



# Ashburton District Council

## AGENDA

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

**Date:** Thursday 13 August 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

7 August 2009

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# AGENDA

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– Ashburton Community Water Trust	1.00 pm
– Ashburton District Tourism	1.10 pm
– Safer Community Council	2.30pm
– Enterprise Ashburton	2.40pm
– Ashburton Community Pool	3.20pm

<b>5</b>	<b>BUSINESS TRANSACTED WITH THE PUBLIC EXCLUDED</b>	<b>49</b>
<b>5.1</b>	<b>Confirmation of Minutes</b>	
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<b>5.2</b>	<b>Ashburton Business Estate Project Board      4pm</b>	<b>78</b>
	Section 7(2)(h) Commercial activities	

<b>Timetable</b>	
<b>1.30 pm</b>	<b>Ordinary Meeting Commences OPENING PRAYER &amp; PUBLIC FORUM</b>
<b>2.30 pm</b>	<b>Council Agency Presentations</b>
<b>3.00 pm</b>	<b>Afternoon Tea</b>

7 August 2009

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1  
DATE: 13 August 2009  
REPORT TO: Council  
FROM: Mayor

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### 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 30 June 2009 ---

- 30 June Attended Rotary Club of Ashburton Changeover function
- 1 July Met with Lesley Keast re Kiwanis  
Met with Laurence Cooney  
Met with John Wright, BCI
- 2 July Meet with Art Gallery / Museum representatives
- 3 July Attended "Turning of the first sod" for Methven Heritage Committee project  
Presented books to students at Rakaia School
- 6-11 July Out of the district on holiday
- 13 July Chaired Ashburton Business Estate Project Board meeting  
Attended RDR meeting with M P  
Met with MP Jo Goodhew  
Attended Opening of Soccer Tournament
- 14 July Met with 'Ashburton Guardian' representative re communication  
Attended Resource Centre Trust Board Special meeting  
Hosted Ashburton Writers' Group at ADC and presented certificates
- 15 July Met with Councillors  
Attended meeting at Ashburton Art Gallery
- 20 July Met with Maurice Myers, Chair of Stadium Trust
- 21 July Met with John Tavendale, Chair of Electricity Ashburton  
Met with Jane Eaton, President of Art Gallery Committee  
Met with representatives from BCI
- 22 July Met with Ministers D Carter and N Smith in Wellington re CWMS
- 23 July Attended Ashburton Apprentices Graduation Ceremony
- 24 July Met with Ashburton Community Development Worker
- 25-29 July Attended LGNZ Conference in Christchurch, including National Council meeting
- 29 July Attended BCI Annual General Meeting
- 31 July Attended RDR Management Ltd Directors' meeting  
Met with Roger Bonifant
- 3 August Met with Laurence Cooney  
Visited Alison Magson at Princess Court Resthome for her 100<sup>th</sup> Birthday  
Met with Methven Gun Club representatives  
Attended Ashburton Trust Charitable Foundation meeting

- 4 August      Attended Robert Clark Trust AGM  
                  Attended Stadium Trust meeting
- 5 August      Attended meeting at Rolleston with water groups  
                  Attended Art Gallery / Museum User groups meeting
- 6 August      Met with representatives from Ashburton Golf Club  
                  Held Press Conference re Art Gallery / Museum Project  
                  Met with John Wright, BCI
- 7 August      Chaired CWMS meeting in Christchurch
- 10 August     Chaired Ashburton Business Estate Project Board meeting  
                  Attended meeting with BCI  
                  Attended Opening of North Island vs South Island Bowling Tournament
- 11 August     Met with Superintendent Cliff, Christchurch Police  
                  Attended Official Opening function of Hamilton Hindin Greene office in  
                  Ashburton
- 12 August     Hosted visit to ADC by Mr Tanaka and students from Japan  
                  Attended Ashburton Trust Charitable Foundation meeting

I have been represented at other functions / events during this time as follows:

Cr Leadley attended:

- 1 July         Presented Certificates and addressed CACTUS programme graduates
- 9 July         Met with MP Jo Goodhew re Community Law Office in Ashburton
- 10 July        Opened New Zealand Highland Dancing Championships in Ashburton
- 21 July        Guest speaker at Ashburton Mens' Probus Club
- 23 July        Chaired Mayoral Social Wellbeing Forum
- 24 July        Opened Lyndhurst Co-operative Community Water Supply Scheme  
                  Attended Ashburton Business Association AGM
- 29 July        Presented Council gift (replica of Ashburton Town Clock) for TV3 Telethon  
                  Event  
                  Attended (for Mayor) meeting with Art Gallery / Museum Trust
- 29 July        Attended ABCI Shareholders meeting at Methven (Proxy)  
                  Met with Senior Sergeants D Gaskin and Grant Russell and Kevin Clifford  
                  re Police issues

**M B O'MALLEY**  
**Mayor**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/3  
DATE: 13 August 2009  
REPORT TO: Council Meeting  
FROM: Chief Executive

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### 4.2 CHIEF EXECUTIVE'S REPORT

#### 4.2.1 TREASURY OFFICIALS

Mr Brake and I met with Treasury officials on their visit to the district on 22 July. They visited a number of businesses in the district to gauge the level of economic activity / confidence. We discussed our LTCCP, and wider Council projects such as the Business Estate and water management. Their general view was that the district is coping well with the recession; also their view was that the recession had bottomed out, however the recovery will be slow.

#### 4.2.2 DEPARTMENT OF INTERNAL AFFAIRS

Mr Thomas and I met with a representative from the Department of Internal Affairs on 24 July at his request to discuss "core services". This is a project they have been requested to undertake by the Minister of Local Government.

The key points we made were that:

- Core services are defined by our community
- They are different now than what they were a decade or so ago
- They will change in the future as the district changes
- They will be different for different communities
- If the district does not respond to the community needs, it will lead to a de-population of rural New Zealand

We gave a number of examples and received an understanding response. We wished him well in what we considered to be a rather futile exercise.

#### 4.2.3 NGAI TAHU

I met with Ngai Tahu's Property Manager on 29 July, primarily to discuss the proposed rail relocation. If rail are looking to dispose (transfer) their land, then Ngai Tahu are consulted. The response was positive, based on the underlying zoning of the land remaining reserve. I met with Rail officials on 3 July to progress this proposal.

#### 4.2.4 STADIUM TRUST

The Mayor and I met with the Stadium Trust on 4 July to discuss organisational arrangements to move this project forward, based on the timetable adopted in the LTCCP. There was good discussion and they will be coming back to us once they have been able to consider the options.

#### **4.2.5 CANTERBURY WATER MANAGEMENT STRATEGY**

Further workshops have been undertaken to ensure the draft Strategy is completed by 31 August. This is coming together, but requires substantial commitment from members of the steering group to meet the deadline.

#### **4.2.6 AIR QUALITY STANDARDS**

As previously reported, the Government has announced a review of the National Environmental Standards for Air Quality. The current standards were set in 2004 to be met by 2013. If the standards are not met, there is the potential for severe restrictions on industry. While good progress has been made, the Ministry for Environment projections are that 11 cities / towns are unlikely to meet these, including Christchurch and Auckland. A significant aspect for Auckland is transport, so not limited to winter pollution.

The review will consider:

- Are the penalties and standards equitable?
- Is the cost / benefit balance correct?

The review will be undertaken by an independent technical advisory group, including local government representatives (ARC, Mayor Hastings). The group will invite submissions from industry, local government, health boards, central government agencies, and recommend back to the Minister.

#### **4.2.7 RANGITATA DIVERSION RACE MANAGEMENT LIMITED**

We have received notice of the AGM to be held on Wednesday 2 September 2009 at 1.30 pm (at Hotel Ashburton). A proxy form has been received. The Mayor is usually in attendance as a Director. Previously, proxy has been given to the Deputy Mayor and myself. The Company must receive the proxy by the end of August.

### **RECOMMENDED**

<p>“That ..... and ..... be appointed by the Ashburton District Council to vote on its behalf at the Annual General Meeting of Rangitata Diversion Race Management Limited.</p>
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#### **4.2.8 LOCAL GOVERNMENT NEWZEALAND CONFERENCE - 26-29 JULY, CHRISTCHURCH**

A report is being prepared and will be circulated separately.

**B LESTER**  
**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: Project File  
DATE: 13 August 2009  
REPORT TO: Council  
FROM: Senior District Planner  
SUBJECT: Lochhead Charitable Trust – Final consideration of change to the Ashburton District Plan

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### 4.6 LOCHHEAD CHARITABLE TRUST PRIVATE PLAN CHANGE – Final Consideration of Change to Ashburton District Plan

#### 4.6.1 SUMMARY

The Council's final consideration of the Lochhead Charitable Trust Private Plan Change (No 7) is necessary for the Plan Change to become operative. There have been no appeals on the Council's decision dated 30 April 2009 and the Council can therefore approve the Plan Change.

#### 4.6.2 RECOMMENDATION

- |   |
|---|
| <ol style="list-style-type: none"><li>1. That the report be received.</li><li>2. That the the Lochhead Charitable Trust Private Plan Change to the Ashburton District Plan be approved in accordance with Clause 17, Schedule 1 of the Resource Management Act 1991, so that the Council seal can be affixed to the decision and the District Plan be amended in accordance with the decision."</li></ol> |
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#### 4.6.3 BACKGROUND

The Lochhead Charitable Trust lodged a request for a private Plan Change under the First Schedule of the Resource Management Act 1991 ("RMA") to enable residential development of an area of land currently zoned Rural A. The private Plan Change includes an outline development plan to guide development, and amendments to rules in the residential zone and subdivision provisions of the District Plan.

The Proposed Private Plan Change was publicly notified, the period for submissions closing on 15 September 2008. A total of 20 submissions were received. The period for further submissions closed on 22 October 2008, with three further submissions received. The hearing of the application and the submissions received was held in Ashburton on 31 March 2009.

The report of the Hearing Panel, dated 2 April 2009, was considered and accepted by the Council at its meeting on 30 April 2009. The decision was sent to all submitters, following which a statutory appeal period of 30 working days commenced. The statutory period for appeals to the Environment Court has closed and no appeals have been received to the Plan Change decisions.

#### 4.6.4 OPTIONS AND RISKS

There is one option available to the Council which is to approve Private Plan Change No 7.

#### 4.6.5 STATUTORY IMPLICATIONS

Clause 17 to the First Schedule of the Resource Management Act 1991 states:

*Final consideration of policy statements and plans other than regional coastal plans*

***(1) A local authority shall approve a proposed policy statement or plan (other than a regional coastal plan) once it has made amendments under clause [16](#) [or variations under clause [16A](#)] (if any).***

*[(1A) However, a local authority may approve a proposed policy statement or plan (other than a regional coastal plan) in respect of which it has initiated a variation.]*

*[(1B) A variation to a proposed policy statement or plan approved under subclause [\(1A\)](#) must be treated as if it were a change to the policy statement or plan unless the variation has merged in and become part of the proposed policy statement or plan under clause [16B\(1\)](#).]*

*(2) A local authority may ... approve part of a policy statement or plan, if all submissions or appeals relating to that part have been disposed of.*

***[(3) Every approval under this clause shall be effected by affixing the seal of the local authority to the proposed policy statement or plan.***

The approval is in accordance with Clause 17 to the First Schedule of the Resource Management Act 1991

#### 4.6.6 CONSULTATION

No further consultation is necessary for this stage of the Private Plan Change process.

#### 4.6.7 STRATEGIC LINKS

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

- a. Water, land and air are managed sustainably. (Priority)
- b. Our towns and rural areas are developed in ways that respect the local environment and meet the needs of the community. (Priority Objective)
- c. Our community understands the need to protect our natural environment and acts to do so.

#### 4.6.8 FINANCIAL

No additional costs are incurred in approving the Lochhead Charitable Trust Private Plan Change.

#### Prepared By

M STEVENSON  
Senior District Planner

#### Approved By

J McKENZIE  
Environmental Services Manager

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:

DATE: 13 August 2009

REPORT TO: Council

FROM: Community Planning Manager

SUBJECT: Ashburton Performing Arts Theatre Trust

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### 4.7 ASHBURTON PERFORMING ARTS THEATRE TRUST

#### 4.7.1 SUMMARY

Council's 2009/19 Long Term Council Community Plan indicated Council's intention to grant the Ashburton Performing Arts Theatre Trust the sum of \$2.3 million to allow the Trust to repay their loan with CBS Canterbury. The actual amount required by the Trust is \$2.475 million.

#### 4.7.2 RECOMMENDATION

"That Council grants the Ashburton Performing Arts Theatre Trust the sum of \$2.475 million to be used to repay their loan liability."

#### 4.7.3 BACKGROUND

Council's 2009/19 LTCCP (Volume 1, page 138) indicated the intention to advance to Ashburton Performing Arts Theatre Trust the sum of \$2.3 million to enable the Trust to repay their loan with CBS Canterbury. The \$2.3 million was the estimated amount required at the time of the LTCCP preparation. The Council intends to borrow this money in order to make the grant and expects to achieve a lower interest rate than that achievable by the Ashburton Performing Arts Theatre Trust. The Council has been granting the Trust money to enable the Trust to meet their loan interest costs, and therefore a lower interest rate will reduce the net cost to the ratepayer.

The Ashburton Performing Arts Theatre Trust has indicated that the loan liability now stands at \$2.475 million. The reasons for the increase include:

Additional expenditure has been incurred as a result of requirements that have become evident in the first year's operation. Some items were removed from the original project as being superfluous and expendable to meet the budget. Others were simply overlooked until their necessity became obvious. Major items are:

Hoist	11673.68
Electraserve - Wool Wrap	1639.12
North End Engineering - Screens & Rails	4477.50
Cullimore Engineering - Fire Room Vents	2925.00
Stewart & Holland - Air Conditioning	9225.00
Redd Sales - Sound System Equipment	19470.00

- Small items include laptop computers, green room storage cupboards, TV and furniture for the foyer. This amounted to \$21,277.
- Cullimore Engineering - finalisation of the seating and stage bleachers \$28330
- Shipleys Video and Sound System \$41042

Total \$140,059.30.

#### **4.7.4 STATUTORY IMPLICATIONS**

There are no statutory implications. The increase is not significant in terms of Council's significance policy. The increase of \$175,000 is not considered significant, and the rate impact on ratepayers or groups of ratepayers as a result of the increase is small.

#### **4.7.5 OPTIONS & RISKS CONSIDERED**

One option is to allow the Trust to continue to hold the debt in their books with Council continuing to fund sufficient money by way of grant to enable the Trust to meet their interest obligations. This option was considered as part of Council's decision to include the \$2.3 million loan proposal in the 2009/19 LTCCP. This option would increase the net cost to the ratepayer for reasons outlined earlier in this report, and is therefore not the preferred option.

#### **4.7.6 STRATEGIC LINKS**

This activity contributes to community outcome 6 being *"A community with access to a variety of cultural, recreational, and heritage experiences and facilities that enrich our quality of life"*

#### **4.7.7 CONSULTATION**

The intention to refinance the Trust's loan into Council's name was consulted on as part of the 2009/19 LTCCP.

#### **4.7.8 FINANCIAL IMPLICATIONS**

Council's debt will increase by \$175,000 more than was indicated in the 2009/19 LTCCP. The cost of the additional \$175,000 at 6% would result in an additional interest cost of \$10,500 per annum.

**Prepared By**  
P BRAKE  
**Finance Manager**

J G ROLLINSON  
**Manager**  
**Democracy & Community Services**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:

DATE: 13 August 2009

REPORT TO: Council

FROM: Community Planning Manager

SUBJECT: New Years Eve Community Event – Funding Request

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### 4.8 NEW YEAR'S EVE COMMUNITY EVENT – FUNDING REQUEST

#### 4.8.1 SUMMARY

The Ashburton Safer Community Council has made a request to Council for funding of \$15,000 plus services in kind to hold a New Year's Eve community event. The purpose of this report is to provide Council with an assessment of the proposal as it currently stands and to make a recommendation on the funding request.

#### 4.8.2 RECOMMENDATION

“That Council declines the application for funding from the Safer Community Council and asks that a more detailed proposal be provided for consideration through the Annual Plan 2010/ 11 submission process for an event in 2011.”

#### 4.8.3 BACKGROUND

Council hosted its first New Year Street Party in 2001, with the first event being held as a millennium celebration. The event was pitched as a family show with alcohol allowed (through a specific lifting of the Ashburton liquor ban when this was in place). It was an event where families could enjoy a drink, entertainment and the fellowship of a large number of residents. The event was held each year until 2007 when a decision was made through the Community Plan 2006-16 to cease the event due to waning community support. It should be noted that the first four events were resoundingly successful and free of significant behaviour issues.

A submission to the Annual Plan 2007/ 08 in the form of a petition signed by more than 2,000 residents requested the event be reinstated. This submission was considered by Council and a decision made to hold the event again in 2008. This event was perceived by some to have been problematic in terms of the behaviour of a small minority of attendees.

Following a review of this event by a working group comprising council elected members and officers, police and social agency representatives Council decided the 2009 Street Party would be alcohol-free. This appears to have disenfranchised a large section of the community with attendance at the 2009 event being extremely low, resulting in an event that can only be described as a disaster.

Council, in developing its draft Community Plan 2009-19 decided not to hold the Street Party again but to set aside the \$15,000 funding in case a community-based event was developed, which met Council approval; in which case the funding could be made available for this purpose. If no event was to be funded the \$15,000 would be allocated to Council's annual community grants scheme.

A submission to the draft Community Plan was received from the Ashburton Safer Community Council requesting \$15,000 funding plus services in kind to host a New Years Eve community event.

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Council set aside making a decision on the funding request until a later date and asked for a more detailed proposal to be presented for consideration. The Ashburton Safer Community Council made a further presentation of its proposal to Council's Finance and Community Services Committee on 6 August 2009. The Committee referred the decision to Council for a decision on the funding request.

### **Ashburton Safer Community Council Application for Funding**

In summary the proposal is as follows:

- Event proposed to be held in the Ashburton Domain
- Start at 5:30 pm and conclude at 12:30 am
- Incorporate a small scale international food festival
- Children's activities
- Cultural music early in the night
- Band through to midnight followed by a MC and DJ to 12:30am
- Event to be alcohol-free
- Fireworks display
- Event to be organised by a professional event organiser
- Total cost event estimated at \$20,000 - \$25,000 plus Council in-kind services (venue hire, clean-up). Higher costs than previous events due to wanting to hire a nationally recognised band and the costs of the professional event organiser
- Additional \$5,000 - \$10,000 to come from sponsorship

### **Assessment of Application**

Many of the proposed features of the event are fairly generic for this type of night and do not require officer assessment. These include the entertainment, fireworks display and food. The fireworks and food would obviously require appropriate licenses and if a fire ban is in place at the time a permit would be needed.

The event, and particularly the cultural aspects of it, has linkages with the district's community outcomes and the Ashburton District Social Wellbeing Strategy. These are dealt with in the Strategic Linkages section of this report.

Issues that require officer assessment are:

### **Alcohol Free Event**

The philosophical question of whether an event that prohibits those lawfully able to drink from doing so is in fact a "community event" is left to councillors to make their own mind up about.

If the event is to be alcohol-free and this is to be enforced there are only two real options available; either the liquor ban needs to be extended to include the relevant public space(s) or the event would need to be securely fenced and patrolled. Either option will require the appropriate processes to be undertaken with respect to public notification.

The turnout for the last Street Party, which was alcohol-free suggests there is some risk in terms of Council giving the community value for money in providing funding. The Manager of the Safer Community Council has provided the example of Timaru where an alcohol-free New Years Eve event has apparently grown in popularity over the years. While this is encouraging in terms of the potential success of a similar event in Ashburton there remains the risk that it will draw small crowds.

It may be that funding this type of event would be better to come from an organisation with a mandate to promote alcohol-free events, such as ALAC rather than from Council. Again, this is a philosophical question councillors need to answer for themselves.

## Venue

The proposal does not state which part of the Domain is being sought for the event. The Safer Community Council manager has recently spoken with Council's Parks Manager about using the bottom playing field (where the circus is held) and the police have suggested the oval as being their preferred site. Council's parks manager has no real preference with respect to what part of the Domain might be used for this type of event.

The oval has the advantage of having a stage and an intimacy through being surrounded by plantings and the pond. However, it is close to residential housing and also is the home of Mid Canterbury cricket and has the association's pitch in the middle. The oval would also be likely to present some challenges with respect to security, and particularly enforcement of the liquor ban.

The playing fields are further away from residential housing and are likely to be easier for security to monitor and to enforce the liquor ban. They do lack the intimacy of the oval, however, particularly if the crowd is small. This site could also attract drive-by attention.

Council requires a bond of \$1,500 to be paid by anyone using the Domain for this type of event. Council would, if the event were to proceed at this venue, need to consider how it would deal with this requirement.

**The District Plan:** The Ashburton Domain is zoned as an "urban recreation reserve" and the District plan has conditions that activities must meet within this zone. Of relevance to this issue are the following:

### A.1.3.8 NOISE

Activities, other than outdoor recreation, shall be conducted such that the following noise levels are not exceeded at the boundary of the site:

	2400 hrs to 0700 hrs	0700 hrs to 0900 hrs	0900 hrs to 1700 hrs	1700 hrs to 2100 hrs	2100 hrs to 2400 hrs
Monday to Friday	40 dBA	55 dBA	55 dBA	55 dBA	40 dBA
Saturday	40 dBA	40 dBA	55 dBA	40 dBA	40 dBA
Sundays and Public Holidays	40 dBA	40 dBA	40 dBA	40 dBA	40 dBA

### A.1.3.9 HOURS OF OPERATION

Where a site immediately adjoins or faces across a road from a Residential, Township or Rural-Residential Zone no activities shall be conducted on the site between the hours of midnight and 7am.

These provisions mean the proposal would require a resource consent to be granted.

Council has been granted a resource consent to exceed the District Plan noise levels with amplified music for 5 events per year; however the consent requires these events to conclude before 9:30pm.

Council's consent could not, therefore, be used for this event.

A resource consent would be required for this event and with Council being the land owner this would need to be handled by either a consultant or commissioner.

## Security

The proposal does not address the issue of security and no information appears to have been provided verbally with respect to this issue other than to say the venue would not be fenced.

The Domain appears to present some challenges with respect to security and further information should be provided as soon as possible if Council decided to provide funding.

The Ashburton Police have not been able to provide an all-night presence at the street parties of the past, with New Years Eve being a particularly busy night for them. This makes the necessity for sufficient (hired) security important.

#### **4.8.4 STATUTORY IMPLICATIONS**

There are some licensing requirements that would need to be met but these are not considered significant.

#### **4.8.5 OPTIONS & RISKS CONSIDERED**

##### **1. Council provides the funding requested**

This would enable the proposed event to be planned and implemented. The cost to Council would be \$15,000 plus the costs of the in-kind contribution sought (clean-up, venue hire)

##### **Risks**

- Planning for the event is not particularly advanced or detailed, despite there having been some months to do this. It appears the applicant for funding is taking the approach that it is not worth putting time into planning until the funding is secured. While it is not an unreasonable approach it is resulting in very much a case of Council needing to trust the Safer Community Council it will be able to undertake the planning for the event in what is now very limited time.
- The venue proposed is not likely to be suitable and an alternative venue will probably need to be found.
- The sponsorship funding is not secured. This could see either the event not proceeding or a scaled-back event instead. It is unlikely Council would receive much (or any) of its funding contribution if this was provided prior to the sponsorship funding being sourced as there would be costs associated with the event organiser, deposits for entertainment and attractions and other costs incurred at an early stage.
- The event fails to attract a worthwhile crowd. Council has a responsibility to provide residents with value for money and a crowd in any way similar in scale to the last Street Party would certainly not do this. On the other hand, the funding amount is not significant and if the event were to grow over the years may be seen as a worthwhile investment.
- The event is disrupted or otherwise attracts negative comments. As Council is a funder only this risk sits with the Safer Community Council.

##### **2. Council declines the funding request**

This would see the \$15,000 funding moved to Council's community grants scheme but would almost certainly preclude any kind of community New Years Eve event from being held.

##### **Risks**

- Council may never know for sure whether an alcohol-free New Years Eve event is something the Ashburton community would support and enjoy.

##### **3. Council declines the funding request but asks the applicant to submit a more detailed proposal through the Annual Plan 2010/ 11 submissions process**

##### **Risks**

- None at this point

### **Assessment of Options**

There are some reasonably significant risks with providing the funding requested based on the proposal and information given to Council so far, despite the funding amount being relatively small. The lack of detail in the proposal, the relatively short planning time for the event given the lack of detail established so far and the likely unsuitability of the proposed venue mean there are risks the timeframes required might not be met.

Council could ask the applicant to submit a more prepared proposal through the Annual Plan 2010/ 11 submission process.

**Option 3 is recommended**

### **4.8.6 STRATEGIC LINKS**

The proposed New Years Eve event, and the cultural components referred to in it, would be likely to contribute to the following strategic plans and actions of Council.

#### **Ashburton District community outcomes**

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

- a. Our district has a strong sense of identity and people who participate in community life.  
**(Priority)**
- b. Ashburton District is a community that attracts and retains new residents.
- c. We have a community that values and encourages diversity.

#### **Ashburton District Social Wellbeing Strategy Outcomes**

*Our community ensures new residents and new migrants are welcome, safe and secure and become integral and valued members of our community*

*Our children and young people are safe and secure and have the opportunity to participate, succeed and engage in positive activities*

### **4.8.7 CONSULTATION**

Not applicable.

### **4.8.8 FINANCIAL IMPLICATIONS**

Depends on option taken – up to \$15,000 plus costs of clean-up.

#### **Report Prepared By:**

G THOMAS  
**Community Planning Manager**

#### **Report Approved By:**

J G ROLLINSON  
**Manager Democracy and Community Services**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 4/11/4  
DATE: 13 August 2009  
REPORT TO: Council  
FROM: PA to the Operations Manager  
SUBJECT: Warrants of Authority

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### 4.9 WARRANTS OF AUTHORITY – OPERATIONS GROUP

#### 4.9.1 SUMMARY

This report seeks approval of warrants of authority for new staff employed in the Operations Department.

#### 4.9.2 RECOMMENDATION

“That KEVIN BRUCE BIRCHLER-STOCKDILL and JOHN LOVETT HUNT, Water Rangers, be authorised under the seal of the Ashburton District Council to act as indicated below:

- Has the authority to enter private land under Sections 171-173 and 182 of the Local Government Act 2002.
- As an authorised Officer under the Ashburton District Council Bylaws 2008.
- As a Litter Control Officer under Section 5 of the Litter Control Act 1979.”

These warrants are issued pursuant to Sections 174 and 177 of the Local Government Act 2002.”

#### 4.9.3 BACKGROUND

The staff identified in this report recently commenced employment as Water Rangers within the Water Services Department. Mr Kevin Birchler-Stockdill is a full time employee and Mr John Hunt is a part-time/relief employee.

#### 4.9.4 OPTIONS AND RISKS

Not applicable.

#### 4.9.5 STATUTORY IMPLICATIONS

Council officers are required to be warranted to exercise all powers and duties including such power to enter land, conduct inspections, issue notices as provided by and for the purpose of the Acts and associated Regulations and Bylaws listed.

#### 4.9.6 CONSULTATION

Not applicable.

#### 4.9.7 STRATEGIC LINKS

Not applicable.

#### 4.9.8 FINANCIAL

There are no financial implications arising from the recommendations in this report.

**Prepared By**  
C DRUMMOND  
**PA to the Operations Manager**

**Approved By**  
R ROUSE  
**Operations Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/24/3  
DATE: 13 August 2009  
REPORT TO: Council Meeting  
FROM: Chief Executive  
SUBJECT: LGNZ Conference Report

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### 4.2.8 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE / AGM CHRISTCHURCH — 26–29 July 2009

#### 4.2.8.1 Opening – Prime Minister’s Address

The Conference opened with a mihi and an address by the Prime Minister, Hon John Key. He began with the Government’s review of legislation impacting on local government, including the Resource Management Act, Building Act and Local Government Act. He is of the view there is a lot of common ground on improvements to help our sector do better.

Infrastructure is a high priority with the government funding and additional \$7.5 billion over the next three years. There is a National Infrastructure Unit to assist with priorities, and an Infrastructure Advisory Board to consider delivery, both in the public and private sector. He also acknowledged Local Government’s plans for \$30 billion in capital expenditure over the next 10 years.

With this level of expenditure, Government are evaluating a common investment framework, including a Local Body Bond Bank. The programme came with a warning – “*NZ must earn like a first world country, not just spend like it*”. Our country’s focus must be to export more. Governance is holding back Auckland, noting the general consensus is for a large unitary authority, with focus now on the second tier backed up with statutory powers to support local diversity. Any changes elsewhere in New Zealand must be driven by communities.

The Prime Minister referred to the cycleway project, announcing the start this year of \$9 million for seven projects already identified. The Government will be providing some funding and leadership, but the rest is up to local communities.

#### 4.2.8.2 Peter Biggs, Managing Director, Clemenger BBDO (Melbourne)

Peter’s address was titled “*Fumbling for Substance*”. This was a challenging address, starting with a poem, “*How to survive the morning*”. Consumers build brands “*like birds build nests from scraps and straws*”, from chance experiences they touch upon. We are now in the velocity age, where the amount of data doubles with shorter evolutions. From a time when mainly people did what they were told (20<sup>th</sup> Century)

- Coke, the real thing
  - Apple, take control from big business
  - Nike, just do it
- Where now? 76% of people do not believe ads, and between 2002 and 2005, 41% of consumers have decreased their trust in advertising. The challenge in the 21<sup>st</sup> Century is how we connect when we have -
- too many products
  - too many channels
  - too many messages (5,000 brand messages / day).

How do we get people to be a part of an actual cultural force? Peter referred to the “4 + 20 pies” campaign regarding their salad plates (25,000 plates in first month).

What does my brand do? What is its verb? Local Government – what do people think when they think of Council – facilities, red tape?

What makes people happiest (an Australian survey) - the most important factors are close to home – family, friends, community. They perceive great value in being involved in something local, an active local council can be part of that perception of an inclusive local community.

Today’s lives are perceived as busier, to the detriment of volunteer services. They feel that their lives are slipping out of control and expect government to do more, to fix things. This expectation is increasing significantly over time. Local Government is seen as consistently better than Central Government. That personal connection with Council is most important.

#### **4.2.8.3 Peter Salmon, Chair – Royal Commission on Auckland**

Continuing on the theme of local actions, Peter referred to cities as creating economic and social wellbeing, not countries. We need to create welcoming communities that engage with residents. Four principles in an appropriately designed city, forward looking and future-proofed –

- common identity and purpose – supporting an integrated approach
- effectiveness in both cost and quality
- transparency and accountability
- responsiveness

The Commission’s recommendations were then based on –

- Mayor (STV), with own staff, speaking nationally and internationally
- Elected Council, focus on regional issues and policies (23), not local detail
- Second level boards, clearly defined responsibilities set in statute – role of place shaping, engaging with local communities
- Need for strong communications between local and Auckland councillors with a triennial agreement
- Second tier need to be large enough (6-10). The greater the number however, the more difficult communications / accountability.

The Commission noted the disparity regarding population numbers and representation of rural areas. The Commission also noted that this was a solution for Auckland only.

#### **4.2.8.4 Treaty Settlements – Ensuring Effective Co-management** (Cr Burgess)

The importance of co-management working in practice. **Dr Royden Sommerville, QC**, defines co-management as *Management, Decision Making, Law Principles under the RMA, Fairness, Transparency, and Public Interest*. The RMA and the Local Government Act national standards deal with the future, i.e. resources and the role of local bodies.

**Kathryn Uvhagen and Andrew Welch** of the Taupo District Council next spoke of the historic joint management agreement between Ngati Tuwharetoe and the District council which was finalised in February of 2009. This is the first time a council has transferred decision making powers to an Iwi.

A joint committee has been established whereby appropriately qualified iwi appointees will join Taupo district councillors in resource consent and private plan hearing changes (which apply to Maori multiple-owned land). Such hearings will be heard by a 2 + 2 panel with an independent chair.

**Bob Laing of Environment Waikato** told the meeting of talks presently taking place in the Waikato which will ‘change the paradigm’. A deed of settlement has been signed between Waikato – Tainui and the NZ Government which agrees to the restoration and protection of the health and well-being of the Waikato River for present and future generations.

The role of Iwi is to share in the make-up of the **Guardians of the River**, Guardian Establishment Committee on an equal basis i.e. 5 / 5 . Mr Laing told the audience that if it hadn’t already, this type of arrangement will be coming to a town near you. It might be noted that such arrangements are in addition to any cash payments or restoration of lands.

The next speaker was **Paul James** from the **Office of Treaty Settlements** who spoke of Treaty Settlements and Local Government. Paul told of the Government’s desire to have a ‘just and durable’ settlement of all historical claims by the year **2014**, in an effort to restore Crown – Maori relationships. There have been 13 completed settlements reached and there are 60 still to be completed, around half of which are in negotiations. To reach the goal of completion of settlements by 2014 will require improved crown planning and co-ordination, increased Crown / Maori capacity, working regionally, and talking to Maori regionally and nationally.

The OTS is aware of concerns within local government about being consulted, facing costs and being affected. The government is committed to working with local government. Toward 2014 most local authorities will have clarity about the scope of any future obligations. This may help improve relationships between Iwi and local authorities. Other options put forward included LG and Iwi co-operation, vesting tracts of land in Maori as part of settlement with co-management. Co-management arrangements assist the government to deliver on key objectives, enhancing relationships. The crown, iwi, and local government should engage more intensely over the next few years. Benefits for L.G. include clarity about scope of any future obligations. The workshop concluded with a lively Q /A session.

#### **4.2.8.5 Climate Change – You might need more than a raincoat!**

*(Cr Sparks)*

Definition of climate: the average weather in a particular location over a 30-year period.

*Chaired by Philippa Barriball, National Council (mayor Thames-Coromandel district)*

The chair started by explain that we were not there to argue about whether there was climate change, or whether it was human-derived or part of natural climatic cycles. She went on to say that that ceased to matter when yet another unexpected flood had hit the district, and she had to inform a farmer that his wife had been found – drowned.

Each table had a collection of media releases on a climate topic ... we had to identify which was the common climatic change and discuss this, scribing them to report back to the group.

Ours was sea level rise and its connection with climate change operated on several levels. There was the fact of ice caps melting and adding sheer volumes of water to the oceans, as water in a liquid state produces more volume than when in a solid state. Another factor is that a warmer atmosphere is capable of holding more water.

Most of our media clippings reported on the increasing severity and frequency of extreme rainfall events. This was followed by anecdotal evidence from the people at our table – mostly North Islanders.

There was certainly a more urgent attitude towards climate change issues from North Island delegates, and they did not see it as a futures issue, but a situation which they were having to deal with now.

Changes in extreme rainfall are not geographically uniform – as they are related to storm track frequency and cyclone paths. Drought, for example, is calculated to increase in frequency by about 4 times. They are more likely to occur -instead of 1 year in 20, to 1 year in 5, with a significant increase in the duration of the drought.

It is predicted to increase the mean of westerly winds in winter by more than 50%, and in spring by about 20%, with subsequent decreases in summer and autumn. Storm surges will increase in frequency, and their effect will be exacerbated by the rising sea levels.

Using tables of insurance claims in natural hazard extreme events, between 1990 and 1999 there were \$214.18 million's worth of claims. Between 2000-2008 there were \$552.63 million's worth.

A question that was asked was how much would it cost to buy out communities at risk? Some factors of sea level rise were social –eg Tokelau Islands being overcome by ocean – will be refugees in NZ.

After having discussed some of the ramifications of climate change, we were then asked to discuss methods for Councils to plan and combat the effects on the environment and the community.

The Kapiti Coast council was beginning to formalise managed retreat policies. They were identifying areas of risk and issuing caveats concerning buildings in those areas. They were restricting development in those areas, with the very real possibility of actually refusing building permits. They were looking at removable homes. Their representative said starkly that they simply could not afford to protect private property.

The representative from the Lake District couldn't really talk about ocean level rise, but did discuss the every increasing threat of flooding, especially of Queenstown. They have changed the building criteria because of that threat. They can't compel yet, because the Building Act is a Central Government responsibility. They insist that people building homes build for flooding, and are changing the rules so that the onus is on the property owner. They have completed several series of education programmes. Have emphasised to the community that the town will be flooded more frequently. They have warning systems in place, and can track the rise in lake levels with the help of NIWA.

The most difficult aspect is to convince the community that there is no magical answer to the problem of more frequent flooding, and Superman is not an option. All they can do is help them to clean up afterwards. When a river floods, it usually affects more than one community, so there have to be cooperative plans as well.

#### **4.2.8.6 World Economy**

*(B Lester)*

**Dr Ganeesh Nana** (BERL) first spoke to place the current recession in context.

- China / India, growth rates are continuing at 5-6% of GDP
- 12 months ended March 2009, New Zealand's jobs grew by 16,000 (compared to late 1980's / early 90's, lost 60,000 per annum). In noting this, 30,000 jobs had been lost in Auckland, 3,000 in Canterbury.
- our spending was unsustainable

- Government needs to invest in infrastructure, do not repeat mistakes of the past where expenditure was cut significantly, still catching up.
- Our future depends on our ability to export; NZ's current account balance has been negative for the last 50 years.

He referred to some myths –

- Government is a big spender – local / central 20% GDP (1988 18%)  
– investment spend 51% GDP (1988 6%)
- Private spending good, public spending bad.

**Mr Arnst (NZTA).** The National Land Transport Programme is going to the Board (July), with the decision end of August. Funding will go to where we will get best growth. While the focus is on roads of national significance, the need is also to consider the local connections. With respect to public transport, investment if there is a clear difference in efficiency – not just about accessibility. The benefit / cost ratio is important. He referred to one heavy (50 tonne) truck being equivalent to 20,000 cars.

**Samantha Seath,** Executive Director, EDANZ. Referred to programmes staying close to business. Examples were Nelson – business expo, Timaru – business drop-in centre, Ashburton – EA Youth training. Across the regions – Apple Futures (Nelson, Hawkes Bay, Otago), and Rugby World Cup – 13 regions.

Questions drew responses –

- population growth provides economic and social growth but need to draw and spread growth away from Auckland.
- New Zealand's isolation, the world is moving closer (Asia)
- There is a need to have greater stability to the exchange rate; not fix the rate, but use a range of tools to better manage.

#### **4.2.8.7 Phil Goff, Leader of the Opposition**

Mr Goff referred to the former government – they needed to listen more, and were now focusing on re-engaging with communities and reviewing policies. With respect to Auckland, they support the reforms (noting that they set up the Commission).

He spoke of concerns related to the government's proposed review of the Local Government Act, and in particular the Cabinet paper due at the end of August on core services – suggesting these will be transport, water, public health (including waste collection) and community safety. His party supports local decisions and local accountability. Their research shows that local government does a good job at providing local services at a reasonable cost. Rates capping has been shown not to work.

**4.2.8.8 Eugene Bowen / Mike Reid (LGNZ)** wrapped up day one with an overview of the discussion document prepared by the Local Government Minister and the Auckland governance debate. Key areas of concern were a lack of integrated approach to review and no clear vision of the fit between local government and central government. They see the document as a change away from the tradition of local representative democracy with no community debate. Polls move away from elected leadership to community inertia.

#### **4.2.8.9 Mai Chen, Chen Partners (public law specialists)**

Mai spoke about governing in the public interest. The Government's agenda has started with Auckland (inherited), and broadened to consider the wider financial envelope (over-governed) and core services (power of general competence).

With respect to Auckland, she saw the public disagreement between the Commission and Government as very unusual. Normally, the Commission reports then goes out of business after recommending to the Government with the Government then deciding. The Prime Minister has also publicly stated that he does not agree with the Minister's definition of core services. He refers to the Minister's position as a starting point.

The Government has a very tight timetable. With Auckland needed to be decided for next year's elections, the first stage of the review of the Local Government Act must be in place before then.

The review was to be reported back on 31 August 2009, but is now expected in October / November. This short timeframe doesn't allow the review from basic principles (ground up). These first principles should be debated.

If Local Government is restricted to core services, who then fills the gap? Central Government? The California experience has led to poorer services. With no public discussion document, this review is cause for concern. The challenge for the Government is to take communities with them.

California (population 13) requires a poll for rates over 1% increase, with a  $\frac{2}{3}$  majority. Proposition 218 extends the poll to a wider range of services in response to separate charges / rates. In response, increase in borrowing.

Colorado Article 10 (1992) limits increase in spending to inflation plus population growth, unless otherwise approved by an election, based on spending envelope rather than specific projects. Seen as a positive (4<sup>th</sup> ranked economy) but 47<sup>th</sup> ranked for higher education.

Each region needs to speak for themselves. How else will government know what the region's want. There should be concern about the balance between regions, noting the voting power of Auckland. There will be competition for resources.

New Zealand tends to be involved in a wider range of services (ie health, housing).

In concluding, Mai considered it difficult to reform Auckland without reforming the rest of the sector, but sees this as even more difficult to achieve the required legislative programme without the support of the wider sector.

#### **4.2.8.10 Minister of Local Government, Hon Rodney Hide**

Given the speculation about core services and rates capping, the address by the Minister was much anticipated. The Minister began by recognising the critical importance of local government for our country's wellbeing. He also referenced the Government's goal to catch and match Australia economically by 2025. Setting goals are important, but also need a plan and measurement of progress. The question needs to be asked constantly "will it make the boat go faster?".

The Minister commented on the "comet" project, Manakau School. This is a collective project with the Council and school and other welfare agencies (comment – obviously core service), looking for better ways to benefit from social spending.

He recognised Central Government's cost impositions on local government. In doing so, they have initiated a review of the air quality standard and a moratorium on the drinking water standards. Further reviews referred to relate to the RMA and Building Act.

He referred to the LGA review being guided by principles. His belief in local government, the first principle is individual responsibility, but where there is a need for governance, it is best done locally. The other principles are for transparency, accountability and financial prudence.

Councils are risk adverse. The reference to core services are within a financial envelope. He is not proposing rates capping, but does envisage a pre-election report and consultation on rating levels for core services.

When questioned on core services, particularly arts and culture, the Minister's response was that he was not fixated. With respect to the Auckland restructure, to a question from Waitakere, the Minister commented that the timeframe is ambitious, the problem is identified, the solution not as easy, but "he is the only one who can fix it."

Prevention programmes –

- support the delivery of home visitation programmes
- work with troubled 7-11 year olds
- get tough on the availability of alcohol and use by young people
- support campaigns against family violence
- initiate district truancy programmes
- support mentoring programmes
- promote community connectedness.

#### **4.2.8.11 Judge Beecroft, Principal Youth Court Judge**

The Judge called for local government support in the fight against youth offending. He referred to youth as being different (frontal lobe development not complete until early 20's – judgement, wisdom, common sense). Youth behaviour has always been a concern through history. He referred to the four legs of support for our young people –

- family
- friends
- school
- community

take away one of those legs, then the youth will fall over.

There are two different types of youth offender

- the life course "persistent offender". 5% of our offenders (85% male)
- the adolescent onset offender, only offend as teenagers, largely through peer pressure, and can normally be effectively dealt with.

There is no easy answer in dealing with the persistent offender. While the number has remained relatively static (800-2000 in NZ), there has been an increasing trend to violence, reflecting community as a whole. There is a tendency to follow UK trends (alcohol fuelled knife crimes).

Risk factors for children under 12. We have the most 'unfathered' generation in history.

- 1) Family influence and family dysfunction. Father not there, poverty, underclass. Now third generation.
- 2) Alcohol and cannabis abuse associated with 90% of youth offending.
- 3) School participation, best form of crime fighting.
- 4) Community connectedness. Getting them involved in sports or other clubs builds resilience and provides role models.

Adults need to model values, the non-negotiables that provide the lighthouse.

What can councils do?

- take advice from Community Youth Offending Team
- develop strong relationships with CYPS
- develop venues for community work
- support community remand facilities
- support supervision with community programmes
- promote community connectedness.

#### 4.2.8.12 Alcohol in our Communities

*(Crs Burgess & Sparks)*

This workshop was introduced by the mayor of Manukau **Mr Len Brown**, who spoke of the challenges associated with alcohol and attempts to promote legislation with which to influence Liquor Licensing legislation. The next speaker was **Mr Peter Glensor**, who is chair of **ALAC** and a Wellington Regional Councillor. Mr Glensor spoke of ALAC as an organization dedicated to reducing alcohol related harm (ARH), and spoke of ARH as it affected local government (LG). The Law Commission Review of the Sale of Liquor (SOL) act is presently holding up a bill in parliament intended to introduce changes to the SOL act. Alcohol should enhance the quality of life, not the reverse. Speaking on Local Authorities (LA's) measures to reduce ARH Mr Glensor told the workshop there are 14 LA's that have introduced alcohol strategies and at least 38 that have written alcohol policies. Mr **Paul Wilson** of the Manukau C.C. spoke of the Alcohol Strategy that had been written with the assistance of Waikato University and ALAC. Mr Wilson spoke of the links between ARH and the number of liquor outlets. Small stand-alone outlets tended to be the most problematic. Off licences tended to gravitate toward areas of high deprivation where higher numbers of off licences tended to contribute toward ARH. This situation is being mitigated by Licensing Authority decisions to reduce the numbers of small groceries and superettes as licences become due for renewal.

**Ms Mary Knapper** of the Invercargill City Council (ICC) told the workshop of how the ICC had employed an independent consultant to help craft an alcohol strategy. She spoke further of ARH problems such as intoxication, safety / crime prevention, educating communities, leadership, communication and regulation. Actions involve the Invercargill Licensing Trust (ILT) on Liquor Licensing, the Police as lead agency and CYF as a partner. The ICC in conjunction with the ILT and others are to trial a 'One Way Door' policy between now and Christmas. There is extensive collaboration with a steering group comprising the Police, ICC, ILT, Restaurants, Public Health South, and Taxis that will evaluate the ultimate outcomes.

**Dr Sue Bidrose** of the Waitakere City Council spoke of managing ARH in Waitakere with a particular emphasis on family violence ('It's Not OK') and alcohol. Statistics indicate that 33% aged between 18 and 64 will suffer some form of physical or sexual abuse at least once in their lifetime. There are a range of factors which influence or exacerbate family violence. Alcohol doesn't cause ARH, but can exacerbate it. The desire to make a difference and collaboration is the key. LG provides the link between communities and government.

**Sir Geoffrey Palmer**, the architect of the SOLA 1989, and presently head of the Law Commission reviewing that act said that 'the law is a disembodied thing that on its own can make little difference.

Local efforts at local level can make a difference. New Zealand as a nation has an alcohol problem that must be recognised and owned by communities...there are 785,000 binge drinkers in NZ. The 1989 SOL act is no longer applicable to today's society. In NZ, liquor legislation has traditionally been by way of conscience votes, this needs to change. 'Alcohol in our Lives', the Law Commission review of the SOL act is due out on Thursday July 30<sup>th</sup>. Consultation on the review will be open between 30 July and 30 October 2009 with the final report due March 10 2010. Alcohol is carcinogenic to humans...1000 people die each year in NZ of alcohol related effects and this doesn't include the numbers who die in accidents caused by alcohol consumption. The huge influence of alcohol on law and order. The different problems experienced by NZ Metro and NZ Rural / Provincial areas. Night life in NZ, and the associated problems. Blood alcohol levels in NZ are too high.

There are around 11,500 licences in NZ with the consequent costs of cleaning up mess and repairing damage, the costs of licences, and the costs of enforcement.

Sir Geoffrey spoke at greater length on the subject of Liquor Bans, which as bylaws are subject to different hours and conditions. Around the country there appear to be varying levels of interpretation and enforcement, and are expedient, but perhaps not secure. The question is whether the ban of the consumption of liquor in all public places should be enshrined in legislation with appropriate penalties. The same question relates to public drunkenness and whether that should be reinstated as an offence, again with appropriate penalties.

The Liquor Licensing Authority (LLA) is short of both powers and resources, and should have more powers to manage poor operators. The cost of licences is set by statute. On District Licensing Agencies (DLA's) Sir Geoffrey believes there is an uneven spread around NZ and that most of the decisions are made by officers. DLA's should have more powers to influence licensing in their area. Alcohol strategies are to be encouraged (DLA & LLA) and hours should be restricted with limiting hours on licences, but with the ability to be altered by DLA strategies / Policies. No law will fix these problems...we must look into ourselves and resolve such matters as liquor bans and infringements.

The remaining time was taken up with discussion, Q /A mainly around the matter of liquor bans.

#### **4.2.8.13 Community Boards Forum**

*(Cr Tasker)*

Held at Riccarton Raceway Tea House.

We were taken on a mystery bus trip ending up at Riccarton Raceway where we were told the fascinating history of racing from 1851, attracting 500 people to the first race. The 1878 Act of Parliament formed the reserve of the racing track plus another 10 acres of land.

The Tea House was built in 1904 and used for many years. With it no longer being used, the future looked grim until the Community Board was petitioned to lead fundraising to restore the once gracious building into an asset again. The Tea House Trust was formed with members from the Jockey Club, Riccarton Racecourse and Community Board. The required \$1million was raised and the restoration work was finished in December. The Tea House is available for hire and proved a super venue for the lunch and forum on community boards.

The Forum members were Mary Richardson, JHI Consultancy; Mike Cohen, North Shore City Council; and Leslie Keast, Tea House Restoration Committee and past Deputy Mayor of Christchurch.

They commented on the need for –

- clear roles and decision making by community boards and community engagement
- meaningful consultation
- dedicate staff to deal with community boards
- Councils set basic envelope to work within finance policy and planning and Boards to operate in the scope given to them
- Southland has local community boards, community boards and Council. The Boards set their own programme of work (like we do) and advise Council what the works rate for their village is to be. They have also given the responsibility of strategic planning and LTCCP back to each Board who run the meeting with their community. The Board Chairs have monthly meetings with the Mayor to ensure everyone is well informed.
- There is great variation across the country as to how well and what responsibilities Boards undertake.

#### **4.2.8.14 Local Democracy “An endangered species” Growing Active Citizens** *(Cr Tasker)*

- Participation – leadership by the present
- Growing active citizens = making a difference
- Tangible and authentic experiences
- Inspire and mentor young people – talking at school etc
- Young citizens juries – case studies and information available.
- Kids voting at schools, in programme – it was felt that the younger the children the better chance of creating civic interest. Will only work if its part of the school curriculum and with elected members input essential.

What a privilege it has been to have the opportunity to listen to so many outstanding passionate Kiwis who challenged, informed and entertained us in so many diverse topics.

#### **4.2.8.15 Rugby World Cup**

*(B Lester)*

##### **Martin Sneddon – RWC Chief Executive**

The Cup is expected to bring 70,000 visitors. A co-ordinated approach working with local government is critical; issues are arising but being addressed. We must also acknowledge that there will be business as usual. The enduring legacy is the image of New Zealand, as a people, as a country. This is the third largest sporting event in the world (participation, audience).

##### **Roger Wigglesworth, NZ Economic Development**

Roger is the NZ Government representative. The goal is to showcase New Zealand and leverage off the opportunities. NZED has set up a NZ office to assist this co-ordination.

We now have the “Major Events Management Act” to protect against unauthorised associations, prevent ‘ambush marketing’, ensure clean zones. These will be enforced by NZED officers. The Government is developing a website for the event, to be unveiled on 9/09/09 (2 years to go!).

**Paddy Austin** then spoke about risks that could compromise the visitor experience. These could be parking issues, rubbish disposal, bylaws, road closures, public safety and transport. There needs to be consistency with bylaws such as liquor bans. This may need co-ordination by LGNZ.

In response to questions, there will be a volunteer programme to maximise people’s opportunities to get involved. It was also commented that other tourism will be affected and scheduling events should be considered.

**4.2.8.16 Hon John Carter, Minister Civil Defence, Senior Citizens, Association Local Government**

*(B Lester)*

John Carter firstly commented that he believed councils are making the right decisions and showing necessary financial constraint. With respect to Auckland, he wishes to ensure 'local' is retained in local government.

On Civil Defence, he recognised that in both rural and urban areas, volunteers are the backbone of emergency management as well as many aspects of life in New Zealand.

With respect to senior citizens, Government is promoting employment of older workers and intergenerational programmes such as 'Grans in Schools'. By supporting seniors to give back to the community these programmes assist young people as well as prevent elder abuse.

**4.2.8.17 Sector Meetings**

*(B Lester)*

John Carter also spoke to the Rural / Provincial sector. Confirming the government has no plan to cap rates, they are looking to benchmarking regimes to assist best practice. He was concerned about the complexity of the LTCCP and Annual Plan, including auditing and the relevance of the international financial reporting standards.

Councils' aversion to risk (as required by statute) he sees as creating barriers to development. Any new initiatives from Central Government will have full consultation on costs prior to any changes. The Resource Management Act needs to have a better balance between public inputs, environmental protection and infrastructure development.

Government is looking at a home warranty system with respect to new dwellings. The National Infrastructure Board will develop a high level blue print by the end of 2009. The Minister acknowledged local government does its long term planning better than Central Government. He believes New Zealand gets good value for rates, noting the average urban rate is around \$2,000 (Ashburton \$1373), but can get better through less process.

The EPA role is still a work in progress. The Rates Enquiry has resulted in no change. This tended to focus on income raising rather than cost drivers.

**4.2.8.18 Annual General Meeting**

The Annual General Meeting firstly received and adopted the annual report and financial statements. An update on previous remits was received. The following remits were included as new items:

1. National Environment Standard on wind farms. The request from local government that a national standard be developed to provide guidance on environmental issues related to location, noise, distances and landscape considerations.
2. Increased level of infringement fees for illegal dumping of rubbish. The resolution is to increase the maximum infringement fee from \$400 to \$1000. It was noted that the cost of dealing with this issue is substantial. Australia comparison is \$2,500, UK £50,000.
3. Dog attacks. This resolution has already been reported to Council and is to correct an anomaly in the legislation by allowing the seizure and subsequent destroying of a dog that is known to have committed an attack, and which is believed to be an ongoing danger to the public or stock. Carried (supported).

Life membership was awarded to Basil Morrison, recognising his service to the Association. The Association already has seven life members.

**Conclusion**

The Conference was well attended and provided good speakers / workshops, as well as networking opportunities. It was noted that Northland has rejoined. The opportunity to attend was appreciated by us all.

**Mayor Bede O'Malley**  
**Councillors Beavan, Burgess and Tasker**  
**(Day) Councillors Kilworth, Kingsbury & Sparks**  
**Chief Executive Brian Lester**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:

DATE: 13 August 2009

REPORT TO: Council Meeting – Extraordinary Business

FROM: Community Planning Manager

SUBJECT: State of the Community Report

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### ***Extraordinary Business***

#### **RECOMMENDATION**

“That pursuant to Section 7(2)(A) of the Local Government Official Information and Meetings Act 1987 the following item be introduced as extraordinary business and considered as item 4.11:

- Ashburton District State of the Community Report

*Reason for urgency: To enable Council to receive the report prior to it being made available to the community.*

### **4.11 STATE OF THE COMMUNITY REPORT**

#### **4.11.1 SUMMARY**

The purpose of this report is to provide background information about the Ashburton District State of the Community Report. The State of the Community Report measures our community’s progress towards achieving the district’s seven community outcomes. As this is the district’s first community outcomes monitoring report it establishes a baseline for future state of the community monitoring and reporting.

#### **4.11.2 RECOMMENDATION**

“That the Ashburton District State of the Community Report be received by Council.”
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#### **4.11.3 BACKGROUND**

The State of the Community Report measures our community’s progress towards achieving the district’s seven community outcomes. As this is the district’s first community outcomes monitoring report it establishes a baseline for future state of the community monitoring and reporting.

The Ashburton District community outcomes were developed in 2005 through a consultative process with the community, and provide Council and other government and community organisations with indications of where the community wants to be in the future. The aim in producing this report has been to not only meet the relevant legislative requirements but also to provide Council, government agencies, community organisations, business and residents with a valuable source of statistical information about the district and to identify trends occurring across the full range of community wellbeing; social, economic, environmental and cultural.

Council is required to report on progress made to achieving community outcomes at least every three years. The next report is scheduled to be undertaken in two years, in 2010/11, to enable the report to inform the development of the next community plan.

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#### **4.11.4 STATUTORY IMPLICATIONS**

Council is required by the Local Government Act 2002, (S.92) to report on the progress made by the community to achieving the community outcomes at least every three years.

#### **4.11.5 OPTIONS & RISKS CONSIDERED**

Not applicable.

#### **4.11.6 STRATEGIC LINKS**

Ashburton District Community Plan 2009/19  
Ashburton District Community Outcomes  
Ashburton District Social Wellbeing Strategy  
Ashburton District Visitor Strategy  
Ashburton District Walking and Cycling Strategy  
Ashburton District Physical Activity Strategy  
Methven Community Strategic Plan  
Rakaia Community Strategic Plan

#### **4.11.9 CONSULTATION**

Council sought the agreement of key stakeholders for the monitoring and reporting procedures of the State of the Community Report, as per the Local Government Act s.92(2)

#### **4.11.8 FINANCIAL IMPLICATIONS**

Budget was allocated in the 2008/09 for the costs associated with printing this report. This was carried over to the 2009/10 financial year.

#### **Report Prepared By:**

T SPITTLE  
Policy Advisor

#### **Report Approved By:**

G THOMAS  
Community Planning Manager