

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 7 September, 2006, commencing at 1.30 pm.

PRESENT: 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 Crs P W Reveley and K L Holmes; Environmental Services Manager, Consultant Planner, Senior Planner and Committee Secretary.

APOLOGIES: His Worship the Mayor, Mr M B O'Malley (1.38 pm); Councillors N A Brown (1.37pm) and Cr D N Nelson **Sustained**

Confirmation of Minutes

“That the minutes of the Environmental Services Committee meeting held on 20 July, 2006, be taken as read and confirmed.”

Beavan/Urquhart

Carried

Application SU 060092 - Ashburton Licensing Trust

An additional condition (15) requiring the construction of a 2m high fence was included. The construction of the fence will be at the developer's cost.

“That application SU 060092, being consent to subdivide Lot 1 DP 27482 into 21 residential allotments and one balance lot containing the hotel complex, be granted subject to the following conditions:

1. The easements shown on the plan accompanying the subdivision consent are to be granted or reserved.
2. The easements E to M, are to be 3 metres in width and positioned in such a way that the existing stormwater pipe is centrally located within the easement.
3. The rights of way shown A to D are to be formed and sealed. The minimum legal width shall be 6 metres and the minimum carriageway width shall be 5.5 metres.
4. The payment in total of \$118,406 (GST inclusive) reserve contribution assessed on an average lot value of \$100,238 for the 21 additional lots.
5. An independent connection to the Council's sanitary sewage reticulation shall be laid at least 600mm into the net area of Lots 1 to 21.
6. An independent connection to the Council's high pressure water reticulation is to be laid to the boundary of the net area of Lots 1 to 21.
7. A connection to the electric and telephone reticulation is to be laid underground to the boundary of the net area of Lots 1 to 21.
8. All stormwater from roofs and paved areas on Lots 1 to 21 shall be disposed of on site.
9. The consent holder shall provide evidence that all consents have been obtained from Environment Canterbury with respect to the disposal of stormwater from the subdivision. If consents are not required the consent holder shall provide written evidence from Environment Canterbury to this effect.

10. The proposed new road and essential services are to be constructed in accordance with the Council's Code of Urban Subdivision and to the satisfaction of the Manager Operations and Services. Prior to the commencement of construction works, plans and specifications of construction and services are to be approved by the Manager Operations and Services.
11. The road is to vest in the Council (Lot 100).
12. The cost of approving plans and on site inspection of the works associated with the above conditions, are to be borne by the applicant.
13. The consent holder is to meet all requirements of the Inland Revenue Department in respect to Goods and Services Tax including any requirements that may be made in respect to proposed public services and land to vest in the Council. Such requirements must be satisfied before a Section 224 Certificate is issued.
14. The consent holder shall provide the Council with a breakdown of costs of each infrastructural component of assets that are to vest in the Council and documented evidence to support those costs.
15. A solid, minimum 2m high fence shall be constructed and maintained along the common boundary between the proposed residential subdivision and the grounds of Hotel Ashburton to the satisfaction of the Environmental Services Manager. The fence shall have no air gaps, particularly at ground level, and shall be constructed of materials having a mass not less than 10kg/m² (eg 20mm thick overlapping timber palings). This condition shall be subject to a consent notice prepared pursuant to Section 221 of the Resource Management Act 1991 and registered against the titles created over proposed Lots 9-16 and 18-21."

Tasker/Beavan

Carried

Ashburton District Plan – Proposed Plan Changes N^os 1, 4 and 8, Operative Date

Notable and Heritage Trees

There have been no further trees included; however consideration will be given to whether other trees need to be in the protected category when the District Plan is reviewed.

“That pursuant to clause 20 of the First Schedule to the Resource Management Act, the Ashburton District Council gives notice that Changes 1, 4 and 8 to the District Plan become operative on the 29th day of September 2006, and that the statutory authorities identified in sub clause 4 be notified accordingly.”

Leadley/Burgess

Carried

The Consultant Planner left the meeting at 1.48 pm.

Application LUC 060063 – Tricroft Properties Ltd

An amendment to condition 2 and a new condition 6 were included as a result of information received from Transit. The advice notes became conditions 7, 8 and 9.

The Environmental Services Manager explained that the adjacent site referred to in condition 2 is land belonging to Toll Rail on the other side of the creek. It would only be used if future demand for parking required.

“That application LUC 060063, being consent to establish and operate a truck-stop and restaurant / bar in the Business 3A zone at 360 West Street, Ashburton, be granted subject to the following conditions:

Restaurant / Bar

1. The consent is to proceed in accordance with the plans and details included with the application dated 27 July 2006.

2. That the consent shall only inure as long as 32 car park spaces are available for the restaurant / bar activity on the site or an immediately adjacent site at all times.
3. Vehicle access to the site should include –
 - A one-way, 9 metre crossing for the truck refueling exit; and
 - A two-way 12 metre wide driveway shall be provided to allow entry for trucks traveling into the fuelling facility at vehicle egress / ingress for the restaurant / bar complex.
4. The one-way 9 metre crossing to State Highway One shall be clearly signposted “Exit Only.”
5. 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.
6. No glare shall be visible from State Highway One. All fixed exterior lighting shall be directed away from adjacent properties and roads.
7. The proposal shall comply with all relevant standards of the District Plan with regards to hazardous substance storage, disposal and use.
8. The consent holder shall provide evidence that all necessary consents have been obtained from Environment Canterbury with respect to the disposal of stormwater from the subdivision. If consents are not required the consent holder shall provide written evidence from Environment Canterbury to this effect.
9. The consent holder shall provide engineering plans for the heavy vehicle fuelling facility prior to the Operations Manager prior to commencing this consent.”

Kilworth/Urquhart

Carried

Advice Note:

Pursuant to the Council’s LTCCP, development contributions are payable at the time of building consent.

The consent holder is advised that pursuant to Part 8, sub-part 5 of the Local Government Act 2002, and the Council’s financial and development contributions policy contained in the Long Term Council Plan (LTCCP) there is a requirement that development contributions to fund growth related investment in network infrastructure and community facilities be imposed.

Development contributions are not conditions of this subdivision consent, however please note that development contributions for high pressure water supply, sewage disposal and a community infrastructure payment may be payable at the time of uplifting a building consent.

The Senior Planner left the meeting at 1.57 pm.

Review of Council's Gambling Venue Policy

It was reported that the District Licensing Agency is to develop an alcohol strategy. The Committee agreed that it would be appropriate to use the same councillor working group to review the Gambling Venue Policy.

- “1. That the Committee establishes a sub-committee of Councillors Kilworth, Burgess, Glass, Lowe and Tasker to contribute to the review Council's Gambling Venue Policy.
2. That the Committee agrees to the proposed process for the review included in this report.”

Burgess/Leadley

Carried

Delegations to Staff – Building Act 2004 & Fencing of Swimming Pools Act 1987

- “1. That the report be received.
2. That Council formally delegate authority to act in accordance with the provisions of the Building Act 2004 and the Fencing of Swimming Pools Act 1987, as detailed in the attached schedule, to the following staff:
 - Brian Lester – Chief Executive Officer
 - John James McKenzie – Environmental Services Manager
 - John Nelson Bruce – Building Official
 - Leonard Blaise Schimanski – Building Official
 - Christopher Edward Ralston – Building Official
 - Robert Alastair Banks – Building Official.”

Glass/Beavan

Carried

Activity Reports

“That the reports be received.”

Glass/Leadley

Carried

Building Consents

The Environmental Services Manager reported that the month of August 2006 has seen the highest value of building consents issued in the last three years. The Committee was pleased to note that consents are being processed within statutory timeframes and acknowledged the work of staff responsible for this achievement.

Ashburton Development Plan

– Small Villages

In response to a request for the inclusion of Staveley in the consultation process, the Environmental Services Manager explained that there is neither budget provision nor sufficient resources to undertake consultation this year. He suggested that it may be appropriate for the Staveley village to have a strategic plan developed initially.

– NE Ashburton

Council staff are continuing to collate information required to progress the Plan Change. Discussions are being held with Transit and Toll Rail to adequately define intersection changes and the rail siding. A noise assessment will also be carried out.

Arowhenua

Arowhenua representatives have confirmed they will meet with Ashburton District Councillors and staff at the Temuka Marae on Thursday 28 September. A briefing session for Councillors will be held prior to the visit.

Liquor Licensing

It was reported that the District Licensing Agency has agreed to establish a working group to develop an alcohol strategy for the district. This will be the subject of a report to the Committee on 19 October.

Key Performance Indicators

The Environmental Services Manager reported on achievement of performance measures for the year to 30 June 2006.

- Liquor Licensing

Updated data was provided for the liquor licensing area showing that 70.8% of premises have been inspected.

- Animal Control

Clarification was sought on how the preferred owner status is publicized and whether it is promoted for responsible dog owners in the brochure.

The Environmental Services Manager confirmed that an explanation of the criteria is in the brochure and that the status relates to property and the person's management of their dog.

Items transacted with the public excluded (2.40 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/Beavan

Carried

The meeting concluded at 3.30 pm.