

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 30 July 2009, commencing at 1.30 pm.

PRESENT: His Worship the Mayor, M B O'Malley; Councillors R J Kilworth (Chair), R C Beavan, L J Leadley, B A Tasker, I J Burgess, J A Kingsbury, P W Reveley and J Sparks.

Also in attendance Crs K L Holmes, K W P Lowe and N A Brown; Environmental Services Manager, Senior District Planner, Consultant Planner, Building Services Manager, Regulatory Manager and Committee Secretary.

Extraordinary Business

- Deputation from Lye Properties – Mr S Lye and Mr B Pizzey attended the meeting.

“That speaking rights be granted to Mr Pizzey during consideration of the Lye Properties Ltd land use consent application.”

Leadley/Tasker

Carried

“That pursuant to Section 7(2)(A) of the Local Government Official Information and Meetings Act 1987 the following items be introduced as extraordinary business:

- Subdivision at 120 Elizabeth Street, Ashburton.

Tasker/Burgess

Carried

Confirmation of Minutes

“That the minutes of the Environmental Services Committee meeting held on 30 April 2009, be taken as read and confirmed.”

Leadley/Burgess

Carried

Matters Arising

Resource Consent Process

The Senior District Planner reported that the MfE survey figures for resource consent processing have been reviewed and Ashburton's ranking of 59 would have been amended to 51 had the correct figures been provided to MfE. Mr Stevenson said that 75% of Council's resource consent applications were processed within the statutory timeframe rather than the 70% indicated by MfE. The Environmental Services Manager said that while the MfE survey results cannot be amended, it is important the public have the correct information. He explained that the error occurred as a result of incorrect fields in the computer system being used and this is now better understood by Planning staff.

The 'Affected Persons Approval Form' is being reviewed and the updated version will be made available on Council's web site within a week.

Animal Control

The Regulatory Manager confirmed that the fence has been repaired at the Rakaia cemetery and the adjacent property owner has been advised that impounding action will be taken if his stock is found wandering in the cemetery again.

Plan Change – Areas of Significant Conservation Value

Cr Reveley declared an interest and withdrew from discussion and decision.

The Senior District Planner advised that the information prepared by the ecologist, as discussed at the District Plan review workshop, has not been circulated due to volume but is available to Councillors on request.

The Committee expressed its appreciation of the Consultant Planner's work on this matter. It was noted that Mr Singleton has been in consultation with the affected landowners over a period of seven years.

- “1. That the report be received.
2. That the Committee accepts the recommendations of the Ecological assessment and list in the District Plan, those areas identified as having significant nature conservation value (Group 1 sites) under Policy 3 of the District Plan.
3. That the Committee accepts that the rules in the District Plan apply to those areas identified as having significant nature conservation value (Group 1 sites).
4. That the Committee accepts the proposed Plan Change on Areas of Significant Conservation Value for public notification under the First schedule of the RMA.
5. That the Committee accepts that Group 2 sites in the current District Plan that are not a part of this proposed Plan Change be deferred for consideration as part of the District Plan Review or otherwise as part of a later Plan change.”

Leadley/Sparks

Carried

Lye Properties Limited- Land Use Consent

Mr Brent Pizzey, the applicant's Planner, was welcomed to the meeting. The Committee was satisfied with his report and no questions of clarification were asked.

“That pursuant to Sections 104, 104D and 108 of the Resource Management Act 1991, the Ashburton District Council grants resource consent application LUC09/0022 to establish retail outlets of 198m² and 400m² within a suite of four retail units, Lot 5 DP320224, and Sections 64 and 66, Town of Ashburton, at 5 Kermode Street, Ashburton, subject to the following conditions:

1. That the application shall proceed in general accordance with the application and attached approved plan (Ref Intrados Architecture Drawing A01(a) Revision 2 dated 08/07/09).
2. That the activity undertaken within the outlet referred to as Tenant 2 shown on the approved plan shall be a video/DVD retail and hire activity.
3. That the activity undertaken within the outlet referred to as Tenant 3 shown on the approved plan shall be a bicycle orientated retail and service activity.
4. That there shall be no direct public access to the retail outlets from the Park Street car park.”

Tasker/Kingsbury

Carried

Advice Note

- a) This consent does not authorise the erection of any outdoor advertising for the proposed activities in Units 2 and 3. Any such advertising will need to be assessed for compliance with the provisions of the District Plan and may require a further resource consent from Council. Please contact a Council planner should you wish to discuss this matter further.

S Lye and B Pizzey left the meeting at 1.50 pm.

Extraordinary Business

Subdivision at 120 Elizabeth Street, Ashburton – M Van Der Krogt

The Consultant Planner supported an amendment to condition 11 to ensure that all of the allotments are filled to a condition suitable for residential development at the time of application for a building consent. Mr Singleton explained that it is necessary for a S221 Consent notice specifying the condition to ensure that potential purchasers are aware there is an outstanding condition.

Condition 3 was amended to show that there are 5 additional lots.

“That application Sub090041, being consent to subdivide Lots 5 – 9, 29, 31 and 32 DP 430 and Lot 1 DP 80480 into 15 lots, be granted subject to the following conditions:

1. The easements shown in the memorandum on the plan accompanying the subdivision are to be granted or reserved.
2. The right(s) of way shown A and B; and C are to be formed and sealed with a minimum carriageway width of 4.0 metres.
3. The payment in total of \$40,594.00 (GST inclusive) reserve contribution assessed on an average lot value of \$144,333.33 for the 5 additional lots.
4. An independent connection to the Council’s sanitary sewage reticulation shall be laid at least 600mm into the net area of Lots 1 – 15.
5. An independent connection to the Council’s high pressure reticulation is to be laid to the boundary of the net area of Lots 1 – 15.
6. A connection to the electric and telephone reticulation is to be laid underground to the boundary of the net area of Lots 1 – 15.
7. A connection of the Council’s stormwater reticulation (side channel) shall be laid at least 600mm into the net site area of Lots 1 - 15 or if such a connection is impracticable, then the applicant is to provide evidence to satisfy the Council that stormwater from the said allotments can be disposed of by way of soakage pits in such a manner that meets the requirements of Environment Canterbury.
8. As built information showing potable water, stormwater, sanitary sewer systems to the Council’s outfall; and roads and footpaths, shall be prepared in accordance with Schedule 1D of NZ4404:2004 and provided to the Council’s Water Services Manager.
9. Vehicle crossing(s) shall be installed to provide access to Lots 9 and 10, and 13 and 14. (In accordance with Bylaw 1628.2 the applicant will be required to obtain a vehicle crossing permit from the Council before construction.)
10. The consent holder shall supply property numbers for all new allotments created. Property numbering shall be in accordance with the Australian – New Zealand Standard 4819:2003.
11. The consent holder is to provide the Council with a certificate, from a suitably qualified engineer, that all of the allotments are filled to a condition suitable for residential development at the time of application for building consent and a s221 consent notice be enforced against each lot.”

Leadley/Tasker

Carried

Cr Kingsbury abstained from voting.

Dog Control Policy and Practices Reporting

The Regulatory Manager reported that Council is required to publicly report each year on the administration of its dog control policy and practices. This report is also provided to the Department of Internal Affairs.

The Committee noted a discrepancy between the amount of revenue from infringements shown in the financial and animal control reports. The Regulatory Manager explained that while the Ministry of Justice receives notice of unpaid fines, there can be delays of up to 5 years in their collection and reimbursement to Council. Mr Humphries said that there has been no increase in dog control fees this year due to the budget being offset from funds received from dog infringements and increased registration of dogs.

- “1. That the report be received.
2. That the Committee adopts the enclosed report for the purposes set out in section 10A of the Dog Control Act 1996.”

Reveley/Leadley

Carried

Activity Reports

“That the reports be received.”

Burgess/Beavan

Carried

Building Consent Processing

The Building Services Manager reported that processing times continue to improve, however outside contractors are still being used for approximately 30% of the consents issued. Staffing levels are being reviewed for a systems officer and a building official. The Environmental Services Manager said the preference would be for an additional staff member who could undertake the consent processing currently being contracted, as well as additional work.

Private Plan Changes

• Lochhead Trust

The final consideration of this application will be the subject of a report to Council on 13 August.

• G & A McPhail

Further submissions closed on 21 July. A report summarizing the submissions will be prepared prior to a decision hearing.

Methven Trotting Club

A meeting was held with the Methven Trotting Club on 28 July regarding their application for subdivision consent, being the first of five stages of the subdivision that were provided for in their private Plan Change.

Farmers Corner

One submission received in response to the notification of the resource consent application to extend the hours of operation from 8 pm to 10.30 pm and to erect a sign on the building.

District Plan Review

It was reported that a series of public open days will be held throughout the district over the next few weeks, the first of which was held yesterday at Methven. A date has now been confirmed for the Chertsey-Fairton workshop, to be held on Wednesday 16 September at the Chertsey Hall from 3.00 pm to 7.00 pm. The Environmental Services Manager encouraged Councillors to attend the workshops so that ratepayers and residents could talk directly to the policy makers.

Financials

The Environmental Services Manager confirmed that the Planning expenditure, shown as a favourable variance, should be amended to show as unfavourable against the annual budget.

Food Act

The Regulatory Manager reported that he and the Environmental Health Officer have completed their training under the new Food Act which is soon to be activated.

Projects

A 'Welcome to Ashburton' information pamphlet is being prepared on environmental health / regulatory matters with the intention that it will be distributed to newcomers to Ashburton. The information will be translated into other languages and will also be available on Council's web site. The Regulatory Manager advised that Enterprise Ashburton is developing a similar concept and Council's information will be provided to them for inclusion.

SPCA

The Regulatory Manager reported that he is in discussion with the national body of the RNZSPCA regarding the status of wild cats in Ashburton. He said that the SPCA disagrees with Council's definition of 'feral' and considers these cats to be 'stray'.

Air Quality

Regulatory staff are referring requests for information on insulation schemes to EECA and ECan.

Dog Registration

It was reported that approximately 3,000 dogs (around half of the district's known dogs) have been re-registered. The deadline for registrations is 31 July and penalties will be applied in August 2009.

DLA Meeting

Minutes of the DLA meeting of 11 June 2009, were received. It was noted that Cr Leadley attended the meeting and the minutes will be amended accordingly.

Cr Burgess reported that he attended the 'Alcohol in our Communities' workshop at the LGNZ Conference where Sir Geoffrey Palmer, a key note speaker, commented on the need for DLAs to have more power in liquor licence processing. Cr Burgess also advised that the Law Commission's has today released an issues paper on the reform of New Zealand's liquor laws which is open for consultation until 30 October. It is proposed that the DLA will make a submission.

Business transacted with the public excluded (2.45 pm)

"That the public be excluded from the following parts of the proceedings of this meeting:

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:

Item no	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
10	<ul style="list-style-type: none">Ashburton Aquatic Park Charitable Trust Private Plan Change	Section 7(2)(i)	Conduct of negotiations

Tasker/Burgess

Carried

Business transacted with the public excluded now in open meeting

Private Plan Change Decision – Ashburton Aquatic Park Charitable Trust

- “1. That the report be received.
2. That the Environmental Services Committee accepts the recommendation of the Hearings Commissioner and that it be released as a decision of Council so that an appeal period of 30 working days will commence.”

Beavan/Tasker

Carried

The meeting concluded at 2.57 pm.