



# Ashburton District Council

## AGENDA

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

**Date:** Thursday 22 October 2009

**Time:** 1.30 pm

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

B LESTER  
Chief Executive

### **MEMBERS:**

Cr R J Kilworth (Chairman)  
Cr L J Leadley  
Cr R C Beavan  
Cr I J Burgess  
Cr J A Kingsbury  
Cr P W Reveley  
Cr J Sparks  
Cr B A Tasker  
Mayor M B O'Malley (ex officio)

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO:  
DATE: 22 October 2009  
REPORT TO: Environmental Services Committee  
FROM: Community Planning Manager  
SUBJECT: Council Submission – Alcohol in Our Lives

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### 5. COUNCIL SUBMISSION — ALCOHOL IN OUR LIVES

#### 5.1 SUMMARY

The Law Commission has produced a discussion document “Alcohol in Our lives” to inform future reviews of legislation associated with the regulation of alcohol and the broader social impacts of alcohol and possible government and local responses to these. The document has called for submissions to inform this process.

Copy of submission attached

*Pages 19-35*

#### 5.2 RECOMMENDATION

- “1. That the Environmental Services Committee receives the submission.
2. That the Environmental Services Committee adopts the submission and forward to the Law Commission.”

#### 5.3 BACKGROUND

Council officers have held workshops with councillors on the District Licensing Agency and other interested councillors to develop this submission.

In general, the submission supports:

- some refinement of the current Sale of Liquor Act
- the promotion of local alcohol plans to be the basis for local decision-making in the regulation of liquor sales
- increasing personal responsibility with respect liquor use
- increasing funding for treatment of alcohol related harm
- promoting responsible alcohol use, particularly with respect to young people

The submission is required to be received by the Law Commission by 30 October 2009. There is not a fixed timetable at this stage for any review of the Sale of Liquor Act or associated legislation though with two private members bills currently being parked by the government it can be expected this will happen in the near future.

#### 5.4 STATUTORY IMPLICATIONS

None at this stage.

#### 5.5 OPTIONS AND RISKS CONSIDERED

Not applicable.

## 5.6 STRATEGIC LINKS

### Ashburton District community outcomes

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

b. Towns and rural areas are developed in a way which enhances the local environment and meets the needs of the community (Priority Objective)

Outcome 5: Healthy, active people enjoying a good quality of life in a caring and safe community

a. Healthy, active people with good access to health services (Priority Objective)  
b. A range of agencies work together to create a safe environment  
d. Young people are supported to lead healthy and safe lives and are active participants in community life

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

a. Cultural, recreational and heritage experiences and facilities are accessible to the community and actively used  
b. Cultural, recreational and heritage facilities are maintained and developed to meet community needs (Priority Objective)

Outcome 7: A community that contributes to improving our quality of life through democratic participation

a. The community is provided with opportunities to participate in local decision-making  
b. There is active participation in elections and consultation processes  
c. Advocacy by community leaders for identified local concerns and issues at a local, regional and national level (Priority Objective)

### Ashburton District Social Wellbeing Strategy Outcomes

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

### Ashburton District Visitor Strategy

Our visitor industry is prosperous and attracts investment

Our visitor industry and community work together for mutual benefit

## 5.7 CONSULTATION

Not applicable.

## 5.8 FINANCIAL IMPLICATIONS

Not applicable.

### Prepared By:

G THOMAS  
Community Planning Manager

### Approved By:

J G ROLLINSON  
Manager Democracy and Community Services

## 6. ACTIVITY REPORTS

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### 6.1 BUILDING SERVICES

#### 6.1.1 Staff Training

A Building Official spent three days away training in fire design assessment, and two Administration staff spent one day Christchurch training in building controls processes, they have also been taking part in the testing of the new Council computer system.

#### 6.1.2 Building Consents

The number of building consents issued during September was 72. This is an increase of 35 building consents from the same month in the previous year. The number of applications received for the month was 84; this is a decrease of 32 applications from the same month in the previous year.

Month	Building Consents Received	Building Consents Issued	% Processed within 20 Days	Inspections Carried Out
July 2009	80	109	70%	367
Aug 2009	51	88	65%	365
Sept. 2009	84	72	97%	395

Building consent data and activity graphs are attached.

**Pages 36-44**

#### 6.1.3 Building Consent Processing Times

There has been a noted increase in the amount of building consent applications processed within the statutory 20 day timeframe. It is important to note that this high percentage of statutory compliance is a direct reflection of the reduced number of applications received in the previous month being within our capacity of current staff resourcing levels.

Staff away for holidays and training saw our outside contractor based in office for most of the month in order to help provide additional support along with processing applications. Until staffing levels are adjusted this will be the norm when staff is away.

#### 6.1.4 Project Information Memoranda (PIM's)

There was one application for a PIM not related to a building consent for the month of September which was processed within the twenty day timeframe.

Amendments to the Building Act have made applying for a PIM voluntary after 1 February 2010. However, the Council will still have the responsibility of performing the same checks to be able to assess the building's requirements in order to comply with the Building Code. While it is now required that certain notices be attached to the PIM (ie Section 37, 72, 77 and Development Contribution Notices), these will now be required to be attached to the building consent in a form yet to be prescribed.

#### 6.1.5 Inspection Times

Requests for building inspections are being met in up to four days. This delay has caused some comment from individuals requesting inspections. This situation will require continued monitoring and may need to be addressed in the future.

### **6.1.6 Certificates of Acceptance**

Part of the Building Services Department's responsibilities as a territorial authority is the approval and issue of an application for a Certificate of Acceptance (COA). A COA is required when work has been carried out without a Building Consent. The statutory time frame to access and either grant or refuse a COA is twenty working days. For the year to date there have been five applications for a COA of which none have been processed within the timeframe.

### **6.1.7 ADC website update improves Customer Information**

In our efforts to help our customers understand the "Ins and outs" of the building controls framework there has been a Frequently Asked Questions (FAQ) page added to the ADC website. Fifty common questions around building consents, fencing, fireplaces, and swimming pools are among the issues addressed. The FAQ page is located under the services/building tab on the ADC website and will continue to be developed over time.

### **6.1.8 BCA Accreditation**

The Council has been notified by IANZ that the dates of reassessment will be 23-26 February 2010. This visit will involve two IANZ auditors visiting the Building Services Department to evaluate procedures and staff to determine compliance with the Building (Accreditation of Building Consent Authorities) Regulations 2006.

In anticipation of the IANZ re-accreditation visit we have contracted Schema, specialist consultant, to review and report on the extent of statutory compliance of our Building Consent Authority structure and procedures. Consequently a large number of issues were identified for correction and these are being addressed as a project within the department. This will involve staff undertaking a review of the Management Procedures, Technical Procedures Manuals, along with developing a Quality Assurance Manual as required by the regulations, including reformatting to a more user friendly system. This will concentrate some staff onto accreditation issues and may cause some shortage issues in some day to day functions especially in the administration area. This means that the Systems Administrator will be required to concentrate on her auditing duties rather than Systems Officer duties relating to vetting and inputting of applications. Arrangements are being made with Customer Services to provide some assistance to help mitigate some of these issues and keep any delays or disruptions to a minimum.

### **6.1.9 Financial Report**

Variance comments for the month are attached.

***Pages 45-48***

## **6.2 PLANNING**

### **6.2.1 Plan Changes**

- **Ashburton Aquatic Park Charitable Trust Private Plan Change – Lake Hood**

The Plan Change was approved by Council on 24 September and became operative on 7 October 2009. The District Plan has been updated to incorporate the Plan Change and copies of the amended pages will be circulated to Councillors.

- **G & A McPhail (Trevors Road) Private Plan Change**

The period for further submissions ended on 21 July 2009. The Council is currently awaiting comments from the applicant on how reverse sensitivity issues are being addressed with a neighbouring property. A report will then be prepared summarising all submissions and assessing the issues raised, following which there will be a hearing for decision.

- **Areas of Significant Conservation Value (Group 2 sites) Plan Change**

A total of nine submissions were received to the notified Plan Change. A summary of submissions was notified on 19 September 2009, with the period for further submissions ending on 19 October 2009. It is too early to predict a hearing date, until any outstanding matters identified in the submission process can be identified & addressed.

- **Carters Estate Private Plan Change**

This Private Plan Change was notified on 16 September 2009, with the period for submissions ending on 14 October 2009.

- **Village Green Private Plan Change (John Skevington and Jo Ruane)**

This Private Plan Change was notified on 16 September 2009 with the period for submissions ending on 14 October 2009.

## **6.2.2 Resource Consent Applications**

*Pages 49-51*

- **Ashburton Business Estate**

An application for promotional signage associated with the Business Rstate is currently on hold pending written approval from the New Zealand Transport Agency. Another application was approved on 30 September 2009 for the central open space to be provided before the completion of Stage 2 rather than as a part of Stage 1. Mr Bob Batty has acted as the Independent Hearing Commissioner in all Resource Consent matters regarding this development.

- **Proposed Ashburton Art Gallery & Museum**

The application is on hold at present pending receipt of further information.

- **Farmers Corner**

The Council approved a resource consent application for proposed new signage and extended hours of operation following a hearing on 1 September 2009. The conditions of consent ensure tighter control on the hours that external and internal lighting is extinguished by.

- **Methven Trotting Club**

Negotiations are continuing with the applicant to ensure adequate open space is provided for future residents in the proposed subdivision.

## **6.2.3 District Plan Review**

- **Public Open Days**

The Public Open Days for the District Plan concluded on 24 September with the last Open Day in Ashburton. A key issue raised at the Ashburton Open Day was the impact of zoning changes on existing and future landowners and their ability to subdivide and develop land, particularly in areas currently zoned Rural A.

The issues raised have been considered and were reported to Councillors at the District Plan Review Workshop on 20 October 2009.

## 5.2.4 Other Projects

- **Ashburton Town Centre Concept Plan**

A Staff Reference Group of managers from Operations, Environmental Services and Community Services has been established to enable an integrated approach to planning and works within the town centre. The Staff Reference Group will meet on a regular basis in implementation of the projects identified in the Town Centre Concept Plan.

The Staff Reference Group last met on 22 September 2009, with Tim Church and Nik Kneale of Boffa Miskell, who provided an overview of the project and the next steps including proposed consultation on the redevelopment of Barring Square East. This was reported to Councillors at the Town Centre Subcommittee on the morning of 22 October.

- **Forms**

The Affected Persons Approval Form has been updated with additional information to help those who may be asked for their approval of an application for resource consent. A guide has also been prepared with more information for both the applicant and affected persons. Both the form and guide are available on the Council's website.

- **Planning website update improves Customer Information**

The Planning web pages on the Council website will soon be restructured to help the public navigate the site, with new content to improve awareness and understanding.

## 6.2.5 National/ Regional Guidance

- **Resource Management Act Amendments**

The RMA (Streamlining and Simplifying) Amendment Bill took effect on the 1 October 2009. A summary of the key changes is presented as an Appendix to this report. **Pages 52-53**

The amendments are currently being worked through with templates and forms being updated to reflect the changes. A member of the Planning team will be attending training on the amendments and their implications on 12 October 2009.

- **Proposed Regional Policy Statement**

Marcus Langman and Frank Stewart of Environment Canterbury presented draft chapters of the Regional Policy Statement to Councillors on 8 October 2009 including Landscape; Soils; the Coastal Environment; Ecosystems and Indigenous Biodiversity; and the Beds of Lakes and Rivers and their Riparian Zones.

An issue arising from the discussion is the need for understanding by ADC and ECAN of the other's responsibilities and avoiding unnecessary duplication.

## 6.2.6 Resource Consents granted by delegated authority

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## 6.3 REGULATORY

### 6.3.1 Staff

- Four Staff attended PROCLAIM upgrade training
- Leanne Copland was awarded her NZQA Level 2 qualification as an Animal Control Officer

### 6.3.2 Meetings

During the reporting period meetings were held with:

- Councillors as a workshop on issuing infringement notices under bylaws
- NZ Police regarding enforcement issues
- NZ Food Safety Authority
- Newcomers Network

### 6.3.3 Environmental Health

*Pages 55-58*

- **Food safety**

One food complaint was received from the public, it was investigated and resolved

- **Nuisances**

- A total of 78 noise complaints were received, 16 noise directions were issued
- Two outdoor burning complaints were received
- Two complaints about demolition noise at different properties
- One complaint about a dangerous and insanitary building
- One noise complaint regarding boy racers was investigated and resolved

- **Disease**

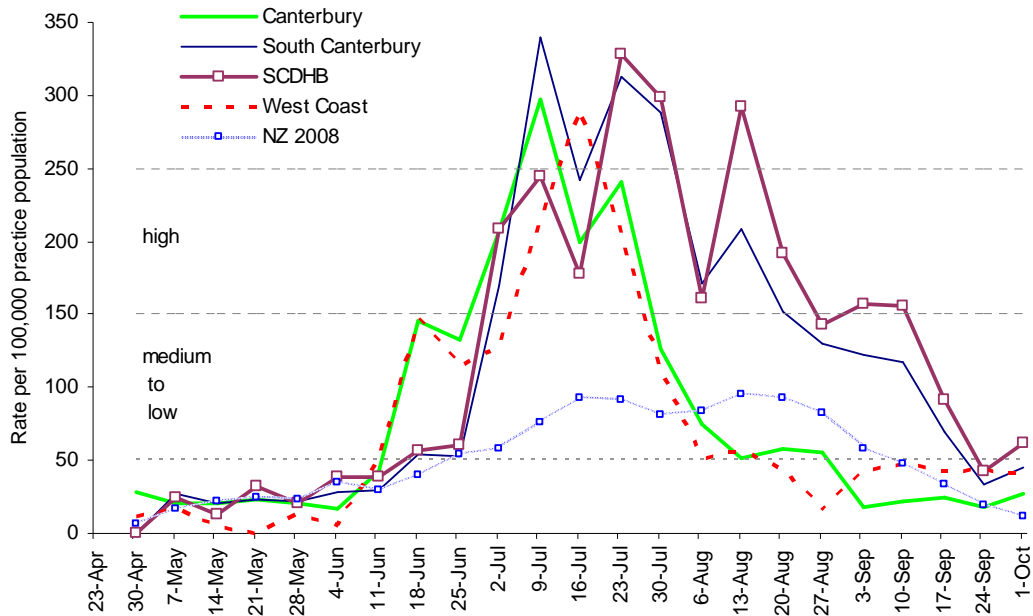
During the reporting period the following disease notifications were made from Ashburton to the District Health Board:

DISEASE	Number
Leptospirosis	
Cryptosporidium	6
VTEC/STEC	3
Pertussis	4
Campylobacter	6
Hepatitis B	1
Measles	3
Yersiniosis	1

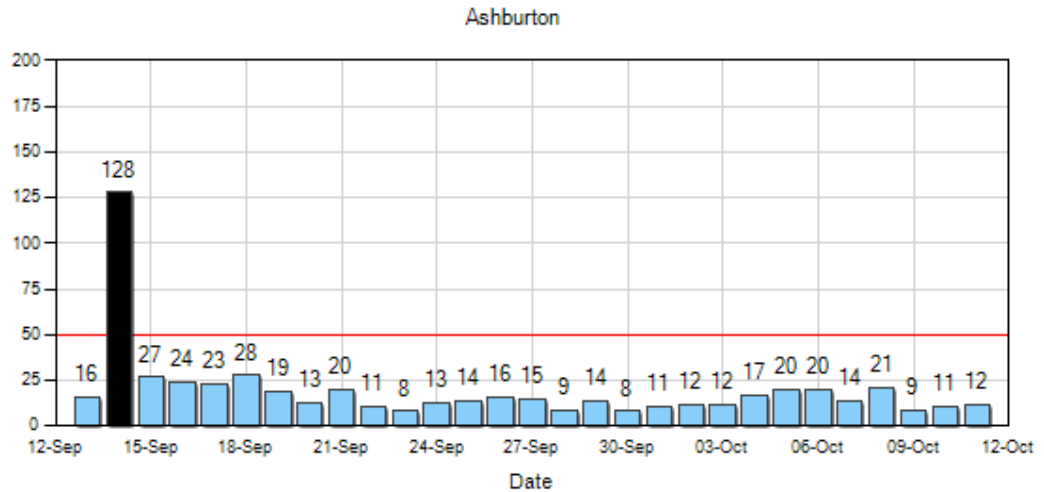
No notifications were passed on to Ashburton District Council for further investigation, hence it is assumed that no cases were found to be related and considered to be outbreaks.

## C&PH Influenza Surveillance In Regional Health Districts\* And The SCDHB - 2009

Summary graph of influenza-like illness surveillance by 20/23 Canterbury, 1/1 Ashburton, 8/9 South Canterbury and 6/8 West Coast sentinel medical centres for the week ending Thursday 01 October 2009, and for New Zealand 2008.



### Air Quality



Location	Pollution Level Yesterday	No. of High Pollution Nights	Highest Pollution Level	2nd Highest Pollution Level
<a href="#">Rangiora</a>	13	3	88	54
<a href="#">Kaiapoi</a>	19	24	86	84
<a href="#">Christchurch - St Albans*</a>	14	13	86	83
<a href="#">Christchurch - Burnside</a>	-1	7	107	72
<a href="#">Christchurch - Woolston</a>	18	16	88	88
<a href="#">Ashburton</a>	12	9	128	76
<a href="#">Timaru - Anzac Park*</a>	24	38	135	124
<a href="#">Timaru - Washdyke</a>	21	5	124	60
<a href="#">Waimate</a>	13	10	112	89
<a href="#">Geraldine</a>	12	8	94	67

These are the figures from the ECan website (12 October 2009).

The exceedence on 14 September was caused by windblown dust and not by home heating etc. This point has been made to ECan and the ability such occurrences have to adversely affect compliance with the NES has been included by them as a point to be raised with Central Government.

By comparison last year we had a total of 15 exceedences.

### 6.3.4 Water and Wastewater Monitoring

Drinking water sampling indicates that good results have been achieved across all public drinking water supplies in the District. The requirement to monitor some smaller commercial private supplies is being reviewed following policy changes in the Ministry of Health.

Monthly waste water monitoring is on target with no concerns reported.

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### 6.3.5 General Inspections

In the reporting period, the following activities have been undertaken:

- **Building Act 2004**
  - Thirteen building warrant of fitness audits have been carried out **Pages 59-61**
  - A gas certificate has been requested following an investigation into unauthorised work at a property.
- **Resource Management & District Planning**
  - Complaints have been received regarding a number of matters including signs, relocated buildings and breaches of the District Plan.
  - A relocatable house that has not been permanently placed remains an ongoing matter.

- An infringement notice has been served on an individual who had already been served an Abatement Notice.
- A complaint is being investigated into land in the rural area which is being used other than in accordance with the District Plan. The owners have been notified and have agreed to improve the current situation.

- **Regulatory**

Seven infringements have been served for littering.

The Regulatory department produced a display on illegal dumping as part of the Ashburton Borough School Enviro week.

In addition to normal waste water sampling, additional bore sampling and soil sampling has been carried out.

### 6.3.6 Trade Waste

The following is reported:

- **Workshop**

A Council workshop was held on 30 September to discuss the Trade Waste Bylaw. This resulted in the bylaw being ratified and a commitment by Council to review associated charges at the next budget round.

- **Reviews**

38	completed and filed	-	(27 confirmed and 11 allowed)
4	completed	-	(awaiting final decision from Admin)
7	awaiting inspection		
49	total		

- **Consents**

All conditional premises have received their conditional consent (2 premises under review to be down scaled to permitted consent).

35	conditional consents
332	permitted consents
367	total premises requiring consent

At 30 September 78% of businesses had paid their fee charges.

- **Registrations**

572	premises asked to register
433	registered

- **Enquiries**

2 enquiries completed for final consultation with discharging premises.

### 6.3.7 Liquor Licensing

*Pages 62-63*

- **Law Commission Report**

Members of the DLA and key Council staff held a workshop on 30 September 2009. A submission has been drafted from this workshop.

- **Methven Rodeo**

The Licensing Inspector continues to work on this event with specific emphasis on enforcement in some of the accommodation areas in Methven.

- **Undie 500**

The “Undie” 500 on 11 September passed through with very little incident.

- **Hearing**

A Hearing relating to a suspension of an Off Licence was to be held at the District Court on 23 September 2009. The Hearing resulted in controls on off-sales at a local premises and caveats on a Managers Certificate.

### 6.3.8 Animal Control

- **Registration status:**

The annual breakdown is as follows:

<b>Category - Known Dogs</b>	<b>Number</b>
Dogs registered in 2008/ 2009	7038
New registrations	727
Total	<b>7765</b>
<b>Category - Accounted for Dogs</b>	
Dogs re-registered from 2008/2009	5676
Dogs reported dead from 2008/2009	689
Dogs reported as having left District from 2008/09	359
New Registrations	727
Total	<b>7451</b>
<b>Total Dogs Not Accounted For</b>	<b>314</b>
% of Known Dogs registered in 2009/2010	<b>95.96%</b>

- **Court Cases**

One owner has been classified probationary following repeated complaints and failure to register a dog.

- **Hearings**

Nil

- **Dog Control Act Infringement Notices**

Fifteen infringement notices have been served in September making a total of 45 since 1 July 2009.

- **Impounding**

33 dogs have been impounded since the last meeting.

There are currently no dogs in the pound (at 11 October 2009).

- **Rehoming**

Four dogs have been re-homed direct to new owners between 1 Sept 09 – 30 Sept 09

Three dogs have been destroyed humanely due to unsuitable temperament for re-homing.

- **Pro active monitoring**

In order to deal with a number of issues the animal control contractor has been instructed to target specific areas of the District for whole day visits. Although this is manpower intensive it does allow a large number of issues to be dealt with at once.

- **Dog and stock control reports**

The reports for August and September are attached.

***Pages 64-71***

J McKENZIE  
**Environmental Services Manager**