

**ENVIRONMENTAL SERVICES COMMITTEE MEETING HELD ON
WEDNESDAY 18 DECEMBER 2013 AT MEMORIAL HALL SUPPER ROOM,
ESPLANADE, KAIKOURA.**

AGENDA

1. Apologies

2. Matters of Importance to be raised as Urgent Business

3. Environmental Services Report

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■ **Building**

■ **Civil Defence**

■ **Resource Planning**

■ **Resource Consent Update List**

■ **District & Environmental Planning**

■ **Environmental Health**

■ **Environmental Services Budget Report**

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4. Urgent Business

• Building

There were 6 Building Consents with a combined construction value of \$229,200.00 issued for the month of November 2013. These consents were for:-

- 1 Dwelling
- 2 Farm Sheds
- 1 Alterations
- 1 Drainage
- 1 Solid fuel heater

One Code Compliance Certificate was issued for the month of November 2013.

11 Land Information Memorandums were issued in the month of November 2013

Recent changes have been made to the Building Act 2004 when the Building Amendment Act 2013 became law on 28 November. Some changes will occur immediately and some will be commenced in 2014.

- The type of work that does not require a building consent has changed
- Higher penalties for doing building work without the appropriate consents now apply
- A number of terms and definitions have been changed
- Councils have increased authority to restrict entry to buildings that may be near to buildings that are dangerous
- The Ministry of Business, Innovation and Employment (MBIE) has more power to hold building consent authorities to account
- The way dams are defined and measured has changed.

In addition to this the Government is changing the Fencing of Swimming Pools Act 1987.

- There will be clearer requirements for restricting access to swimming pools.
- Councils will be required to inspect swimming pools at least every five years.
- Child-resistant spa pools will no longer require an additional means of restricting access.
- Retailers will be required to inform people who purchase spa pools and portable pools of their obligations.
- Portable pools will be exempt if they are shallower than 300mm – a depth of pool that is generally practical to empty after each use.
- Garden ponds and other water hazards will be exempt if they are not intended for swimming.

Information on these changes current and proposed can be found on www.dbh.govt.nz/news-index

• **Civil Defence**

Training

In November, Emergency Operations Centre staff and representatives from Environment Canterbury Kaikoura Office, Downer, and St John underwent a basic Emergency Operations Centre (EOC) training as either a refresher or introductory course.

With this training, 100% of Kaikoura District Council staff have completed a basic introduction course with many staff members already having completed a full two day course on working in an EOC in previous years.

Resiliency Fund Repeater Project

Work is underway with the Hurunui District Council and Canterbury Civil Defence Emergency Management Group (Group) to install three repeater stations between the two districts. This project is funded by a grant from the Ministry for Civil Defence.

Work is also underway to re-establish radio communication between Kaikoura District Council and Group which was disrupted during the Christchurch Earthquakes. The radio has been installed and testing is underway.

March Road Show

A civil defence road show is planned on the 20/21st of March 2014. Environment Canterbury's Hazard Expert, a NIWA spokesperson, and the resiliency coordinator from Group and Kaikoura District Council Emergency Management Officer will be presenting information on:

- The latest information about the Tsunami risk to the district resulting from the Review of the Tsunami Risk in New Zealand 2013 Update
- A realistic look at the threats to Kaikoura
- The NIWA study of the Kaikoura Trench
- How to prepare for an emergency
- Community Preparedness Planning

This road show is planned to be presented to Council at the March Council meeting, to Council staff and around the district.

Kaikoura District Website-Civil Defence Page

The website's civil defence page has been updated with new information and an emergency status bar at the top of the page.

Author: Emergency Management Officer
Endorsed by the Chief Executive Officer

- **Resource Planning**

Resource Consent Update: 13 November 2013 to 10 December 2013

Two applications have been received for land use consent. No subdivision applications have been received since the last report.

Notified Consents

No notified consents are in progress.

Monitoring

Monitoring of complaints and resource consent conditions is ongoing

General

Project Information Memorandum and inquiries have been picking up

Author: District Planner
Endorsed by the Chief Executive Officer

- **Resource Consent List Update**

RESOURCE CONSENT UPDATE LIST FOR THE PERIOD FROM THE 13 NOVEMBER 2013 TO 10 DECEMBER 2013

Resource consents decisions issued:

| Type of Consent | Applicant | Address of Activity | Number of New Lots / Guests |
|---------------------------------|--------------------------|----------------------|-----------------------------|
| 4 Lot Subdivision | DJ Armstrong CS Smith | 13 South Bay Parade | 3 |
| S37 Request – extension of time | 2Crush NZ | Mt Fyffe Road | |
| 7 Lot Subdivision | Koura Bay Limited | 75 Koura Bay Drive | 6 |
| Land Use for Sewer connection | David & Cezanne Lyons | 134 South Bay Parade | |

Active consent applications currently in process:

| Type of Consent | Applicant | Address of Activity |
|-----------------|-----------|---------------------|
| None | | |

Consent applications awaiting receipt of further information requested from applicant or on hold:

| Type of Consent | Applicant | Address of Activity |
|--|-----------------|---------------------|
| Subdivision: 2 lot subdivision & dwellings | Reardon SJ & AR | 19 Old Beach Road |
| Land Use- Visitor accommodation 2 guests and non-compliance with height standard | N Mitchell | 13 Swyncombe Place |
| Land Use- Visitor Accommodation under 8 holiday home | Brown Euan | 39 Kotuku Road |
| Land Use- Digging in Archaeological Area | W Slee & M Bolt | 42a Avoca Street |
| Land Use-Dwelling Exceeding Height Standard | Lawrence | 188 Torquay Street |

• District & Environmental Planning

District Plan & Environmental Planning Report 9 December 2013

National Documents

Resource Management Reforms

A number of changes have occurred as discussed in the November agenda. There is still uncertainty as to if a "Single Plan" concept will be advanced. If the concept succeeds regional policy statements, regional plans and district plans will continue to exist within the structure of the "Single Plan" and a National Planning Template will be created to determine the structure and format of the Single Plan.

Resource Management Monitoring and Review Project

A submission on this project was lodged with the Ministry. No further information on this project has been reported.

National Policy Statement for Renewable Electricity Generation 2011 (NPS REG)

Discussions are occurring with other Canterbury Councils as to the best methods to give effect to this document.

Canterbury Regional Council

Canterbury Regional Policy Statement (CRPS)

Staff are to continue planning on implementation of the Canterbury Regional Policy Statement.

Land and Water Regional Plan

Environment Canterbury have accepted the Hearing Commissioners' recommendations, Council's decisions will be notified on 18 January 2014. The Plan will then become operative later in the year, subject to any appeals on questions of law.

Walking and Cycling

Construction of the walking and cycling track for Harakeke Shopping Centre to Middle Creek is intended to start from 12 December, cultural and archaeological monitoring has been arranged. This will link to the town walkway through the Whale Watch to Harakeke Beachfront walkway.

Te Korowai

No further progress on implementation of the Strategy can be reported. The matter is still with the Ministry of the Environment and any progress will be reported in the New Year.

Earthcheck Certification

The Earthcheck auditor visited on the 18th and 19th November. The auditor report was favourable and recommended granting of certification, however there are a few areas to work on. Certification has not yet officially been granted from Earthcheck.

Before the 2014 audit, the Kaikoura community must have a sustainability strategy in place outlining work streams and key performance areas working towards a sustainability goal. This includes the Tourism Strategy. As discussed previously, more consultation on this item will occur in the New Year.

Kaikoura Enhancement Group (KEG) formally Business Discussion Group

Chris Goodfellow, Landscape Architect, has been appointed. The next meeting is scheduled for 28 January 2014, 7.30pm at the Lobster Inn. All members of the community are welcome to attend.

Waste Minimisation

Work is continuing on recycling education, with summer months a particularly busy period for Innovative Waste Kaikoura.

New Zealand Petroleum and Minerals

The submission on the 2014 Block Offer process is presented in the Council agenda for ratification.

Biodiversity Project

Work is continuing on voluntary protection of areas that were previously surveyed through the Significant Natural Areas projects. A new area is also being investigated by the land owner with the QE II Trust after links to already protected areas were noted during subdivision. If any Councillors hear of property owners that may be interested in protection or ecological surveys, they should contact the District Planners.

Author: District Planners
Endorsed by the Chief Executive Officer

• Environmental Health

Subject: SALE AND SUPPLY OF ALCOHOL ACT 2012

REPORT BACKGROUND

From 18th December 2013, the **Sale and Supply of Alcohol Act 2012**, will be fully implemented replacing the Sale of Liquor Act 1989 (a 24-year-old Act, that in many cases did not go far enough in reducing alcohol related harm).

The emphasis of the new Act is on harm reduction caused by alcohol, which is achieved through a greater community involvement in liquor licensing matters and decisions. The Act also brings all alcohol related decision-making at local level rather than national, through a process where the DLC (District Licensing Committee) hears all decisions contested and uncontested, making informed decisions on approval or conditional, or refusal of licences and managers certificates.

The New Act aims to achieve this by:

- Replacing the DLA (District Licensing Agency) who dealt with all unopposed applications. For those that were opposed, the LLA (Liquor Licensing Authority) legally had to determine, either on papers or in a formal hearing, the reasons for opposition before the Judge would make a decision on the granting or rejection of application. However, the New Act, requires a TA to appoint a DLC who will hear all applications (contested and uncontested) at local level and make appropriate decision at local level.
- Providing a new well structured licensing process.
- Having greater community involvement in liquor licensing matters and decisions.
- Providing a stronger more robust and focussed legislative requirement regarding the types and strengths of alcohol that can be sold, where it can be sold and to whom.
- Restricting alcohol availability by making the application process more robust and transparent with clear evidence that must be proved before a license will be granted – in essence making it harder to get a license.
- Introducing a default maximum trading hours for licensed premises – only if not covered by a LAP.
- Restricting the availability of alcohol through advertising and promotions.
- Making a clear offence to supply alcohol to a minor.
- Anyone who supplies alcohol to under 18 year olds must do so responsibly (eg, by supplying food and non-alcoholic drinks and arranging safe transport). The penalty for failing to do so is a fine of up to \$2,000.
- Territorial authorities can implement local alcohol policies (LAPs).
- New national maximum trading hours apply, namely:
 - 8.00am – 4.00am for on licences
 - 7.00am – 11.00pm for off licences
 - Premises that currently open for longer hours will have to comply to the maximum trading hours, and those who have shorter hours will continue to operate under the conditions of their licence.
- On-licences, such as bars, will have to provide water, low-alcohol beverages, food and information about safe transport.

- Using a fake ID, using someone else’s ID and giving or lending an ID to an underage person knowing they intend to use it to buy alcohol becomes an offence.
- New offences apply for irresponsible advertising and promotions.
- Licences and managers certificates can be cancelled for five years for specified repeat offences.
- ***District Licensing Committees (DLCs) replace District Licensing Agencies. DLCs will decide all applications for new or renewed licences and managers certificates.***
 - For uncontested applications, the Chair or Commissioner can determine the application on papers alone and grant the application.
 - For contested application, the matters are hear at a formal hearing with the Chair / Commissioner and two other appointed members to hear the application. The application will be heard and a decision based on the outcomes of the hearing – granted with no conditions, granted with conditions or declined.
- New GM Certificate applications must be over the age of 20 years.
- There will be no longer any separation in the type of certificate – a club manager will be known as a Managers Certificate. To qualify to be a manager, club managers will have to satisfy the criteria of the Act re training and holding the respective qualification.
- The new regime will add the following significant criteria including the object of the Act, applying and considering every application against **“AMENITY AND GOOD ORDER OF THE AREA”**, and whether the licensee has appropriate systems and staff to comply with the law.

With regard to the risk based fee regime – the new Act has through regulation made under the Act, introduced from 18 December 2013 risk based fee regime. In short, this higher the risk the bigger the fee.

- These regulations aim to fully recover costs associated with alcohol licensing. It aims to provide incentives to licensees and managers to adopt best practice and harm minimisation models so that overall their licence costs are reduced. Overall, however, licensing costs are clearly expected to increase.
- The Regulations have provided clear criteria and weighting scores for premises, their activity, the hours of operation and compliance performance.

The following table highlights the fees – now requiring an application fee as well as an annual fee.

| RISK CATEGORY | APPLICATION FEE (\$) | ANNUAL FEE (\$) | RISK WEIGHTING |
|----------------------|-----------------------------|------------------------|-----------------------|
| Very Low | 368.00 | 161.00 | 0 - 2 |
| Low | 609.5 | 391.00 | 3 - 5 |
| Medium | 816.50 | 632.50 | 6 - 15 |
| High | 1023.50 | 1035.00 | 16 - 25 |
| Very High | 1207.50 | 1437.50 | 26 Plus |

I would be more than happy to provide a full presentation to Council on the Act, its implications and requirements in the New Year.

If Council has any questions or queries on the above, I would be happy to assist.

Author: Environmental Health Officer
Endorsed by the Chief Executive Officer

WEEKLY DRINKING WATER SAMPLES ANALYSES

KAIKOURA DISTRICT COUNCIL

| | | | | | | |
|--------------------|------------------|-------------|----------------------------------|-----------------|-----------------|--------------|
| Date: | 19 November 2013 | | | | | |
| Method: | Readycult | | | | Weather: | Wet |
| Sample Ref: | WINZ Code | Time | Sample Point | Tests | Results | Units |
| WRP 0344 | KAIUR (1) | 08.25 | Jimmy Armers Beach: Toilet Block | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.21 | mg/L |
| | | | | NTU | 3.49 | mg/L |
| | | | | Total Coliforms | 3.1 | 100mL |
| WRP 0345 | KAISBR (1) | 08.00 | DOC toilets: South Bay | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.24 | mg/L |
| | | | | NTU | 0.42 | mg/L |
| | | | | Total Coliforms | <1 | 100mL |
| Date: | 25 November 2013 | | | | | |
| Method: | Readycult | | | | Weather: | Wet |
| Sample Ref: | WINZ Code | Time | Sample Point | Tests | Results | Units |
| WRP 0346 | KAIUR (1) | 07.05 | Jimmy Armers Beach: Toilet Block | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.14 | mg/L |
| | | | | NTU | 0.42 | mg/L |
| | | | | Total Coliforms | 3.1 | 100mL |
| WRP 0347 | KAISBR (2) | 06.40 | Coastguard: Sewer Pump Station | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.19 | mg/L |
| | | | | NTU | 3.63 | mg/L |
| | | | | Total Coliforms | 1.0 | 100mL |
| Date: | 1 December 2013 | | | | | |
| Method: | Readycult | | | | Weather: | Fine |
| Sample Ref: | WINZ Code | Time | Sample Point | Tests | Results | Units |
| WRP 0348 | KAIUR (1) | 15:30 | Jimmy Armers Beach: Toilet Block | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.01 | mg/L |
| | | | | NTU | 3.26 | mg/L |
| | | | | Total Coliforms | <1 | 100mL |
| WRP 0349 | KAISBR (1) | 15:45 | DOC toilets: South Bay | | | |
| | | | | E. coli | <1 | 100mL |
| | | | | FAC | 0.03 | mg/L |
| | | | | NTU | 1.03 | mg/L |
| | | | | Total Coliforms | <1 | 100mL |

"The microbiological methods used were in accordance with registered methods which are available upon request. Results apply only to samples as received. This report may not be reproduced except in full".



Kaikoura District Council

Water Monitoring Monthly Report – 13 November 2013

| Winz Code | Sample Site and Code | Reference Number | Time | Total Coliforms | E.coli | FAC | NTU |
|-----------|---|------------------|-------|-----------------|--------|------|------|
| KAI055KA | Kaikoura Suburban KAIWS (1) @ Brunnels Road | WAP329 | 6.30 | >200.5 | <1 | 0.04 | 1.19 |
| TP00217 | Kaikoura Surburban KAIWR (1) @ Postmans Road | WAP330 | 6.42 | <1 | <1 | 0.53 | 7.51 |
| TP02772 | Kaikoura Township Source KAINMB (1) Main Bore @ Mt Fyffe Road (Mackle Bore) | WAP328 | 6.20 | 62.4 | <1 | 0.04 | 1.28 |
| KAI004KU | Jimmy Armers Beach: KAIUR (1) Toilet block outside tap | WAP341 | 10.30 | 3.1 | <1 | 0.25 | 1.36 |
| TP00998 | Oaro Source OARNS (1) @ New Bore: Oaro River | WAP338 | 10.00 | <1 | <1 | N/A | 0.55 |
| OAR001OA | Oaro Reticulation OARNS (1) Alt @ T Smith: Oaro M | WAP339 | 9.50 | <1 | <1 | N/A | 0.42 |
| OAR001OA | Oaro Reticulation OARNS (2) Alt @ K Semmens: North Side | | | | | | |
| TP01003 | Clarence / East Coast System Source CLECS (1) @ Wellhead at pumped | WAP333 | 7.25 | 6.4 | <1 | N/A | 0.29 |
| KAI021EA | Clarence / East Coast System Reticulation CLECR (1) @ hydrant behind Woodbank School | WAP334 | 7.33 | 6.4 | <1 | N/A | 0.22 |
| TP01001 | Kincaid Source KINS (1) @ Grange Road Bridge | WAP331 | 6.50 | 50.4 | <1 | N/A | 0.92 |
| KI N003KI | Kincaid Reticulation KINR (1) @ Hapuku School | WAP332 | 7.00 | 45.3 | <1 | N/A | 0.74 |
| TP01002 | Femleigh Source FERNS (1) @ Dairy Farm Inland Road Junction | WAP336 | 8.43 | 45.3 | <1 | N/A | 0.74 |
| FER003FE | Femleigh Reticulation FERNR (1) Alt @ R Jones: Lake Hills | | | | | | |
| FER003FE | Femleigh Reticulation FERNR (2) Alt @ Kowleigh Inland Road | WAP335 | 8.30 | <1 | <1 | 0.00 | 0.87 |
| TP01000 | Peketa Source PEKS (1) Alt @ Bore R Hails, Rakauni Road | | | | | | |
| PEK002PE | Peketa Reticulation PEKR (1) Alt @ Hydrant tap on Bullens Road | WAP337 | 9.30 | 3.10 | <1 | N/A | 1.45 |
| TP02879 | Oceanridge | WAP340 | 8.19 | 1 | <1 | N/A | 0.80 |

Environmental Services Budget Report

