



Ashburton District Council

AGENDA

A **MEETING** of the **ENVIRONMENTAL SERVICES COMMITTEE** will be held as follows:

Date: Thursday 18 March 2010

Time: 1.30 pm

Venue: Council Chamber
5 Baring Square West
Ashburton

B LESTER
Chief Executive

MEMBERS:

Cr R J Kilworth (Chairman)
Cr L J Leadley
Cr R C Beavan
Cr I J Burgess
Cr J A Kingsbury
Cr P W Reveley
Cr J Sparks
Cr B A Tasker
Mayor M B O'Malley (ex officio)

AGENDA

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12 March 2010

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: Project File
DATE: 18 March 2010
REPORT TO: Environmental Services Committee
FROM: Environmental Services Manager
SUBJECT: Proposed District Plan & District Plan Review

5. PROPOSED DISTRICT PLAN & DISTRICT PLAN REVIEW

5.1 SUMMARY

This report relates to the District Plan Review and anticipates that the District Plan Review Subcommittee workshop on 16 March 2010, will conclude its work on the Proposed District Plan and recommend the draft to the Environmental Services Committee for approval and subsequent recommendation to Council for public notification.

5.2 RECOMMENDATION TO COUNCIL

- “1. That the report be received.
2. That, pursuant to Clause 5 of the First Schedule of the Resource Management Act 1991, the Environmental Services Committee resolves to accept the draft District Plan prepared by the District Plan Review Subcommittee and recommend to the Ashburton District Council that it approve of and publicly notify the document as its Proposed District Plan and initiate the process of inviting the first round of public submissions on or about 21 April 2010 by public notice, with the closing date for submissions being at least 40 working days after public notification.
3. That the Committee recommends to the Council that, pursuant to Section 32 of the Resource Management Act 1991, the Ashburton District Council:
 - i. has had regard to the matters specified in that Section;
 - ii. has carried out an evaluation, which it is satisfied is appropriate to the circumstances, of the matters specified in subsections (3) and (4) of that Section; and
 - iii. is satisfied that the rules and other methods contained in the draft District Plan are the most appropriate means of achieving the District Plan objectives, and those objectives are the most appropriate means of achieving the purpose of the Resource Management Act, having regard to efficiency and effectiveness relative to other means.”

5.3 BACKGROUND

During the 2006 / 2007 year the Environmental Services Committee considered the need for a wide range of minor plan changes to the operative District Plan to meet the rapidly changing needs of the district. The Committee chose in the alternative to initiate the review process of the District Plan to comprehensively update the District Plan and place the council and district in a superior position to meet the evolving community aspirations and economic needs over the coming ten year life of a reviewed District Plan.

The Ashburton Development Plan process had highlighted a number of growth issues that the council should prudently provide for. This process was conducted by Boffa Miskell Ltd.

Work on the District Plan Review commenced officially on 1 July 2007, building on the Development Plan work, an offer of service was accepted from Boffa Miskell Ltd and Council staff actively participated with this consultancy in identifying issues to be addressed.

The Council has since carefully conducted a process of evaluation and consultation on key issues, an extensive series of workshops have been conducted with elected members, staff and consultants to develop appropriate issues, objectives, policy and rules fit for public notification and comment via the submission process. Considerable effort has gone into not only achieving statutory compliance, but also producing a document that can be more easily understood and used by the public. This work and the resultant high standard of the draft document is a credit to the participating elected members, consultants and staff involved.

5.4 OPTIONS

- a. Do nothing; not a viable option due to the considerable time and resources committed to preparing a draft District Plan.
- b. Reconsider the content of the draft District Plan and not accept the document at this time; again not a viable option as elected members have already carefully developed the content to date.
- c. Resolve to accept the draft District Plan and recommend to the Ashburton District Council that it publicly notify the document as its Proposed District Plan and initiate the process of inviting the first round of public submissions on or about 21 April 2010 by public notice, with the closing date for submissions being at least 40 working days after public notification.

5.5 STATUTORY IMPLICATIONS

There are distinct statutory issues that the Council should be aware of in making a decision on this matter;-

a. Local Government Act 2002

This Act places considerable obligations on a Council when making decisions and prescribes the process that decisions must be made by.

b. Resource Management Act 1991

- District Plan Reviews are dealt with under the First Schedule of the Resource Management Act 1991, every effort has been made to achieve statutory compliance with this procedure.

5.6 CONSULTATION

Considerable consultation has been carried out throughout the District Plan Review process in the following ways;-

- Through the Development Plan process.
- Stakeholder groups and key individuals to identify important issues.
- Statutory parties identified in the First Schedule of the Resource Management Act.
- Open Days with the public invited.
- Meetings with individuals and community groups.

Additionally, ongoing publicity has been conducted to ensure that the wider community are aware of the project. Once public notification takes place by notice appearing in the Ashburton Guardian Newspaper and a copy of that notice is served on every ratepayer, an opportunity to make submissions will follow.

At the end of the first submission period, a summary of submissions will be prepared and the public will be invited to make submissions on points raised in the first round of submissions. After that time hearings will be held and decisions released, with an appeal period to follow.

5.7 STRATEGIC LINKS

The recommendations are consistent with the adopted policy and plans including the LTCCP.

5.8 FINANCIAL

This project has progressed in accordance with the approved budget with the exception that a \$15,000 roading hierarchy assessment was conducted in addition to the budget with the approval of the Environmental Services Committee. Every effort will be made to continue management of this important project in accordance with the budget provided and within the approved timeline.

Prepared By:

J McKENZIE
Environmental Services Manager

Approved by:

B LESTER
Chief Executive

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/10
DATE: 18 March 2010
REPORT TO: Environmental Services Committee
FROM: Regulatory Manager
SUBJECT: Warrant of Authority – Animal Control Officer

6. WARRANT OF AUTHORITY – ANIMAL CONTROL OFFICER

6.1 SUMMARY

This report seeks a new delegation for a staff member of First Security, which provides contractual services to the Council.

6.2 RECOMMENDATION

“That the contractor scheduled below be authorised under seal of the Ashburton District Council to act under the following legislation:

- Animal Control Officer within the Ashburton District under Section 11 of the Dog Control Act 1996.
- Authorised Officer under the Ashburton District Council Dog Control Bylaw 1999.
- Stock Ranger in accordance with the Impounding Act 1955.
- Noise Control Officer in accordance with the Resource Management Act 1991.
- Litter Control Officer in accordance with the Litter Act 1979.

This warrant is issued pursuant to Sections 174 and 177 of the Local Government Act 2002, Section 13 of the Dog Control Act 1996, Section 63 of the Stock Impounding Act 1955, Section 38(5) of the Resource Management Act 1991 and section 5 of the Litter Act 1979.

Mr Jarrod Claydon

Statutory Function

The officer above may exercise all powers and duties including such power to enter land, conduct inspections, issue notices as provided by and for the purpose of the Acts and associated Regulations and Bylaws listed.”

6.3 BACKGROUND

A new staff member employed by Council’s Animal Control Contractor is required to be warranted under the provisions of the Local Government Act 2002.

6.4 OPTIONS AND RISKS CONSIDERED

Not applicable.

6.5 STATUTORY IMPLICATIONS

Local Government Act 2002, other Acts as referred to above and associated Regulations and Ashburton District Council Bylaws.

6.6 CONSULTATION

Not applicable.

6.7 STRATEGIC LINKS

Not applicable.

6.8 FINANCIAL

Issue of new photo identification warrant of authority card at \$20.00 plus GST per person.

Prepared By:

A HUMPHRIES
Regulatory Manager

Approved by:

J McKENZIE
Environmental Services Manager

7. ACTIVITY REPORTS

7.1 VARIANCES REPORT

– Period ending 31/01/10

Summary pg 25

Health Monitoring

Income \$13,135 Favourable against year to date budget

- Health Licences income for January is \$42,662 against year to date budget of \$26,833, a positive variance of \$15,828. The licences fees budget was spread evenly over the 12 months but actual licence fees come due at various time of the year. It is estimated that the positive variance could balance out over the full year.

Expenditure \$25,900 Favourable against year to date budget

- The favourable variances include \$9,020 in Staff Training, \$8,054 in Salary and Wages and some other minor expenses.

Building Consents

Income \$ 215,444 Unfavourable against year to date budget

- Building consents income is \$484,766 against the year to date budget of \$600,154 with an unfavourable variance of \$115,388. The unfavourable variance shows 19% below the year to date budget. Up to January, the actual consents income was 47% of the annual budget.
- Fees (PIM fees) income is \$36,684 against the year to date budget of \$58,333, a negative variance of \$21,649. It is already 37% below the year to date budget. This reflects the current trend of reduced application numbers.
- The DHB and BRANZ levies incomes are \$80,159 below the year to date budget. This is consistent with the fall in building consent income. However most of these levies are passed on so the variance does not affect Council to any large extent.

Expenditure \$158,544 Favourable against year to date budget

- Salary & Wages are \$69,832 favourable against the year to date budget.
- The favourable variance is also due to the lower number of DHB and BRANZ levies collected (reflect in income) and also reflected in expenditure when we forward these fees on to those organisations. We have forwarded on \$73,913 less than we budgeted to date.
- Other favourable variances include \$16,630 in Staff Training and other minor expenses.
- The above is partially offset by the unfavourable variances of \$28,967 in Contractors costs. This reflects the reliance on contractors to fill a staffing shortfall.

Liquor Licensing

Income \$12,018 Unfavourable against year to date budget

- The actual Licences Fees are \$43,782 against the year to date budget of \$55,781, a negative variances of \$11,999.

Expenditure \$18,516 Favourable against year to date budget

- Salary & Wages shows \$10,933 favourable against the year to date budget.

Animal Control

Income \$ 2,163 Unfavourable against year to date budget

- Variance is not significant.

Expenditure \$18,669 Favourable against year to date budget

- The favourable variances include \$5,365 in Contractors, \$4,208 in Legal Expenses, \$3,618 in Printing and other minor expenses.
- This is partially offset by the negative variance of \$6,575 in capital expenditure.

Planning

Income \$41,755 Unfavourable against year to date budget

- Consents incomes (including both Non Notified and Notified) are \$66,756 against year to date budget of \$116,667 with a negative variance of \$49,911. Recoveries (code 10113) have received up to \$32,596 up to January which was not budgeted. These recoveries relate to works on-charged for both Resource Consents and Plan Changes. The net effect of these two income codes added together is a negative variance of \$17,315.
- Sundry Income (primarily Land use charges) shows \$27,412 unfavourable which is due to reduced activity levels.

Expenditure \$119,810 Favourable against year to date budget

- The Cost for Ashburton Town Centre Project was budgeted for \$150,000 annually, and it has been spent \$68,142 up to January, leaving a positive variance of \$81,858.
- The favourable variances also include \$54,602 in Salary /Wages cost, \$14,157 in Consultancy, \$11,667 in Legal Expenses.
- But the cost associated with the District Plan review was budgeted for \$285,000 annually and it has been spent \$310,022, a negative variance of \$25,022.
- The cost for Significant Natural area plan change is \$24,029 against year to date budget of \$20,000, a negative variance of \$4,029.

Water Monitoring

Income \$22,332 Unfavourable against year to date budget

- The unfavourable variances include \$9,782 in Fees and \$11,112 in Internal Contracts.

Expenditure \$1,241 Unfavourable against year to date budget

- The Laboratory Costs are \$10,006 against a year to date budget of \$37,917, a favourable variance of \$27,911. This is due to a change in sampling requirement.
- This is partially offset by the negative variance of \$28,220 in Salary and Wages and other minor expenses.

Environmental Administration

Income \$ 929 Favourable against year to date budget

- Variance is not significant.

Expenditure \$ 17,791 Unfavourable against year to date budget

- The major unfavourable variance of \$20,074 exists in Salary/Wages.

7.2 BUILDING SERVICES

7.2.1 Staff

With staff involved in with accreditation no offsite training has taken place. A considerable amount of time was required of the Building Services Manager and the Systems Administrator during the accreditation visit.

7.2.2 Building Consents

The number of building consents issued during February was 73. This is an increase of five building consents from the same month in the previous year. The number of applications received for the month was 84; this is an increase of 11 applications from the same month in the previous year.

Month	Building Consents Received	Building Consents Issued	% Processed within 20 Days	Inspections Carried Out
December	57	53	92%	311
January	73	64	93.8%	228
February	84	73	98.6%	363

Building consent data and activity graphs attached.

Pages 26-37

7.2.3 Building Consent Processing Times

Current building consent processing times are within the statutory timeframes with some work still being out sourced to our contractor.

7.2.4 Project Information Memoranda (PIM's)

There was one stand alone PIM application for the month which was processed on time.

7.2.5 Inspection Times

Customers are currently waiting 5-7 days for a scheduled inspection. This is due to staffing levels as there has been a minimal amount of leave taken by staff during the month.

7.2.6 Certificates of Acceptance

There were no new applications for Certificates of acceptance during the reporting period.

7.2.7 BCA Accreditation

From 23-26 February 2010, the Building Services Department was re-assessed for continued registration as an Accredited Building Consent Authority (BCA). In general the BCA has performed well but there were seven (7) Corrective Actions Requests (CARs). These corrective actions are required to be rectified and evidence provided within three months of formal notification from IANZ. Corrective Action Requests are based on compliance with the Building (Accreditation of Building Consent Authorities) Regulations 2006 and the assessors review.

The following is a brief summary of the CARs and comments: –

Regulation 5	Some forms had discrepancies from the regulations.	A review is required of all forms
Regulation 7.2(f)	Compliance Schedule Forms contain slight discrepancies	To be reviewed and adjusted
Regulation 8	Resources (Employees & Contractors)	A proposal to be submitted to IANZ showing adequate resources are provided
Regulation 12	Contractor's Competency	The Contractor will provide additional evidence and be accessed by the Building Services Manager. More frequent audits are required.
Regulation 14	Resources (Physical facilities)	A proposal to be submitted to IANZ showing adequate resources are provided
Regulation 16	Filing of Applications	An additional system to ensure completeness of files is required
Regulation 17 (2)h	Internal Audits	All systems are required to be audited to a schedule. The schedule has been developed and evidence provided to IANZ of compliance

7.3 PLANNING

7.3.1 Harris Kanuka Reserve Ceremony

Arrangements have been made for a ceremony to mark the 'Opening' of this reserve with Council representatives, QEII Trust and Forest & Bird Society Representatives. The ceremony is planned for 3.30pm on 18 March 2010.

7.3.2 Carters Estate Plan Change

Pages 38-50

The Hearings Panel decision on this Plan Change has been released to the applicant and submitters, a copy will be tabled at the Committee meeting and is available for Councillors to read. At the end of the appeal period, if there are not any appeals received the decision will be forwarded to Council to adopt the change to the District Plan.

7.3.3 Village Green Lake Hood, (Skevington & Ruane), Plan Change

The hearing for this Plan Change was held on 2 March 2010, before Independent Hearing Commissioner Bob Batty; the recommendation from the Commissioner is expected towards the end of the month.

7.3.4 Methven Trotting Club Subdivision

This Council decision has been appealed on the grounds of how reserve values are calculated, the Council is currently taking legal advice on how to deal with the appeal.

7.3.5 Resource Consent - Mockford – Proposed Camping Ground, Bridge Street

Submissions close on 17 March 2010, in this publicly notified resource consent application to establish a camping ground and visitor accommodation activity.

7.3.6 Resource Consent - Rosebank Home, Queens Drive, Ashburton

Resource consent application has been made to extend the retirement home by adding 27 new retirement villas and a community centre with ancillary parking and garages. This application has the processing time suspended while further information is sought.

7.3.7 Tuarangi Home, Cameron Street, Ashburton

Resource consent application to extend the retirement home by adding another wing. This application has the processing time suspended while further information is sought.

7.3.8 District Plan Review State of Play & Workshop

The final workshop of the District Plan Review Subcommittee takes place on 16 March 2010, to receive the final version of the Proposed District Plan. It will be important that the Environmental Services Committee then resolves to recommends to the Ashburton District Council that this draft be adopted as the Proposed District Plan for public notification.

The timetable is for public notification to occur on 21 April 2010, if the Council adopts the document. I would record that the District Plan Review process has progressed in a most expeditious manner and to a high professional standard thanks largely to the input by the staff of Boffa Miskell Ltd and the assistance of Council staff such as Mark Stevenson.

7.3.9 Art Gallery Museum Resource Consent Application – Pre Hearing

A pre-hearing meeting has been scheduled for 19 April 2010. The purpose of the pre-hearing meeting is to facilitate discussion between submitters and the applicant on the issues raised in submissions, and to seek clarification and/or resolution of issues, where possible. There are many benefits of holding a pre-hearing meeting, including reduced hearing time and reduced complexity of issues that a formal hearing will need to address. The Independent Facilitator for the pre-hearing meeting is Ms Robin Grigg, who has been employed by the Planning Authority.

An Independent Hearing Commissioner will conduct the following formal hearing, (a hearing date has not been set).

7.3.10 Consents granted under delegation

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7.4 REGULATORY

7.4.1 Staff

All Regulatory staff attended Microsoft Office and Property database upgrade training.

Amy Hughes attended the NZ Institute of Environmental Health Conference in Taupo.

Don Boyd, Richard Durie and Alison Batcheler attended a conflict resolution course in Ashburton.

7.4.2 Meetings

During the reporting period meetings were held with:

- NZ Police regarding enforcement issues.
- Innovative Hospitality regarding training of food handlers and liquor managers.
- Mitre 10 (Simon Lye) regarding possible council support to provision of reduced price compliant heating appliances.

7.4.3 Environmental Health

Pages 52-55

• Food safety

Fifteen routine inspections have been carried out, with all premises complying with the required food safety standards. New food premises that have opened include a salad and juice bar, a café and the Ashburton Youth Café.

Four mobile shop licences have been issued in the last report period, and this is expected to increase as the Mayfield Show and the Methven Show are happening in the coming weeks.

One new food premises was audited under the OTP-FCP and was found to be fully compliant. This food premises will now be exempt from the Food Hygiene Regulations.

• Nuisances

- A total of 95 noise complaints were received, 25 noise directions were issued. Two infringement notices were issued for failure to supply details to an officer under the Resource Management Act.
- Three complaints about dangerous and insanitary buildings.
- One complaint about odours relating to dead cattle.
- One complaint regarding illegal use of land (refuse disposal) dealt with in cooperation with ECan.

• Disease

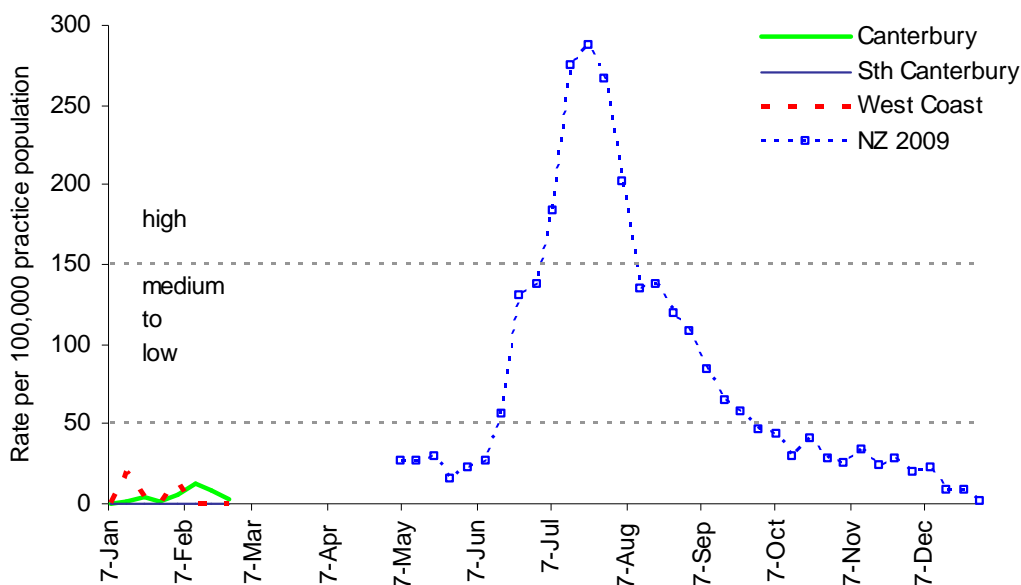
During the reporting period the following disease notifications were made from Ashburton to the District Health Board:

Disease	Number
Campylobacteriosis	16
Giardiasis	3
Leptospirosis	1
Cryptosporidiosis	2
Hepatitis A	1
VTEC/STEC infection	1
Pertussis	3
Salmonellosis	2

No notifications were passed on to Ashburton District Council for further investigation, hence it is assumed that no cases were found to be related and considered to be outbreaks.

Rates of Influenza-like Illness by Sentinel Practice Surveillance in The C&PH DHBs 2009/10

Summary graph of influenza-like illness surveillance by 22/24 Canterbury, (including 2/2 Ashburton), 5/6 South Canterbury and 6/8 West Coast sentinel medical centres for the week ending Thursday 25 February 2010, and for New Zealand 2009.



7.4.4 Water and Wastewater Monitoring

Drinking water sampling indicated good results have been achieved across all public drinking water supplies in the district. Monthly waste water monitoring is on target with no concerns reported.

New sampling equipment has been purchased for wastewater sampling, this will significantly reduce the cost of sampling in future.

7.4.5 General Inspections

In the reporting period, the following activities have been undertaken:

- **Building Act 2004**

Sixteen building warrant of fitness audits have been carried out. A number of issues have been raised with building owners.

Two investigations into unauthorized building works have been undertaken, applications for Certificates of Acceptance have been requested.

Work continues in conjunction with a large meat processing company to achieve compliance with their building.

- **Resource Management & District Planning**

Complaints have been received regarding a number of matters including signs, relocated buildings and breaches of the District Plan.

An investigation was carried out into a complaint regarding a business operating from a property on Buckley's Terrace, although the property will be monitored no problem was found.

An investigation has been carried out into a Business operating in the residential zone on Allens Road, this matter is ongoing.

A fence encroaching the highway was investigated on Bebbingtons Road, this matter was passed to the roading department for action.

The removal of two unauthorized advertising signs was requested.

A number of sites are been monitored for their compliance with the District Plan, these are ongoing matters.

- **Regulatory**

Continuous monitoring of illegal dumping hotspots and calls from the public have led to thirteen infringements being issued for littering.

7.4.6 Trade Waste

- **Conditional Consents**

Thirty three conditional consents Issued

Routine Inspections: Thirty one completed and two for appointment.

- **Permitted Consents**

Currently 338 Permitted category activities

Review of home hairdressers underway. Seven private homes to be inspected.

- **Investigations**

One FOGs (fats, oils and grease) build-up undertaken

7.4.7 Bylaw Compliance – Overhanging Vegetation

Previously reported incidents - 73 completed

New incidents since last report – 21.

- **Results**

Nine Council related situations - all remedied.

Twelve land owner situations: Eight remedied and four awaiting re-inspection.

7.4.8 Liquor Licensing

Pages 56-57

Minutes of the 25 February meeting of the District Licensing Agency are included in the agenda.

7.4.9 Animal Control

- **Registration status:**

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The annual breakdown is as follows:

Category - Known Dogs	Number
Dogs registered in 2008/ 2009	7038
New registrations	1080
Total	8118
Category - Accounted for Dogs	
Dogs re-registered from 2008/2009	5784
Dogs reported dead from 2008/2009	711
Dogs reported as having left District from 2008/09	442
New Registrations	1080
Total	8017
Total Dogs Not Accounted For	101
% of Known Dogs registered in 2009/2010	98.75%

- **Court Cases**

There is a court case coming up where two dogs attacked and killed a cat under the cat owner's house. Both dogs have been surrendered and destroyed, there had been previous history with this dog being unregistered.

- **Hearings**

Two hearings were held during the period where the defendants pleaded guilty and were ordered to pay fines and court costs. Two further hearings are to be held on 9 March.

- **Dog Control Act Infringement Notices**

Thirty one infringement notices have been served from 21 January to 28 February 2010, making a total of 181 since 1 July 2009.

- **Impounding**

Thirty eight dogs have been impounded from 21 January to 28 February 2010.

- **Rehoming**

Eight dogs have been rehomed direct to new owners between 20 January and 28 February 2010.

- **Euthanized**

Six dogs were euthanized as they were unsuitable for rehoming.

- **Pro active monitoring**

In order to deal with a number of issues the animal control contractor has been instructed to target specific areas of the District for whole day visits. This continues to be effective in addressing dog control issues.

- **Dog & Stock Report**

The contractors report for February is attached.

Pages 59-62

7.4.10 Earth Hour

Cr Sparks has been approached by a member of the public asking for the Council to be aware of Earth Day on Saturday 27 March.

J McKENZIE

Environmental Services Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/26/1 cc 0510-66
DATE: 18 March 2010
REPORT TO: Environmental Services Committee
FROM: Town Centre Subcommittee

8. TOWN CENTRE SUBCOMMITTEE

REPORT and MINUTES of a meeting of the **TOWN CENTRE SUBCOMMITTEE** held in the Council Chamber, 5 Baring Square West, Ashburton, on Monday 22 February 2010, commencing at 10.30 am.

PRESENT: Councillors J Leadley (Chair), K Holmes; R Kilworth and J Kingsbury.

Also in attendance Councillors J Burgess and B Tasker; Environmental Services Manager, Senior District Planner, Parks Manager, Roading & Street Services Manager, Customer Services Manager and Committee Secretary.

Boffa Miskell Consultant, Nik Kneale attended the meeting.

APOLOGIES: Mayor B O'Malley and Cr J Sparks (absent on Council business) **Sustained**

Extraordinary Business

Cr Leadley reported that the 26 November Subcommittee meeting referred two matters to the Operations Committee for ratification – the provision of one hour parking on Walnut Ave, and the provision of a loading zone on Cass Street. Both matters will be addressed by Council on 25 February.

Confirmation of Minutes

"That the minutes of the Town Centre Subcommittee meeting held on 17 December 2009, be taken as read and confirmed."

Holmes/Kingsbury

Carried

Ashburton Town Centre Concept Plan – Upgrade of Baring Squares East and West

The Senior District Planner reported on the outcome of the consultation that has been undertaken for the proposed upgrade of Baring Squares East and West. Following meetings with key stakeholders and the public open days in November, the consultation period was extended to 25 January, resulting in a good number of responses. Of the 78 submissions received, 70 were in favour of some work taking place.

The Subcommittee heard that of the three options presented, Options B and C received the most support. Council sign-off on the preferred design will be required before the next stage is commenced – ie the specific detail of the developed design.

Mr Stevenson referred to the cost estimates which have been based on giving three different levels of treatment, noting these costs will remain the same. In addition to Council funding, other options, such as a 'civic amenities fund' or partnership with a private entity, will be followed up.

The initial timelines have now been extended a further two months. Mr Kneale has a revised programme that he will discuss with Council staff. It is now anticipated that the final design sign-off would be July at the earliest.

Mr Stevenson reported that a number of people have expressed concern about the amount of Council funding proposed for the upgrade. The Methodist Church has commented on this and have also said they don't want to see significant changes to Baring Square East.

Concepts

Concepts B and C received the most support – the open green space appealed in concept A, and seating and shade options were seen as a positive in concept B. There was a strong message during the public open days that concept B provides the best use of space.

Mr Stevenson reported that representatives from the Farmers market and craft market had concerns about the open space area in concept B because of its distance from the state highway and the lack of space the area provides. The Subcommittee noted that the Baring Square upgrades are not being planned specifically for these markets which could remain operating from the West Street car park.

Comments received on concept C showed that the open paved area appealed, although it may be too big. However, there was concern from some submitters that this option would remove a number of trees and seating.

Memorials

N Kneale reported that a submission was received asking for Baring Sq West to become a memorial square with all the memorials being located there. A further submission was received from the Legion of Frontiersmen who support changes to the Squares as long as there are no changes to the memorials.

The Subcommittee agreed that the existing Baring Square East memorials would remain and no changes would be made to the Baring Square West memorials.

Activators of Space

Feedback was sought on the types of activities and structures that could be included. Mr Kneale said that submitters strongly supported the square being used for the markets.

There was no clear direction on what a new water feature should look like and where it should be but there was good support for having water in this space.

The Parks Manager was asked to comment on the maintenance requirements of the existing water feature. Mr Askin said that it varies throughout the year with autumn leaf clearing requiring more work. The equipment running the water feature has been upgraded and is working well. He said the area around the water feature is popular for wedding photography and there are regular inquiries from the public to find out when it will be operational.

Cr Kilworth asked whether it is possible to keep the water feature in the same place but redesign it so that it is less susceptible to vandalism and littering.

Cr Holmes said that with the probability of ice in the winter, there needs to be clear demarcation between the water feature and surrounding walkways.

The Environmental Services Manager said the water feature is outdated and could be seen as an extravagant display of water use. He supported having a water feature but one that encourages water conservation.

Proposed Design

Based on community feedback the proposed design is based on overall concept B with aspects of concepts A and C included. Changes made to it include widening the path and retaining more large trees on the western edge.

Cr Kilworth acknowledged that the Baring Square East design has attempted to match Baring Square West but would like to see a better balance between the two squares. She suggested that reducing the paved area in Baring Square East and increasing the green area would achieve this.

Mr Askin asked the Subcommittee to keep in mind the importance of Baring Square East as an area well known for its bedding displays. He said that it is important to retain some bedding display in this area.

Cr Tasker suggested that the display beds be confined to the area fronting East Street, near the clock. Cr Tasker also referred to the paved area outside the church and asked whether vehicles needing access to the church will be restricted. She noted that option C provided a greater area of road space.

The Subcommittee generally agreed that there is sufficient car parking near the church. It was noted that parallel parking will be provided in the vicinity and the next stage of the design will discuss whether or not kerbs are required and other functional information.

The Roading & Street Services Manager advised that without kerb and channel traffic can be controlled by removable bollards. Cr Kilworth later referred to the use of bollards in Akaroa which appear to be successful in directing traffic and pedestrians in a small concentrated area. Mr Robertson said that some NZTA subsidised roading funding could be obtained, however the Agency is unlikely to fund the total beautification.

The Parks Manager estimated that the cost of planting the large significant trees would be around \$1,000 each, plus the cost of planting. Approximately six trees in Baring Square East are seen as significant and worthy of retaining.

Cr Holmes supported the proposed design with the addition of investigating paving the two northern corners to avoid 'tracking'. Mr McKenzie said one option would be to initially grass the area and pave at a later date, based on the line of walking that develops.

Mr Stevenson confirmed the current budget allows for continuation through to detailed design for Baring Square East. While a preference, in principle, has been identified for Baring Square West, there is no funding to progress this at this stage. He said that further funding of \$50,000 was put forward in next year's budget to progress Baring Sq West.

The Subcommittee agreed that the exact funding needs to be established but had some uncertainty about the exact amount of physical works required.

Mr Stevenson referred to the costs shown on page 28 of the design report which are all capital works.

The Roading & Street Services Manager was unable to give a clear idea of the amount of funding that could be contributed from the operations budgets for demolition and site preparation. He gave the example of where the design doesn't include kerbs and said they would then have to be removed from the whole area, possibly only recovering around one third of the cost from the kerb and channel replacement budget. Mr Robertson said consideration also needs to be given to the fact that the kerb in Havelock Street near the Squares is relatively new and if it was lifted in the near future, depreciation would have to be written off at a further cost. He said it would be more prudent to merge the existing kerb with the design.

Cr Holmes said the demarcation between the footpath and street outside the Event Centre isn't clear and that the Baring Square design needs to ensure that a better demarcation occurs.

RECOMMENDATION TO COUNCIL (25/02/10)

- “1. That the Town Centre Subcommittee approves the preferred design for the upgrade of Baring Square East with amendments including the retention of a water feature in its current location and the proposed area for a water feature (Area D) becoming open space.
2. The Town Centre subcommittee receives the update of consultation undertaken on Concept designs for Baring Squares East and West.”

Holmes/Kingsbury

Carried

Cr Kilworth restated her preference for Area D to be retained as green space and recorded her vote against the motion.

The meeting concluded at 12.25 pm.

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 6/8/1
DATE: 18 March 2010
REPORT TO: Environmental Services Committee
FROM: Ashburton District Licensing Agency

9. DISTRICT LICENSING AGENCY

MINUTES of a meeting of the **ASHBURTON DISTRICT LICENSING AGENCY** held on Thursday 25 February, 2010, in the Council Chamber, 5 Baring Square West, Ashburton, commencing at 10.35 am.

PRESENT: Councillors J Burgess (Chair); J Kingsbury, P Reveley and J Sparks; C Clark (Community Public Health).

In attendance Cr J Leadley; Licensing Secretary, J Rollinson; Licensing Inspector, A Batcheler, and Committee Secretary.

APOLOGY: Senior Sergeant G Russell (Police) **Sustained**

Mid Canterbury Tennis

The Licensing Inspector reported that the Tennis Sub-Association has made an application to renew its club licence and the Club's current hours (Monday – Sunday from 11am to 12 midnight) are being reviewed because they contravene the policy.

Representatives of Mid Canterbury Tennis Sub-Association, Cynthia Christie and Philip Crozier, attended the meeting to speak about the Club's requirements. The Club accepts the need to change the hours but would like the opportunity to have a later closing time on Thursdays because of a regular two round tournament. The last game usually finishes around 10.15pm.

Cr Tasker attended the meeting at 10.40 am.

The Licensing Inspector recommended that the Club hours be from 11am to 10pm from Sunday to Wednesday and 11am to 12 midnight on Thursday to Saturday.

The Tennis representatives were thanked for their attendance and left the meeting at 10.45 am.

Confirmation of Minutes – 3 December 2009

"That the minutes of the Ashburton District Licensing Agency meeting held on Thursday 3 December 2009, be taken as read and confirmed."

Sparks/Kingsbury **Carried**

Matters Arising

Liquor ban signage

The Licensing Inspector has observed intoxicated people in the West St car park on a number of occasions and recommended that more appropriate signage be installed.

Rodeo report

The Licensing Inspector's request for a Police report on options to address areas of concern with the Methven Rodeo will be referred to the next meeting when Senior Sergeant Russell is present.

Reports

"That the ACADS and Licensing Inspector's reports be received."

Sparks/Kingsbury **Carried**

Licensing Inspector's Report

Licensed premises

The Licensing Inspector reported that the number of licensed premises in the district has reduced by two leaving a total of 114. A new café/deli and wine shop is being opened by the Licensing Trust in the Somerset building.

The Regulatory Manager attended the meeting at 10.50 am.

Boxing Day Races

It was reported that the event appeared to go well. A debrief has been held with a further meeting of this group proposed later in the year.

LLA decision on convenience stores

The Liquor Licensing Authority has released its decision and is ruling that convenience stores don't meet the criteria in the Act to hold off-licences as a grocery / supermarket. While the decision is being appealed to the High Court, the effect on this district is not likely to be significant. The Licensing Inspector reported that as a result of the decision, an application from the Hinds store has been opposed. The store is currently trading on a temporary authority.

Training

A good number of premises are undertaking training sessions for licensees, duty managers and staff employed at on and off-licence premises. The Licensing Inspector has been participating.

Review of Liquor policy

The Licensing Inspector reported that a review of Council's Liquor Licensing Policy won't be carried out until the outcome of the Sale of Liquor Act review is known.

Events

To date there have been no applications received for special licences from groups organising events over the Easter period. It was agreed that when Council becomes aware of significant events, such as the World Ploughing event, then it should be proactive in approaching organisers to ensure they are aware of their licensing requirements.

Community Public Health Report

CBD project

ACADs staff recently took part in an 'observation night', monitoring the central business area. It was apparent that improved signage is needed to make people aware of the CBD liquor ban, particularly in the Cass Street area where, reportedly, people were walking past the Devon carrying drinks. This will be further addressed by the Agency partnership representatives along with another reported complaint about overcrowded licensed premises.

Alcohol Accord

The Alcohol Accord group remains concerned about the state of the streets and footpaths, particularly during the weekend and Monday mornings.

Cr Kingsbury spoke about her attempt to clear up a number of bottles which had been left in the Tancred Street area and the apparent lack of rubbish bins that made disposal difficult.

The Accord members have asked to meet with Council to discuss these concerns. The Licensing Secretary said concern about the street cleaning contract was raised last year by a former Accord member. Mr Rollinson forwarded a copy of Council's street cleaning contract at that time but agreed that a meeting should now take place with all of the parties. Cr Burgess and the Regulatory Manager, A Humphries, will be included.

Mr Rollinson said there needs to be specific examples to show the contractors such as photos where fouling / damage has occurred.

C Clark suggested that a group from the DLA could also meet early on a Monday morning to walk around the streets and observe the problem first hand.

Cr Tasker reported that this issue was raised at the last Operations Committee meeting where it was agreed that extra street cleaning would be carried out. Staff could also be asked to carry out some spot monitoring.

Mr Rollinson will address this with the Roading & Street Services Manager.

C Clark will liaise with the Alcohol Accord Chairperson and the date for the meeting will be further advised.

The Regulatory Manager spoke about the deliberate breaking of glass being an offence under the Litter Act and said that Council will be doing more monitoring of this. Additional surveillance cameras will assist.

Cr Sparks suggested that rubbish bins around the CBD could also have bottle bins attached.

C Clark reported that there is a meeting of the Alcohol Accord Group scheduled for 2.30pm on 13 April, at the Hotel Ashburton. Councillors are invited to attend.

It was noted that 18 people have been through the Accord's trespass procedures, 13 of whom are banned from all premises for a period of 24 months.

Controlled Purchase Operation

A planned CPO was postponed due to the unavailability of volunteers.

West St car park

The Agency continued to discuss the need for more signage in the West Street car park. Mr Humphries said that signs would be erected where there was no coverage (such as West Street car park) when funds become available. He agreed to the need for improvements in the West Street car park but said there is also a need for personal responsibility – most offenders know they are in a liquor ban area and it is questionable whether putting up more signs will achieve what is wanted.

The Regulatory Manager advised that First Security contractors are warranted to issue infringement notice for breaches under the liquor ban but do not carry out this role for Council. The Police also have the opportunity to issue infringements.

Mid Canterbury Tennis Sub-Association Inc

The Agency took into consideration the report of the Licensing Inspector and the information provided by the Tennis representatives and resolved –

“That the Mid Canterbury Tennis Sub-Association Incorporated's application for liquor licence renewal be approved and the hours applicable be as follows –

- Sunday, Monday, Tuesday, Wednesday 11 am – 10 pm
- Thursday, Friday, Saturday 11 am – 12 midnight.”

Kingsbury/Sparks

Carried

Next Meeting

The next meeting of the District Licensing Agency will be held on Thursday 10 June, 2010.

The meeting concluded at 11.23 pm.