



ENVIRONMENTAL SERVICES COMMITTEE MEETING

on

Tuesday 17 October 2017

at 9.00am

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

TIMARU DISTRICT COUNCIL

Notice is hereby given that a meeting of the Environmental Services Committee will be held in the Council Chamber, District Council Building, 2 King George Place, Timaru on Tuesday 17 October 2017 commencing at 9.00am.

Committee members:

Cllrs Kerry Stevens (Chairperson), Sally Parker (Deputy Chairperson), Nigel Bowen, Peter Burt, Andrea Leslie, Paddy O'Reilly, David Jack, Richard Lyon, Steve Wills, the Mayor and Te Wera King.

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.

Bede Carran
CHIEF EXECUTIVE

ENVIRONMENTAL SERVICES COMMITTEE

17 OCTOBER 2017

AGENDA

Item No	Page No	
1		Apologies
2		Identification of Urgent Business Items
3		Identification of Matters of a Minor Nature
4		Declaration of Conflicts of Interest
5		Chairperson's Report
6	1	Confirmation of Minutes
7	5	Annual Report to Alcohol Regulatory and Licensing Authority for 2016/2017
8	14	Additional Resource Consent Monitoring Charges
9		Consideration of Urgent Business Items
10		Consideration of Minor Nature Matters
11	17	Exclusion of the Public
1	19	Confirmation of Minutes
2	21	Readmittance of the Public

ENVIRONMENTAL SERVICES COMMITTEE
FOR THE MEETING OF 17 OCTOBER 2017

Report for Agenda Item No 6

Prepared by - Paul Cooper
Acting Group Manager Environmental Services

Confirmation of Minutes

Minutes of a meeting of the Environmental Services Committee held on 5 September 2017.

Recommendation

That the minutes of the Environmental Services Committee meeting held on 5 September 2017, excluding the public excluded items, be confirmed as a true and correct record.

TIMARU DISTRICT COUNCIL

MINUTES OF A MEETING OF THE ENVIRONMENTAL SERVICES COMMITTEE HELD IN THE COUNCIL CHAMBER, DISTRICT COUNCIL BUILDING, 2 KING GEORGE PLACE, TIMARU ON TUESDAY 5 SEPTEMBER 2017 AT 9AM

PRESENT Clrs Kerry Stevens (Chairperson), Peter Burt, Dave Jack, Andrea Leslie, Richard Lyon, Paddy O'Reilly, Sally Parker, Steve Wills and the Mayor

APOLOGY Stephanie McCullough – Temuka Community Board

IN ATTENDANCE Jan Finlayson – Geraldine Community Board (for public part of meeting)
Neville Gould – Pleasant Point Community Board (for public part of meeting)

Chief Executive (Bede Carran), Group Manager Environmental Services (Tracy Tierney), Environmental Compliance Manager (Paul Cooper)(for item 6) District Planning Manager (Mark Geddes)(for items 5 & 7 & public excluded item 2), Megan Geng (for item 7), Kylie Galbraith (for public excluded item 2) and Council Secretary (Joanne Brownie)

1 MINUTES SILENCE - FORMER STAFF MEMBER PETER THOMPSON

The meeting held a minutes silence for former Group Manager of Regulatory Services Peter Thompson who died suddenly on 1 September.

2 DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest declared.

3 CHAIRPERSON'S REPORT

The Chairperson reported on meetings he had attended and duties he had carried out on behalf of the Committee since the last meeting including Long Term Plan workshop, Tenders Committee meetings, ECan meeting on air quality, Broughs Gully plan change hearing, Council meeting, Canterbury Regional Transport Committee meeting, meeting with Group Manager Environmental Services and discussions on a range of issues with various Council officers.

4 CONFIRMATION OF MINUTES

Proposed Clr Jack
Seconded Clr Parker

"That the minutes of the Environmental Services Committee meeting held on 18 September 2017, excluding the public excluded items, be confirmed as a true and correct record."

MOTION CARRIED

5 ALLOCATION OF SIGNIFICANT NATURAL AREAS FUND

The Committee considered a report seeking approval for the allocation of the Significant Natural Area Fund (SNAF) for the 2016-17 financial year and advising of the expenditure from the SNAF that has occurred under delegated authority.

The Committee acknowledged the importance of protecting the Significant Natural Areas and noted there is a large number of SNAs in our District. This raised some concern in regard to funding and the ability to resource into the future if Council is funding 100% of some projects. To address this, it was suggested that the SNAF policy be reviewed and the resources for the increased SNA support, be the subject of discussion as part of the Long Term Plan.

Proposed Cllr Stevens
Seconded Cllr Wills

- a) "That the report be received.
- b) That the remaining Significant Natural Area (SNA) fund is allocated in accordance with Table 2 of the report.
- c) That the SNA fund for the 2017/2018 financial year is allocated in accordance with paragraph 12 of the report.
- d) That the SNA fund policy is reviewed over the coming year in line with best practice."

MOTION CARRIED

6 DOG CONTROL ANNUAL REPORT 2016/2017

The Committee considered the Dog Control Activity report for the period 1 July 2016 to 30 June 2017. The Environmental Compliance Manager answered a number of questions on the report's detail.

Proposed the Mayor
Seconded Cllr Burt

"That the Dog Control report be adopted and that, as required by the Act, the report be publicly notified and forwarded to the Secretary for Local Government."

MOTION CARRIED

7 UPDATE ON NATIONAL PLANNING STANDARDS DISCUSSION PAPER

The Committee considered a report on the feedback made on the National Planning Standards (Planning Standards) Discussion Paper. Appendix 1 (actual submission of feedback) was circulated at the meeting. A formal submission can be made next year, further into the process.

Proposed Cllr Jack
Seconded Cllr Wills

"That the report be received and noted."

MOTION CARRIED

8 EXCLUSION OF THE PUBLIC

Proposed Clr Jack
Seconded Clr O'Reilly

"That the Committee resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes

Section 7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

District Plan Review

Section 7(2)(f)(i)

The withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority.

Section 7(2)(k)

Prevent the disclosure or use of official information for improper gain or improper advantage."

MOTION CARRIED

9 READMITTANCE OF THE PUBLIC

Proposed Clr Jack
Seconded Clr O'Reilly

"That the public be readmitted to the meeting."

MOTION CARRIED

The meeting concluded at 9.40am.

Chairperson

ENVIRONMENTAL SERVICES COMMITTEE
FOR THE MEETING OF 17 OCTOBER 2017

Report for Agenda Item No 7

Prepared by - Paul Cooper
Environmental Compliance Manager

Annual Report to Alcohol Regulatory and Licensing Authority for 2016/2017

Purpose of Report

1. To acquaint the Committee on liquor licensing matters and to seek endorsement of the Annual Report to Alcohol Regulatory and Licensing Authority (ARLA).

Background

2. Section 199 of the Sale and Supply of Alcohol Act 2012 (the Act) requires that within 3 months after the end of every financial year each territorial authority must prepare and send to ARLA a report of the proceedings and operations of its district licensing committees during the year. The Annual Report was sent to ARLA on 18 September 2017.
3. As per previous annual reports ARLA has specified the form and content required in the report.
4. This report is a public record for the purposes of the Act and a copy must be made available for inspection on the Council's website for a period not less than five years. ARLA or the DLC must, on payment of any reasonable fee it has prescribed, provide a copy of each report to any person who asks for one.

Options

5. The provision of an annual report is a statutory requirement.

Identification of Relevant Legislation, Council Policy and Plans

Sale and Supply of Alcohol Act 2012
Provisional Joint Local Alcohol Policy

Assessment of Significance

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

Consultation

7. No consultation with the relevant staff and outside agencies has occurred in respect to drafting this report.

Other Considerations

8. There are not considered to be any other relevant issues.

Funding Implications

9. There are no funding implications associated with this report.

Conclusion

10. The provision of this report is a statutory responsibility provided for by the Sale and Supply of Alcohol Act 2012.

Recommendation

That the report be received and adopted.

Timaru District Licensing Committee

Annual Report to the Alcohol Regulatory and Licensing Authority

For the year 2016 - 2017

Date: 1 September 2017
Prepared by: Paul Cooper
Environmental Compliance Manager
Timaru District Council

Introduction

The purpose of this report is to inform the Alcohol Regulatory and Licensing Authority (the Authority) of the general activity and operation of the Timaru District Licensing Committee (DLC) for the year 2016 - 2017.

There are three DLC's operating in the South Canterbury area under a single Commissioner, this model having been adopted during the implementation of the Sale and Supply of Alcohol Act 2012 (the Act) in December of 2013. The three DLC's are that of the Timaru, Waimate and Mackenzie Districts.

This report will relate to the activities of all the DLC's in the body of the text and to the Timaru DLC alone in the Annual Return portion of the report at the rear of this document. This satisfies the requirements of the territorial authority set out in section 199 of the Act.

Overview of DLC Workload

DLC Structure and Personnel

The table below shows the current membership of the three DLC's under the Commissioner. Councillor Chris Clarke joined the Mackenzie DLC following former Mayor Claire Barlow's resignation in October 2016. No other changes occurred during the reporting period.

	Name	Role
Commissioner	Sharyn Cain	Deputy Mayor - Waimate District Council
Timaru DLC Members	Damon Odey	Deputy Chair, Mayor - Timaru District Council
	David Jack	Councillor - Timaru District Council
	Peter Burt	Councillor - Timaru District Council
	Graham Smith	Mayor - Mackenzie District Council
Mackenzie DLC Members	Chris Clarke	Councillor – Mackenzie District Council
Waimate DLC Members	Craig Rowley	Mayor - Waimate District Council
	Sheila Paul	Councillor – Waimate District Council

Total costs for the period amounted to \$15,527.28. This was made up of elected members allowances, travel costs, administration costs and solicitors fees.

In terms of Council staff delivering licensing services to the community and the DLC, there are 1.3 FTE licensing inspectors and a licensing administrator and the secretary to all three DLC's. In August of 2017 Secretary to the Timaru DLC Chris English took up another role out of district and consequently resigned. The new Secretary to the DLC is Paul Cooper.

Of note current staffing levels are at capacity given the number of applications processed, monitoring requirements and enforcement functions they carry out across the three districts.

Staff Training

One DLC training session was held during this period.

Hearings

There were three DLC hearings during the reporting period for Timaru DLC. Minutes from these hearings can be found on our website: <https://www.timaru.govt.nz/services/environment/liquor-control/district-licensing-committee>

Local Alcohol Policy

The Timaru, Mackenzie and Waimate District Councils jointly prepared a draft Local Alcohol Policy. In preparing the policy, the views of the community about alcohol licensing matters were sought through community surveys, a consultation process and discussions with key stakeholders a policy was drafted. Following consultation and hearings on the draft policy (and subsequent changes) it became a Provisional Local Alcohol Policy (PLAP). Once the appeals against the PLAP were resolved, the Councils and ARLA were satisfied with the LAP and it was adopted. The PLAP became the LAP on 21 December 2015.

The LAP was evaluated by the Timaru, Waimate and Mackenzie District Councils in June 2017 and found to be performing well. Stakeholders were consulted with during the evaluation process. Each Council found the policy to be fit for purpose and will now be reviewed at the frequency prescribed by the Act.

Statistical Information

Statistical information about the operation of the DLC for the year 2016 - 2017 is in the prescribed form and follows overleaf.

- Annual return
- Current listing of licenced premises.

Timaru District Licensing Committee

Annual Return

July 2016 – June 2017

On-licence, Off-licence and Club Licence Applications Received						
Application Type	Number Received in Fee Category – Very Low	Number Received in Fee Category – Low	Number Received in Fee Category – Medium	Number Received in Fee Category – High	Number Received in Fee Category – Very High	Total
On-licence new		7	4	1		12
On-licence variation						0
On-licence renewal		10	12	2	1	25
Off-licence new			2			2
Off-licence variation						0
Off-licence renewal		1	13	1		15
Club licence new						0
Club licence variation						0
Club licence renewal	2	2	1			5
Total number	2	20	32	4	1	59
Total fee paid to ARLA (GST inc)	\$34.50	\$690.00	\$1,656.00	\$345.00	\$172.50	\$2,898.00

Annual Fees for Existing Licences Received						
Licence Type	Number Received in Fee Category – Very Low	Number Received in Fee Category – Low	Number Received in Fee Category – Medium	Number Received in Fee Category – High	Number Received in Fee Category – Very High	Total
On-licence		34	31	8	1	74
Off-licence	1	1	28	2		32
Club licence	18	10	4			32
Total number	19	45	63	10	1	138
Total fee paid to ARLA (GST inc)	\$327.75	\$1,552.50	\$3,260.25	\$862.50	\$172.50	\$6,175.50

Managers' Certificate Applications Received	
Application Type	Number Received
Managers' certificate new	83
Managers' certificate renewal	178
Total number	261
Total fee paid to ARLA (GST inc)	\$7,503.75

Special Licence Applications Received			
	Number Received in Category – Class 1	Number Received in Category – Class 2	Number Received in Category – Class 3
Special licence	10	43	70

Temporary Authority Applications Received	
	Number Received
Temporary authority	7

Permanent Club Charter Payments Received	
	Number Received
Permanent club charter payments	1
Total fee paid to ARLA (GST incl)	\$51.75

Total paid to ARLA	\$16,629.00
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Number of District Licensing Committee Meetings Held

Date	Number
July 2016	5
August 2016	3
September 2016	4
October 2016	5
November 2016	4
December 2016	3
January 2017	2
February 2017	4
March 2017	5
April 2017	4
May 2017	4
June 2017	5

Timaru District Licensing Committee

List of Licenced Premises

As at 30 June 2017

Premise Name	Licence Type
55 Morgans Road, Glenwood, Timaru 7910 "Morgans Road Food Market"	Temporary Authority
109 Sophia Street, Timaru 7910 "Bullock Restaurant and Bar"	On Licence
924 Seadown Road, Timaru "The Shearers Quarters"	On Licence
16 Royal Arcade, Timaru "Pizzeria da Francesca"	On Licence
7 Talbot Street, Geraldine "Royal India Restaurant"	On Licence
54-56 The Bay Hill, Timaru "Bay Hill Brewery Bar"	On Licence
121 King Street, Temuka "The Jolly Potter"	On Licence
1-53 Ranui Avenue, Timaru "Henry's Beer, Wine & Spirits - Northtown Mall"	Off Licence
57 Main Road, Pleasant Point "Steam On Inn"	On Licence
32 Arthur Street, Timaru "Starz Restaurant"	On Licence
44 Talbot Street, Geraldine "The Central Cafe"	On Licence
22 Dee Street, Timaru "Timaru Liquorland"	Off Licence
16 George Street, Timaru "Naruwan Asian Cuisine Restaurant"	On Licence
41 Talbot Street, Geraldine "Village Inn"	Off Licence
41 Talbot Street, Geraldine "Village Inn"	On Licence
16-22 Evans Street, Timaru "Comfort Hotel Benvenue"	On Licence
161 Temuka-Orari Highway, Winchester "Mia Flora Cafe & Garden Centre @ Kavanagh House"	On Licence
64 King Street, Temuka "Crown Hotel"	Off Licence
64 King Street, Temuka "Crown Hotel"	On Licence
76F Talbot Street, Geraldine "The Country Cafe"	On Licence
6 Rothwell Street, Timaru "South Canterbury Darts Association"	Club Licence
95 Main Road, Pleasant Point "Pleasant Point Hotel"	Off Licence
95 Main Road, Pleasant Point "Pleasant Point Hotel"	On Licence
1202 Peel Forest Road, Geraldine "Peel Forest General Store"	On Licence
10 Bristol Road, Timaru "Kingsdown Manor"	On Licence
2 George Street, Timaru "Dish Catering"	Endorsed On/Caterers
2 Barnard Street, Timaru "Queens Bar & Grill"	On Licence
1 Orari Station Road, Orari "Cafe Mes Amis"	On Licence
20 Ranui Avenue, Timaru "Timaru Indoor Bowls Association Stadium and Community Centre"	Club Licence
4A Sefton Street, Timaru "Saikou Teppanyaki and Whiskey Bar"	On Licence
3-7 George Street, Timaru "Koji Teppanyaki & Bar"	On Licence
185 King Street, Temuka "New World Temuka"	Off Licence
148-154 Stafford Street, Timaru "The Oxford"	On Licence
29 Stafford Street, Timaru "Super Liquor Timaru - Stafford Street"	Off Licence
88 Evans Street, Timaru "Koji Japanese Restaurant & Sushi Bar"	On Licence
56 Main North Road, Geraldine "Geraldine Orchard Farmshop and Cafe"	On Licence
50 King Street, Temuka "Empire Hotel"	Off Licence
50 King Street, Temuka "Empire Hotel"	On Licence
99-111 Evans Street, Timaru "Super Liquor Timaru - Evans Street"	Off Licence
70 Morgans Road, Timaru "Timaru Bowling Club"	Club Licence
7-11 Peel Street, Geraldine "Fresh Choice Geraldine"	Off Licence
253 Beaconsfield Road, Timaru "Stables Cafe and Bar"	On Licence
22 Station Street, Timaru "The Station Cafe"	On Licence
3 Gualter Road, Geraldine "Brewery Cafe"	On Licence

Premise Name	Licence Type
3 Gualter Road, Geraldine "Brewery Cafe"	Off Licence
198 Hilton Highway, Washdyke, Timaru "Robbie's Bar & Bistro"	On Licence
Fergusson Drive, Temuka Domain, Temuka "Temuka Rugby Football Club"	Club Licence
36 Domain Avenue, Temuka "Temuka Bowling Club"	Club Licence
328 Church Street, Timaru "Speights Lounge, Alpine Energy Stadium"	Club Licence
38 Waihi Terrace, Geraldine "Kiwi Country"	On Licence
84 Evans Street, Timaru "Golden Palace Chinese Restaurant"	On Licence
93 Main Road, Pleasant Point "Pleasant Point Supermarket"	Off Licence
40-42 Browne Street, Timaru "Thistle Association Football Club"	Club Licence
35 Browne Street, Timaru "Warehouse Wholesale Liquor"	Off Licence
141 King Street, Temuka "Temuka Hotel"	Off Licence
141 King Street, Temuka "Temuka Hotel"	On Licence
2 Strathallan Street, Timaru "Steak@Customs House"	On Licence
26 Cains Terrace, Timaru "Grosvenor Hotel"	On Licence
418 Falvey Road, Levels , Timaru "South Canterbury Car Club"	Club Licence
61 Browne Street, Timaru "Celtic Rugby Football Club"	Club Licence
2 George Street, Timaru "The Speight's Ale House and Function Centre"	On Licence
68 The Bay Hill, Timaru "Little India"	On Licence
64 The Bay Hill, Timaru "Fusion Restaurant"	On Licence
842 Winchester-Geraldine Road, Geraldine "StoneBridge"	On Licence
190 Stafford Street, Timaru "Sopheze Coffee Lounge and Catering"	Endorsed On/Caterers
44-46 Stafford Street, Timaru "Punjab Indian Tandoori Restaurant"	On Licence
132 Stafford Street, Timaru "Factory Bar & Nightclub"	On Licence
66 Stafford Street, Timaru "Carlton Hotel"	On Licence
249 King Street, Temuka "Tea Pot Inn"	On Licence
118 Le Cren Street, Timaru "Richard Pearse Tavern and Family Restaurant"	On Licence
118 Le Cren Street, Timaru "Richard Pearse Tavern and Family Restaurant"	Off Licence
The Terrace, Timaru "South Canterbury Club"	Charter Club
145 Wai-iti Road, Timaru "New World Timaru"	Off Licence
Phar Lap Raceway, State Highway One, Washdyke "Catering South Canterbury"	On Licence
145 Wai-iti Road, Timaru "Henry's Beer, Wine & Spirits - Highfield"	Off Licence
8 Shaw Street, Timaru "Tornado Rod & Custom Club"	Club Licence
136-138 Stafford Street "Royal Garden Chinese Restaurant"	On Licence
18A Hobbs Street, Timaru "Northtown Tavern"	On Licence
4A Elizabeth Place, Timaru "Zest Restaurant"	On Licence
55 Morgans Road, Timaru "Morgans Road Four Square Supermarket"	Off Licence
Morris Lane, Pleasant Point "Pleasant Point Bowling Club"	Club Licence
4 Clogstoun Street, Rangitata "The Chequered Flag"	On Licence
30 Queen Street, Pareora "Pareora Country Club"	Club Licence
15 Afghan Street, Pleasant Point "Legends Cafe"	On Licence
310-324 Stafford Street, Timaru "Ballantynes"	Off Licence
310-324 Stafford Street, Timaru "JB's Cafe"	On Licence
45C Talbot Street, Geraldine "Verde Cafedel"	On Licence
64 Wai-iti Road, Timaru "Seven Oaks Reception Centre"	On Licence
51 Sophia Street, Timaru "The Sail & Anchor Tavern"	On Licence
9 Browne Street, Timaru "Countdown - Browne Street"	Off Licence
Caroline Bay, Timaru "Sopheze Catering on the Bay"	On Licence
21 Wai-iti Road, Timaru "Timaru RSA"	Club Licence
21 Wai-iti Road, Timaru "Timaru RSA"	Off Licence
27 Benvenue Avenue, Timaru "Trust Aoraki Tennis Centre"	Club Licence
303-305 Stafford Street, Timaru "Sukhothai Restaurant"	On Licence

Premise Name	Licence Type
133-135 Temuka-Orari Highway, Winchester "Wolseley Hotel"	Off Licence
133-135 Temuka-Orari Highway, Winchester "Wolseley Hotel"	On Licence
130 King Street, Temuka "Temuka Returned Services and Citizens Club"	Club Licence
1-53 Ranui Avenue, Timaru "Pak 'n Save Timaru"	Off Licence
North Mole, Timaru "Timaru Yacht and Power Boat Club"	Club Licence
57 Elizabeth Street, Cave "Cave Arms Tavern"	Off Licence
57 Elizabeth Street, Cave "Cave Arms Tavern"	On Licence
99 Douglas Street, Timaru "Timaru Town & Country Club"	Off Licence
West End Park - Wai-iti Road, Timaru "West End Amateur Football Club"	Club Licence
Wright Street, Geraldine "Geraldine Bowling Club"	Club Licence
44 Butlers Road, Pleasant Point "Pleasant Point Golf Club"	Club Licence
312-314 Otipua Road, Timaru "Benny's Again"	On Licence
Pleasant Point Domain - George Street, Pleasant Point "Pleasant Point Association Football Club"	Club Licence
34 Church Street, Timaru "Timaru Harlequins Rugby Football Club"	Club Licence
Caledonian Sports Grounds, Timaru "Timaru City AFC"	Club Licence
Sheffield Street, Timaru "DB South Island Brewery"	Off Licence
31 Talbot Street, Geraldine "Geraldine Heritage Hotel"	Off Licence
31 Talbot Street, Geraldine "Geraldine Heritage Hotel"	On Licence
40 Talbot Street, Geraldine "Papillon Chinese Restaurant"	Endorsed On/BYO Licence
124 Domain Avenue, Temuka "Temuka Golf Club"	Club Licence
190 Talbot Street, Geraldine "Geraldine Town and Country Club"	Club Licence
212A Stafford Street, Timaru "Tomo Japanese Restaurant"	On Licence
88A Evans Street, Timaru "Tandoori King Restaurant"	On Licence
87 Lynch Road, Levels, Timaru "Timaru Golf Club"	Club Licence
232 Stafford Street, Timaru "Old Bank Cafe & Bar"	On Licence
44 Browne Street, Timaru "Timaru South Cosmopolitan Club"	Off Licence
66 Quarry Road, Timaru "Old Boys Rugby Football Club"	Club Licence
Orari Back Road, Geraldine "Geraldine District Golf Club"	Club Licence
45 Hassall Street, Timaru "Kia Toa Bowling Club"	Club Licence
22 Brunswick Street, Timaru "Timaru Squash Rackets Club"	Club Licence
36 Oakwood Road, Hadlow, Timaru "Gleniti Golf Club"	Club Licence
Timaru Airport, Falvey Road, Timaru "South Canterbury Aero Club"	Club Licence
Pleasant Point Domain, Main Road, Pleasant Point "Pleasant Point Rugby Football Club"	Club Licence
129 Church Street, Timaru "Countdown - Church Street"	Off Licence
Aorangi Park Pavilion, 70 Morgans Road, Timaru "Northern Hearts Association Football Club"	Club Licence
Ruakapuka Domain, George Street, Geraldine "Geraldine Rugby Football Club"	Club Licence
63 Wilson Street, Timaru "Timaru Bridge Club"	Club Licence
9A Maltby Avenue, Timaru "West End Bowling Club"	Club Licence
164 Stafford Street, Timaru "Copper Cafe and Bar"	On Licence
22 Gresham Street, Geraldine "Grande Vue Golf Club"	Club Licence
99 Douglas Street, Timaru "Timaru Town & Country Club"	Club Licence
Redruth Street, Timaru "South Canterbury Vintage Car Club"	Club Licence
44 Browne Street, Timaru "Timaru South Cosmopolitan Club"	Club Licence

ENVIRONMENTAL SERVICES COMMITTEE
FOR THE MEETING OF 17 OCTOBER 2017

Report for Agenda Item No 8

Prepared by - Mark Geddes
District Planning Manager

Additional Resource Consent Monitoring Charges

Report Purpose

- 1 To determine whether Timaru District Council should or should not require resource consent holders to pay additional monitoring charges.

Background

- 2 Section 35(2)(d) of the Resource Management Act 1991 (RMA) states that:

“Every local authority shall monitor -...(d) the exercise of the resource consents that have effect in its regional or district, as the case may be.”

- 3 The ability to charge for that monitoring is provided by Section 36 of the RMA. The 2017/18 Annual Plan fees and charges provides that a single site inspection fee of \$200 is paid for monitoring resource consents upon lodgement of the application. It also states that additional monitoring fees will be charged at cost, which is \$130 per hour.
- 4 Historically Council has not charged resource consent holders to monitor resource consents. As there is good reason to charge monitoring fees, the Committee is now requested to determine whether additional monitoring fees will be charged on an “as and when required” basis.
- 5 The reasons for charging additional monitoring fees include:
 - a. The need for consent monitoring is created by consent holders.
 - b. Consent monitoring creates significant costs for Council, which are currently not being fully recouped.
 - c. Consent holders benefit from being allowed to conduct the activity to which the consent relates. Therefore it is appropriate that they pay the cost of monitoring that consent.
 - d. The RMA creates an expectation that monitoring fees will be charged.
 - e. The need for multiple monitoring visits is normally a result of the consent holder not complying with consent conditions, therefore it is appropriate that they are charged for that cost.
 - f. Charging additional fees will assist with achieving compliance.
 - g. The additional monitoring fees will assist in covering the costs of providing the monitoring service.
 - h. The costs of providing all other district planning services available to the public are recouped through user fees and charges.

- 6 The amount of monitoring visits can vary significantly from one visit to numerous visits. For instance, some consents are required to be monitored periodically on an on-going basis, while other consents may have regular non-compliance and therefore require regular monitoring.
- 7 Council's Revenue and Finance Policy adopted as part of the Long Term Plan (LTP) states that fees and charges is one of the sources for funding operational expenditure. It also states that Council will review fees and charges to maintain cost recovery levels. Specifically in relation to the district planning activity, the Revenue and Finance Policy states that it is funded by 70% general rates and 30% by user fees and charges. As such if monitoring costs are not funded by the fees and charges, then they will be funded by general rates. The Revenue and Finance Policy also acknowledges the benefits from the district planning services generally accrue to users of these services, although it also acknowledges there is an element of wider public benefits of the service).

Options

- 8 The key options in relation to this matter are:
 - a. Do not charge additional monitoring charges.
 - b. Charge additional monitoring charges as and when required.
- 9 The positives and negatives for additional monitoring charges are:
 - a. Positives:
 - The additional monitoring fees will assist in covering the costs of providing the monitoring service.
 - The additional monitoring fees will reduce rate payer contribution to monitoring costs.
 - Charging additional fees will assist with achieving compliance.
 - b. Negatives:
 - More costs on consent holders.

Identification of Relevant Legislation, Council Policy and Plans

- Annual Plan, 2017/18 fees and charges
- Long Term Plan – Revenue and finance policy
- Resource Management Act 1991
- Timaru District Plan

Assessment of Significance

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

Consultation

- 11 The Group Manager Environmental Services, the Acting Group Manager Environmental Services and the Environmental Services Chairman have been consulted on this matter.

Other Considerations

- 12 There are no other relevant considerations.

Funding Implications

- 13 It is expected that additional monitoring charges will generate \$20,000 to \$60,000 of fees per annum. Those fees will help pay for the cost of providing the monitoring service.

Conclusion

- 14 That the Committee should determine whether consent holders pay additional monitoring.

Recommendations

- 1 That the report be received.**
- 2 That resource consent holders be charged additional monitoring fees as and when required in accordance with the relevant adopted fees and charges.**

ENVIRONMENTAL SERVICES COMMITTEE
FOR THE MEETING OF 17 OCTOBER 2017

Report for Agenda Item No 11

Prepared by **Paul Cooper**
 Acting Group Manager Environmental Services

Exclusion of the Public

Recommendation

That the Committee resolves to exclude the public on the grounds contained in Section 48(1) of the Local Government Official Information and Meetings Act:

Confirmation of Minutes

Section 7(2)(a)

The withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons.

District Plan Review

Section 7(2)(f)(i)

The withholding of the information is necessary to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to members or officers or employees of any local authority.

Section 7(2)(k)

Prevent the disclosure or use of official information for improper gain or improper advantage.