



Ashburton District Council

AGENDA

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

Date: Thursday 24 July 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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18 July 2008

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: Project File
DATE: 24 July 2008
REPORT TO: Environmental Services Committee
FROM: Senior District Planner
SUBJECT: Private Plan Change – Lochhead Charitable Trust Application

5. PRIVATE PLAN CHANGE – LOCHHEAD CHARITABLE TRUST

5.1 SUMMARY

This report relates to an application by the Lochhead Charitable Trust for a private Plan Change to the Operative Ashburton District Plan. The purpose of the Plan Change is to rezone approximately 27.2 hectares of land on the Methven urban boundary from Rural A to Residential and Residential 2.

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5.2 RECOMMENDATION

<p>“1. That the report be received. 2. That the Committee accepts the proposed Lochhead Charitable Trust Plan Change for public notification.”</p>
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5.3 BACKGROUND

Urbis Ashburton Ltd has prepared a private Plan Change incorporating an Outline Development Plan to the Ashburton District Plan on behalf of the Lochhead Charitable Trust. Any person may request a change to a District Plan under Schedule 1, Part 2, Clause 21 of the Resource Management Act 1991.

Boffa Miskell Ltd has reviewed the application on behalf of Ashburton District Council. Requests for further information to the applicant have been made and responded to and in a Boffa Miskell Email received on 14 July, Ms Stephanie Styles states

“We have now received the full documentation for this plan change, with the further information requested integrated into it.

We consider the application is now ready to be accepted for notification.”

5.4 OPTIONS AND RISKS

There are four options available to the Committee in this matter –

It may either

1. Adopt the request as if it were a proposed plan change made by the Council itself and, if it does so,—

- (i)The request must be notified in accordance with clause 5 of the First Schedule within 4 months of the local authority adopting the request; and
 - (ii)The provisions of Part 1 of the First Schedule must apply; and
 - (iii)The request has effect once publicly notified; or
2. Accept the request, and proceed to notify the Plan Change within 4 months of the Council accepting the request,
 3. The Committee may decide to deal with the request as if it were an application for resource consent.
 4. The Committee may reject the request in whole or in part, but only on the grounds that—
 - The request or part of the request is frivolous or vexatious; or
 - The substance of the request or part of the request has been considered and given effect to or rejected by Ashburton District Council or the Environment Court within the last two years; or
 - The request or part of the request is not in accordance with sound resource management practice; or
 - The request or part of the request would make the District Plan inconsistent with Part 5; or
 - The District Plan has been operative for less than two years.

5.5 STATUTORY IMPLICATIONS – ADOPTION vs. ACCEPTANCE

If the Committee adopts the Plan Change request it implies the Council supports it and it will be administered as if it were a Plan Change made by Ashburton District Council itself. The expectation is that Council will therefore bear all costs associated with the Plan Change from the date of adoption onwards.

If the Council accepts the Plan Change all costs associated with the Plan Change are borne by the Applicant.

5.6 CONSULTATION

The Applicant states within the Plan Change documentation that:

The applicant has ... undertaken consultation with the following groups:

- *Ashburton District Council – Planning, Parks Manager, Water Services Manager and Senior Roading Officer*
- *Methven Community Board*
- *Environment Canterbury – Mr Bob Willis*
- *Mt Hutt Springs Ltd*
- *Residents of the Camrose Retirement Village*
- *Transit New Zealand*

The statutory process specified in the First Schedule requires that any Plan Change is publicly notified. In addition to public notification all persons the Council considers may be affected by the proposal Plan Change will be sent the public notice and any further information the Council considers relevant. Once the Plan Change is notified any person may make a submission to the Plan Change.

5.7 STRATEGIC LINKS

The Ashburton District Plan is the principal document involved in this matter. In June 2005 the Council adopted the *Ashburton District Development Plan, Planning for the future of our district to 2021*. This document is effectively a blueprint for the future and identifies the areas suitable for greater intensification throughout the District. I consider the applicant's proposed Plan Change is generally consistent with the *Ashburton District Development Plan*.

5.8 FINANCIAL

If the Committee chooses to adopt the privately initiated Plan Change there may be substantial costs incurred to the Council. A budgetary provision for such expenditure has not been made.

If the Committee accepts the privately initiated Plan Change all costs will rest with the applicant.

Prepared By:

P KLOOSTERMAN
Senior District Planner

Approved by:

J McKENZIE
Environmental Services Manager

Proposed Lochhead Subdivision - Outline Development Plan 01/02 - Density, Roading and Zoning Plan



ACTIVITY REPORTS

6. ENVIRONMENTAL SERVICES

6.1 *Introduction*

The numbers of building consents issued for the month of June has resulted in the month being the largest June month in the last five years. While accumulated totals for building statistics indicate a 'slow down' is occurring, there is still a margin of +11% of building consent values issued for the month.

Building consent applications continue to be lodged at a steady rate. **Pages 17-24**

Activity graphs for consents are attached. **Pages 25-28**

Registered dog figure - 99.3% of known dogs. Dog registration notices have been mailed out for the new financial year.

6.2 *Building Consent Authority Accreditation*

Of the 10 corrective action requests specified by International Accreditation New Zealand, all but two have been resolved with IANZ. This is a credit to the Building Regulatory Staff who have applied themselves to obtaining accreditation for the Council. Building consent processing times are still very good and 97% of building consents have been issued within the statutory time frame of 20 working days. Building inspections from the booking of the inspection to the building official being on site is now 48 hours.

We anticipate that action to comply with the two outstanding corrective action requests will be completed over the next month; this involves staff training and definition of competency, after which time IANZ will recommend accreditation for the Council.

6.3 *Ashburton Community Water Trust Resource Consent Application*

At the close of submissions on 24 June 2008, twenty submissions had been received to the notified consent application (12 of which are in opposition and two neither support nor oppose the proposal). The memorandum of appointment to the Hearings Panel has been signed for the joint hearing with Environment Canterbury. The date of the Hearing is still to be confirmed.

6.4 *Environment Canterbury – Valetta Stop Bank Resource Consent Application*

The resource consent application from Environment Canterbury for a stop bank at Valetta has been publicly notified. Submissions closed on 18 July. A related 'controlled' activity resource consent for a new dwelling in a 'low flood risk' area has been processed under staff delegated authority. The dwelling is located over 6 kilometres from the Valetta Bridge but is still in the vicinity of the proposed stop bank. ECan staff were consulted by the applicant before the District Council consent was granted.

6.5 *Ashburton Railway Station*

The resource consent application to demolish the Ashburton Railway Station was declined on 4 July. The decision was made by an Independent Commissioner, Mr David Collins. The fifteen day appeal period after the decision is released concludes on 25 July 2008.

6.6 Legal Claims – Building Services

Council's insurer is dealing with a claim which totals \$2.1 million. A Weathertight Homes Resolution Service mediation meeting took place on 10 July 2008, in Ashburton. The dispute has been resolved in a satisfactory manner that is recorded in a written and confidential agreement.

6.7 Ashburton Events Centre

Building Services staff have had ongoing involvement with the Events Centre; a Code Compliance Certificate for this building consent is about to be issued. A Certificate of Public Use has allowed parts of the building to be accessed by the public.

6.8 Small Villages Development Plan

With the adoption of the Small Villages Development Plan by the Council on 26 June 2008, amendments are yet to be made by the Consultant before a finished copy will be available for distribution.

6.9 Electricity Ashburton – Irrigation Canal and Hydro Generation Facilities, Rakaia River

Preparations are being made in anticipation of a building consent application being lodged for this project; it is anticipated that the project will have a value of at least \$50 million. The Council will be represented by an appropriately qualified and experienced engineering firm that will be competent to process and inspect such work. Additionally, legal advice is being taken to ensure that Council is protected from liability and that instructions to the Consulting Engineer and Applicant are adequate and legally compliant.

6.10 Regulatory Department

• Staff

Charlotte Spilman attended a one day workshop on Code Compliance Schedules in relation to the Building Act 2004.

Magnus Viljoen carried out laboratory training to operate the Council's water monitoring laboratory.

Adrian Humphries successfully completed Massey Modules in Food Safety and Toxicology.

• External Meetings

The Regulatory Manager has had a meeting with the new Police Senior Sergeant with a view to facilitating mutual support on issues such as Liquor and Noise nuisance. This will take place every 6 weeks.

The Regulatory Manager had a meeting with the Area Manager of Housing NZ with a view to facilitating mutual support on issues such as neighbour disputes, abandoning animals and nuisances. Further meetings will take place as required.

A meeting was held with CHUBB Protective Services regarding the Animal Control Contract. Re-tendering of this contract will be carried out in the near future.

- **Bylaws**

The completion of the process has resulted in a number of other issues which require attention.

- A new Dog Control Policy must be produced – this is in process.
- New signs will need to be erected for liquor ban, glass ban, illegal dumping, camping restrictions and dog control. Assessment of the requirement is being carried out and will take some time. It is also likely that there will be significant cost involved. Once sufficient information is to hand a separate report will be prepared for the Committee. It is likely that enforcement of some bylaws will not be possible until adequate regulatory signage has been erected.
- The feasibility of a dog exercise area is being investigated by the Animal Control System Officer.

6.11 **Environmental Health**

- **Food safety**

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

Perseverance by the EHO and effort by the owners has resulted in the two remaining D Grade food premises (from 2006/2007) being upgraded to a B and C grade accordingly.

A total of seven mobile shop applications were processed.

The food stalls at the National Young Farmer of the Year competitions were inspected and licensed where necessary.

A food safety course run by Aoraki Polytechnic was visited by the EHO. The aim of the visit was to answer questions relating to food safety and educate those in the food industry on issues relating to food safety legislation and its enforcement.

- **Air Quality**

ECan launched the “Clean Heat” project for Ashburton at the Heating Expo. They asked that Ashburton District Council not be in attendance as they wished it to be low key until they have sufficient logistic support for the project in place.

- **Nuisances**

- A total of 24 noise complaints were received; 6 noise directions were issued.
- 3 complaints of smoke nuisance were received.
- 5 complaints relating to cats have been investigated.

- **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.

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

Disease	Number	Remarks
Campylobacter	2	Much lower than last year.
Tuberculosis - new case	2	Later confirmed as not being TB.
Yersiniosis	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.

6.12 **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	6614
New registrations	1120
Dogs re-registered from 2006/2007	5494
2006/ 2007 registered dogs not accounted for	41
Percentage re-registered in 2007/2008	99.26%

- **Court Cases**

Since the last meeting three cases have been sent to the court; one for dog attacking dog and the other two for dogs not under control. In the latter cases the offending owners have contested the charges and these are now going through the Court process. In the first case the owner was fined a total of \$3150, and the offending dog has been euthanized.

- **Dog Control Act - Infringement Notices**

10 infringement notices have been served since the last meeting making a total of 43 since 1 July 2007.

- **Impounding**

29 dogs have been impounded since the last meeting.

4 dogs are still in pound.

3 dogs have been euthanized.

- **Rehoming**

2 dogs have been rehomed to Dogwatch Christchurch.

1 direct to a new owner.

2 to SPCA.

- **Dog and stock control reports**

The report for June 2008 is attached.

Pages 29-31

- **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 2008 and the owners fulfill the criteria for “Selected Owner” they will be charged at the lower rate for dog licences.

6.13 **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.

Four private supplies have indicated that they found the new charges for testing prohibitive and would seek alternative samplers. Three of these have since asked to be readmitted on to the Council sampling rota.

6.14 General Inspections

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

- 14 warrant of fitness audits.
- 5 complaints of littering/illegal dumping were received. Four investigations of illegal dumping activities were carried out and four infringement notices issued.
- 50 concrete blocks purchased to help control vehicular access to parts of the Ashburton River are now available and will be put in place in the near future.

6.15 Resource Consents Granted Under Delegated Authority

Consents granted in period 1/06/08 to 30/06/08 attached.

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6.16 Financial Reports

Financial reports for the period 1 July 2007 to 30 June 2008, are separately attached.

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J McKENZIE
Environmental Services Manager

ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 6/9/44
DATE: 24 August 2008
REPORT TO: Environmental Services Committee
FROM: Heritage Subcommittee
SUBJECT: Unconfirmed Minutes of Meeting – 11/07/08

7. HERITAGE SUBCOMMITTEE

REPORT AND MINUTES of a meeting of the **HERITAGE SUBCOMMITTEE** meeting held in the Councillors Lounge, 5 Baring Square West, Ashburton, on Friday 11 July 2008, commencing at 10 am.

PRESENT: Councillors R Beavan (Chairman), J Sparks and B Tasker.
In attendance Assistant Planner, C Yates.

Correspondence received

Letters of thanks received from Longbeach Estate and Menorlue.

Application from Ashburton East Plunket

Urgent application for a grant from the Heritage Reserve Fund by:

Ashburton East Plunket c/o Jane Pearce, 72A Eton Street Ashburton.

The underside of the veranda is collapsing. They intend to remove the current ceiling of the veranda and replace as per information contained in the attached sheets appended to the report.

Heritage Status:

Plunket Rooms 111 Victoria Street Ashburton Lot 2 DP 9681

The Ashburton District Council's Operative District Plan Category A No. 38 on page A-63 has external protection only. It is not listed on the NZ Historic Places Trust Register.

Royal New Zealand Plunket Society Mid Canterbury Branch own all the improvements but lease the land from the Ashburton District Council.

The building was granted a resource consent in 1997 to carry out various alterations and additions. Part of this alteration was to add a new window in the vicinity of the veranda. The installation of this window all those years ago could have weakened the lathe and plaster ceiling to the veranda. However, this is unproven. The damage that has occurred recently is shown in the photos that accompanied this application.

Whilst the proposed repair work is not replacing like with like due to the immense cost of such work, the New Zealand Historic Places Trust Architect was comfortable with what was being proposed, ie Villa board or Hardies sheeting. The architectural design of Mr E M Gabites is not destroyed by using these materials.

The Heritage Grant Policy does allow Council to consider the contribution that the proposed work will make to the conservation of the scheduled heritage item, the urgency of the work, the accessibility of the heritage item to the general public and the availability of Council funds.

There was an application lodged earlier this year but this was incomplete and lacking in the required quotations. That information has been obtained and a new application was lodged in June 2008. There is some urgency due to the delays and possible ongoing damage.

The Subcommittee noted from the information provided that the total project cost was \$4,000.00, that the organization had \$520 in their current account and that they had made an application to the Ashburton Licensing Trust for \$2,000 and \$2,000 from the Ashburton District Council Heritage Grant Fund. The Subcommittee noted the application was consistent with the criteria for a heritage grant and accepted the urgent application. The Subcommittee was mindful that earlier in the year the Ashburton East Plunket had made an application for a Heritage Grant and the Subcommittee had instructed Mrs Yates to advise the applicant that quotations and other information was required before they could consider the application.

RECOMMENDATION TO ENVIRONMENTAL SERVICES COMMITTEE

- “1. That the report be received.
2. That a grant of \$2,000 be allocated from the District Council’s Heritage Reserve Fund to the Ashburton East Plunket c/o Jane Pearce, 72A Eton Street, Ashburton, for the repair work to the underside of the veranda in accordance with the information provided with the heritage grant application.
3. That the \$48,881 balance of the unallocated heritage grant funding be carried over.”

Tasker/Sparks

Carried

Other matters for discussion

1. The next Heritage Grant applications are soon to be called for from the public and the closing date is to be towards the end of August 2008.
2. The Subcommittee requested Mrs Yates to ensure that the appropriate financial information is provided at the time of application.
3. Cr Beavan reported that the Terms of Reference and Heritage Grant Policy Review is yet to be carried out and that this year’s heritage grants would be assessed under the existing policy.

150th Anniversary of Settlement in Ashburton

Cr Tasker reported that she had contacted Noeline Murdoch and arranged to get the names of the direct descendants of the Turton Family.

Cr Beavan reported that he had contacted the Returned Services Association regarding Armistice Day. He further reported that he had spoken with David Favel and asked about the possibility of an old fashion Film Night including the icecream and jaffas being included in the celebrations.

Cr Beavan reported that an update of the various activities should be available for the next Heritage Subcommittee workshop tentatively set for 18 July.

The meeting concluded at 11.30 am.

DOG & STOCK REPORT FOR THE MONTH OF JUNE 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	36
Rakaia	
Methven	3
Mayfield	
Ruapuna	1
Chertsey	1
TOTAL	41

Dogs were impounded for the following reasons:

Wandering	35
Unregistered	2
Involved in Attack	3
Aggressive	
Rushing	
Welfare	
Abandoned	1
TOTAL	41

The number of dog complaints investigated was:

Ashburton	84
Rakaia	2
Methven	3
Hinds	4
Chertsey	1
Ruapuna	1
TOTAL	95

The nature of the complaints investigated was:

Dog Attacks	3
Seized Dogs	2
Barking Dogs	12
Wandering Dogs	58
Lost Dogs	17
Welfare	1
Aggressive Dogs	
Rushing Dogs	2
Home Visits for ADC	
Total	95

Dog Attacks/Aggressive Dog investigation details

On the 1st of June a dog from [redacted] George Street attacked and seriously injured a dog belonging to [redacted] [redacted] also from George Street, the dog was taken to the vets where it received stitches to several wounds. The bull mastiff x which carried out the attack was seized and taken to Ashburton Kennels. Statements were taken and passed to ADC, the dog was deemed very aggressive and was euthanized.

On the 3rd of June a serious attack was carried out on a West highland terrier belonging to [redacted] Johnson Street Tinwald, her dog was badly injured and had to be sent to Queenstown for specialist treatment which was going to cost in excess of \$2000. A bulldog belonging to [redacted] was seized and taken to Ashburton Kennels, statements were taken and passed to ADC for further investigation.

On the 15th of June 2 Irish Terriers from [redacted] Dolma Street in Methven were seized at [redacted] Pudding Hill Road in Methven and taken to Ashburton Kennels for attacking sheep belonging to [redacted], three sheep were killed during the attack, Photographs were taken by Methven Police who were also on site, statements were taken and passed to Ashburton Council for further Investigation

Two Complaints of Rushing were received one on the 12th June 2008 on Baker Street and the other on the 20th June 2008 on Allison Street, on both occasions the complainants were unable to identify the dogs which had left the scene when dog control arrived no further action was taken on each case.

One welfare complaint was received on the 21st of June about the dog kept at [redacted], the dog was checked and found to be in good health but was impounded for being unregistered and taken to Ashburton Kennels.

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

Infringements Issued:

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

Abatement Notices Issued:

	<i>Address Issued to</i>	<i>Reason for Abatement</i>
Nil	Nil	Nil

Letters Issued:

<i>Reason for Letter</i>	<i>Address letter issued to</i>
Barking	█ Grove Street
Wandering	█ Grey Street Hinds
Unregistered	█ Elizabeth Street Rakaia

Stock Control

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

Horses on Road	3
Sheep on Road	1
Cattle on Road	5
Lost Stock	
Calves	1
Accidents involving stock	

The incidents dealt with were in the following locations:

Ashburton area	4
Rakaia area	2
Methven	1
Mt Hutt	1
Ruapuna	2