



# Ashburton District Council

## AGENDA

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

**Date:** Thursday 22 March 2007

**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 D Glass  
Cr L J Leadley  
Cr K L P Lowe  
Cr B A Tasker  
Cr M J Urquhart  
Mayor M B O'Malley (ex officio)

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# AGENDA

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16 March 2007

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 6/9/44  
**DATE:** 27 February 2007  
**REPORT TO:** Environmental Services Committee  
**FROM:** Environmental Services Manager  
**SUBJECT:** Barrhill Heritage Village – Potential Plan Change

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### 5. BARRHILL HERITAGE VILLAGE – POTENTIAL PLAN CHANGE

#### 5.1 SUMMARY

This report relates to concerns expressed by the Environmental Services Committee that the current District Plan did not provide adequate protection for heritage values in the Barrhill Village and that the Committee wished to explore the need for improved protection of the existing heritage values. To achieve this, a change to the District Plan has been considered.

This report provides the opportunity for the Environmental Services Committee to consider to what extent if any, the Council should act to protect the heritage values at Barrhill Village.

#### 5.2 RECOMMENDATION

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| <ol style="list-style-type: none"><li>1. That the report be received.</li><li>2. That the Environmental Services Committee resolves to commence the preparation of a Change to the District Plan that will result in a proposed Plan Change being brought back to the Environmental Services Committee for consideration and recommendation to the Ashburton District Council.”</li></ol> |
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#### 5.3 BACKGROUND

Barrhill Village does not currently have a reticulated water supply, this has always acted as a constraint to development. It is proposed that a reticulated water supply be installed to service the village in the future, however it is uncertain whether a reticulated water supply would be provided by the Council, or a private group of providers. There is also some doubt that a reticulated water supply is financially feasible.

Coupled with current development demands within the district, it is likely that once a reticulated water supply is provided, the available land will be very attractive for building development for lifestyle living, such development may at times threaten the heritage values of the village if it does not proceed within design guidelines consistent with existing heritage buildings. Both the NZHPT and the Ashburton District Council recognise the strong heritage values that exist at Barrhill Village.

The question is whether a change to the District Plan should be considered at this time, or be delayed and addressed within the District Plan Review? Some proposed development, and some of the built development which has already occurred within Barrhill Village has not been consistent with the heritage style of the village.

The current operative District Plan, Township Zone, has a 'Controlled' status for resource consent applications relating to design and appearance of new buildings and extensions to buildings; this means that the Council cannot decline any applications for consent.

Other sections of the District Plan that may require attention are the Subdivision, Heritage and Transport sections. The Development Plan work relating to small villages has already commenced assessment of issues and consultation at Barrhill. Both the small villages project and the possible change to the District Plan would reduce the future cost of the District Plan Review by carrying out work in advance of the District Plan review.

#### **5.4 OPTIONS**

There are two main options open to the Committee in this matter –

- a) To not take any action at this time and possibly consider the matter in the District Plan Review. This option may allow a level of development to occur under the existing District Plan provisions until the Proposed District Plan is publicly notified in two to three years time.
- b) To commence work on a Change to the District Plan. This would involve building on the existing consultation with the Barrhill community to extend the small villages work into a proposed Plan Change and to bring back a draft change to the District Plan for the Committee to consider and recommend to Council.

#### **5.5 STATUTORY IMPLICATIONS**

The Resource Management Act 1991 sets out legislative requirements for the conduct of a Plan Change process.

#### **5.6 CONSULTATION**

Council has already commenced consultation on Development Planning with the Barrhill Community. The Community is aware that such consultation will lead into possible changes to controls in Barrhill Village. Further consultation with the wider community and the New Zealand Historic Places Trust, both at a regional and local level will be necessary.

#### **5.7 STRATEGIC LINKS**

The District Plan is the principal document involved in this matter. The Development Plan that Council adopted on 30 June 2005, also recognises the need to carry out further planning in small communities of the district.

#### **5.8 FINANCIAL**

This issue will involve expenditure to extend the current brief to Boffa Miskell Ltd relating to the approved Small Villages Project and could involve an estimated value of \$15,000 that would be spread over two financial years and can be accommodated within the existing consultancy budget.

JOHN McKENZIE  
**Environmental Services Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 5/1/8/2  
**DATE:** 22 March 2007  
**REPORT TO:** Environmental Services  
**FROM:** Administration Officer  
**SUBJECT:** Road Closure – Ashburton Car Club

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### 6. ROAD CLOSURE – ASHBURTON CAR CLUB

#### 6.1 SUMMARY

To recommend the temporary closure of roads in Ashburton, for the purpose of allowing the Ashburton Car Club to hold a Street Sprint meeting.

#### 6.2 RECOMMENDATION

“That the following roads be closed to ordinary vehicular traffic from 8.00 pm on Friday 11 May 2007, until 8.00 pm on Sunday 13 May 2007, for the purpose of allowing the Ashburton Car Club to hold a Street Sprint meeting:

- Smallbone Drive, from River Terrace to Robinson Street
- Robinson Street, from Smallbone Drive to McNally Street
- Watson Street, from Range Street to Robinson Street
- McNally Street, from Range Street to the end of the street.”

#### 6.3 BACKGROUND

The Ashburton Car Club has applied for a temporary road closure for the purpose of holding a Street Sprint meeting, for the following roads in Ashburton:

- Smallbone Drive, from River Terrace to Robinson Street
- Robinson Street, from Smallbone Drive to McNally Street
- Watson Street, from Range Street to Robinson Street
- McNally Street, from Range Street to the end of the Street

This application must be considered by Council under Paragraph 11(e) of the Tenth Schedule of the Local Government Act 1974, because the length of time the road is required to be closed, exceeds that provided for under the Transport (Vehicular Traffic Road Closure) Regulations 1965, namely no more than 12 hours in any 24 hours period.

New Zealand Motorsport, of which the Ashburton Car Club is a member, also requires roads to be closed for motor sport events under the Local Government Act, as event participants may be under 15 years of age.

The Ashburton Car Club has advised the following:

- That security guards will be employed each night and relieved by safety marshals during the days to maintain safety in the area throughout the closure period.

- Businesses in the area of the road closure will be contacted and permitted access upon providing suitable identification. The longest delay in access to the area would be five minutes, while a competitor is on the circuit.

The Ashburton Car Club has been advised of the conditions of closure as follows:

1. Approval by this Committee.
2. No objections being upheld against the closure in response to the statutory advertisement.
3. Arrangements are to be made for a pre-event and post-event inspection with a representative from the Council's Operations Department. The inspections are to be completed within three days of the event and results of the inspections will be recorded by Council.
4. The road must be reinstated to the condition prior to the event. Any costs incurred by the Council as a result of this event, including maintenance costs or reinstatement costs, will be charged to the Ashburton Car Club. Any restoration work required is to be carried out to an arranged programme with Council.
5. Necessary arrangements are made for the tidying and clearing of the road on the closed section of the road and the disposal of any litter.
6. The Ashburton Car Club is required to arrange adequate insurance against its liability to pay damages to any person or entity in respect of any claim on account of damage to property or injury to persons where the damage or injury results from the holding of this event.
7. Provision of a Traffic Management Plan, conforming with the requirements of the Transit NZ Code of Practice for Temporary Traffic Management. Transit New Zealand approval of the Traffic Management Plan is required as signage will need to be placed on State Highway 77.
8. The Ashburton Car Club shall be responsible to ensure that the correct road signs and barricades are in place during the full period of the closure and promptly removed after the conclusion and clearance of the road.
9. The Ashburton Car Club is required to provide adequate safety marshals in distinctive clothing for the event.
10. Should weather conditions become sufficiently adverse that the road could be damaged as a result of holding the event the organisers shall take the necessary steps to protect the road. This may include delaying or cancelling the event.
11. In order for ordinary vehicular traffic to access the resource recovery park during the event provisions need to be made for the unformed road at the end of Dobson Street West to be used. Council has obtained permission from Environment Canterbury for use of this unformed road; however the Ashburton Car Club will be responsible for ensuring its suitability for use by normal traffic prior to the closure of any other Council road. The Club will furthermore be responsible for any and all maintenance work required, before, during or after the event, to ensure this road remains safe and trafficable at all times.

## 6.4 OPTIONS

Not applicable.

## **6.5 STATUTORY IMPLICATIONS**

Clause 11 of the Tenth Schedule of the Local Government Act 1974 provides –

*“That Council may, subject to such conditions as it thinks fit... close any road or part of a road to all traffic (e)... for any exhibition, fair, market, concert, film making, race or other sporting event or public function.”*

## **6.6 CONSULTATION**

The proposed road closure has been publicly notified in the Ashburton Guardian on Wednesday, 21 February and objections called for by 4.00 pm Wednesday 21 March 2006.

## **6.7 STRATEGIC LINKS**

Not applicable.

## **6.8 FINANCIAL**

Not applicable.

V PRENDERGAST

**Administration Officer**

## ACTIVITY REPORTS

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### **7. ENVIRONMENTAL SERVICES DEPARTMENT**

#### **7.1 *General***

The first two months of the year have resulted in a 29% increase in building consent applications to the Council. Levels of planning activity appear to be equally strong. Staff resignations within the department will affect service levels and likely delays in issuing consents and also attending to building inspections in the short term. This situation will be compounded as we work to achieve statutory compliance with the requirement to be certified as a building consent authority. This project will require a significant amount of staff time, particularly Building Regulatory staff, to establish procedures and manuals for that function. On a brighter note, the position of Senior District Planner has been filled by a person with extensive Local Government Planning experience. He will commence with the Council in April 2007.

#### **7.2 *North East Ashburton Business Park – Plan Change***

With the close of the first round of submissions, 19 submissions have been received. Further submissions have been called for and this further submission period closes on 30 March 2007.

The first round of submissions has identified additional work that will be required before a hearing can be held, to ensure that the Council's case is robustly prepared in light of the issues raised in submissions. A hearing of both the proposed Plan Change and the proposed Notice of Requirement for a Designation could be held in late May 2007, at the earliest, if all preparations of evidence have been satisfactorily completed. It is intended to give the submitters ample warning of the hearing date so that they are not disadvantaged in preparing their evidence to present.

#### **7.3 *Racecourse Road Structure Plan***

Some land owners have contacted the Council with concern over the delay in certification of the Ashburton stop-banks. Staff are yet to prepare a proposal on how a structure plan would work in this location, including costings and financial arrangements, so that a meeting with land owners can be called.

#### **7.4 *Natural Resources Regional Plan***

Hearings are underway for the 2007 calendar year. Environment Canterbury has a schedule of hearings that have started with the Wetlands Chapter and moved on to the Water Quality Chapter. As the hearing topics grow in importance to the Ashburton District Council an increasing presence at hearings and presentation of evidence will occur with staff and consultants attending the hearings.

#### **7.5 *Small Villages Development Planning Project***

A revised timetable has been established to renew planning for the small villages that will result in work commencing this month with draft concept plans being prepared by the consultants for consultation with village communities and comments to be invited.

## **7.6 Valetta Appeal**

The appeal on a resource consent issued by Council to Mr Don Gardner for a dwelling in a high flood risk area at Valetta will be heard in the Environment Court in the week commencing 19 March 2007. Council will defend its decision.

## **7.7 Hanham Consent**

A hearing date from the court is awaited in this matter relating to non-compliance with an Environment Court Enforcement Order.

## **7.8 Proclaim Computer Upgrade**

A lack of staff resources in the Information Services department has affected progress towards completing the modules for the Environmental Services department. Staff from Technology One will be here on Tuesday to progress this. The completion of the Liquor module has highlighted the need for formalised staff training to ensure consistent operation of the Proclaim programme.

## **7.9 Building Consent Authority**

A Case Manager from the Department of Building & Housing has visited to assess the level of work required to achieve certification as a Building Consent Authority. The department has a modest budget to assist councils that incur expenditure on this project relating to additional resources such as outside consultancy services. An application will be made for funding assistance.

## **7.10 Building Warrant of Fitness Issues**

A noticeable number of Ashburton district building owners are failing to fulfill their responsibilities under the Building Act 2004, to display a current building warrant of fitness. The Council is obligated to administer a system to monitor this responsibility by building owners. To date monitoring has identified a lack of understanding by building owners and some dangerous situations that put the public at risk. The Council charges a fee for this administration and monitoring of \$85.00 GST inclusive, and many building owners have objected to paying the fee, adding to staff time to deal with these complaints. Currently

Mr Robert Banks administers the building warrant of fitness system on the Council staff; he has recently attended a BRANZ training course for IQPs and regulatory staff to obtain a qualification recognised by the NZQA.

## **7.11 Bylaw Review**

Work has commenced on the review of Council Bylaws. A work programme has been prepared that will enable each Council department to take responsibility for Bylaws affecting them. Revised draft Bylaws will then be presented for Council workshops before a Special Consultative Procedure is initiated. This project will be dependent on available staff time in all departments to drive it.

## **7.12 New Zealand Historic Places Trust**

Representatives of the Trust visited in February 2007 to meet with Planning staff and Councillors, update the Council on recent amendments to the Historic Places Trust Act and introduce Trust staff.

### **7.13 Glass Works Factory**

The NZ Historic Places Trust has indicated their intention to list this building as a category one heritage building / site. A representative of the owner will soon meet with the Environmental Services Manager to discuss the implications of the heritage status of the building in the District Plan on proposed maintenance of the building. Some direction from the Committee is sought on whether a submission is to be made to the NZHPT in support of the listing of the site by the Trust.

### **7.14 Heritage Building Demolition Proposal – ex BNZ Bank Building, Rakaia**

The Rakaia News, dated 13 March 2007, contains an advert that indicates that this building is proposed for demolition on 5 November 2007. This building is listed as a Heritage item, Category B, which means that demolition is permitted after written notice is given to the Council and a two month notice period has elapsed. The District Plan indicates that Council may negotiate with the owner for the preservation of the building. An indication is sought from the Committee of interest in pursuing the preservation of this building.

### **7.15 Lake Heron Vehicle Access**

The Department of Conservation has reported that it has decided to allow limited vehicle access to Harrison's Bight & Highbank at Lake Heron. That vehicle access will be permitted once a formed track has been constructed across the Swin River inlet and all necessary resource consents obtained for this. A limitation has also been imposed that will only allow vehicle access between November to April each year. A copy of the decision is available from the writer of this report.

### **7.16 Land Information Memoranda**

A report on Land Information Memorandum performance is included with the agenda. To date 100% of LIMs have been issued within the statutory time frame of ten working days. **Page 21**

### **7.17 Building Statistics**

**Pages 22-24**

Statistical reports on building activity for February 2007 are included with the agenda.

### **7.18 Dog Registration**

At this time a registration level of 99.2% has been achieved. Tanya Twiname, our Systems Officer that has achieved this excellent result has now resigned for a position in another Council department.

### **7.19 Public Health Matters**

*Report to be tabled.*

### **7.20 Animal Control**

The report of Council's dog and stock control service provider for the month of February 2007 is attached. **Pages 25-27**

## 7.21 *Liquor Licensing*

A review of Council's Liquor Licensing policy is to be undertaken by a DLA Working Party in conjunction with the Community Consultation Manager. At its meeting on 5 March, the Agency adopted a timetable for the review. A draft policy will be prepared for Council's consideration on 24 May, to be followed by a community consultation period between 28 May and 30 June 2007.

Minutes of the District Licensing Agency meetings held on 8 February and 5 March, 2007, are included with this agenda. **Pages**

## 7.22 *Resource Consents Granted Under Delegated Authority*

Consents granted under delegation for the period 13 January 2007 to 12 March 2007.

Subdivision	Name of Applicant	Proposal	Type of Consent
SUB05/0041	RJ & CM Whiting Perpetual Trust Ltd c/- David Smith Surveying	3 lot subdivision 70 Tarbottons Road Tinwald zoned Rural Residential	Subdivision Controlled
SUB05/0060	AJ & JN Crawford TM Magill c/- Davis Ogilvie	Proposed Boundary adjustment 105 Winchmore Dromore Road zoned Rural B	Subdivision Controlled
SUB06/0027	Moonshine Farms Limited c/- David Smith Surveying Ltd	Subdivision 2242 Tinwald Westerfield Mayfield Road zoned Rural B	Subdivision Controlled
SUB06/0068	TJ & JM Naish c/- Middleton Williams	2 lot subdivision 28 Grey Street Ashburton zoned Residential	Subdivision Controlled
SUB06/0097	Sherwood Investments c/- Connell Wagner	Proposed Lots 1 – 6 being subdivision Sections 566 & 567 zoned Residential	Subdivision Controlled
SUB07/0006	AB & LK Worsfold c/- David Smith Surveying	2 lot subdivision – 4 Catherine Street Tinwald zoned Residential	Subdivision Controlled
SUB07/0007	Goldpine Rakaia c/- Davis Ogilvie & Partners	2 lot subdivision 56 South Town Belt Rakaia	Subdivision Controlled
SUB07/0008	H Breeding c/- David Smith Surveying	2 lot subdivision 111 Thomson Street Tinwald zoned Residential	Subdivision Controlled
SUB07/0009	SJ & DE Thomas c/- Middleton Williams	3 lot subdivision 88 Middle Road zoned Residential	Subdivision Discretionary
SUB07/0010	AF & BS Andrews MG & JA Kingsbury c/- David Smith Surveying Ltd	2 lot subdivision 153 Racecourse Road zoned Residential	Subdivision Controlled
SUB07/0011	JF Butchard NL & CU McFarlane c/- David Smith Surveying	3 lot subdivision 484 Methven Highway zoned Rural A	Subdivision Controlled
SUB07/0012	NJ & SJ Fowler c/- David Smith Surveying	2 lot subdivision 661 Coldstream Road zoned Rural B	Subdivision Controlled
SUB07/0013	GA & L Sisson RH McKechnie c/- Survus Consultants	Subdivision 111 Creek Road zoned Residential	Subdivision Controlled
SUB07/0014	PL & NM Marriot c/- Land Services Group	2 lot subdivision 111 Creek Road Ashburton zoned Residential	Subdivision Controlled

SUB07/0015	Ski Time Villas Ltd c/- Response Planning	9 lot subdivision Racecourse Avenue Methven zoned Residential	Subdivision Non Complying
SUB07/0016	Leyland Pastures Ltd c/- Davis Ogilvie & Partners	4 lot subdivision Dromore Methven Road zoned Rural B	Subdivision Controlled
SUB07/0017	LR & CA Wilson c/- NK Salter Surveying	2 lot subdivision 78 Melcombe Street Ashburton zoned Residential	Subdivision Controlled
SUB07/0019	Leadley Farming Limited c/- Glasson Potts Fowler Ltd	2 lot subdivision 343 Buttericks Road zoned Rural B	Subdivision Controlled
SUB07/0020	Precision Developments Ltd c/- David Smith Surveying Ltd	2 lot subdivision 20 Alford Forest Road zoned Residential	Subdivision Controlled
SUB07/0021	MC Robinson c/- David Smith Surveying Ltd	2 lot subdivision 150 Methven Chertsey Road	Subdivision Controlled
SUB07/0022	Peegasus Property c/- David Smith Surveying Ltd	3 lot subdivision 21 Cox Street Ashburton zoned Residential	Subdivision Controlled
SUB07/0023	Black Kettle Holdings Ltd c/- David Smith Surveying Ltd	2 lot subdivision 84 Alford Forest Road Ashburton zoned Residential	Subdivision Controlled
SUB07/0024	MC Robinson c/- David Smith Surveying Ltd	Subdivision Line Road zoned Rural A	Subdivision Controlled
SUB07/0025	PJ & SC McKenzie c/- David Smith Surveying Ltd	2 lot subdivision 20 Robinson Street Rakaia zoned Residential	Subdivision Controlled

### Land Use Consents

The following consents were granted by delegated authority:

Land Use	Name of Applicant	Proposal	Type of Consent
LUC06/0071	Tricroft Properties Ltd	Application for proposed hardware garden and building supply 363 West Street Ashburton zoned Business 3A	Land Use Discretionary
LUC06/0090	Murray Homes Ltd	Proposed relocation of a dwelling at 31 Allen Street Methven Zoned Residential	Land Use Discretionary
LUC06/0108	Spanish Village Trust Limited c/- RW Batty and Associated	Erect 6 residential units at 4 Kermod Street Ashburton TS 613 and Lot 2 DP 320941 Zoned Residential	Land Use Discretionary
LUC06/0113	Tricroft Properties Ltd c/- Resource Management Group	Section 127 change of condition LUC 06/0063 Truckstop and Bar West Street Ashburton	Land Use Discretionary
LUC07/0007	Glenariffe Station c/- Alistair Ensor	Proposed erection of a dwelling at Glenariffe Station 2859 Double Hill Run Road Zoned Rural C	Land Use Controlled
LUC07/0012	South Island Seed Ltd	Proposed Storage of Shipping Containers containing Grain and Seed for Export at 7 Smallbone Drive zoned Rural A	Land Use Discretionary
LUC07/0013	PJ & SC McKenzie c/- David Smith Surveying Ltd	Proposed dispensation from internal boundary setback at 20 Robinson Street Rakaia Zoned Residential	Land Use Discretionary

LUC07/0018	MA & B Beach	Proposed siting of a dwelling extension within 1.5 metres of a boundary and recession plane intrusion 41 Hakatere Drive	Land Use Discretionary
LUC07/0019	PJ & PR Hill	Dispensation on setback rule 857 Winchmore Dromore Road zoned Rural A	Land Use Discretionary
LUC07/0021	BJ Brand	Dispensation from setback rule to extend dwelling into side yard 126 Wakanui Road zoned Rural A	Land Use Discretionary
LUC07/0027	PJ & RJ Bellew	Provide access to 7 residential site on a Right of Way 9 Halston Close Lake Hood	Land Use Discretionary
LUC07/0025	Ski Time Villas	Exceed building coverage and recession plane Racecourse Avenue Methven Zoned Residential	Land Use Discretionary
LUC07/0029	Bemac Services Ltd	Establish a Montessori Early Learning Centre at 176 Chalmers Avenue Zoned Residential	Land Use Discretionary

### **Limited Notified Consents**

- LUC07/0009 – DA & AM Shannon:

Application to relocate four dwelling to Rolleston Street, Michael Street and Burrowes Road, Rakaia - zoned Residential.

Limited Notified 13 February 2007

Submissions close 13 March 2007

### **Publicly Notified Consent**

The following application has been publicly notified:

- LUC06/0097 – Rural Transport Ltd c/- Resource Management Group Ltd

To establish and operate a transport depot for Rural Transport Ltd, Northpark Road. Submissions have closed but application is on hold, awaiting ECan's processing of resource consents.

- LUC06/0046 – Ashburton Christian School

Establish a Christian school at Albert Street

Publicly Notified 5 February 2007

Submissions closed 5 March 2007.

Twelve submissions were received. Two of these were marked 'late'. Consultant reporting. The hearing date is yet to be set.

- LUC07/0005 – Ashburton Range Users Association

Establish a Rifle Range at Terrace Road, Ashburton

Submission close 23 March 2007.

- LUC07/0018 – Adrian Gerard c/- Davis Ogilvie

Non complying subdivision in Rural B zone - Arundel Rakaia Gorge Road  
Submission close 13 April 2007.

### **Hearings Held**

- LUC06/0095 - Dynasty Methven Ltd

An application for land use consent to the construction and use of a film studio at Main Street, Methven.

A hearing was held on 2 February (Commissioner John Milligan) and officially closed on Friday 9 February 2007.

Decision released 20 February 2007 – application declined.

- LUC06/0094 - Veehof Dairy Services Ltd

An application for a proposed agricultural contracting business to assemble, store, display and sell hoof trimming products for their cow rehabilitation business within a building in the Rural B Zone

102 Coplands Road

A hearing was held on 28 February 2007 (Panel of Cr Beavan, Glass and Kilworth)

Decision granted on 13 March 2007.

J McKENZIE

**Environmental Services Manager**