



Ashburton District Council

AGENDA

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

Date: Thursday 10 June 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

	Page	
1	APOLOGIES	
2	NOTIFICATION OF EXTRAORDINARY BUSINESS	
3	CONFIRMATION OF MINUTES – – Environmental Services Committee – 29/04/10	1
4	MATTERS ARISING	
MATTERS FOR COMMITTEE DECISION		
5	Gambling Venue Policy Review	5
6	Parking Enforcement – Authority to issue infringements (unregistered / unwarranted vehicles)	7
7	Proposed Biodiversity Officer – Annual Plan	11
8	Ashburton Business Estate – Naming of Roads	15
ACTIVITY REPORTS		
9	9.1 Variance Reports	17
	9.2 Building Services	17
	9.3 Planning	18
	9.4 Regulatory	20
BUSINESS TRANSACTED WITH THE PUBLIC EXCLUDED		
10	Confirmation of Minutes – 29/04/10	65
	• Methven Trotting Club Section 7(2)(h) Commercial activities	
11	Proposed District Plan Section 7(2)(i) Conduct of negotiations	66

4 June 2010

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/1/8
DATE: 10 June 2010
REPORT TO: Environmental Services Committee
FROM: Community Planning Manager
SUBJECT: Gambling Venue Policy Review

5. GAMBLING VENUE POLICY REVIEW

5.1 SUMMARY

Council adopted its Gambling Venue Policy in February 2007 as required by the Gambling Act 2003. Council is required to review its Gambling Venue Policy within three years after the policy is adopted.

Information has been requested and received from key stakeholders to inform the review of this policy. It is proposed that a working group of four councillors be established to review Council's policy.

5.2 RECOMMENDATION

- | |
|---|
| “1. That the Environmental Services Committee establishes a working group of four Councillors to contribute to the review of Council's Gambling Venue Policy. |
| 2. That the Environmental Services Committee agrees to the proposed process for the review included in this report.” |

5.3 BACKGROUND

Council adopted its Gambling Venue Policy in February 2007 as required by the Gambling Act 2003. This Act requires Council to review its Gambling Venue Policy within three years after the policy is adopted.

Council is able to roll over its current policy without undertaking a full special consultation process as detailed in the Local Government Act 2002. If, however, Council decides changes are required then this will need to include an appropriate consultation process.

It is proposed that a working group of four councillors be established for the purpose of reviewing the current policy, reviewing available information, recommending any proposed changes to the current policy and, if changes are proposed, recommending an appropriate consultation process.

It is suggested that Councillors involved in the development of the current policy comprise the working group. These councillors are:

Crs Kilworth, Tasker, Lowe and Burgess.

The proposed timeline for the review of the Policy is as follows.

November 2009	Key stakeholders are advised of the process and invited to submit relevant information to be included in the social impact report.
10 June 2010	Working group of councillors established to review Policy
June 2010	An officer's report to be completed providing an assessment of class 4 gambling in the district, including any changes which have occurred since the 2006 assessment was undertaken and any trends which have emerged.

Week of 28 June 2010 (date TBC)	Working group to review the officer's report and information provided by key stakeholders and decide whether to make amendments or to roll over the existing policy.
<i>If policy is rolled over:</i>	
22 July 2010	Officer's report and final policy is presented to Environmental Services committee to recommend adoption by Council
12 August 2010	Final policy to Council for adoption
<i>If policy is amended:</i>	
2 September 2010	Officers report, consultation plan, and recommended draft policy presented to Environment Services Committee for adoption for consultation.
3 September – 1 October 2010	Community consultation period. Note: Consultation must follow special consultative process detailed in the Local Government Act 2002.
Week of 25 October 2010	Hearing of submissions to be made in person.
Week of 25 October 2010	Working group to consider submissions and recommend final policy.
11 November 2010	Final policy is presented to Environmental Services committee to recommend adoption by Council
25 November 2010	Final policy to Council for adoption

Please note Section 102 (6) of the Gambling Act 2003 states that the current policy does not cease to have effect if the current policy is due for review, or if the policy is in the process of being reviewed.

5.4 OPTIONS

Not applicable at this stage.

5.5 STATUTORY IMPLICATIONS

Section 102 (5) of the Gambling Act 2003 requires local authorities to review a class 4 gambling venue policy within three years of adoption of the current policy.

Section 102 of the Gambling Act 2003 states that a policy on class 4 gambling may be amended or replaced only in accordance with the special consultative procedure specified in section 83 of the Local Government Act 2002.

5.6 CONSULTATION

If required, a detailed consultation plan will be presented to Council at a later date. Community consultation must meet the requirements of the special consultative procedure included in the Local Government Act 2002.

Key stakeholders have been invited to provide information to inform the review process.

5.7 STRATEGIC LINKS

These will be detailed in the assessment of gambling in the district.

5.8 FINANCIAL

Not applicable.

Prepared By:
G THOMAS
Community Planning Manager

Approved by:
J G ROLLINSON
**Manager
Democracy & Community Services**

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/26/1
DATE: 3 June 2010
REPORT TO: Operations Committee
FROM: Customer Services Manager
SUBJECT: Infringements for vehicles not displaying current registration or current warrant of fitness

6. PARKING ENFORCEMENT OFFICER – AUTHORITY TO ISSUE INFRINGEMENTS (UNREGISTERED & UNWARRANTED VEHICLES)

6.1 SUMMARY

To obtain endorsement from the Environmental Services Committee for Parking Enforcement Officers to issue infringement notices where vehicles are not displaying current registration or a current warrant of fitness.

6.2 RECOMMENDATION

“That the Parking Enforcement Officers be authorised to issue infringements for vehicles which are not displaying a current registration and/or a current warrant of fitness.”

6.3 BACKGROUND

The primary roles of the Parking Enforcement Officer are equitable turnover of parking spaces and road safety. At present the parking officers monitor parking, assist people with enquiries and issue infringement notices as required. They carry out equitable turnover of parking spaces by issuing infringement notices where time allocations for defined areas are not adhered to and enforce road safety by issuing infringement notices where persons are parked dangerously.

Road Safety

There are times, or places, when parking a vehicle can endanger others. This is a safety issue and when vehicles are parked unsafely they will be asked to move, where possible, or be issued an infringement notice as prescribed by the road transport laws.

'No parking' areas include:

- broken yellow lines
- across vehicle entrances
- bus stops and taxi stands
- over or within 50 centimetres (500mm) of a fire hydrant
- footpaths
- grass verges
- mobility permit parking spaces for people with disabilities
- double parking or failing to park as close as practicable to the left
- inconsiderate parking
- parked facing the wrong way

Other road safety offences include:

- Operating an unlicensed motor vehicle
- Failing to display a current warrant or certificate of fitness

Parking Services

Ashburton District Council employs Parking Enforcement Officers who are responsible for enforcing both Council Bylaws as well as offences that form part of the Road Transport Laws of New Zealand.

6.4 OPTIONS

The intent of the parking officers monitoring registration and warrant of fitness is to **maximise road safety** and will bring the Ashburton District Council into line with almost all other councils. A survey was conducted recently among members of the NZ Parking Association on this subject (most councils are members as we are). Of the 32 councils that responded only Stratford, Ashburton, Waitaki and Thames-Coromandel did not issue infringements to vehicles that do not have current registration or are not displaying a current warrant of fitness. Since that survey both Thames-Coromandel and Stratford have commenced issuing infringements for these offences will. See appendix 1 **Page 25**

Police no longer routinely inspect vehicles for current registration or not displaying a current warrant of fitness unless a person is pulled up for another offence or as part of breath testing initiatives. Council staff are therefore not undertaking Police work as the ability to enforce stationary parking is actually a territorial authority task. Police focus is on moving vehicle offences and council parking officers take primary responsibility for stationary vehicle offences. I have discussed the matter with Senior Sergeant Grant Russell of the Ashburton Police. He was surprised that our parking officers were not issuing infringement notices for these offences as it was a stationary vehicle offence and this was what parking officers were employed to do. He was most supportive of us doing this work and made the comment that Council already employed a road safety officer to focus on road safety and noncurrent registration and warrant of fitness were another important safety issue.

The amount of each infringement for these offences is set by Government at \$200 to recognise the seriousness of the offence. In comparison the fee for parked over a time limit for less than 30 minutes is just \$12 and the fee for most other offences is either \$40 or \$60.

As the intent of monitoring registration and warrant of fitness is to maximise road safety and hence encourage people to keep their registration and warrant of fitness current most councils have criteria where the infringement fee for noncurrent registration and warrant of fitness may be waived where certain conditions are met.

I propose that the Ashburton District Council use the same guidelines as those in most other councils.

- Where the registration or warrant of fitness is less than four weeks overdue and the registration or Warrant of Fitness is renewed within two weeks of issue of the infringement notice then the infringement fee may be waived.

6.5 STATUTORY IMPLICATIONS

Section 5 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 No 6 (as at 01 December 2009)

5. Motor vehicles to be registered and licensed

(1) Except as otherwise provided in this Act, no person shall use any motor vehicle on any road unless—

- (a) The motor vehicle is registered in accordance with this Part of this Act; and
- (b) The registration plates and a current licence issued for that vehicle are affixed and displayed on the vehicle in the manner prescribed in any notice made under section 14 of this Act; and
- (c) The full amount of the appropriate levies payable under section 214 of the Injury Prevention, Rehabilitation, and Compensation Act 2001 in respect of the period for which the licence is issued has been paid.

(1A) Once a motor vehicle is registered in accordance with this Part then, except as otherwise provided in this Act or in regulations made under section 35A(1)(a),—

- (a) The owner of the vehicle must keep the vehicle licensed at all times under this Part; and
- (b) The fees payable in respect of such licensing are payable as if the vehicle is at all times required to be licensed (whether or not it is actually licensed).

Section 6 of the Land Transport Act 1998 No 110 (as at 01 December 2009)

6 Vehicles to be safe and operated in compliance with rules

- (1) A person may not operate an unsafe motor vehicle on a road.
- (2) If the regulations or the rules require a vehicle to have current evidence of vehicle inspection or a current certificate of loading, or both, a person may not operate the vehicle on a road without the appropriate current evidence of vehicle inspection or certificate or both (as the case may require).
- (3) A person operating a motor vehicle that is required to have current evidence of vehicle inspection or a certificate of loading must comply with the provisions in the regulations and the rules concerning such evidence or certificate, and the operation of the vehicle.
- (4) Evidence of vehicle inspection must be displayed on the vehicle to which it applies.

34 Contravention of section 6

- (1) A person commits an offence if the person—
 - (a) Operates an unsafe motor vehicle on a road; or
 - (b) Operates a vehicle on a road without displaying current evidence of vehicle inspection or a certificate of loading or both (as may be required by the regulations or the rules); or
 - (c) Fails to comply with the provisions of the regulations or the rules concerning evidence of vehicle inspection, certificates of loading, or the operation of a vehicle that is required to have such evidence or certificate or both.

In this context 'operate' in relation to a vehicle, means to drive or use the vehicle on the road or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle.

Section 43 of the Transport Act 1962 No 135 (as at 01 December 2009)

43 Entitlement to infringement fees

- (1) Subject to subsection (3) of this section, all infringement fees received under section 42A by an enforcement authority or recovered under the Summary Proceedings Act 1957 shall be paid into the Crown Bank Account; except that the enforcement authority may retain such portion of the fees so received as the Minister of Finance from time to time approves as being the expenses incidental to their collection.
- (2) [Repealed]
- (3) A local authority that is an enforcement authority shall be entitled to retain—
 - (a) All infringement fees received by it in respect of offences involving—
 - (i) Parking in breach of a bylaw of the local authority in any portion of a road where parking is for the time being governed by the location of parking meters placed pursuant to a bylaw of the local authority; or

- (ii) Parking in any other portion of a road in breach of a bylaw of the local authority prohibiting parking for a period in excess of the period fixed by the bylaw where the infringement notice in respect of the offence was issued by an officer or other person appointed by that authority; and
- (b) All towage fees received by it; and
- (c) Such portion of all other infringement fees received by it as the Minister of Finance from time to time approves.

As stated above Section 43 of the Transport Act states that part of the fee is to be paid to the Crown Bank Account. The NZ Parking Association advises if you collect the infringement fee over the counter at the Council you are required to pay a fee set to the Crown. This fee is 50% of the infringement fee for licence label offences and warrant of fitness offences. If the matter is lodged at court (as all infringements not paid within 8 weeks are) then the council receives 90% and the Court retains 10%.

The TicketOr software the Council uses for parking infringement purposes records how many infringements Council issues for this type of offence so it would not be difficult to arrange a payment to the Crown bank account every six months.

6.6 CONSULTATION

The only consultation thus far has been with the Ashburton Police who support our proposal. If the recommendation is approved then I propose a press release to local media two weeks prior to commencement of parking officers issuing infringements for these offences.

6.7 STRATEGIC LINKS

The Ashburton District Council LTCCP includes an objective to implement a road safety programme that works towards a continuing reduction in the number of injury crashes that occur in the District and ensuring vehicles have a current warrant of fitness supports this objective.

6.8 FINANCIAL

There is no cost associated with this proposal. The traffic officers already have the appropriate authority to issue such infringements and would do this as part of their normal patrols.

Report Prepared By:

J VAN NOORD
Customer Services Manager

Report Approved by:

S ALLEN
Corporate Services Manager

APPENDIX ONE



taranakidailynews.co.nz

Stratford parking warden to get extra powers in CBD

By KELLY LONEY - Taranaki Daily News

Last updated 05:00 24/02/2010

Stratford's parking warden will soon be able to issue fines for cars without warrants or regos in the town's CBD.

The Stratford District Council's policy and services committee yesterday voted to boost the warden's authority on stationary vehicle offences.

Mike Avery, the council planning and regulatory manager, said the move would bring the district into line with other local authorities.

While it would not cost the council to bring in the change, cars that were found not displaying correct certification could cost their owners \$200 for each offence.

During the meeting council chief executive Michael Freeman told councillors the proposed change was a matter of public safety.

In response to councillors' concerns about the parking warden's safety from disgruntled parkers, Mr Avery said the warden supported the change and had suggested it often.

He said the change would start on March 10 but all first-time offenders would have their ticket waived if they dealt with the issue promptly.

Offences include:

Failure to display red light on goods-service vehicle over 3.5T and parked overnight on the roadside.

Using tyres with worn, damaged, or visible cords or without adequate tread pattern or depth.

Obscured, unauthorised or no registration plates.

No current vehicle registration or warrant of fitness.

No current certificate of fitness displayed.

No current loading certificate displayed.

PS/10/29

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:

DATE: 10 June 2010

REPORT TO: Environmental Services Committee

FROM: Environmental Services Manager / Senior District Planner

SUBJECT: Proposed Biodiversity Officer – Annual Plan

7. PROPOSED BIODIVERSITY OFFICER – ANNUAL PLAN

7.1 SUMMARY

Further to the request from the Annual Plan Meeting of 13 May 2010, this report has been prepared to provide Councillors with a proposed way forward in meeting the Council's obligations under the Canterbury Regional Biodiversity Strategy and in supporting the protection and enhancement of biodiversity as part of the Canterbury Water Management Strategy.

7.2 RECOMMENDATION

- “1. That the report be received.
2. That Council approves the allocation of \$30,000 for preparing an Ashburton Biodiversity Action Plan and addressing Biodiversity issues in the 2010/11 year; and
3. That Council approves the preparation of an Action Plan to identify specific actions for implementing the Canterbury Regional Biodiversity Strategy at a District level.”

7.3 BACKGROUND

The Council received a submission on the draft Annual Plan from the Royal Forest and Bird Protection Society seeking the employment of a Biodiversity Officer. Councillors agreed to allocate funding for a Biodiversity Officer at the Annual Plan workshop on 13 May 2010. This was subject to the scope and functions of the position being clearly defined and for the role to support implementation of the Canterbury Water Management Strategy.

SCOPE OF A POSITION

The position of a Biodiversity Officer needs to be clearly defined and to inform the functions of the position it is necessary to identify the actions that the position would be responsible for implementing in Ashburton District.

The Council is a signatory to the Canterbury Regional Biodiversity Strategy, which identifies actions to give effect to the strategy. Funding allocated for biodiversity projects as part of the Canterbury Water Management Strategy is likely to be informed by the actions in the Regional Biodiversity Strategy and it is therefore important that the Council identifies how it will deliver the strategy.

An Action Plan is therefore necessary and can be prepared in partnership with the Regional Council's Biodiversity Co-ordinator to ensure consistency between the Council's actions and regional priorities.

A number of staff could be involved in preparation of an Action Plan given the linkages a number of departments have with Biodiversity including

- Community Planning, eg preparing and co-ordinating strategies and funding
 - Parks, eg enhancing open spaces
 - Planning, eg protection of areas of significant conservation value
-

- o Water Services, eg biodiversity in stockwater races, stormwater areas

Through the preparation of an Action Plan, priorities can be identified and the work of the Council and other agencies including the QEII Trust and Forest and Bird could ensure actions are delivered on the ground. When a clear understanding of the Council's priorities has been developed in an Action Plan, it would be appropriate to consider the employment of a Biodiversity Officer. Recognising that the preparation of an Action Plan will require time and resources, any appointment would be appropriate in the financial year 2011/12. It is therefore proposed that \$30,000 is used in the 2010/11 year for the preparation of an Action Plan and to work towards delivery of the Action Plan and its associated projects in later years.

Funding would be required for projects and a Biodiversity officer would have a role to bid for grants from the national Biodiversity Advice Fund and other sources through the Regional Council. This would involve the preparation of applications on behalf of the Council as well as landowners.

Other functions of a Biodiversity Officer will stem from an Action Plan but may include the following –

Advocacy for biodiversity and coordinating efforts with other agencies and Councils operating within Canterbury

- Liaise with environmental groups, industry groups, government departments, landcare groups and community groups.
- Identifying remnants of indigenous flora and fauna in the district, particularly on the plains and prioritising these areas for consideration by an ecologist
- Raising awareness and educating a wide range of groups on biodiversity through workshops, seminars, publicity etc.
- Promoting consistency in the management of biodiversity across the region through advocacy at all levels of governance in Canterbury including liaison with other Council Biodiversity Officers.
- Participate in establishing a State of the Environment Reporting system for the Ashburton District Council, participate and input into the reporting structure of the Council SOE Report on an ongoing basis.
- Promotion of community awareness of biodiversity issues, risks and positive actions that can be taken by community members.
- Advocate to community groups to initiate and conduct community programmes that have positive impacts on biodiversity.
- Facilitate and participate in environmental enhancement projects.

As discussed, the functions of a Biodiversity Officer would be informed by an Action Plan and may include some or all of the above.

The Regional Biodiversity Co-ordinator could assist with the preparation of an Action Plan for the District, offering options for delivering actions from the regional strategy and improving awareness and understanding of the funds available for the District Council. The process proposed of developing an Action Plan reflects work undertaken by Hurunui District Council, whose Biodiversity Ambassador is responsible for co-ordinating and driving initiatives in accordance with the Hurunui Biodiversity Strategy 2008.

Alternative Option - Environmental Enhancement Fund

Following the preparation of an Action Plan, an alternative to employing a Biodiversity Officer, is to establish a Environmental Enhancement Fund with the stated intention of providing an **Environmental Offset** to effects of water development in Mid Canterbury.

The fund would need to have criteria established by Council. Money would be allocated annually and accumulate until a worthwhile sum was available for projects such as wetland enhancement, purchase of land etc.

The community could make bids for access to the fund for defined projects that meet the established criteria and / or the Council could administer the fund using consultants that have the necessary skills and experience, eg Ecologists, Biologists etc. The skills would be contracted in for the project and would not be an ongoing cost to the Council, (as a permanent Biodiversity Officer would be). The advantage of this option is that the council can control the costs the type of projects undertaken and the frequency of the projects.

A number of councils in Canterbury have a fund available for biodiversity, some of which are administered by the respective Council's Biodiversity officer.

Kaikoura DC*	\$15,000 (max. \$3,000 per application) Annual fund To encourage voluntary work on private land for biodiversity
Hurunui DC*	\$10,000 Annual fund supported by Mainpower To encourage voluntary work on private land for biodiversity
Waimakariri DC	\$15,500 Tri-annual contestable fund split between heritage and vegetation/ habitats
Selwyn DC*	\$20,000 Annual fund (max. \$5,000 per application)
Timaru DC	Annual fund with max. \$5,000 per application and up to 50% project costs

* Council with a Biodiversity Officer

By having a stand-alone fund for biodiversity, there is greater scope for tangible benefits to be realised. For example, money could be allocated to projects being led by other organisations, avoiding the need for additional resourcing of staff or the appointment of an officer. However, it would give Council less control over spending. There is potential to share a role with an adjoining council so that a full time position can be offered.

7.4 STATUTORY IMPLICATIONS

The legislative requirements of the Resource Management Act 1991 affect the Council. In particular the obligations to protect, recognise and provide for a wide range of natural values, habitat and indigenous flora & fauna. Additionally, State of the Environment Reporting is also a legislative requirement.

The Biodiversity Strategy for the Canterbury Region also has statutory implications.

7.5 CONSULTATION

The Council has not conducted any consultation on this proposal.

7.6 STRATEGIC LINKS

Council is a signatory to the Biodiversity Strategy for the Canterbury Region. This document will heavily influence how the Ashburton District Council acts with regard to biodiversity.

It is likely that the Regional Strategy will be so significant that council will only require an action plan to describe how it will act to give effect to the Regional Strategy. That action plan should then be recorded in a Position Description for a Biodiversity Officer.

Secondly, the following Community Outcome from the LTCCP is also relevant -

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)**
- b. Our towns and rural areas are developed in ways that respect the local environment and meet the needs of the community. **(Priority Objective)**

- c. Our community understands the need to protect our natural environment and acts to do so.

7.7 FINANCIAL

An Action Plan to give effect to the Canterbury Regional Biodiversity Strategy would ensure a co-ordinated and planned approach to Biodiversity in the District, avoiding a situation where resources are not utilised effectively and efficiently.

Assuming an Action Plan is prepared 'in house' in the 2010/11 year, funding could be allocated in the years following for a Biodiversity Officer. A key source of external funding is the national biodiversity Advice Fund. This may provide seeding funding with up to \$60,000 per year for a single project, over a maximum period of 3 years.

For example, funding could be sought for up to three years, declining progressively over this period.

Year one	\$60,000
Year two	\$40,000
Year three	\$20,000

However the Council would need to show that it was contributing a proportion of the funding for a position and/or enhancement fund with a willingness to take over the role progressively, ultimately funding 100%.

Environment Canterbury also provides environmental enhancement grants, which are for defined projects and must be bid for, with set criteria to be met.

This includes grants of up to \$5,000 covering no more than 50% of a project's material costs. Private Industry sometimes makes grants available for environmental benefits, particularly where there is an obvious benefit or link to the business. These would be dependent on a business case being successful at the time. A possible scenario is as follows -

Income	Income Year 1	Income Year 2	Income Year 3	Income Year 4	Income year 5
Rates	30,000	40,000	60,000	75,000	90,000
National Biodiversity Fund Grant		60,000	40,000	20,000	0
Private Industry Sponsorship		0	0	5000	10,000
Total		100000	100000	100000	100000

Expenditure					
Salary	0	30,000	30,000	30,000	30,000
Overhead	0	30,000	30,000	30,000	30,000
Travel & Plant	0	10,000	10,000	10,000	10,000
Projects	30,000	10,000	10,000	10,000	10,000
Grants	0	20,000	20,000	20,000	20,000
Total	30,000	100,000	100,000	100,000	100,000

There is the risk that funding may not be granted from the national Biodiversity Advice Fund for future years in employment of a Biodiversity Officer, but through the preparation of an Action Plan it can be demonstrated what actions the funding will be addressing.

Prepared By:

M STEVENSON
Senior District Planner

Approved by:

J McKENZIE
Environmental Services Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:

DATE: 10 June 2010

REPORT TO: Environmental Services Committee

FROM: Senior District Planner

SUBJECT: Naming of roads – Ashburton Business Estate

8. ASHBURTON BUSINESS ESTATE – NAMING OF ROADS

8.1 SUMMARY

To recommend the naming of five roads and four walkways for the Ashburton Business Estate.

8.2 RECOMMENDATION

- “1. That the report be received.
2. That the new roads for the Ashburton Business Estate be named *Cullen Drive, Ashford Avenue, Lynn Street, Crum Street, and Sim Place*, and the walkways be named *Cates Way, D & E Walk, Gluyas Way and Rainey Way*.
3. That the developer is responsible for erecting name plates at the intersections of Northpark Road and Works Road, and at intersections within the subdivision to indicate the names of the roads and that this is done after consultation with and to the satisfaction of the Council’s Roding Manager.
4. That the Developer be responsible for paying to the Council all costs associated with the manufacture and erection of all necessary name plates.”

8.3 BACKGROUND

On 27 August 2009, resource consent was granted for the subdivision of the Ashburton Business Estate, being Stage 1 of the development. Since consent was granted, works have commenced.

The Council at its meeting on 20 May 2010, considered names for roads and walkways within the Business Estate and following on from this was a meeting on 1 June 2010 involving Councillors Kilworth, Lowe, Sparks and Tasker and Michael Hanrahan.

The names as shown on the attached plan are those agreed between these Councillors and Mr Hanrahan.

Page 26

8.4 OPTIONS

The preferred names put forward from the meeting on 1 June are as follows -

- A. JB Cullen Drive
- B. Ashford Avenue
- A. Lynn Street
- B. Crum Street
- C. Sim Place

The reasons for each of the names is described below –

JB Cullen Drive – named after JB Cullen of Mid Canterbury Transport

Ashford Avenue – named after Ashford's Spinning Wheels, developed by Walter Ashford, who started the Company in Rakaia, later moving to Ashburton

Lynn Street – named after the Lynn family who have been building and joinery contractors

Crum Street - named after the Crum family's association with industry in the District.

The Crum family operated the brick kiln in Creek Road from 1978 until the 1990s. Most of Ashburton's brick homes were built with bricks from this kiln. For a period of 14 years in the 1960's/ 70s, the fire did not go out such was the demand

Sim Place – named after the Sim family, who has farmed the area for generations.

In addition to the above, the following names have been recommended for pedestrian walkways within the estate -

- F. Arthur Cates Way
- G. Drummond and Etheridge Walk
- H Gluyas Way
- I. Rainey Way

The reasons for each of the names is described below –

Arthur Cates Way – named after Arthur Cates Ltd

Drummond and Etheridge Walk – named after Drummond and Etheridge

Gluyas Way – named after Gluyas Motors

Rainey Way – named after Rainey Engineering

The Roding Manager has a preference for short road names to avoid longer signs, which require two posts as support. It is therefore proposed that the Council agree to Cates Way and D & E Walk as alternatives to F and G above.

8.5 STATUTORY IMPLICATIONS

Any resource consent for subdivision that creates a new road to be vested in Council shall comply with subdivision rules 6.6.5.2.2 (j) and (k) of the District Plan, which states –

(j) All new roads vested upon subdivision of land shall be given distinctive names not already in use within the area covered by the District Council. The name shall be agreed to by the Council.

k) Where any new road or road extension is to be vested in the Council or a named private access is provided, the applicant shall pay to the Council a financial contribution for the manufacture and erection of all necessary name plates which must be displayed at the intersections of all other roads. The financial contribution shall be the actual cost of the name plate.

8.6 CONSULTATION

Not applicable.

8.7 STRATEGIC LINKS

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

Our district has a strong sense of identity and people who participate in community life.

Ashburton District is a community that attracts and retains new residents.

Our community recognises and preserves the cultural and social heritage of our district.

8.8 FINANCIAL

Rule 6.6.5.2.2 (k) of the District Plan states

Where any new road or road extension is to be vested in the Council or a named private access is provided, the applicant shall pay to the Council a financial contribution for the manufacture and erection of all necessary name plates which must be displayed at the intersections of all other roads. The financial contribution shall be the actual cost of the name plate.

Prepared By:

**M STEVENSON
Senior District Planner**

Approved by:

**J McKENZIE
Environmental Services Manager**

9. ACTIVITY REPORTS

9.1 VARIANCES REPORT – Period ending 30 April 2010

Pages 27-30

9.2 BUILDING SERVICES

9.2.1 Staff

On 20 May, staff took part in a trade night for all of the tradesmen and designers who deal with the Council on a regular basis. The meeting was attended by approximately 85 tradesmen and provided a great opportunity for an exchange of information with our customers. With the number of changes to the building legislation being proposed it is important that we keep our tradesmen and designers up to date.

9.2.2 Building Consents

The number of building consents issued during May was 120. This is an increase of 49 building consents from the same month in the previous year. The number of applications received for the month was 87; this is a decrease of four applications from the same month in the previous year.

Building consent data for April and May

Pages 31-47

Month	Building consents received	Building consents issued	% Processed within 20 days	Inspections carried out	CCC issued within 20 days of application
February	84	73	98.6%	363	
March	120	90	90%	454	
April	141	130	88%	392	100%
May	87	120	82.76%	464	100%

9.2.3 Building Consent Processing Times

There has been a decline in the number of building consent applications being processed within the 20 day timeframe. This is due to a marked increase in building consent activity and one building official being shifted from processing duties to cover inspections. The Council has been utilising outside contractors in an effort to keep times as low as possible. Adjoining TA's with the capacity have been able to provide some assistance in consent processing and helping to get times down.

9.2.4 Project Information Memoranda (PIM's)

There have been two applications for a standalone PIM and these were processed within the 20 day timeframe.

9.2.5 Inspection Times

Current inspection times have been reduced to 2-3 days from a high of 9 days six weeks ago. This has been mainly due to one building official from the processing stream being reassigned to inspection duties. The number of inspections carried out for the month of May has exceeded any previous month on record with 464.

9.2.6 Certificates of Acceptance

There were no new applications for a COA this month.

9.2.7 BCA Accreditation

To date the Building Consent Authority has fully cleared three of the seven Corrective Action Requests (CARs) and partially cleared two additional CARs received as a part the BCA Accreditation process. These corrective actions have an agreed clearance date of 5 June with the final CAR having a clearance date of 31 October 2010. If there are any issues unresolved at the time of clearance there is the possibility of an extension from IANZ to show proof of clearance.

9.2.8 Staff Resourcing

In an effort to address delays in processing and inspection times, we have interviewed applicants for two vacancies as building officials. To date one position has been offered and accepted, with the successful applicant due to commence work in July 2010. Consideration of how we fill the remaining role is currently being made.

9.3 PLANNING

9.3.1 Plan Changes

- **Village Green, Lake Hood (Skevington & Ruane)**

The period for appeals on the Council's decision for the Village Green Plan Change has now ended and a report will go to the Council meeting on 29 June 2010, for the seal of approval of the Private Plan Change, for the decision to be incorporated into the Operative District Plan.

9.3.2 Resource Consents

- **Methven Trotting Club Appeal**

The Council and Methven Trotting Club have reached agreement through informal discussions on the conditions of the resource consent subject to an appeal by Methven Trotting Club. A consent order has been issued by the Environment Court reflecting the agreed conditions, and the Council will reissue the resource consent decision with the amended conditions.

In summary, land comprising Lots 200, 202 and 204 and part of Lot 201 have been accepted as the reserve contribution, together with landscaping improvements to Lots 200, 201 and 202.

- **Mockford – Proposed camping ground, Bridge Street**

A hearing took place on 1 June 2010, with an independent commissioner, Mr Bob Batty hearing submissions on the resource consent application to establish a camping ground and visitor accommodation activity at a site opposite the freezing works on Bridge Street. The Commissioner has also been delegated authority to make the decision on the resource consent application.

- **Proposed Art Gallery and Museum**

A process has been agreed to resolve issues raised by submitters on the proposed art gallery and museum, following a pre-hearing meeting on 19 April. A hearing will then follow with a suitable date being sought in July/ August.

- **Rosebank Residential Home**

A hearing will take place on 16 June with a panel of Councillors hearing submissions on the resource consent application to establish 27 residential villas and a community centre.

Resource consent data for the period January to May

Page 48

- **Golf Driving Range**

A resource consent application has been received for a driving range to the south east of the golf course, on land adjacent to SH1. This is being processed by consultants due to the Council's interest as landowner and the perceived conflict of interest.

- **155 Baker Road, Rakaia**

A dwelling is proposed on a lot of 1.2 ha in the Rural A zone, west of Rakaia. This is less than the minimum lot size for a dwelling of 2 ha, required by Rule 7.6.5.1.1 of the Operative District Plan. A decision will follow soon.

- **Brethren Church – 121 Racecourse Road**

The Ashburton Gospel Trust has applied for resource consent for a church hall of 1151 m² for up to 644 people at 121 Racecourse Road. This is currently being assessed by staff and will be notified to affected persons.

9.3.3 District Plan Review

The Proposed District Plan was formally notified on 21 April 2010, with the period for submissions ending on 18 June 2010. At the request of individuals and groups, staff have attended public meetings to present information to the community on the Proposed District Plan and specifically, proposed rules on residential density and changes to the rural zone boundaries. The meetings have also provided an opportunity for officers to explain the District Plan review process and how the public can make a submission.

While the timetable for the Proposed District Plan is subject to a number of factors including the number of submissions received, a possible and approximate timetable is indicated below

First round of submissions close	18 June 2010
Submissions summarised	July/ August 2010
Second round of submissions	September 2010
Hearings	February/ March 2011
Decisions	April 2011

A separate report has been prepared seeking the Committee's approval of a Submission by the Council on the Proposed District Plan.

There have been 43 submissions received as at 1 June 2010.

9.3.4 Regional Policy Statement Review

Senior staff from Canterbury councils met in Ashburton on 28 May 2010, to discuss opportunities for a collective approach in dealing with the draft RPS. A cooperative approach will achieve greater consistency in requests and submissions from the Canterbury Local Authorities, plus there are potential time and cost savings for staff and eventually consultants that may be required to work on the document.

The outcome of the meeting is that a request for a TLA working party to work alongside regional council staff on the draft will now be made, in the anticipation that the document once publicly notified will require less time and work for submissions by the TLAs.

9.3.5 Planning Officer Vacancy

The Council is currently advertising to fill the vacancy of a Planning Officer. This existing position has been vacant since July last year, but increased activity and the District Plan Review has produced a need to better respond to public enquiries and attend to a range of administrative issues within the Planning Department.

9.3.6 Consents Granted under Delegation

Pages 49-52

9.4 REGULATORY

9.4.1 Staff

- Mr Ron Dunne has been employed one day a week as cover for the vacant Environmental Health Officer position.
- Mr William Liebisch will take up the Environmental Health Officer position from 1 July 2010.
- Adrian Humphries attended a Level 3 Health & Safety Course.
- Training on enforcement powers was given to First Security regarding noise and animal control, and Talbot Security for bylaw enforcement by the Regulatory Manager.
- Council Stockwater Rangers were trained in enforcement powers and issuing of Infringement Notices by the Regulatory Manager.

9.4.2 Meetings

During the reporting period meetings were held with:

- NZ Police regarding enforcement issues. The Police have taken ADC Infringement pads and will be issuing infringements for offences against Council bylaws.
- ECan regarding ground water monitoring and the "Clean Heat" programme.
- "Keep Ashburton Beautiful" officer level meeting to explore options to reduce littering, illegal dumping and improve community pride. (This matter is yet to be developed to a state where policy support can be sought).
- Medical Officer of Health regarding nitrates in water.

9.4.3 Environmental Health

Pages 53-55

• Food safety

Three food premises were audited under the OTP-FCP and one was found to be fully compliant. This food premises will now be exempt from the Food Hygiene Regulations. The other will be re-visited once it has completed the required administrative requirements.

Two complaints were investigated relating to food premises, one in Ashburton and one in Methven.

- **Noise from a Commercial Building**

Additional survey work was carried out in relation to noise emanating from a commercial building which borders a residential area.

- **Nuisances**

- A total of 68 noise complaints were received, 14 noise directions were issued and a DJs equipment seized. Involvement of NZ Police seems to have reduced offending at three “well known” properties.
- Two complaints about odour – one from a septic tank and the other from a drainpipe.
- Five complaints about smoke nuisances – three commercial and two domestic.
- Two complaints about neighbours dumping rubbish onto owners property.
- One complaint about bees.
- One complaint about noise from a commercial premises.

- **Disease**

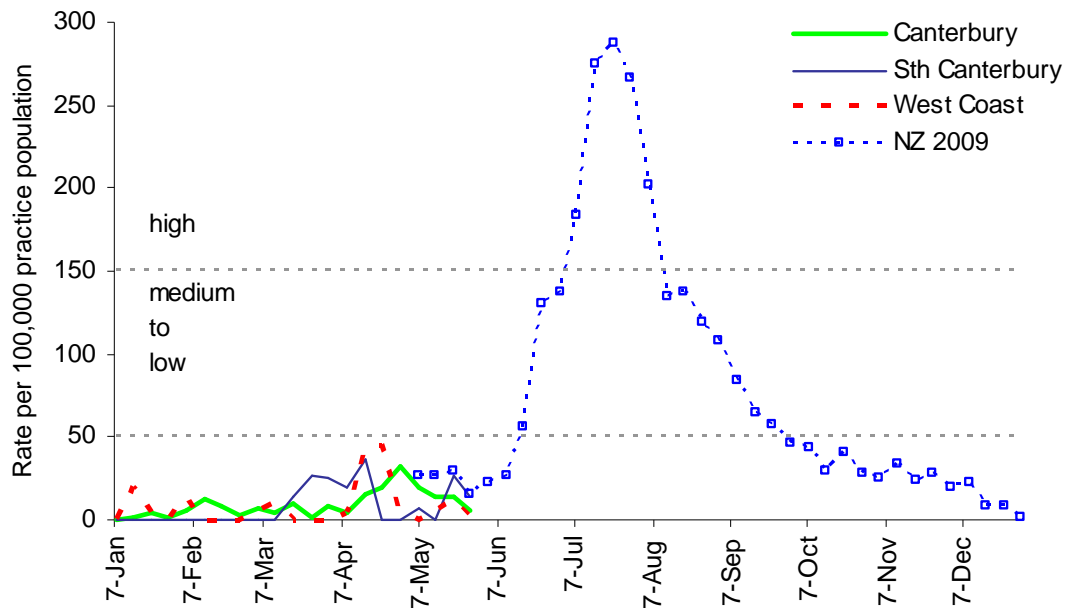
During the reporting period the following disease notifications were made from Ashburton to the District Health Board:

Disease	Number
Campylobacteriosis	7
VTEC/STEC infection	2
Giardiasis	1
Cryptosporidiosis	1
Hepatitis B	1
Pertussis	1
Salmonellosis	1

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 2010

Summary graph of influenza-like illness surveillance by 26/26 Canterbury, (including 2/2 Ashburton), 6/6 South Canterbury and 8/8 West Coast sentinel medical centres for the week ending Thursday 27 May 2010, and for New Zealand 2009.



9.4.4 Liquor Licensing

Pages 56-57

Additional signs have been acquired for the liquor ban area. Further input has been sought from NZ Police regarding the most effective locations for these signs.

9.4.5 Water and Wastewater Monitoring

The annual accreditation visit for the laboratory was conducted by IANZ. Richard Durie and Charlotte Spilman are commended on the visit resulting in no corrective actions and only two minor recommendations which have been actioned.

Drinking water sampling indicated good results have been achieved across all public drinking water supplies in the District. Two private supplies were found to be positive for E Coli; they have been advised and have taken action.

Monthly waste water monitoring is on target with no concerns reported.

9.4.6 General Inspections

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

- **Building Act 2004**

Eight building warrant of fitness audits have been carried out. Council's Business Analyst is assisting with an improved business process to gain further efficiencies in how this role is conducted.

- **Resource Management & District Planning**

Two unauthorised signs have been requested to be removed. One has already been removed and the other will go within the next few days.

A business has been investigated in the B3 zone for non-compliance, following further information, no further action is to be taken at this time.

An abatement notice has been served on a business using a residential section for storage of materials and vehicles. This notice was not complied with in the required time. An infringement notice has been served along with a further abatement notice.

An abatement notice has been served on a business operating in the residential zone on Allens Road.

A factory farming operation is currently under investigation.

- **Regulatory**

Continuous monitoring of illegal dumping hotspots and calls from the public and colleagues have lead to four Infringements being issued for littering.

Three infringements have been issued under the Council's Bylaws, for burning.

9.4.7 Trade Waste

The monitoring programme continues, graphs indicating progress are attached.

Page 58

9.4.7 Bylaw Compliance – Overhanging Vegetation

Previously reported incidents - 200

New incidents since last report - 4

- Results regarding all incidents:

198 complied

6 awaiting re-inspection

- **Registration status:**

The annual breakdown is as follows:

Category - Known Dogs	Number
Dogs registered in 2008/ 2009	7038
New registrations	1247
Total	8285
Category - Accounted for Dogs	
Dogs re-registered from 2008/2009	5793
Dogs reported dead from 2008/2009	724
Dogs reported as having left District from 2008/09	456
New Registrations	1247
Total	8220
Total Dogs Not Accounted For	65
% of Known Dogs registered in 2009/2010	99.21%

- **Dog Policy**

Submissions closed on 26 May 2010. A total of 27 submissions were received, five of which want to be heard. A hearing panel of Crs Kilworth, Reveley and Sparks will hear submissions on 14 June.

- **Court Cases**

There was a court case heard on 19 April 2010, relating to an incident where two dogs attacked and killed a cat under the cat owner’s house. Both dogs had been surrendered and destroyed; there had been previous history with these dogs being unregistered. The owners were fined \$200. They have been disqualified from dog ownership for five years.

A court case is coming up where a dog classified menacing bit a child on the face. The owner is being prosecuted and the dog has been put down.

- **Dog Attack on Stock**

Twenty sheep were reported killed on Ashburton River Road. Dogs on a neighbouring farm were suspected of the attack but owing to the delay in discovering the sheep (the farmer checked his sheep weekly) we were unable to confirm this. The accused dogs were inspected and found to be registered but showed no signs of having attacked sheep.

- **Hearings**

One hearing was held during the period where the defendant was ordered to pay fines and court costs. This has been appealed and will be heard in the Timaru Court on 31 June 2010. One further hearing held on 12 May 2010 has been adjourned till a later date.

- **Dog Control Act Infringement Notices**

Forty two infringement notices have been served from 1 April to 31 May 2010 making a total of 236 since 1 July 2009.

- **Impounding**

Fifty seven dogs have been impounded from 1 April to 31 May 2010.

There are currently four puppies and two dogs in the pound.

- **Rehoming**

Six dogs have been rehomed direct to new owners between 1 April and 31 May 2010.

- **Euthanized**

Two dogs were euthanized.

- **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.

- **Signs**

Appropriate signs have been ordered for the Ashburton Dog Park.

- **Dog & Stock report**

The contractors report for April is attached.

Page 60-63

J McKENZIE
Environmental Services Manager