



# Ashburton District Council

## AGENDA

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

**Date:** Thursday 12 June 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)

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# AGENDA

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**2.30 pm DOC Presentation** – Adrian Cogle & George Hadler

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6 June 2008

## ACTIVITY REPORTS

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### 5. ENVIRONMENTAL SERVICES

#### 5.1 *Introduction*

The high numbers of building consents issued for the month of May has resulted in the month being one of the four largest months in the last two and a half years. While accumulated totals for building statistics indicate a 'slow down' is occurring, there is still a margin of +13% of building consent values issued for the month. Building consent applications continue to be lodged at a steady rate and seven day delays for building inspections continue to frustrate our customers. **Pages 13-20**

The Bylaw Review has been a success with the hearings of submissions completed and the Council now in a position to adopt reviewed bylaws by the end of the financial year as programmed. The Regulatory Manager, Mr Humphries, deserves recognition for this success. Staff have also devoted considerable effort to animal control and a number of un-registered dogs have been detected by the contractor, this combined effort has produced a registered dog figure of 99.3% of known dogs.

The District Plan Review continues to progress and is 'on track' with the adopted calendar.

Activity graphs for consents are attached. **Pages 21-24**

#### 5.2 *Building Consent Authority Accreditation*

International Accreditation New Zealand has returned to carry out a re-assessment in relation to the eight corrective action requests that they produced in April after our site assessment. In the interim, staff have focused attention on building consent processing and 100% of building consents have been issued within the statutory time frame of 20 working days.

This does not include applications received before the site assessment that may have exceeded the 20 working day period when a request for further information was made and the response from the applicant was received after the IANZ visit. Due to the emphasis being placed on processing building inspection delays are currently occurring. We are optimistic that the delays in building inspections can be reduced once improved staff resourcing takes affect. Lindsay Barnett has joined our building regulatory staff and another staff member is due to start soon.

We are optimistic that IANZ will soon approve the Council for accreditation as a building consent authority, the deadline for which has been extended for a second time by the Crown (the new deadline is now 31 March 2009). Staff have contributed an intensive effort to achieve the deadline date of 30 June 2008.

#### 5.3 *Ashburton Community Water Trust – Resource Consent (Notified)*

The resource consent application for the Ashburton Community Water Trust has now been publicly notified and submissions close on 24 June 2008. A copy of the application is available in Council libraries, the Planning counter and on the Council website.

#### 5.4 *Amendment to the Building Act 2004*

The March 2008 amendment to the Building Act 2004 has resulted in changes to requirements for water storage. On farm reservoirs have now been classified as 'dams' and have been exempted from the act and the need for a building consent.

A new definition of 'large dams' has now been introduced for structures that detain a depth of three metres or more and hold 70,000 cubic metres or more.

Most importantly, the earlier requirement for regional councils to become building consent authorities has been diluted to require a transfer to regional councils only when they have obtained accreditation to perform this work. The effect of this is that district councils could be left with this responsibility for some time to come.

#### **5.5 *Environment Canterbury – Valetta Stopbank Resource Consent***

The resource consent application from Environment Canterbury for a stop bank at Valetta has not yet been completed and a further information request has been made some months ago. This matter could have a direct relationship to a resource consent application to place a relocated house on land affected by this project. Staff are dealing with ECan staff over this issue.

#### **5.6 *Legal Claims – Building Services***

Council's insurer is dealing with a claim which totals \$2.1 Million. In another case the Council will be represented in a Weathertight Homes Resolution Service mediation meeting on 10 July 2008, in Ashburton.

#### **5.7 *Small Villages Development Plan***

The Committee will be able to work through the matters raised by submitters and then make decisions at the meeting of 26 June 2008, in anticipation of adopting a Small Villages Development Plan in the current year.

#### **5.8 *Christian School Development Contribution Objection***

The Hearings Panel was reconvened on 19 May 2008. Trustees of the Ashburton Christian School Trust presented their objection to the amount of development contributions that the proposed Christian School building consent. After careful consideration the Hearings Panel resolved to decline to reduce the value of development contributions for the building consent to erect two classrooms at the proposed school.

#### **5.9 *Clean Heat Submission made to ECan's Annual Plan***

Cr Kilworth and the Regulatory Manager have now presented the Ashburton District Council perspective on the ECan Annual Plan at a hearing of submissions in Timaru on 26 May 2008.

#### **5.10 *Regulatory Department***

- **Staff**

Charlotte Spilman attended a one day workshop in Christchurch on carrying out warrant of fitness inspections.

- **Bylaws**

A meeting was held with the Council solicitor to clarify levels of penalties for specific offences under bylaws and the simplest methods to prosecute when this option is required. A full response is coming from the solicitor. The bylaws will be put before the full Council for resolution at the end of June and provided resolution is granted will come into force on 1 July 2008.

## 5.11 Environmental Health

### • Food safety

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

One mobile shop application was processed.

Four food safety courses run by Aoraki Polytechnic were visited by the Regulatory Manager. The aim of the visits 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

The ADC Submission on the ECan Annual Plan was heard in Timaru. Cr Kilworth made the submission which was well received.

A local heating appliance retailer was briefed on the Clean Heat project for Ashburton.

### • Nuisances

- A total of 35 noise complaints were received; 7 noise directions were issued. One stereo was seized.
- 1 complaint relating to bees.
- 3 complaints of smoke nuisance were received.
- 1 complaint of refuse dumped on domestic dwellings has been investigated.

### • Disease

The incidence of influenza in Canterbury is far higher than at this time last year; however the statistics also indicate a downward trend in its occurrence. No cases have yet been reported in Ashburton District.

Attached is the District Health Board monthly report on disease for April.

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

Disease	Number	Remarks
Campylobacter	3	
Salmonella	1	
Lead Absorption	1	Home owner exposed when removing paint by scraping

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.

## 5.12 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	6598
New registrations	1104
Dogs re-registered from 2006/2007	5494
2006/ 2007 registered dogs not accounted for	41
Percentage re-registered in 2007/2008	<b>99.26%</b>

- **Court Cases**

Since the last meeting two new cases have been sent to the court for dogs not under control. In both cases the offending owners had been previously issued with infringement fines.

One existing case has been resolved with a successful prosecution for a failure to keep a dog under control and dog attacking a person. The offender had previously pleaded guilty and was fined a total of \$830; the offending animals had been previously euthanized.

- **Dog Control Act Infringement Notices**

9 infringement notices have been served since the last meeting making a total of 33 since 1 July 2007.

- **Impounding**

26 dogs have been impounded since the last meeting.

- **Rehoming**

6 dogs have been rehomed and 2 remain in the pound.

- **Dog and stock control reports**

The report for April 2008 is attached.

**Pages 26-28**

- **Training**

CHUBB Staff were given training on procedures for seizing and impounding dogs and issuing of seizure notices.

### **5.13 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.

Those in charge of the private supplies monitored under contract by Council have been informed of the new charges which relate to sampling of their supplies. The cost increases are the first in several years and are a reflection of increased costs to Council caused by fuel prices, raw materials and additional administrative charges.

### **5.14 General Inspections**

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

- 12 warrant of fitness audits.
- 7 complaints of littering/illegal dumping were received. 7 investigations of illegal dumping activities were carried out and 17 Infringement Notices issued (3 withdrawn following appeals).
- 50 concrete blocks have been purchased to help control vehicular access to parts of the

### **5.15 Application to demolish the Ashburton Railway Station**

Seventy-one submissions have been received to the application to demolish the Ashburton Railway Station. The Hearing will occur on 24 and 25 June 2008, and David Collins has been appointed as Hearing Commissioner.

**5.16 Resource Consents Granted Under Delegated Authority**

Consents granted in period 1/05/08 to 31/05/08 attached.

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**5.17 Financial Reports**

Financial reports for the period 1 July 2007 to 31 May 2008, are separately attached. The Committee will be provided with an explanation on variances at the meeting.

J McKENZIE  
**Environmental Services Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 6/8/1  
DATE: 12 June 2008  
REPORT TO: Environmental Services Committee  
FROM: District Licensing Agency  
SUBJECT: Unconfirmed Minutes of Meeting – 8/05/08

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### 6. ASHBURTON DISTRICT LICENSING AGENCY

**MINUTES** of a meeting of the **ASHBURTON DISTRICT LICENSING AGENCY** held on Thursday 8 May, 2008, in the Council Chamber, 5 Baring Square West, Ashburton, commencing at 10.05 am.

**PRESENT:** Councillors J Burgess (Chair), J Kingsbury, P Reveley and J Sparks.

In attendance A Batcheler (Licensing Inspector) and Committee Secretary.

**APOLOGIES:** C Clark (ACADS), Senior Sergeant Russell, J Rollinson (Licensing Secretary)  
**Sustained**

#### ***Confirmation of Minutes – 28 February 2008***

“That the minutes of the meeting held on 28 February 2008, be taken as read and confirmed.”

Kingsbury/Sparks

**Carried**

#### ***Matters Arising***

##### **Street Party**

The Licensing Inspector reported that the proposed workshop for the street party was postponed and will now be held on Monday 9 June.

#### ***Licensing Inspector’s Report***

##### **Liquor Issues in the Town Centre**

The Licensing Inspector reported that a workshop was held on 7 May with representatives of Ashburton businesses, licensees, Police and Council staff. The purpose of the workshop was to provide a forum for retailers and licensees to voice their complaints and concerns about liquor related problems occurring in the town centre. The workshop, chaired by Cr Leadley, was attended by approximately 15 people.

It was reported that some licensees are proactive and undertake cleaning and removing of bottles and litter from around their premises. Key issues of concern are the number of under-age drinkers and a lack of Police presence. The need for improved lighting and signage at the public toilets was also identified and it was suggested that the taxi stand be relocated to East Street. A media release was made after the workshop and it is intended that a further meeting of this group will be held on 18 June.

The Agency agreed that its role is to give consideration to an alcohol strategy. The development of this strategy would include input from the community including those represented at the workshop.

The Licensing Inspector said that enforcement is the key issue; existing legislation provides the ability for liquor issues to be addressed and a strategy would not achieve anything further. She supported the need for policy but said that a strategy would need to show objectives and how they would be met.

## **RECOMMENDATION TO ENVIRONMENTAL SERVICES COMMITTEE**

“That the Ashburton District Licensing Agency progresses the development of an alcohol strategy.

Sparks/Kingsbury

**Carried**

### **Monitoring**

After hours monitoring has been carried out by the Agency partnership. Although non-compliance was observed at a number of premises, there were no incidents of intoxication or persons causing problems.

### **Liquor Licensing Authority**

The Licensing Inspector has lodged three applications to the Authority for determination. The objection to the CRT licence application will be the subject of a hearing in June. The objection has been lodged on the basis that the application does not comply with the Act’s criteria as to the type of premises for which an off licence may be issued. The Police also oppose the application.

### ***ACADS / Health Report***

The report received from ACADS was tabled. Involvement of ACADS staff in the reporting period has included –

- Attendance at the ALAC Conference
- Bar staff training at licensed premises at the Polytech
- Monitoring (after hours)
- Host responsibility checks.

### ***ALAC Conference Report***

Cr Burgess presented a report on his attendance at the ALAC conference (April 10-11) noting in particular the discussion held on outlet density – ie the correlation between the number of alcohol outlets and street crime.

### ***Next Meeting***

The next meeting of the District Licensing Agency will be held at 11 am on Thursday 24 July 2008.

The meeting concluded at 11.37 am.