



Ashburton District Council

AGENDA

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

Date: Thursday 4 September 2008

Time: 1.30 pm

Venue: Council Chamber
5 Baring Square West
Ashburton

B LESTER
Chief Executive

MEMBERS:

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

AGENDA

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ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: SUB07/0070
DATE: 4 September 2008
REPORT TO: Environmental Services Committee
FROM: Senior District Planner
SUBJECT: Naming of Street – Albert Street Subdivision

5. NAMING OF STREET – ALBERT STREET SUBDIVISION

5.1 SUMMARY

To recommend the naming of a new street within Stage 1 of the Ashburton District Council, Property Department subdivision located off Albert Street, Ashburton.

5.2 RECOMMENDATION

“That the new street off Albert Street within the subdivision of the Ashburton District Council, Property Department, consent SUB07/0070, be named Piwakawaka Street.”

5.3 BACKGROUND

On 12 October 2007, the Environmental Services Committee considered and approved a subdivision consent for the Ashburton District Council, Property Department. The subdivision incorporates new streets which will vest to the Council.

A condition of consent was that the consent holder was to suggest names for the new roads, to be approved by the Council. The reason for the suggested names Piwakawaka Street, Sparrow Lane and Riroriro Lane is that the entire subdivision has been developed to enhance or promote environmental considerations and the suggested names follow this principle.

Piwakawaka: the Maori name for the Fantail, a common native bird on the Canterbury Plains. The Fantail is attracted to the insects which abound in the indigenous Lacebark tree and it is proposed to utilize this species within the subdivisions berm plantings.

Sparrow: it is important to recognize that some introduced species have become well established and are common in the Ashburton urban area. Sparrows are attracted to a variety of botanic species and it is the developer’s intention to the berms with a mixture of indigenous and exotic species.

Riroriro: the Maori name for the Grey Warbler which is a common species in the District. It is attracted to Kanuka and this species will be established in the berm plantings and on the adjoining stormwater infiltration basin.

The street plantings will depend on which name is selected in order to enhance the habitat for the particular avian species.

5.4 STATUTORY IMPLICATIONS

Prior to the deposit of a survey plan and the issue of titles, all new roads to vest in Council must be named. This requirement of Land Information New Zealand is carried through to the District Plan.

5.5 OPTIONS AND RISKS CONSIDERED

The owners have provided three preferred names for the new roads as follows:

1. Piwakawaka Street
2. Sparrow Lane
3. Riroriro Lane

5.6 STRATEGIC LINKS

The road name becomes a primary identifier in the property address. This address is not only used for the delivery of mail but is also essential in terms of the electoral rolls and emergency services.

The Council's policy register has a policy which states –

NAMING OF NEW ROADS VESTING UPON SUBDIVISION OF LAND

The District Plan rules require that all new roads vesting in the Council shall be given distinctive names not already in use within the area controlled by the District Council. The name shall be agreed to by the Council.

Where a subdivision consent is lodged with the Council for consent, and the subdivision contains a new road that is to vest in Council, then the applicant shall provide to the Environmental Services Committee three proposed names for the new street, in order of preference.

The proposed name must not duplicate any other street or road in the District.

While a name may be suggested by the developer or applicant, the final decision as to the naming will be made by the Committee.

The Council reserves the right to refer a proposed name (or names) to Land Information New Zealand before giving final approval.

The suggested names do not duplicate any existing streets or roads in the Ashburton District

5.7 CONSULTATION

There is no consultation required in relation to this process.

5.8 FINANCIAL IMPLICATIONS

Within the Ashburton District Plan, Subdivision and Financial Contributions Rule 6.6.5.2.2 (k) 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:

**P KLOOSTERMAN
Senior District Planner**

Approved by:

**J McKENZIE
Environmental Services Manager**

ACTIVITY REPORTS

6. ENVIRONMENTAL SERVICES

6.1 *Introduction*

The numbers of building consents issued for the 12 months to July have fallen marginally below the previous 12 month period, however building consent values still exceed the previous 12 month period.

Building consent data and activity graphs are attached.

Pages 13-24

6.2 *Building Consent Authority Accreditation*

Of the 12 Corrective Action Requests (CARs), specified by International Accreditation New Zealand, all but one have been resolved with IANZ. The outstanding CAR has only been delayed by our consultant being unable to leave Kaikoura due to the slips affecting the State Highway; he is to complete the Competency Assessments in accordance with the format preferred by IANZ.

6.3 *Ashburton Community Water Trust – Resource Consent Application – Notified*

Submissions closed on 24 June 2008 for this large irrigation, hydro electrical and canal system consent to use water from the Rakaia River and Rangitata Diversion Race. A joint hearing is scheduled in Christchurch for 15 to 19 September 2008 before a panel of Commissioners that will hear both the Central Plains Water Trust application and the Ashburton Community Water Trust applications.

Council has used the services of a senior Resource Planner, Patricia Harte, to process the ACWT land use application and to prepare the officer report for the hearing. The Applicant has chosen to proceed with this application when access and compensation agreements with the landowners are yet to be concluded and several significant issues remain unresolved. For these reasons the Officer report recommends that the application be declined unless the Applicant can furnish satisfactory evidence at the hearing. The report also provides recommended conditions for the Commissioners to consider should they be in a position to grant the consent. A draft Officer Report for the Regional Council consents is also likely to recommend that the application be declined for the same reasons.

6.4 *Regulatory Department*

The following is a summary of the key activities carried out by the Regulatory Department over the reporting period.

- **Staff**

Adrian Humphries and Magnus Viljoen are to attend training on the new Food Act sponsored by the NZ Food Safety Authority at the start of September.

Charlotte Spilman attended three one-day courses on Investigations/Powers/Managing outcomes.

- **External Meetings**

The Regulatory Manager and EHO attended a meeting of Environmental Health Staff from four different councils to form a “Cluster Group” to enable mutual support regarding the implementation of the new Food Act.

The Regulatory Manager and EHO attended a Medical Officer of Health Meeting in Waimate.

The Regulatory Manager visited Selwyn District Council to discuss enforcement issues. It is proposed to collaborate with them in developing an Enforcement Policy.

A meeting was held with representatives of the Lake Clearwater Hutholders Association to discuss issues of concern. A report has been produced and sent to the relevant Council Staff for comment.

- **Bylaws**

A new Dog Control Policy has been produced and is attached for the Committee to consider and adopt to allow a Special Consultative Procedure to be commenced. **Pages 25-33**

This Policy will replace the existing 1999 Policy which is seriously out of date due to changes in legislation.

RECOMMENDATION

“That the draft Dog Control Policy 2008 be received.”

Quotes for Methven liquor ban signs have been requested.

The requirement for signage relating to the Methven glass ban, illegal dumping, camping restrictions and dog control is still being carried out and will take some time. It is also likely that there will be significant cost involved.

The feasibility of a Dog Exercise Area is being investigated by the Animal Control System Officer. As we have just gone through the registration period progress on this has been delayed.

6.5 Environmental Health

- **Food safety**

Three food premises were inspected and graded. All displayed a Good or Excellent standard of food safety.

Two mobile shop applications were processed.

Three food complaints were investigated.

Eight food advisory visits were carried out regarding new Food Act requirements.

- **Hairdressers**

Two new and three existing hairdressing salons were inspected.

- **Air Quality**

The “Clean Heat” project for Ashburton has had a significant response.

- **Nuisances**

- A total of 36 noise complaints were received; 11 noise directions were issued and one stereo seized.
- Three complaints of smoke nuisance were received.
- Two complaints relating to cats have been investigated.
- Three complaints above untidy/unhealthy sections.
- One complaint of dampness in a dwelling.
- One complaint about a rooster.

- **Resource Consents**

A visit was made to a potential equine health facility.

- **Hazardous Waste**

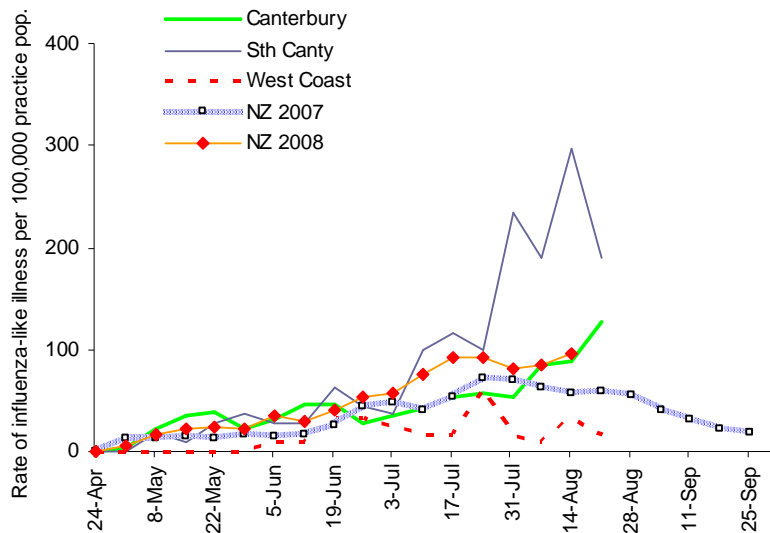
The EHO disposed of a small quantity of hazardous waste – used syringes. A policy and procedure for deal with such waste is being drafted.

- **Disease**

The incidence of influenza in South Canterbury is much higher than last year, however in Canterbury as a whole it is about the same. No cases have yet been reported in Ashburton District. A graph from Community & public Health is shown below.

C&PH Influenza Surveillance 2008

Summary graph of influenza-like illness surveillance by 9/9 Canterbury, 3/3 South Canterbury and 2/2 West Coast medical centres for the week ending Thursday 21 August 2008.



These results should be interpreted with caution because of the relatively small ratio of sentinel practice populations to health district populations

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

Disease	Number	Remarks
Campylobacter	5	Lower than last year.
VTEC/STEC infection	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.

6.6 Water Monitoring

Sampling indicates that good results have been achieved across all public supplies in the District. Also, no problems were identified with the private supplies which are monitored under contract.

6.7 General Inspections

In the reporting period, the following inspections have been carried out:

- 7 warrant of fitness audits - Primarily visitor accommodation in Methven area.
- 7 litter infringements served.
- 5 complaints of littering/illegal dumping were received. Four investigations of illegal dumping activities were carried out and 7 Infringement Notices issued.
- 8 Planning matters, 1 monitoring, 3 unauthorised activities, 4 relating to signs.

6.8 Liquor Licensing

- The annual report to the LLA has been drafted for submission to the DLA, once signed off by the DLA it will be submitted to the ES Committee.
- The “Undie 500” passed off without significant incident in the District.

6.9 Animal Control

• Registration status

Since the last meeting dogs unregistered from last year have been identified and registered. The annual breakdown is as follows:

Category	Number
Dogs registered in 2007/ 2008	5840
New registrations	681
Dogs re-registered from 2006/2007	5181
2006/ 2007 registered dogs not accounted for	689
Percentage re-registered in 2007/2008	88.7%

• Court Cases

Since the last meeting two ongoing cases are before the court; both for dog rushing and the not under control. In the both cases the offending owners have contested the charges. One prosecution hearing is on 6 October, the other is on 9 September.

• Dog Control Act - Infringement Notices

15 infringement notices have been served since the last meeting making a total of 20 since 1 July 2008.

• Impounding

28 dogs have been impounded since the last meeting.
5 dogs are still in pound.
1 dog has been euthanized.

• Rehoming

5 dogs have been rehomed direct to a new owner.
1 to SPCA.

• Dog and stock control reports

The report for June 2008 is attached.

Pages 34-36

• Selected Owner Inspections

A contractor was employed to clear over 30 applications for “Selected Owner” status. These have resulted primarily from the reclassification of townships as urban areas. Where the application was received before 30 June, and the owners fulfill the criteria for “Selected Owner” they will be charged at the lower rate for dog licences.

6.10 Resource Consents Granted by Delegated Authority

Consents granted in period 1/07/08 and 29/08/08 attached.

Pages 37-38

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 6/8/1
DATE: 4 September 2008
REPORT TO: Environmental Services Committee
FROM: District Licensing Agency
SUBJECT: Unconfirmed Minutes of Meeting – 24/07/08

7. ASHBURTON DISTRICT LICENSING AGENCY

MINUTES of a meeting of the **ASHBURTON DISTRICT LICENSING AGENCY** held on Thursday 24 July, 2008, in the Council Chamber, 5 Baring Square West, Ashburton, commencing at 10.10 am.

PRESENT: Councillors J Burgess (Chair), J Kingsbury, P Reveley and J Sparks; Sergeant S Buchanan (Police) and C Clark (ACADS).

In attendance Crs R Kilworth, J Leadley and B Tasker; J Rollinson (Licensing Secretary), A Batcheler (Licensing Inspector), A Humphries (Regulatory Manager) and Committee Secretary.

APOLOGIES: Senior Sergeant G Russell **Sustained**

Extraordinary Business

The Chairman agreed to accept two further items for discussion at the meeting:

1. Liquor ban area signage
2. CBD liquor issues

Confirmation of Minutes – 8 May 2008

“That the minutes of the meeting held on 8 May 2008, be taken as read and confirmed.”

Sparks/Kingsbury **Carried**

Matters Arising

Liquor Strategy

It was noted that the Agency’s recommendation of 8 May, to progress an alcohol strategy, was amended by the Environmental Services Committee on the basis that further information would be obtained from ALAC on 18 June. The Committee resolved that the development of an alcohol strategy would be considered.

Licensing Inspector’s Report

Proposed amendments to the Sale of Liquor Act

The Licensing Inspector reported on the two private Members Bills being considered by Parliament. Although there is no formal submission process, a response has been sought from Local Government NZ. The Institute of Liquor Licensing Inspectors supports a comprehensive review of the Act. A summary of the current update is available for Councillors from the Licensing Inspector.

LLA Hearing

The Licensing Inspector reported that the application by Combined Rural Traders for an off-licence was declined by the Courts. A copy of the full decision is available. The Agency acknowledged the work undertaken by the Licensing Inspector whose recommendation was to oppose the application.

Hall Hire

The Licensing Inspector reported on a recent issue associated with the Methven Memorial Hall. The hall was hired out for a private function where vandalism, underage drinking and disorder occurred. Ms Batcheler said that this incident has highlighted the need for halls to have robust hire agreements in place, similar to those used by licensed sports clubs. She presented a draft hall hire agreement and recommended that Council should take a lead in promoting responsibility by asking hall committees to give consideration to putting similar controls in place.

The Licensing Secretary said that it would be appropriate for Council to suggest these guidelines to hall committees but it cannot impose them. The Agency supported this approach and asked that the 'Guidelines for Hall Hire', as drafted by the Licensing Inspector, be provided to all hall committees with a request that they consider using or adapting the guidelines for their own purposes, taking into account the various ways halls are utilised. It was further agreed that a reference to host responsibility would be included in the guidelines.

"That the Licensing Secretary be requested to provide hall committees within the district with the suggested Guidelines for Hall Hire and supporting information."

Kingsbury/Sparks

Carried

A Humphries (Regulatory Manager) attended the meeting at 10.34 pm.

Discussion resumed on the Sale of Liquor Act amendments. J Rollinson said that LGNZ sought urgent comment from councils and this Council's response agreed to the concept of the Bills but suggested that a better approach would be to look at the Act in its entirety and review the whole process. It is understood that the likelihood of a review, rather than amendment, has stalled the project.

Mr Rollinson advised that Council's Finance & Community Services Committee will be receiving a report on CBD liquor issues, and Council's possible role, at the meeting on 31 July. A possible option will be to create a CBD action strategy, involving a core group of people, to avoid the situation of having to address the same problems each year.

Police Report

The Police report identified a number of breaches of the liquor ban which have been dealt with by Court action or diversion. The Police have been involved in two controlled purchase operations in June and July. S Buchanan said that as a result of this, Police are undertaking to prosecute three premises for breaching their licences. Preparation for the Methven Rodeo event has also involved Police input.

ACADS Health Report

C Clark reported that ACADS is currently reviewing the whole of its service plan which is taking considerable staff time. In conjunction with the Ministry of Health a new alcohol strategy is being developed. The Ministry is also reviewing the public service handbook.

ACADS staff were involved in one night time monitoring operation in the reporting period and aim to run more CPOs after finding a number of breaches in the last operation.

C Clark said that although the Undie 500 event has been cancelled, it is understood that an 'unofficial' event is being organised for August. This is being monitored by ACADS and the Police.

Extraordinary Business

- **Liquor Ban Signage**

Cr Kingsbury reported that she had recently accompanied a Police Officer during routine CBD monitoring on a Friday night where it was apparent that the lack of signage and footpath marking for the liquor ban area is making the ban difficult for Police to enforce.

A Humphries advised that the Environmental Services Manager is reviewing the liquor ban area markings, many of which have worn off. Funding will be identified and appropriate, well recognised signage is being developed that will conform with legal requirements.

- **CBD Liquor Issues**

Cr Kingsbury also expressed concern about the number of people that congregate after the licensed premises are closed.

A Humphries said that this matter had been raised at the CBD Liquor Issues Working Group meeting in May where it was reported that the Licensing Trust is considering the provision of some form of transport that will be available to their patrons.

J Rollinson reminded the Agency that this issue is on the periphery of the business it should be dealing with.

Sergeant Buchanan left the meeting at 10.57 am.

Alcohol Strategy

Cr Burgess referred to the recommendation made to the Environmental Services Committee on 12 June where it was resolved that the Agency would consider a Strategy. A meeting with ALAC representatives has since been held and it not considered necessary to proceed with a strategy at this stage.

J Rollinson said that the strategy should take a community view of the impacts of alcohol, ie licensing, policing, health and youth; it should take a collaborative approach and identify issues and develop cross sectoral responses. Mr Rollinson said that to justify the significant work involved to develop a strategy and implement actions, the Agency would need to be certain that there are more than fleeting 'one off' issues in the community. ALAC has been unable to say conclusively that there is a need for a strategy and while there are undoubtedly areas in the community where alcohol is a problem, there is no sign that its not within control of the agencies – ie police and health. Mr Rollinson said that clear data would be required and in the meantime control needs to continue to be exercised on the way in which licensed premises are managed.

A Humphries said that from a regulatory perspective, he believes that there is a problem with excessive drinking and the Agency needs to look further than just licensed premises. C Clark agreed and said that difficulty for Ashburton is the lack of data – hospital statistics are Canterbury-wide and ACADS is seeking funding for a project to study data.

Cr Kilworth said that ALAC has not given a lead and no indicative timeframe or costs have been given. While not opposing a strategy, Cr Kilworth said that the Agency needs to be mindful of cost and Council does not have the resources available at this time.

S Buchanan advised that Police statistics indicate that between 70-80% of incidents responded to by Police involve alcohol.

Cr Leadley said that SCC supports the investigation of an alcohol strategy and agreed that currently there is a lack of meaningful data. He suggested information on Ashburton Hospital's alcohol related admissions would be useful.

C Clark asked that Council take the lead on this issue and identify what the community can do about it.

J Rollinson said that Council needs first to be confident that there is an issue to respond to. He referred again to the statistics and said that there needs to be more positive data that there is a decline – ie is it now beyond the means of the agencies responsible for dealing with alcohol related issues?

The Agency agreed that a strategy would involve buy-in from the whole community and requested that further information be obtained from the Police, education and health sectors.

Business transacted with the public excluded (11.18 am)

“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:

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:	
Liquor Licensing matter	Section 7(2)(i)	Conduct of negotiations

Reveley/Kingsbury

Carried

Next Meeting

The next meeting of the District Licensing Agency will be held on Thursday 25 September 2008, commencing at 10.30 am.

The meeting concluded at 11.26 am.

DOG & STOCK REPORT FOR THE MONTH OF JULY 2008

Chubb Protective Services, as Ashburton District Councils Dog & Stock Control Contractor, report the following activity for the month.

DOG CONTROL

The number of dogs impounded was:

Ashburton	19
Rakaia	2
Methven	5
Mayfield	
Hinds	1
Chertsey	
TOTAL	27

Dogs were impounded for the following reasons:

Wandering	27
Unregistered	
Involved in Attack	
Aggressive	
Rushing	
Welfare	
Abandoned	
TOTAL	27

The number of dog complaints investigated was:

Ashburton	71
Rakaia	5
Methven	9
Hinds	3
Chertsey	
Ruapuna	
TOTAL	88

The nature of the complaints investigated was:

Dog Attacks	
Seized Dogs	
Barking Dogs	8
Wandering Dogs	54
Lost Dogs	23
Welfare	
Aggressive Dogs	2
Rushing Dogs	1
Total	88

Dog Attacks/Aggressive Dog investigation details

There were two aggressive dog complaints the first on the 10th of July reported at Buckleys Terrace, the complainant thought that a Ridgeback dog was being aggressive toward him, so threw a rock at the dog which ran away, no follow up

The second complaint was made on the 13th July on Wakanui Road, involving a German Shepherd, arrived at complainants property to find no-one in and no sign of a German Shepherd in the vicinity, again, no follow up unable to contact complainant.

Patrolling

Location	Date	Times	Warranted Officer
Ashburton	Every Day	24hrs	Duty Patrol Officer
Methven	Tues, Fri & when req'd	Varied	Duty Patrol Officer
Mayfield	Weekly	Varied	Duty Patrol Officer
Hinds	Weekly	Varied	Duty Patrol Officer
Chertsey	Weekly	Varied	Duty Patrol Officer
Rakaia	Weekly	Varied	Duty Patrol Officer

Property Inspections

The following property inspections were also carried out during the past month:

3 + Licence inspections	Nil
Preferred owner inspections	Nil
Home visits	1
Kennels – Vets	2

Infringements Issued:

Date Issued	Issued to	Reason for Infringement	Fine
Nil	Nil	Nil	Nil

Abatement Notices Issued:

	Address Issued to	Reason for Abatement
Nil	Nil	Nil

Letters Issued:

Reason for Letter	Address letter issued to
Barking	■ Hollands Road
	■ Alford Forrest Road
Wandering	■ McMillan Street Methven
	■ George Street
Unregistered	■ Alford Forrest Road
Fouling	■ McMillan Street Methven

Stock Control

The following Stock Control incidents were attended to in the past month:

Horses on Road	1
Sheep on Road	2
Cattle on Road	3
Lost Stock	
Calves	1
Accidents involving stock	

The incidents dealt with were in the following locations:

Ashburton area	2
Rakaia area	2
Methven	1
Hinds	1
Mt Somers	1