



# Ashburton District Council

## AGENDA

A MEETING of the ASHBURTON DISTRICT COUNCIL  
will be held as follows:

**Date:** Thursday 26 February 2009

**Venue:** Council Chamber  
5 Baring Square West  
Ashburton

**Time:** 1.30 pm

### MEMBERS:

His Worship the Mayor, M B O'Malley  
Cr R C Beavan  
Cr N A Brown  
Cr I J Burgess  
Cr J A Everest  
Cr K L Holmes  
Cr R J Kilworth  
Cr J A Kingsbury  
Cr L J Leadley  
Cr K W P Lowe  
Cr P W Reveley  
Cr J Sparks  
Cr B A Tasker

B LESTER  
Chief Executive

20 February 2009

---

# AGENDA

---

	Page
<b>1 APOLOGIES</b>	
<b>OPENING PRAYER</b>	
– Pastor David Bayne – Evangelical Presbyterian	
<b>2 NOTIFICATION OF EXTRAORDINARY BUSINESS</b>	
<b>3 CONFIRMATION OF MINUTES</b>	
3.1 Confirmation of Minutes of the 18/12/08 Meeting of Council	1
3.2 Matters Arising	
<b>4 REPORTS</b>	
4.1 Mayor	8
4.2 Chief Executive	9
4.3 <b>Operations Committee — 29 January 2009</b>	13
— Recommendation <i>Receive minutes of meeting</i>	
4.4 <b>Environmental Services Committee — 5 February 2009</b>	17
— Recommendation <i>Receive Minutes of Meeting</i>	
4.5 <b>Finance and Community Services Committee — 12 February 2009</b>	19
— Recommendation <i>Receive Minutes of Meeting</i>	
— Recommendation <i>Elected Members' Remuneration</i>	
— Recommendation <i>EPH Rental and Heating Improvements</i>	
4.6 <b>Ashburton Urban Stormwater Strategy</b>	25
4.7 <b>Tancred Street Toilet Property Disposal</b>	29
4.8 <b>Ashburton District Plan – Proposed Plan Change 6, Operative Date</b>	31
4.9 <b>Canterbury Regional Council Hearing Panel – Variation 13 to Chapter 3 (Air Quality)</b>	32
4.10 <b>Warrants of Authority – Environmental Services</b>	34
4.11 <b>Ashburton District Visitor Strategy</b>	39
4.12 <b>Council Agency Reports for the six months to 31/12/08</b>	Attached
- Safer Community Council	2.30 pm
- Ashburton Community Pool	2.45 pm
- Sport Mid Canterbury	3.15 pm
- Ashburton Community Water Trust	3.30 pm

*Cont'd*

## 5 BUSINESS TRANACTED WITH THE PUBLIC EXCLUDED

### 5.1 Confirmation of Minutes

41

#### 5.1.1 Council Meeting – 18/12/08

- Property Matter Section 7(2)(h) Commercial activities
- Neighbourhood Support Trust Section 7(2)(a) Protection of privacy of natural persons
- Ashburton Business Estate Section 7(2)(h) Commercial activities
- Ashburton Stadium Trust Section 7(2)(i) Conduct of negotiations

[Now in open meeting]

- Glasgow leased land – 215 Tancred Street
- Awarding of Contract C551 – footpath resurfacing, Ashburton
- Awarding of Contract C552 – new and replacement kerb & channel and footpaths, Ashburton
- Ashburton Performing Arts Theatre Management Trust – Council appointee

#### 5.1.2 Finance & Community Services Committee – 12/02/09

47

- Property Matters Section 7(2)(h) Commercial activities
- Council loan facilities Section 7(2)(h) Commercial activities

[Now in open meeting]

- Lease of recreation reserve – Chalmers Ave
- Property & Investment Subcommittee minutes (3/02/09)
- Ashburton Aquatic Park Trust – Council appointee

### 5.2 Ashburton Stadium Complex Trust

49

Section 7(2)(i) Conduct of negotiations

### 5.3 Ashburton Business Estate Project Board (4pm)

55

Section 7(2)(h) Commercial activities

#### Timetable

1.30 pm	Ordinary Meeting Commences OPENING PRAYER
2.30 pm	Agency reports
3.00 pm	Afternoon Tea
3.15 pm	Agency reports (cont'd)
4.00 pm	Ashburton Business Estate Project Board members

20 February 2009

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1  
DATE: 26 February 2009  
REPORT TO: Council  
FROM: Mayor

---

### 4.1. MAYOR'S REPORT

#### 4.1.1 CALENDAR

Some of the meetings and functions I have attended since reporting to the last Council meeting on 18 December 2008 are as follows:

- 1 January Attended AGM at Lake Clearwater  
Attended Scout Jamboree at Staveley
- 22 January Met with Federated Farmers representatives
- 23 January Attended Greypower meeting and presentation to Dr Ron Baker
- 26 January Attended Regional Transport Committee meeting, Christchurch
- 30 January Met with Ben Dingle, water issues  
Hosted visit by I H C
- 2 February Chaired Ashburton Business Estate Project Board meeting
- 4 February Attended RDR Directors' meeting
- 5 February Attended Powhiri at Ashburton College to welcome new Principal
- 6 February Attended and officially opened the new Hakatere Marae
- 8 February Attended Concert in the Park
- 13 February Met with ADC representatives on Electricity Ashburton Shareholders  
Committee  
Met with MP Jo Goodhew
- 15 February Led the Mayoral Bike Challenge as part of Bikewise Week
- 16 February Attended Regional Transport Committee meeting, Christchurch  
Attended Ashburton Trust Charitable Foundation meeting
- 17 February Met with Garth Bateup, Mary Ross and Rob Brawley  
Met with General Manager, ACL
- 19 February Met with Hon David Carter, Wellington  
Attended Mayor's Taskforce for Jobs meeting, Wellington  
Attended LGNZ Sector meeting, Wellington
- 20 February LGNZ Sector meeting continued. Wellington  
Attended St John Northern Region Mid Canterbury Awards Presentations
- 21 February Opened N Z Rugby Supporters Conference, Ashburton
- 22 February Attended Mayoral; Forum Dinner, Christchurch
- 23 February Attended Mayoral Forum, Christchurch, morning  
Attended Canterbury Strategic Water Study Workshop, Christchurch
- 4 February Canterbury Strategic Water Study Workshop continued all day
- 26 February Chaired Ashburton Business Estate Project Board meeting

M B O'MALLEY  
Mayor

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/3  
DATE: 26 February 2009  
REPORT TO: Council Meeting  
FROM: Chief Executive

---

### 4.2 CHIEF EXECUTIVE'S REPORT

#### 4.2.1 MINISTERIAL PRESENTATION — SATURDAY 20 DECEMBER 2008

The presentation was put together by MAF officials to brief Ministers on water development projects and opportunities in the Canterbury / Otago area. As well as the Deputy Prime Minister and Minister for Economic Development, and Minister of Agriculture, other Canterbury and Otago MP's were also present.

My presentation was on the Canterbury Water Development Strategy, other presentations included various scheme operations and potential, and the Chief Executive of Federated Farmers on the economic issues and legislative constraints including the relative merits of other infrastructure spending.

The Minister's closing remarks expressed the importance of the Regional Strategy and offered staff support and to review funding guidelines to support the completion of the Strategy.

#### 4.2.2 SOLGM RETREAT — FRIDAY 30 / SATURDAY 31 JANUARY 2009

Mr John McKenzie and I attended this seminar in Blenheim. The main theme was around resource management and other legal developments affecting the sector.

##### 4.2.2.1 Office of the Auditor-General (Kevin Brady, Bruce Robertson)

- LTCCP
- Commented that are being prepared in difficult times
  - 2006, focus on compliance / detail
  - 2009, have noted better control, focus on big picture, ability to pay
  - Early reviews have looked at
    - right debate
    - performance management
    - funding and financial strategies

Future audit requirements of LTCCP may be up for review. Personally they see no need to audit every three years; rather, a better use of resources would be to focus on exceptions.

They see the International Financial Reporting Standards having little relevance to public bodies (including schools!). The estimated cost to schools last year was \$700,000.

##### 4.2.2.2 Minister for the Environment, Nick Smith

The Minister spoke on the broader Government programme and RMA

###### (a) Broad Programme

- New initiatives will require additional borrowing. There is a drop in the tax take for the first time since World War II.

- Looking for a better focus in public spending, but is not “slash and burn”
- Proposing a response plan of some \$9 billion
  - boost household income (tax cuts)
  - Jobs, minimise job losses, restart programme
  - increase infrastructure spend (including roading)
  - Regulatory reform (reduce compliance costs )

**(b) Resource Management Act**

Acknowledged that New Zealand is dependent on natural resources and must marry the environment and economic development together. On climate change, New Zealand will not be a world leader, but will do its fair share.

The RMA review will be a two stage process

- (1) to review and streamline processes (current)
- (2) to focus on freshwater policy, urban design, infrastructure planning, aquaculture. Also undertake a review of Emission Trading acknowledging a link with Australia. This will include Water Conservation Orders.

Much of the Stage 1 review has been announced since.

Government will work to improve environmental reporting. This is currently given very little funding at present (\$10 million from \$1 billion spend). Establish with local government a five yearly reporting regime, including ranking of lakes and rivers to give focus.

Local government still need to stick their hand up with respect to stormwater and wastewater, but recognising the need to be financially realistic. They will look to get a better connection with smaller communities. National Environmental Standards need to reconcile with smaller communities. There needs to be capacity for rational variations.

State Highways, need to have the capacity to handle growth, and to protect highway flow. Not to stop industry growth.

Department of Conservation will continue in submission role, but will pull back appeal capacity, recognising local decision making.

Stage 2 will also look to define ‘environment’.

Will look to develop consent processing incentives, with Councils to develop a policy on discounting fees.

**4.2.2.3 Marlborough developments**

**(a) Convention Centre**

Developed with merge of three clubs (RSA, WMC, Marlborough Club).

Total membership has risen from 6,000 to 9,000 with the new facility.

Total cost of \$17 million, Council contributed \$3.95 million.

Council costed a stand-alone facility, estimated at \$6.15 million.

The Convention Centre has seating capacity for 700-750 people.

The convention market from April-October, complementing their tourism season. This was an impressive facility.

**(b) Other projects planned:**

- Upgrade regional aquatic centre (\$14 million)
- Picton waterfront revitalisation (\$23 million)

- Civic theatre, seating 650 (\$15 million)
- Carpark building (\$9 million)

Funding supported by income from forestry and property development. Subdivisions return around \$2 million per annum. Car parking will be a combined development with retail.

#### 4.2.2.4 Resource Management Issues (Paul Beverley – Buddle Findlay)

##### (a) National Policy Statements

- New Zealand Coastal Policy Statement, currently under review
- Proposed new statements → renewable electricity  
→ freshwater management
- Possible → flood management  
→ urban design  
→ biodiversity and home affordability

##### (b) National Environmental Standards

- Operative are air, drinking water, telecommunications
- In development → water take measurement  
→ ecological  
→ electricity transmissions  
→ on-site wastewater treatment

#### 4.2.2.5 Development Contributions (Mark Odlin)

Mark reviewed recent case law, mainly around the Auckland area. The emphasis is on well documented decisions. Also noted that projects do not necessarily have to be identified in the LTCCP. Can be for ‘some time hence’.

#### 4.2.2.6 Liquor Licensing (Kerry Smith)

Kerry referred to the upcoming review. Emerging trends include:

- winding back hours
- curbing anti-social behaviour
- changing attitude of the presiding Judge
- rolling back off-licence numbers

#### 4.2.2.7 Decision Making (Dean Knight – Senior Lecturer, Victoria University)

Dean has published a number of papers on decision making in local government, including the ‘Auckland Stadium’ case. Reference was made to the Local Government Act which attempts to codify good practice, while still providing ‘wiggle room’ for local democracy. The bigger decision however, the bigger the process.

In considering compliance, Courts try to determine the legislators’ intent.

If they interpret:

- ‘red light’, they take a vigilant approach
- ‘green light’, they use restraint, look for local discretion

He referred to recent Christchurch City issues:

- Property rentals. He was of the view that the Court got it wrong and the decision should have been appealed. The Court imposed its view over the Councils (vigilant).

- Property purchase. The Auditor-General's review found the decision was 'basically sound', taking the 'restraint' approach.

In conclusion, he believed challenges to decision making can be difficult to predict outcomes, but recommended that local government should not be reluctant to appeal. He believes Courts should give more latitude, particularly where decisions are made by elected members, and on softer (compared with commercial) decisions.

#### **4.2.2.8 Gary Moore – Christchurch City**

Gary reviewed his time and experiences in office.

#### **4.2.2.9 Rugby World Cup – Martin Sneddon**

Martin gave a background to their planning – 44 days, 23 teams, 48 matches.

With respect to hostings, they wish to leave this to the regional grouping to provide a unique and Kiwi experience.

### **4.2.3 HAKATERE MARAE OPENING — WAITANGI DAY**

The opening was well attended and a significant event for our district. In addition to the official opening by the Mayor, Council also presented three native trees (carried by Councillors Kilworth, Kingsbury and Tasker) which were very well received.

### **4.2.4 Electricity Ashburton Shareholders' Committee**

The Mayor and I met with two of our appointees (one apology) on Friday 13 February. We discussed a variety of issues. The Board and the Committee certainly appear to be working well, having developed good governance processes. We have one of the appointees retiring by rotation this year and will be unlikely to be available for re-appointment.

### **4.2.5 MEMBER FOR RANGITATA (JO GOODHEW)**

The Mayor and I met with Jo Goodhew on Friday 13 February to discuss a variety of issues. She will be looking to arrange a meeting with the Minister of Transport (Stephen Joyce) to brief him on our Transport Strategy, rail developments and the need for traffic lights on SH1 in Tinwald. We will be following up with regular meetings.

### **4.2.6 LGNZ RURAL / PROVINCIAL SECTOR MEETING**

The Mayor and I will be attending this meeting in Wellington on 19/20 February. A number of Ministers will be presenting, including the Minister of Local Government.

We will also be presenting to the Minister of Agriculture with the Chairman and CEO of the Regional Council in relation to the Canterbury Water Development Strategy.

### **4.2.7 CANTERBURY MAYORAL FORUM**

The Mayor and I will be attending the next Mayoral Forum on Monday 23 February. This meeting will then be followed by a two day workshop on the Canterbury Water Strategy.

B LESTER  
**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 0550-02  
DATE: 26 February 2009  
REPORT TO: Council  
FROM: Water Services Manager  
SUBJECT: Ashburton Urban Stormwater Strategy

---

### 4.6 ASHBURTON URBAN STORMWATER STRATEGY

#### 4.6.1 SUMMARY

Council is responsible for the operation and management of the stormwater systems in urban Ashburton. The stormwater systems include kerb and channel, a piped network, open channels and detention areas.

The stormwater system in the urban area is facing challenges from several directions.

- Additional volumes from development
- Capacity limitations on existing infrastructure
- Changing environmental standards
- Expectations from customers and other stakeholders
- Ashburton Development Plan.

A strategy has been prepared outlining how these issues will be resolved and ensure the stormwater system will meet agreed customer expectations and comply with legislative requirements and good practice. The purpose of this report is to seek Council's adoption of the strategy. **Attached**

#### 4.6.2 RECOMMENDATION

“That Council approves the Ashburton Urban Stormwater Strategy”.
--

#### 4.6.3 BACKGROUND

The Ashburton District Council manages the stormwater systems in urban Ashburton. The stormwater systems include kerb and channel, a piped network, open channels and detention areas. Some systems provide treatment prior to discharge. Discharges from the stormwater system are both to land and to surface water at a number of locations throughout the catchment.

The stormwater system in the urban area is facing challenges from several directions:

- Development in the existing urban area will generate an increase in stormwater volumes.
- Capacity issues with the existing stormwater network due to additional flows. A strategy is required to maintain the current and future level of service of the stormwater network.
- Increasingly demanding environmental standards for stormwater discharges at the national and regional level.

- Increasingly demanding expectations from stakeholders such as Department of Conservation, local iwi, Fish and Game and Canterbury Regional Council (ECan).
- Increasing customer expectations.
- Addressing stormwater requirements to accommodate the Ashburton Development Plan.

Stormwater management needs to consider both water quantity (the amount of runoff, especially concerning flooding of the urban environment and receiving waterways) and water quality (the contaminants in stormwater, especially the related effects on the receiving environment). It is Council's responsibility to manage the urban stormwater system in order to provide adequate level of service, protect receiving environments and comply with national, regional and local policies.

The purpose of this document is to set out an overall strategy to enable Council to meet its obligations, and effectively manage stormwater in the urban area. This overall strategy for stormwater management will set an approach for sustainable stormwater management in the Ashburton Urban area for the next 25 years.

The strategy contains the following target:

*Effectively manage Stormwater systems in the Ashburton urban area in order to minimise flooding, protect receiving environments, meet NRRP requirements and promote best practice solutions, while allowing future growth and land development to occur, in accordance with agreed development programmes.*

This document follows on from the Ashburton Urban Stormwater Strategy Issues and Options Study (AUSS I&O Study) completed in November 2007.

The expected outcomes from the strategy include (but are not necessarily limited to):

- Improved understanding of the Ashburton stormwater catchment including Mill Creek and the critical storm events;
- Identification of policy changes to encourage / enforce sustainable stormwater solutions and development of acceptable best practice solutions for use by developers;
- Identification of rationalisation options and best treatment solutions for existing discharge points to facilitate compliance with proposed legislation;
- Identification of solutions to alleviate flood hazards and development of forward work programmes for reticulation network extension; and
- Development of an Integrated Catchment Management Plan (ICMP).

#### **4.6.4 OPTIONS**

The options available to Council are set out below:

##### Option One - Adopt and Implement the Strategy

The strategy is adopted by Council and staff proceed to implement the document as presented. This option will indicate to the community and other stakeholders that Council is committed to improving the level of service provided in this area.

*Risks – No significant risks have been identified.*

##### Option Two - Do Not Adopt or Implement the Strategy

The strategy is not adopted by Council. This means that developments will continue to be required to undertake their own individual stormwater assessment, investigation and consenting through ECan on a case by case basis.

*Risks – That stormwater infrastructure will not be developed in an integrated way to meet demand.*

#### 4.6.5 STATUTORY IMPLICATIONS

The following is applicable:

##### Draft Natural Resources Regional Plan (NRRP)

The proposed NRRP contains a multitude of requirements pertaining to how stormwater is to be dealt with in terms of disposal into the natural environment. Council has submitted on many of the provisions contained in the NRRP. It is likely that the requirements with respect to stormwater will increase when the NRRP process is completed.

#### 4.6.6 CONSULTATION

No specific consultation has been undertaken with the key stakeholders or the wider public on the Ashburton Urban Stormwater Strategy.

Once adopted by Council, consultation on specific issues as identified within the strategy will commence. This includes:

- Identify internal and external stakeholders - February 2009
- Hold consultation sessions with stakeholder groups to identify their concerns and expectations - March 2009
- Incorporate stakeholder concerns into future stormwater management decisions, as appropriate from - April 2009
- Ongoing consultation with key stakeholders, as appropriate, during various phases of strategy implementation from - April 2009

#### 4.6.7 STRATEGIC LINKS

The adoption of the Ashburton Urban Stormwater Strategy is consistent with Outcomes and Strategic Objectives outlined in the LTCCP. In particular;

**Outcome 1: A thriving and diverse local economy that provides the foundation for a quality lifestyle.**

*Strategic Objective c. A community with access to quality infrastructure (roading, water, footpaths, wastewater and storm water) that is efficient and reliable.*

**Outcome 2: Natural & developed environments are sustained for the enjoyment of current and future generations.**

*Strategic Objective a. Water, land and air are managed sustainably.*

*Strategic Objective c. Towns and rural areas are developed in a way which enhances the local environment and meets the needs of the community.*

#### 4.6.8 FINANCIAL

The financial implications arising from implementation of the strategy are set out below:

Description	Budget Estimate
Cadastral survey of existing systems – manhole location and lid and pipe invert levelling, Ashburton wide	\$ 110,000

Data collection – Flow, stream level, rainfall event monitoring – long term deployment of hire equipment (or purchase of equipment, TBC)	\$ 200,000
Computer modelling – model development and calibration	\$ 150,000
Identification of existing and future problem areas, programme development & prioritise upgrade works	\$ 35,000
Development of guideline document	\$ 20,000
Development of Integrated Catchment Management Plan (ICMP)	\$ 20,000
Assessment of Environmental Effects (for ICMP)	\$ 150,000
<b>Total Cost of Implementation (exc GST)</b>	<b>\$ 685,000</b>

The above works are currently programmed to be completed over three years.

The required budgets have been developed based on the expected timing of the works and split between the Ashburton & Mill Creek cost centres on a 2:1 ratio.

**Year 1            \$ 310,000        (Ashburton \$ 206,667 / Mill Creek \$ 103,333)**

**Year 2            \$ 185,000        (Ashburton \$ 123,333 / Mill Creek \$ 61,667)**

**Year 3            \$ 190,000        (Ashburton \$ 126,667 / Mill Creek \$ 63,333)**

The implementation project and associated funding requirement will be the subject of consultation through the 2009/19 LTCCP process.

Note:- The above budgets were considered during the budget workshops (Jan 2009) for the draft 2009-19 LTCCP. Council resolved that funding of the implementation project would be dealt with through loan funding.

**Prepared By**

A R GUTHRIE  
**Water Services Manager**

**Approved By**

R S ROUSE  
**Operations Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 10/8/9/2  
DATE: 26 February 2009  
REPORT TO: Council Meeting  
FROM: Property Manager  
SUBJECT: Tancred Street Toilet property disposal

---

### 4.7 TANCREDE STREET TOILET PROPERTY DISPOSAL

#### 4.7.1 SUMMARY

To consider the disposal of the Tancred Street toilet property located at 81 Tancred Street, Ashburton.

#### 4.7.2 RECOMMENDATION

- “1. That Council declares the property at 81 Tancred Street, Ashburton, legally described as Lot 2 DP27807 in Certificate of Title CB9K/151 containing 142m<sup>2</sup> more or less, surplus to requirements; and
2. That Council approves the sale of the property pursuant to Section 40 of the Public Works Act 1981.”

#### 4.7.3 BACKGROUND

The subject property was purchased by the Ashburton Borough Council on 8 August 1969. Negotiations with the owners had been ongoing prior to the purchase being finalised and had originally centred on acquisition of only part of the site for an extension (widening) of the service lane. In December 1967, Council decided to purchase the whole site by either negotiation or compulsory acquisition under the Public Works Act 1928 for the purpose of public conveniences.

The land transfer document does not record the method of acquisition, however the December 1967 Borough Council minute clearly identifies a specific purpose and therefore any disposal will need to be in accordance with the Public Works Act.

The site was developed for public conveniences around 1970 and continued to be used for this purpose until June 2008 when the service was shut down. There has been no adverse reaction to the closure of the conveniences. The Property & Investment Subcommittee, on 12 February 2009, agreed that the property should be disposed of.

#### 4.7.4 OPTIONS AND RISKS CONSIDERED

It is an option to demolish the present building and retain the site as vacant land for car parking, however this would accrue minimal benefit.

#### 4.7.5 STATUTORY IMPLICATIONS

Research shows that the land was acquired for a specific public work, ie public conveniences, and a service lane. The land for the service lane was severed in May 1970 leaving the balance in the present title (ie 142m<sup>2</sup>).

The land was acquired from Misses Lublow (Edith Lilian Lublow of Palmerston North, Alice Gertrude Lublow of Wellington, and Elizabeth Elsie Lublow of Nelson).

The Public Works Act, s40, requires that the land be offered to the person from whom it was acquired or the successor of that person at current market value unless there are reasons such as size, shape, location or significant change in character. As none of the exceptions apply in this case the offer back provisions will apply.

Section 40(5) of the Public Works Act defines “successor” as being a person who, if the original owner is deceased, would have been entitled to the land under a will or intestacy of the original owner(s).

In order to meet the statutory requirements a public notice will be inserted in the newspapers circulating in Palmerston North, Wellington, Nelson and Ashburton, seeking contact with either the Misses Lublow or any beneficiary under a will from them. In the event that contact is received and subject to the establishment of credentials, the offer back process will be followed.

#### **4.7.6 STRATEGIC LINKS**

The property has no strategic value to Council.

#### **4.7.7 CONSULTATION**

The public notice pursuant to the Public Works Act is the only consultation required in relation to the statutory requirements.

#### **4.7.8 FINANCIAL IMPLICATIONS**

A valuation has been carried out on the property and this establishes a market value of \$175,000 plus GST (\$1,232.39/m<sup>2</sup>). In the event that the offer back provisions are triggered (after public notices) this price becomes the minimum selling price. The valuation recognizes that the present toilet block has little or no value.

#### **Prepared By**

J M ROONEY

**Property Manager**

#### **Approved By**

P L BRAKE

**Finance Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 6/9/2  
DATE: 26 February 2009  
REPORT TO: Council  
FROM: Consultant Planner  
SUBJECT: Ashburton District Plan – Proposed Plan Change 6 (Boundary Adjustments)

---

### 4.8 ASHBURTON DISTRICT PLAN – PROPOSED PLAN CHANGE 6 (BOUNDARY ADJUSTMENTS) – OPERATIVE DATE

#### 4.8.1 BACKGROUND

Proposed Plan Change 6 was publicly notified on 23 May 2008. The Council initiated Change No 6 because of the increasing number of boundary adjustment subdivisions being received with large numbers of non complying parcels created on the basis of one existing small parcel, and traded against larger and sometimes complying parcels. In some instances such subdivisions have resulted in a number of 2ha allotments being created in the Rural B zone. The residential density in rural zones is 2ha.

Submissions were received to proposed Plan Change 6 and these were heard and considered on 2 December 2008, by a panel comprising of Councillors Kilworth (Chair), Beavan and Leadley. The decisions were posted to submitters on 9 December 2008 and the time for appeals to the Environment Court has now expired. No appeals have been lodged.

Therefore, it is now appropriate that the Council publicly notify the date on which Plan Change 6 shall become operative and that the necessary statutory bodies be provided with a copy of the adopted Plan Change.

In accordance with clause 20 of the Act, it is necessary to publicly notify the date on which the Plan Change becomes operative at least five working days before it becomes operative. Public notice will be made in the Ashburton Guardian, Council noticeboard, on Wednesday 4 March 2009.

#### 4.8.2 RECOMMENDATION

“That pursuant to clause 20 of the First Schedule to the Resource Management Act, the Ashburton District Council gives notice that Change 6 to the District Plan becomes operative on the 12<sup>th</sup> day of March 2009, and that the statutory authorities identified in sub clause 4 be notified accordingly.”

#### Prepared By

M A SINGLETON  
Consultant Planner

#### Approved By

J McKENZIE  
Environmental Services Manager

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/2/2 cc 11/1/7  
DATE: 26 February 2009  
REPORT TO: Council  
FROM: Environmental Services Manager  
SUBJECT: Hearing Panel – Variation 13 to Chapter 3 (Air Quality) of proposed NRRP

---

### 4.9 CANTERBURY REGIONAL COUNCIL HEARING PANEL

#### VARIATION 13 TO CHAPTER 3 (AIR QUALITY) OF PROPOSED NATURAL RESOURCES REGIONAL PLAN

##### 4.9.1 SUMMARY

The purpose of this report is to seek Council's approval of the nomination of Councillor Kilworth to an Environment Canterbury Hearing Panel. The Panel will hear submissions on Variation 13 (Ashburton) to Chapter 3 (Air Quality) of the proposed Natural Resources Regional Plan (NRRP).

##### 4.9.2 RECOMMENDATION

“That Council approves the nomination of the Ashburton Joint Working Group on Air Quality that Cr Robin Kilworth be appointed to the Environment Canterbury Hearing Panel to hear submissions on Variation 13 to the Proposed Natural Resources Regional Plan.”

##### 4.9.3 BACKGROUND

Environment Canterbury and Ashburton District Council have been co-operating successfully to develop Variation 13 using the 'Joint Working Party on Air Quality'. The Joint Working Party consists of three Ashburton District Councillors – Crs Kilworth, Burgess and Leadley) and two Environment Canterbury Councillors – Crs Kane and McKay), supported by staff from both councils.

ECan advises that the hearings for submissions on Variation 13 to their Natural Resources Regional Plan will be able to be held soon – around late March.

Variation 13 deals with 'Plan provisions relating to the management of PM<sub>10</sub> contaminant in Ashburton'. At a meeting of the regional council on 29 January 2009, it was resolved to invite Ashburton District Council to nominate one of their Councillors as a hearing commissioner for the hearing on Variation 13. The Joint Working Party has subsequently suggested Cr Robin Kilworth for this role.

##### 4.9.4 OPTIONS AND RISKS CONSIDERED

1. To not participate in the Hearings Panel. This would remove Ashburton community representation and input from the decision making process.
2. For an Ashburton District Council Councillor to participate in the Hearings Panel. This would enable Ashburton community representation and input in the decision making process.

#### **4.9.5 STATUTORY IMPLICATIONS**

The First Schedule of the Resource Management Act 1991 deals with changes to a Regional Plan, the hearing of submissions and the making of decisions. The process is being conducted in accordance with this legislation.

#### **4.9.6 STRATEGIC LINKS**

*Participation by an Ashburton District Councillor on a Hearings Panel for Environment Canterbury to change the Air Plan, as it relates to the Ashburton Community, is consistent with Community Outcome 2: Natural and developed environments are sustained for the enjoyment of current and future generations.*

#### **4.9.7 CONSULTATION**

This matter has been subject to a statutory public notification and submission process involving two rounds of submissions.

#### **4.9.8 FINANCIAL IMPLICATIONS**

There are no financial implications for the Ashburton District Council to be represented in the proposed manner.

**Prepared By**

J McKENZIE

**Environmental Services Manager**

**Approved By**

B LESTER

**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/10  
DATE: 26 February 2009  
REPORT TO: Council Meeting  
FROM: Regulatory Manager  
SUBJECT: Warrants of Authority

---

### **4.10 WARRANTS OF AUTHORITY – Enforcement Officers, Environmental Health Officers, Building Officials, Noise, animal and stock control officers**

#### **4.10.1 SUMMARY**

This report seeks to issue warrants of authority to Council's Environmental Services Manager, Building Officials, Regulatory Manager, Environmental Health Officer, Licensing Inspector, Trade Waste Officer, General Inspector, Monitoring Officer and Animal Control Officer.

Council's animal and noise control contractor is also required to have its staff warranted under the provisions of the Local Government Act 2002.

#### **4.10.2 RECOMMENDATIONS**

**“1. Environmental Services Manager**

That JOHN JAMES MCKENZIE, Environmental Services Manager, be authorised under seal of the Ashburton District Council to act under the legislation below:

- Has authority to enter private land under Sections 171-173 of the Local Government Act 2002.
- As an Enforcement Officer under Section 38 of the Resource Management Act 1991.
- Has authority of seize property under Sections 164-166 of the Local Government Act 2002.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaw 2008.

This warrant is issued pursuant to Sections 174 and 177 of the Local Government Act 2002, Section 206 of the Building Act and Section 38(5) of the Resource Management Act 1991.

**2. Building Services Manager**

That JOHN MARK FIELDS, Building Services Manager, be authorised under the seal of the Ashburton District Council to act as indicated below:

- Has the authority to enter private land under Sections 171 to 173 of the Local Government Act 2002.
- As an Authorised Officer of Ashburton District Council under Section 222 of the Building Act 2004.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.

- As an Authorised Officer under the Ashburton District Council Bylaws 2008.
- The power to enter any land pursuant to Section 11 of the Fencing of Swimming Pools Act 1987.

This warrant is issued pursuant to Section 206 of the Building Act 2004 and Sections 174 and 177 of the Local Government Act 2002.

### **3. Building Officials**

That ROBERT ALISTAIR BANKS, LINDSAY JOHN BARNETT, GEORGE CUTHBERT, MICHAEL JOHN FARRELL, and LEONARD BLAISE SCHIMANSKI, Building Officials, be authorised under the seal of the Ashburton District Council to act as indicated below:

- Has the authority to enter private land under Sections 171 to 173 of the Local Government Act 2002.
- As an Authorised Officer of Ashburton District Council under Section 222 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.
- The power to enter any land pursuant to Section 11 of the Fencing of Swimming Pools Act 1987.

These warrants are issued pursuant to Section 206 of the Building Act 2004 and Sections 174 and 177 of the Local Government Act 2002.

### **4. Regulatory Manager**

That ADRIAN J HUMPHRIES, Regulatory Manager, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Environmental Health Officer under Sections 23 & 28 of the Health Act 1956.
- As an Enforcement Officer under Section 38 of the Resource Management Act 1991 and Section 177 of the Local Government Act 2002.
- As a Litter Control Officer under Section 5 of the Litter Act 1979.
- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- Has authority to enter any dwellinghouse, buildings, land, ships or other premises under Section 128 of the Health Act 1956.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.
- As an Officer under the Food Act 1981 Part 3 Sections 12 & 13.
- As an inspector under section 103 of the Sale of Liquor Act 1989.
- As an Animal Control Officer within the Ashburton District under Section 11 of the Dog Control Act 1996.
- As a Stock Ranger in accordance with the Impounding Act 1955.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This warrant is issued pursuant to Sections 23 & 28 of the Health Act 1956, Section 206 of the Building Act 2004, Section 38(5) of the Resource Management Act 1991, Section 5(3) of the Litter Act 1979 and Sections 174 and 177 of the Local Government Act 2002.

**5. Environmental Health Officer**

That AMY HUGHES, Environmental Health Officer, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an EHO under Sections 23 & 28 of the Health Act 1956.
- As an Enforcement Officer under Section 38 of the Resource Management Act 1991 and Section 177 of the Local Government Act 2002.
- As a Litter Control Officer under Section 5 of the Litter Act 1979.
- Has the authority to enter private land under Sections 171 to 174 of the Local Government Act 2002.
- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- Has authority to enter any dwellinghouse, buildings, land, ships or other premises under Section 128 of the Health Act 1956.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- As an Officer under the Food Act 1981 Part 3 Sections 12 & 13.
- As an inspector under section 103 of the Sale of Liquor Act 1989.
- As an Animal Control Officer within the Ashburton District under Section 11 of the Dog Control Act 1996.
- Stock Ranger in accordance with the Impounding Act 1955.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This warrant is issued pursuant to Sections 23 & 28 of the Health Act 1956, Section 206 of the Building Act 2004, Section 38(5) of the Resource Management Act 1991, Section 5(3) of the Litter Act 1979 and Sections 174 and 177 of the Local Government Act 2002.

**6. Licensing Officer**

That ALISON BATCHELOR, Licensing Officer, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an inspector under section 103 of the Sale of Liquor Act 1989.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This warrant is issued pursuant to Sections 174 and 177 of the Local Government Act 2002.

**7. Trade Waste Officer**

That DONALD WILLIAM ALISTAIR BOYD, Trade Waste Officer, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Enforcement Officer under Section 38 of the Resource Management Act 1991 and Section 177 of the Local Government Act 2002.
- As a Litter Control Officer under Section 5 of the Litter Act 1979.
- Has the authority to enter private land under Sections 171 to 174 of the Local Government Act 2002.
- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This warrant is issued pursuant to Section 38(5) of the Resource Management Act 1991, Section 5(3) of the Litter Act 1979 and Sections 174 and 177 of the Local Government Act 2002.

**8. General Inspector**

That CHARLOTTE SPILMAN, General Inspector, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Enforcement Officer under Section 38 of the Resource Management Act 1991 and Section 177 of the Local Government Act 2002.
- As a Litter Control Officer under Section 5 of the Litter Act 1979.
- Has the authority to enter private land under Sections 171 to 174 of the Local Government Act 2002.
- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- As an Agent and Authorised Officer of Ashburton District Council under Sections 111 & 222 of the Building Act 2004.
- Is authorised to issue infringement notices under Section 229 of the Building Act 2004.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This Warrant is issued pursuant to Section 206 of the Building Act 2004, Section 38(5) of the Resource Management Act 1991, Section 5(3) of the Litter Act 1979 and Sections 174 and 177 of the Local Government Act 2002.

**9. Monitoring Officer**

That RICHARD DURIE, Monitoring Officer, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Enforcement Officer under Section 38 of the Resource Management Act 1991 and Section 177 of the Local Government Act 2002.
- As a Litter Control Officer under Section 5 of the Litter Act 1979.
- Has the authority to enter private land under Sections 171 to 174 of the Local Government Act 2002.
- Has the authority to seize property under Sections 164 to 166 of the Local Government Act 2002.
- As an Authorised Officer under the Ashburton District Council Bylaws 2008.

This Warrant is issued pursuant to Section 38(5) of the Resource Management Act 1991, Section 5(3) of the Litter Act 1979 and Sections 174 and 177 of the Local Government Act 2002.

**10. Animal Control Officer**

That LEANNE COPLAND, Animal Control Officer, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Animal Control Officer in the Ashburton District under Section 11 of the Dog Control Act.
- As a Stock Ranger in accordance with the Impounding Act 1955
- As an Authorised Officer under the Ashburton District Council Bylaw 2008.

This warrant is issued pursuant to Sections 174 and 177 of the Local Government Act 2002.

#### **11. Council Contractors – Animal and Noise Control**

That GRAEME CHETTLEBURGH, PETER NORN, JODI FOLEY, JONATHAN MOULDEY, LESLIE KELLETT, WAYNE SMART, BRIAN SHIMMIN and ROSEMARY KELLETT, Animal and Noise Control Officers, be authorised under the seal of the Ashburton District Council to act as indicated below:

- As an Animal Control Officer in the Ashburton District under Section 11 of the Dog Control Act.
- As a Stock Ranger in accordance with the Impounding Act 1955
- As an Authorised Officer under the Ashburton District Council Dog Control Bylaw 2008.
- As a Noise Control Officer in accordance with the Resource Management Act 1991.
- As a Litter Control Officer in accordance with the Litter Act 1979.

These warrants are issued pursuant to Sections 174 and 177 of the Local Government Act 2002, Section 38(5) of the Resource Management Act.

#### **4.10.3 BACKGROUND**

Enforcement officers must be warranted to carry out some of their functions. Changes in legislation and new staff requires new warrants to be issued.

#### **4.10.4 OPTIONS & RISKS**

Not applicable.

#### **4.10.5 STATUTORY IMPLICATIONS**

Local Government Act 2002, other Acts and associated Regulations and Bylaws including the Building Act 2004, Health Act 1956, Litter Act 1979, Resource Management Act 1991 and Sale of Liquor Act 1989.

#### **4.10.6 CONSULTATION**

Not applicable.

#### **4.10.7 STRATEGIC LINKS**

Not applicable.

#### **4.10.8 FINANCIAL**

Issue of new photo identification warrant of authority card at \$20.00 plus GST per person.

**Prepared By**

A HUMPHRIES

**Regulatory Manager**

**Approved By**

J McKENZIE

**Environmental Services Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 9/10/6  
DATE: 26 February 2009  
REPORT TO: Council  
FROM: Community Planning Manager  
SUBJECT: Ashburton District Visitor Strategy

---

### 4.11 ASHBURTON DISTRICT VISITOR STRATEGY

#### 4.11.1 SUMMARY

This report tables the Ashburton District Visitor Strategy and recommends Council adopts the strategy.

#### 4.11.2 RECOMMENDATION

“That Council adopts the Ashburton District Visitor Strategy.”

#### 4.11.3 BACKGROUND

During 2008 Council officers worked with Ashburton District Tourism to plan and implement a process to develop a Visitor Strategy for the District. A series of workshops was held with key stakeholders and the community to identify a strategic direction for the tourism and visitor sector in the District to follow with the aim of identifying goals for tourism in the District and actions that would enable a whole of community approach to achieving these goals.

From the information gained at those workshops a draft Visitor Strategy was developed and this document was made available to the wider community for feedback and submissions in December 2008. Changes were made to the strategy as a result of that process, with a final strategy document now complete.

Council, in adopting this strategy, will be endorsing the goals and actions contained in the document and signalling to the community its intention to, where appropriate, work with stakeholders to implement the actions and work towards achieving the goals.

#### 4.11.4 STATUTORY IMPLICATIONS

There are no direct statutory implications associated with the Strategy.

#### 4.11.5 OPTIONS AND RISKS CONSIDERED

Not applicable.

#### 4.11.6 STRATEGIC LINKS

The strategy links with the New Zealand Tourism Strategy and with the Christchurch Visitor Strategy.

Linkages with community outcomes: The strategy document and the actions within it are likely to contribute to achieving the following community outcomes.

*Outcome 1: A thriving and diverse local economy that provides the foundation for a quality lifestyle*

*Outcome 2: Natural and developed environments are sustained for the enjoyment of current and future generations*

*Outcome 3: A community with a strong sense of identity and heritage, which welcomes new residents and encourages diversity*

*Outcome 6: A community with access to a variety of cultural, recreational and heritage experiences and facilities that enrich our quality of life*

There are also linkages with the Ashburton District Physical Activity Strategy

#### **4.11.7 CONSULTATION**

Consultation has been carried out as part of the strategy development process.

#### **4.11.8 FINANCIAL IMPLICATIONS**

Some of the actions Council is either leading or participating in will require some financial input; however most are expected to be achieved largely or wholly within current budget provisions.

Overall the Strategy is expected to result in better allocation of resources and produce better results for Council, other participating organisations and the community.

**Prepared By:**

G THOMAS  
Community Planning Manager

**Approved by:**

J G ROLLINSON  
Manager Democracy & Community Services