

ENVIRONMENTAL SERVICES COMMITTEE

REPORT and **MINUTES** of a meeting of the **ENVIRONMENTAL SERVICES COMMITTEE** held in the Council Chamber, 5 Baring Square West, Ashburton, on Thursday 16 March, 2006, commencing at 1.30 pm.

PRESENT: His Worship the Mayor, Mr M B O'Malley; Councillors R J Kilworth (Chair), L J Leadley, B A Tasker, K W P Lowe, M J Urquhart, D Glass, R C Beavan and I J Burgess.

Also in attendance Cr P Reveley; Environmental Services Manager and Committee Secretary.

APOLOGIES: Crs D N Nelson, K L Holmes and N H Brown

Sustained

Confirmation of Minutes

“That the minutes of the Environmental Services Committee meeting held on 2 February, 2006, be taken as read and confirmed.”

Beavan/Burgess

Carried

Order of Business

The Committee agreed that agenda item 6 be taken after item 8, activity reports.

Resource Consent Application – Lewis Eco-Barn Pig Farming Operation – Mitcham Road

“That pursuant to Section 104B of the Resource Management Act 1991, application LUC 060004, by Andrew Lewis, being consent to recommission the previous eco-barn pig farming operation at 1898 Mitcham Road, Ashburton, be granted subject to the following conditions:

1. The activity is to be sited and is to proceed generally in accordance with the information accompanying the application dated 11 January 2006.
2. The total number of pigs housed shall not exceed 1,000. The age ratio and housing provisions shall be in accordance with the information provided with the application.
3. Effluent is to be spread in accordance with the Management Plan prepared by N H McCrostie & Co Ltd, included with the application dated 8 December 2005. Effluent is to be ploughed into the soil in order to mitigate odour emissions. Cultivation is to ensure that effluent is completely covered with soil.
4. Effluent shall not be spread within 20 metres of the boundary of any site held in separate ownership from the site in which the effluent is being discharged or from any water race.
5. Stockpiling of manure is to be covered so as to prevent any leaching of effluent to ground. Alternatively, an impervious base is to be constructed so the stockpiled manure can be constructed in such a way that water collected does not pass directly to ground but is conveyed to a sealed storage tank from which it is to be disposed to land prior to overflowing.
6. When spreading effluent, the consent holder shall have regard to wind direction on the day. The location where effluent is spread shall be determined having regard to the least effect on neighbouring property owners.

7. The Ashburton District Council may, within 20 working days following each anniversary of the granting of this consent, serve notice of its intention to:

- Review the conditions of this consent for the purposes of dealing with any adverse effects on the environment that may arise from the exercise of this consent in regard to effects on the surrounding environment from the scale, frequency and duration of the activity for which consent has been granted. The actual and reasonable costs of conducting such a review shall be payable by the consent holder.
- Carry out monitoring of the activity for the purposes of assessing compliance with the resource consent and / or dealing with any adverse effects on the environment that may arise from the exercise of this consent in regard to effects on the surrounding environment from the conduct of the activity for which consent has been granted. The actual and reasonable costs of conducting such a monitoring shall be payable by the consent holder and shall be in accordance with fees adopted by the Council from time to time.”

Glass/Tasker

Carried

Road Closure – Ashburton Car Club

“That the following roads be closed to ordinary vehicular traffic from 8.00 pm on Friday 12 May 2006 to 8.00 pm on Sunday 14 May 2006, for the purpose of allowing the Ashburton Car Club to hold a Street Sprint meeting

Smallbone Drive, from River Terrace to Robinson Street

Robinson Street, from Smallbone Drive to McNally Street

Watson Street, from Range Street to Robinson Street

McNally Street, from Range Street to the end of the street.”

Leadley/Tasker

Carried

Activity Reports

“That the reports be received.”

Tasker/Burgess

Carried

Ashburton District Development Plan – North East Ashburton Plan Change

The Committee heard that staff met today with the Consultant to further discuss the options that will form the document for public consultation. Public “open days” will be held on the afternoon of 31 March and morning of 1 April. A date for the postponed Mt Somers meeting is to be confirmed.

Performing Arts Centre Trust

It was reported that a Hearings Panel will be convened to resolve the outstanding issues relating to the applicant’s conditions of consent.

Animal Control

The Environmental Services Manager reported that from 1 July 2006, legislation will require all dogs registered for the first time to be micro-chipped. It is anticipated that the Department of Internal Affairs will levy participating councils, however confirmation of this has not been received and no budget provision has been made in the 2006/07 year.

Land Information Memoranda

Comparative reports from the previous year were not able to be produced, however it was reported that the number of LIMs processed in the first two weeks of this month is significantly higher than March 2005.

Public Health

The Environmental Services Manager reported that Council's water testing laboratory was audited today by IANC. Council achieved its best result ever and Mr McKenzie acknowledged the work of staff in this area.

Te Runanga O Arowhenua

An informal consultative meeting with representatives of Te Runanga O Arowhenua is scheduled for 5 April. The meeting will be attended by Council staff along with Councillors Beavan and Leadley. It is intended that Councillors will make a formal visit to the Marae in the near future.

Draft Earthquake, Dangerous and Insanitary Buildings Policy

“That in accordance with 3.2.1, the Committee temporarily suspends Standing Orders 3.8.6 and 3.8.7 to allow full discussion on the Dangerous, Earthquake Prone and Insanitary Buildings Policy.”

Tasker/Beavan

Carried

The Environmental Services Manager referred to the Policy consultation document and reported that it has been widely circulated with copies sent to major property owners, those properties listed as heritage buildings in the District Plan and statutory organisations such as Transit and the Department of Housing and Building. Council's web site has also provided access to the document.

Education of the public will be ongoing with information being provided at the time building consent application is made and through the regular workshops held with local builders, drainlayers etc. The recent District Diary article prompted good response. Ongoing publicity will be required to ensure that future property purchasers are aware of the policy.

Identifying Dangerous or Insanitary Buildings

The basis on which Council will identify potentially dangerous or insanitary buildings was confirmed with an amendment to clause 2 which will read –

2. *Advice received from Council staff.*

It is anticipated that unsubstantiated complaints received by Council about a building would not be pursued if, on an initial inspection, that building appeared to be sound with no obvious defects.

The option to actively look for buildings that may require assessment has not been included in the policy.

Responsibility for a dangerous building exists with the owner. Council can enforce the Act when it becomes aware of the situation.

Hearings Panel

A Hearings Panel of the Committee would be convened to review written objections and where an impasse occurs between staff and a building owner as defined in the Act. Such a panel would have the power to co-opt technical expertise.

Earthquake Prone Buildings

The Earthquake Commission report (1998) shows Ashburton as a low risk earthquake area. This document provides the basis for the policy on earthquake prone buildings. The policy looks at effect of an earthquake on the site – therefore if site is located closer to the alpine fault, the effect will be greater. This will be taken into account in the assessment.

Council does not intend to conduct a preliminary “desk top” assessment of the district’s building stock.

Change of Use Applications

The Environmental Services Manager has sought legal opinion from Simpson Grierson and this information will be provided to local buildings. It is anticipated that this section of the policy is likely to cause some problems.

Assessment and Strengthening Criteria

The Policy will enforce a 15 year timeframe, from date of issue of building consent, for work to be carried out on buildings assessed as being potentially earthquake prone.

Public consultation will determine support or otherwise for this timeframe. Council has the ability to change it providing the intent of the Act is met and structural work meets the required 33% state.

It was noted that the Dangerous Buildings Provisions gives Council the ability to declare a building to be dangerous and issue a notice to evacuate within 10 days.

Recording a building’s earthquake prone status is a matter for public record.

Heritage Buildings

The issue for heritage building owners may be the need to raise funds for work to be carried out. There may be a need for an increased budget if submissions are received for heritage grants. Because of the consultation timeframe it is unlikely that budget provision will be included in the 2006 / 07 budget.

It was agreed to reconsider this after submissions have been received.

“That Standing Orders be reinstated.”

Leadley/Burgess

Carried

“1. That the report be received.

2. That the Committee adopts the draft Dangerous, Earthquake Prone and Insanitary Buildings Policy, as amended, for use as a Proposal for a Special Consultative Procedure.”

Glass/Leadley

Carried

Items transacted with the public excluded (3.05 pm)

“That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Grounds under Section 48(1) for the passing of this resolution
Resource Consent Matter	Section 7(2)(h)	Commercial activity

Glass/Burgess **Carried**

The meeting concluded at 3.10 pm.