone.

Risks associated – could limit development within the local community by requiring resource consents for even minor developments, e.g. a removal of a tree under the present proposed rules (Open Space) would require a consent. An example of this would relate to the recent removal of trees in the Ashburton Domain (West Street) as the present proposed rules are silent on removal and replacement. Whilst, because the trees were being replaced a consent is likely to have issued it would require considerable work and financial commitment. Similarly any building development desired by the community would trigger the requirement for a resource consent unless it is only a replacement of like for like on an existing footprint.

Option 1 is recommended as it better enables communities to develop recreational facilities appropriate to the particular community and to utilise unused recreational land to generate income to fund recreational activities and facilities. Council, as land owner retains ultimate control in respect of decisions on how the land is used or development.

4.9.5 STATUTORY IMPLICATIONS

The placing of designations on reserve land for specific purposes is permitted pursuant to the Resource Management Act 1991. In the case of recreation reserves it is important that any designation be consistent with the Reserves Act 1977 and in this regard, should it be agreed that Council as the requiring authority should roll over existing designations, these will be reviewed to ensure that both the letter and intent of the Reserves Act is applicable to recreation reserves are incorporated.

Any resource consent required for any activity to be promoted by a reserve board (being a subcommittee of Council) would automatically require public notification and a Commissioner hearing.

4.9.6 CONSULTATION

This matter has not been consulted on with Reserve Boards at this stage. This is proposed to be undertaken prior to notification of the District Plan review. The Planning Department has been consulted and supports the recommendation. The Parks Manager supports the recommendation in respect of the Ashburton Urban Reserves.

4.9.7 STRATEGIC LINKS

The use of designations facilitates local boards (communities) to develop the local reserves to meet the needs and desires of the local community without incurring costs related to resource consent processes. It also facilitates the generation of income from non recreational activities provided such activities are in accord with the underlying zoning.

The use of designations enables local communities to undertake works / activities particular to that community within the bounds of the designation. This provides flexibility as opposed to the imposition of a zone which is district-wide and cannot provide exceptions for local needs.

The facilitation of local decision making and recreational development recognises diversity within the district and potentially assists in the creation of vibrant healthy communities.

Community Outcomes

The ability for communities to maintain viable rural reserves and recreational activities and facilities impacts on the following community outcomes:

Outcome 2: Natural and developed environments are sustained for the enjoyment of current and future generations

- a. *Water, land and air are managed sustainably (Priority Objective)*
- b. *Towns and rural areas are developed in a way which enhances the local environment and meets the needs of the community (Priority Objective)*

Outcome 3: A community with a strong sense of identity and heritage, which welcomes new residents and encourages diversity

- a. A community that attracts and retains new residents
- b. *A district that has a strong sense of identity and people who participate in community life (Priority Objective)*
- d. A community which recognises and preserves the cultural and social heritage of our district

Outcome 6: A community with access to a variety of cultural, recreational and heritage experiences and facilities that enrich our quality of life

- a. Cultural, recreational and heritage experiences and facilities are accessible to the community and actively used
- b. *Cultural, recreational and heritage facilities are maintained and developed to meet community needs (Priority Objective)*

Outcome 7: A community that contributes to improving our quality of life through democratic participation

- a. The community is provided with opportunities to participate in local decision-making

4.9.8 FINANCIAL

There are no financial implications in respect of the roll-over of the designations.

Potentially there are financial implications for reserve boards, should the zoning of the reserve lands alter as this may reduce or negate the boards' ability to generate income. There are also potential financial implications for boards in respect of being able to manage and develop the local reserve to meet the needs and wishes of the local communities they serve. These implications relate to additional costs which are likely to be incurred in resource consent processes.

Prepared By

J M ROONEY
Property Manager

Approved By

P L BRAKE
Finance Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 0900/01
DATE: 25 February 2010
REPORT TO: Council Meeting
FROM: Property Manager – John Rooney
SUBJECT: Administration Building Site Designations

4.10 COUNCIL ADMINISTRATION BUILDING SITE DESIGNATIONS

4.10.1 SUMMARY

To consider rolling over the designation of the Council Administration Building site.

4.10.2 RECOMMENDATION

“That the Ashburton District Council, as a Requiring Authority pursuant to sec 166 Resource Management Act 1991, advises the Ashburton District Council as Planning Authority that it approves the rollover of the Designation of the Council Administration Building site, corner of Baring Square West and Havelock Street, Ashburton, for inclusion in the Proposed Ashburton District Plan pursuant to sec 168A Resource Management Act 1991.”

4.10.3 BACKGROUND

Currently the subject site is designated for “Administration Offices” under the District Plan with the underlying zoning being the same as the surrounding environment, ie currently Residential.

The Ashburton District Council is both a requiring authority and a planning authority, pursuant to the Resource Management Act 1991. As a requiring authority, Council as land owner may require that the planning authority provide for its land to be designated for a specific purpose and provide reasons for such designation.

The placing of a designation for a particular purpose has the effect that any activity and provision of facilities may be carried out on the land without requiring a resource consent; PROVIDED the activity and facilities are in accord with the designated purpose. If a proposal does not fully comply with the designated purpose but is a permitted activity within the underlying zoning, a resource consent would not be required either.

Should a resource consent be required, the Council, as landowner, will normally engage an independent consultant to assess the application, and must refer the application to a commissioner for decision.

It should be remembered, however, that any development may require that an outline plan be submitted to the land owning requiring authority, in this case Council, for approval, whether it complies with a designation or underlying zoning or not.

The present designation in tandem with underlying zoning consistent with the surrounding environment provides for suitable flexibility whilst providing a high degree of protection from inappropriate developments out of kilter with the local environment.

4.10.4 OPTIONS AND RISKS CONSIDERED

Option 1: rollover designations and underlying zonings.

Risks associated - no risks identified as designation rules define what a permitted activity is.

Option 2: remove designation and zone site in accord with surrounding environment.

Risks associated – could compromise development flexibility and historical use of the site.

4.10.5 STATUTORY IMPLICATIONS

The placing of designations on the land for specific purposes is permitted pursuant to the Resource Management Act 1991.

4.10.6 CONSULTATION

This matter has not been consulted on at this state. Should Council, as a requiring authority, decide to rollover the designation this will be notified as part of the District Plan process.

4.10.7 STRATEGIC LINKS

Retention of the designation will facilitate the development of the site to efficiently meet Council's requirements.

4.10.8 FINANCIAL

There are no financial implications in respect of the roll-over of the designations.

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