

**PLANNING AND REGULATION COMMITTEE MEETING**

**on**

**Thursday 10 September 2009**

**Council Chamber  
Timaru District Council  
2 King George Place  
Timaru**

## **TIMARU DISTRICT COUNCIL**

**Notice is hereby given that a meeting of the Resource Planning and Regulation Committee will be held in the Council Chamber, District Council Building, 2 King George Place, Timaru on Thursday 10 September 2009 commencing at the conclusion of the Community Development Committee Meeting.**

### **Committee members:**

Clrs Mulvey (Chairman), Coughlan, Bennett, Bradley, Oliver and the Mayor and a representative of Tangata Whenua.

### **LOCAL AUTHORITIES (MEMBERS' INTERESTS) ACT 1968**

Committee members are reminded that if you have a pecuniary interest in any item on the agenda, then you must declare this interest and refrain from discussing or voting on this item, and are advised to withdraw from the meeting table.

Warwick Isaacs  
**CHIEF EXECUTIVE**

## RESOURCE PLANNING AND REGULATION COMMITTEE

10 SEPTEMBER 2009

### AGENDA

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4		Chairman's Report
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11		Consideration of Urgent Business Items
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**RESOURCE PLANNING AND REGULATION COMMITTEE  
FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 5**

**Prepared by - Peter Thompson  
Regulatory Services Manager**

**Confirmation of Minutes**

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Minutes of the meeting of the Resource Planning and Regulation Committee held on 21 July 2009.

**Recommendation**

**That the minutes of the Resource Planning and Regulation Committee meeting held on 21 July 2009 be confirmed as a true and correct record.**

# UNCONFIRMED

## TIMARU DISTRICT COUNCIL

### MINUTES OF A MEETING OF THE RESOURCE PLANNING AND REGULATION COMMITTEE HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, 2 KING GEORGE PLACE, TIMARU ON TUESDAY 21 JULY 2009 AT 9.45AM.

**PRESENT** Clrs Mulvey (Chairman), Bennett, Coughlan, Bradley, Oliver and the Mayor

**IN ATTENDANCE** Clrs Barker, Jack, Lyon, Bowan and Kennedy  
Regulatory Services Manager (P Thompson),  
Committee Secretary (L Anderson)

**1 CHAIRMAN'S REPORT**

The Chairman reported on various meetings he had attended since the last Resource Planning and Regulation Committee meeting.

**2 CONFIRMATION OF MINUTES**

Proposed Clr Bennett  
Seconded Clr Bradley

"THAT the minutes of the Resource Planning and Regulation Committee meeting held on 16 June 2009, be confirmed as a true and correct record."

MOTION CARRIED

**3 GANG INSIGNIA (File B2/2)**

The Committee considered a report by the Mayor to seek support for investigating the process enabling the banning of gang patches in parts of the Timaru District.

Proposed Clr Mulvey  
Seconded Clr Bradley

"THAT the Resource Planning and Regulation Committee supports investigating the process enabling the banning of gang insignia in parts of the Timaru District."

MOTION CARRIED

**4 FUNDING FOR HERITAGE PROTECTION (File P5/2/0)**

The Committee considered a report by the Regulatory Services Manager to acquaint the Committee with a request for funding from the Build Heritage Protection fund provided for within the budget.

Proposed Clr Bradley  
Seconded Clr Bennett

- “1 THAT the project be supported.
- 2 THAT a sum of \$5,000 be allocated to the protection and preservation and that the residual funds within the budget remain asterisked.
- 3 THAT a formal policy be established for the allocation of this funding.”

MOTION CARRIED

**5 DOG CONTROL ANNUAL REPORT - 2008/2009**

The Committee considered a report by the Building and Environmental Services Manager to acquaint Council with dog control activities during the period 1 July 2008 to 30 June 2009.

Proposed Clr Coughlan  
Seconded Clr Bennett

MOTION CARRIED

“THAT the Dog Control report be received, and adopted and that, as required by the Act the report be publicly notified and forwarded to the secretary for Local Government.”

Proposed Clr Bradley  
Seconded Clr Oliver

“THAT Council investigate the possibility of registering dogs as companion dogs with the same privileges as seeing eye dogs.”

MOTION CARRIED

**6 POSSIBLE RENAMING OF MUFF ROAD, ORARI (File R4/6/353)**

The Committee considered a report by the Regulatory Services Manager to acquaint the Committee of a request to rename Muff Road, Orari and to consider if the request is to be progressed.

Proposed Clr Bennett  
Seconded The Mayor

“THAT the matter be referred to the Geraldine and Temuka Community Boards for consideration.”

MOTION CARRIED

The meeting concluded at 10.15am.

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Chairman

**RESOURCE PLANNING AND REGULATION COMMITTEE**  
**FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 6**

**Prepared by - Peter Thompson**  
**Regulatory Services Manager**

**Heritage Protection Funding (File P5/2/0)**

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**Purpose of Report**

To propose a possible formal process for the allocation and distribution of heritage protection funding from the sum currently shown, asterisked, within the budget.

**Background**

For several years a sum has appeared in the budget intended for distribution and to assist with the protection and preservation of heritage buildings, identified within the District Plan.

Until recently this funding has not been called upon.

In the interests of fair and prudent distribution and allocation of the funding the Committee have requested that guidelines and an appropriate application form be developed.

**Options**

- To allocate funding on the basis of written ad hoc application.
- To develop a more formal and structured application process.

**Identification of Relevant Legislation, Council Policy and Plans**

- Local Government Act 2002
- Timaru District Plan

**Assessment of Significance**

This matter is not considered to be significant within the terms of Council's Significance Policy. The District Plan, however, identifies buildings of significant heritage and architectural character and advocates their protection and preservation.

**Consultation**

Consultation has taken place through the budget and LTCCP process with respect to funding and the District Plan provisions have been established to the extensive consultation process dictated by the Resource Management Act 1991.

**Other Considerations**

Nil.

**Funding Implications**

Funding of \$30,000 is shown, asterisked, within the current budget. This sum has been drawn down by way of a committed \$5,000 contribution and \$25,000 remains, also asterisked, within the budget.

**Conclusion**

It is considered desirable that a more formal and structured process should be established for the prudent allocation and distribution of this funding.

To assist with this, draft guidelines and an application form have been developed and are attached for consideration by the Committee. The Committee may wish to develop alternate documentation or to make extensive changes to the draft documents. In this circumstance then it is suggested that this would be best achieved through a sub-committee formed for the purpose.

**Recommendation**

**That the draft guidelines and application form be adopted and utilised in respect of future applications for Heritage Protection Funding.**

**DRAFT**  
**GUIDELINES**  
**FOR DISTRIBUTION OF FUNDING FROM THE**  
**HERITAGE PROTECTION BUDGET**

**Background**

Each year Council provides, within the budget, funding for heritage protection. This funding is made available in acknowledgement of the restrictions placed on buildings, identified within the District Plan, as having heritage value and in effort to preserve, in particular, the façade and streetscape of the central business districts of the towns and townships within the district.

The funding acknowledges the often substantial sums expended by the owners of these buildings in their efforts to preserve and maintain the buildings and in so doing preserving our architectural history.

Any assistance provided is intended to encourage and to assist with preserving the authenticity of the structures and appearance of the exterior of the buildings concerned particularly with respect to colour schemes.

**Requests for funding**

Requests for funding shall be in writing and made to the Resource Planning and Regulation Committee of Council.

**Criteria for Funding**

Within budget, funding will be available for this work subject to the following criteria:

- The building concerned will be identified within the District Plan as having heritage value.
- Requests for funding will be required to be accompanied by a report from a suitably experienced person detailing the heritage value of the building concerned and the benefit of the work proposed to the preservation of any identified attributes.
- Preference will be given to preserving the external appearance of a building where the work proposed gives greatest visual benefit to the public generally.
- Preference is expressed for giving some assistance to the preservation of several buildings rather than significant funding to the preservation of one particular building.
- The above item, relating to the allocation of funding, shall not preclude the bulk funding of a particular project where evidence is provided and where Council is convinced that the building concerned is of such value as to warrant expenditure on it, at the expense of other potential projects.
- By way of general guidance the assistance provided will normally be restricted to the sum of \$5,000 and the associated work will usually relate to painting with product of approved colour, weatherproofing of the building or preservation and maintenance of the external architectural features of the building concerned.
- Applications, for consideration by the Resource Planning and Regulation Committee, must include the completed form, attached, together with a report confirming the heritage value of the building and such other supporting data as may be considered appropriate.

**DRAFT**  
**APPLICATION FOR FUNDING**  
**FROM THE HERITAGE PROTECTION BUDGET**

To: The Chairman  
Resource Planning & Regulation Committee

Date: .....

I/We, .....  
the owners of a building situated at .....  
being a building identified in the District Plan as having heritage value, seek financial  
assistance with the maintenance and preservation of this building.

The building has a rateable value of \$.....

Planned improvements to the building comprise the following works:

.....  
.....  
.....

Estimated to incur costs of \$.....

I/We have or intend to apply for a resource consent in respect of this project      Yes / No

The use or intended use of the building is: .....

Structural integrity and heritage value assessments have been made by:

.....  
.....  
.....

and accompany this application.

I/We seek specific assistance with the following work:

.....  
.....  
.....

The estimated value of this work has been assessed as \$ .....

I confirm that, any funding allocated by Council, will be expended on the work indicated.

Paid invoices, confirming expenditure of the allocated sum on the authorised work, will be submitted to Council prior to any payment being made.

Signed: .....  
.....  
.....

Owner(s) and Applicant(s)

**RESOURCE PLANNING AND REGULATION COMMITTEE**  
**FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 7**

**Prepared by - Peter Thompson**  
**Regulatory Services Manager**

**Annual Report on Liquor Licensing Matters to the Liquor Licensing Authority**  
(File H1/38)

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**Purpose of Report**

To acquaint the committee of liquor licensing matters and to seek endorsement of the Agency's Annual Report to the Liquor Licensing Authority.

**Background**

Section 105(1) of the Sale of Liquor Act 1989 requires that each Liquor Licensing Agency provide, to the Liquor Licensing Authority in Wellington, an annual report for the financial year recently completed, by 30 September each year.

The format for the report is set by the Authority and is followed by the attached report. If however the Committee wished to raise or to give emphasis to a particular issue then the Authority would welcome that comment.

**Options**

The provision of an annual report is a statutory requirement.

**Identification of Relevant Legislation, Council Policy and Plans**

- Sale of Liquor Act 1989
- Timaru District Licensing Agency Sale of Liquor Policy

**Assessment of Significance**

This matter is not deemed significant within Council's Significance Policy.

**Consultation**

No consultation has been conducted or is required with respect to this matter.

**Other Considerations**

There are not considered to be any other relevant issues.

**Funding Implications**

There are no funding implications associated with this report.

**Conclusion**

The provision of this report is a statutory responsibility provided for by the Sale of Liquor Act 1989.

**Recommendation**

**That the report be received and adopted and forwarded to the Liquor Licensing Authority.**

10 September 2009

Liquor Licensing Authority  
Department for Courts  
Tribunals Division  
PO Box 5027  
Lambton Quay  
**Wellington 6145**

Dear Sir/Madam

## **2008/2009 ANNUAL REPORT - TIMARU DISTRICT LICENSING AGENCY**

### **1 Overview of the Agency's workload**

- *Personnel*

The following Councillors comprise the Timaru District Licensing Agency:

Clr R Lyon - Chairman  
Clrs J Coughlan, R Bennett and J Bradley as members

Mr Peter Thompson continues to function as Secretary to the District Licensing Agency and Mr David Armstrong, Senior Licensing Inspector. Other staffing within the liquor licensing area remains unchanged.

- *Staff Training*

The Liquor Licensing Inspectors continue to support the National Institute by way of ongoing membership. One of Council's Licensing Inspectors has completed formal tertiary training through Aoraki Polytechnic. All three Inspectors are undertaking training to obtain the Liquor Licensing Inspectors Certificate.

- *Agency Meetings*

There have been two agency meetings held during this year. Much of the Agencies work is attended to through a delegated sub-committee who meet regularly and as required to issue licences, certificates and temporary authorities. The sub-committee comprises the Secretary, Senior Licensing Inspector and Licensing Clerk.

### **2 Agency Initiatives**

- *Monitoring*

The Agency, Police and Community and Public Health have continued to make a concerted effort, this year, to focus on a more formalised monitoring

of licensed premises. This has included after-hours monitoring of all operations, including sports clubs, in both the winter and summer. Special licences have been monitored where the nature or scale of the event has warranted this.

Inspectors have undertaken monitoring at all times of the day and night with few premises having been found lacking in meeting their legislative requirements. Verbal warnings were given to these licensees.

### **3 Sale of Liquor Policy**

The Agency developed a Sale of Liquor Policy in June 2000. This document was reviewed in November 2002 and more recently was reviewed in June 2005.

Further review will be delayed until the outcome of the proposed review of the Act is completed.

The Policy attempts to create a distinction between “Tavern style” premises and “places of entertainment”. The Agency took the view that the “normal maximum operating” hours for a tavern are 7.00am - 3.00am the next day. The Agency accepted however that places of entertainment need not necessarily be bound by those hours, but that a “place of entertainment” should exhibit defined characteristics different from that of a tavern. The return to a “general” 3.00am closing throughout the district has been accepted by licencees and endorsed by Police and the public.

### **4 Amendments to the Sale of Liquor Act 1989**

As suggested last year an amendment making clear the distinction between taverns and places of entertainment would be useful. This would be helpful both in implementation of our Policy and in ascertaining which premises should be issued with licences for the normally excluded statutory days.

### **5 Enforcement and Inspections**

- Council has a bylaw banning the possession and consumption of liquor in various central business areas and during the New Years Eve period on Caroline Bay. This bylaw was reviewed this year as required by the Local Government Act 2002. With the cooperation of the Police and public generally this ban works well.
- During each year all premises holding permanent liquor licences are visited at least once. Premises where their licence is being renewed or with which an application for a new Managers Certificate can be associated may well be subject to more than one inspection. As mentioned above, there has been a concerted effort made this year with respect to after-hours monitoring. This monitoring is viewed as being successful.
- Controlled purchase operations are held throughout the year and, where offences under the Act are detected, particularly sale to an under 18 year old

volunteer, action has been taken. In many cases by negotiation and with the endorsement of the Liquor Licensing Authority, voluntary suspension of licenses and managers certificates have been agreed. Where agreement has not been possible, or in the case of repeat offenders, these incidents have been referred to the Liquor Licensing Authority for determination.

## **6 Liaison with Other Agency Groups (i.e. Police, Health)**

- Liaison group meetings - Representatives of the Agency regularly attend Liquor Licensing Liaison group meetings. This group is presently chaired by the HANZ Representative and other members of the group comprise licensees, Police, Community and Public Health, Waimate District Licensing Agency and this Agency.
- Joint initiatives - This Agency has supported the Police and Community and Public Health in Controlled Purchase Operations and in particular has undertaken follow-up visits both to premises where offences have been detected. Similarly visits have been made to premises where no offence has been detected to compliment staff and management on their operation. Agency staff support the Police in any action which may ensue.

## **7 Statistical Information**

Attached is the required statistical information for the financial year.

Yours faithfully

Peter Thompson  
**SECRETARY**  
**TIMARU DISTRICT LICENSING AGENCY**

## TIMARU DISTRICT LICENSING AGENCY - MONTHLY REPORTS 01/07/08 - 30/06/09

Licence Type	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	TOTAL
New On Licences	2	4	1	3			1	1	3	1	1		17
New Off Licences		1	1	1		3	1		1	1			9
New Club Licences								1					1
Special Licences	18	21	14	22	17	13	21	17	18	18	19	21	219
Temporary Authorities	3	1	1	4	2		5			3	1		20
New Managers Certificates	8	11	9	6	16	3	9	5	4	8	8	4	91
Renewal On Licences	2	1	1	4	2		3	1	2	1	3		20
Renewal Off Licences	2	1	3	1	3						2	2	14
Renewal Club Licences				2	1				1	2	7	10	23
Renewal Managers Certificates	13	12	14	9	18	6	10	6	19	12	14	16	149
Renewal/Variation On Licences													0
Renewal/Variation Off Licences													0
Renewal/Variation Club Licences													0
New Endorsed On Licences - BYO													0
New Endorsed Off Licences - Caterer													0
New Endorsed Off Licences - Auctioneer													0
Renewal Endorsed On Licences - BYO		1											1
Renewal Endorsed Off Licences - Caterer	1								1				2
Renewal Endorsed Off Licences - Auctioneer													0
Redefinition				1	1		2		1	1		1	7
Other (Name Change)													0
	49	53	44	53	60	25	52	31	50	47	55	54	573

**RESOURCE PLANNING AND REGULATION COMMITTEE**  
**FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 8**

**Prepared by - Dave Armstrong**  
**Building & Environmental Services Manager**

**Timaru District Consolidated By-Laws (File B2/0)**

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**Purpose of Report**

As requested this report has been prepared to update the Committee on the current by-laws with respect to Itinerant Traders.

**Background**

Currently the subject of Itinerant Traders is not addressed in the by-laws. Previous versions of the by-laws had reference to this issue. It was specifically removed in the latest review of the bylaw.

This specific item was removed as the:

- Enforcement of the by-laws was impracticable, mainly due to the weekend hours and one off nature.
- The Council deemed it inappropriate to control this trading activity on private property, under the provisions of a by-law.
- The Resource Management Act and the District Plan includes rules on the use of private land for business trading.

**Options**

- 1 Maintain status quo.
- 2 Through the special consultative process, redevelop a bylaw to control this activity.
- 3 Provide a specific area for this activity.

**Identification of Relevant Legislation, Council Policy and Plans**

- Resource Management Act 1991
- District Plan
- Timaru District Bylaw

**Assessment of Significance**

This matter is not deemed significant under the Council's Significance Policy.

**Consultation**

No specific consultation has been undertaken.

**Other Considerations**

There are no other considerations relevant to this matter.

**Funding Implications**

The potential enforcement of a by-law outside normal working hours would have financial implications.

**Conclusion**

That the current use of the Resource Management Act and the District Plan provides an appropriate method of control.

The revocation of the by-law has not resulted in a significant number of complaints either from retailers or the public.

**Recommendation**

**That the status quo remain.**

**RESOURCE PLANNING AND REGULATION COMMITTEE**  
**FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 9**

**Prepared by - Peter Thompson**  
**Regulatory Services Manager**

**Possible Renaming of Muff Road (File R4/6/353)**

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**Purpose of Report**

To invite the Committee to give further consideration to the possible renaming of Muff Road.

**Background**

Councillors will recall that, at the request of Mr Rodger Payne, a proposal to rename Muff Road to Ohapi Road was considered by the Committee and referred to the Geraldine and Temuka Community Boards for comment as parts of the road fall within both Wards.

The matter received considerable publicity and the Community Boards recommend as follows:

“That the Temuka Community Board recommends that the name Muff Road be retained and consideration be given to amalgamating three signs into one, to indicate Muff, Clandeboye and Milford Roads all on the one sign.”

“That the Geraldine Community Board recommends that the name Muff Road be retained.”

**Options**

- To consult further in particular with the residents of Muff Road.
- To rename the road Ohapi Road or some other name of the Committee's choice.
- To retain the name Muff Road.

**Identification of Relevant Legislation, Council Policy and Plans**

- Local Government Act 1974
- Council's Road Naming Policy

**Assessment of Significance**

This matter is not considered to be significant within the terms of Council's Significance Policy.

**Consultation**

Consultation has been undertaken with the Community Boards and public comment has been forthcoming through the media.

**Other Considerations**

Nil.

**Funding Implications**

There are funding implications associated with the provision of road signs and with the possible ongoing replacement of those signs.

**Conclusion**

There has been considerable publicity associated with this matter and it appears that community opinion is heavily in favour of retaining the name Muff Road.

**Recommendation**

**That the name Muff Road be retained and that consideration be given to taking steps which will make the signs less vulnerable to theft.**

**RESOURCE PLANNING AND REGULATION COMMITTEE**  
**FOR THE MEETING OF 10 SEPTEMBER 2009**

**Report for Agenda Item No 10**

**Prepared by - Peter Thompson**  
**Regulatory Services Manager**

**Naming and Renaming of Realigned Roads Adjacent to the Orari River**  
(File R4/6/384)

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**Purpose of Report**

To advise the Committee of the closure and realignment of portions of Burma and Tripp Settlement Roads and to request that consideration be given to appropriate names for these roads.

**Background**

We have been advised by the Land Transport Unit of Council's District Services Group that the roading network adjacent to the Orari River and involving Burma and Tripp Settlement Roads have been realigned by closure of a portion of Burma Road and by the vesting of a new section road between the point where Tripp Settlement Road turns to the east and Slip Panel Road.

Other minor road stoppings are also proposed for the point on Tripp Settlement Road where that road turns east/west.

See attached plan.

**Options**

- To accept the suggested road names as suggested by the Land Transport Unit and depicted on the plan.
- To suggest other road names.
- To refer the matter to the Geraldine Community Board for comment and recommendation.

**Identification of Relevant Legislation, Council Policy and Plans**

- Local Government Act 1974
- Council's Road Naming Policy

**Assessment of Significance**

This matter is not deemed significant within Council's Significance Policy.

**Consultation**

No consultation has taken place. The Road Naming Policy procedure provides for consultation with residents on the roads concerned at a later time.

It is Council's prerogative to name or rename roads without consultation however it has been usual to consult with the Community Board concerned.

**Other Considerations**

It is not considered that there are other relevant issues.

**Funding Implications**

Only minor funding would be required associated with the provision and erection of road name signs. This cost however will be incurred regardless of the names selected and because of the roading changes made.

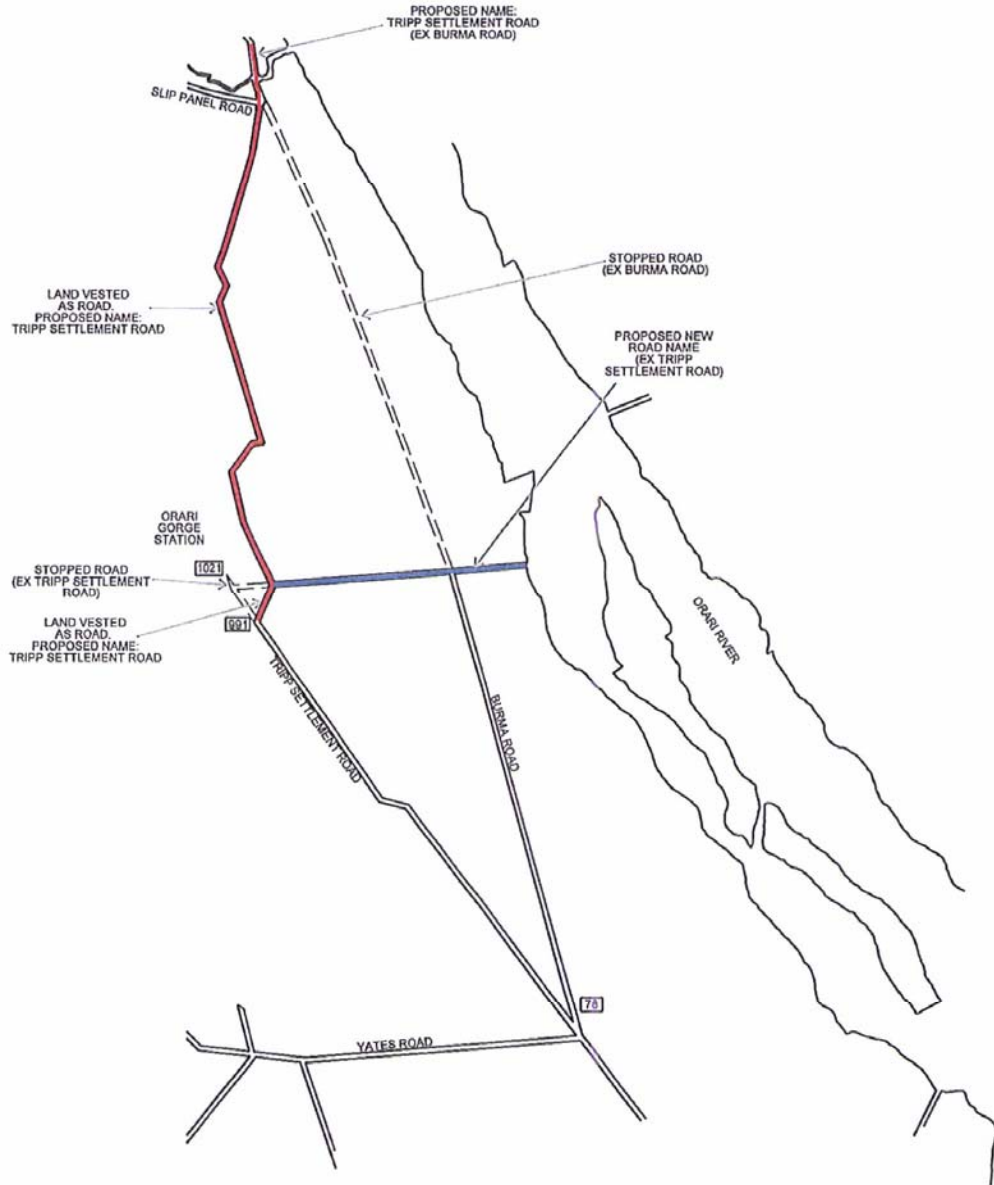
**Conclusion**

The names selected should have local community support and input from the Geraldine Community Board is therefore considered appropriate.

**Recommendation**

**That the matter be referred to the Geraldine Community Board for consideration.**

# PROPOSED ROAD NAMING TRIPP SETTLEMENT



LAND TRANSPORT UNIT  
AUGUST 2009

ROAD NAMING