

Manager Planning & Regulatory Report – November 2009



Resource Consents

Since the last report, the following resource consents have been granted under delegated authority:

RM090039	Variation of conditions to subdivision consent RM080077: One additional rural lot L.T. & J.J. Buckingham 134 Point Bush Road Waimate	12/10/09
RM090043	Land Use: Proposed dwelling E. Adams 395 Springbank Road Otaio	13/10/09
RM090045	Subdivision: Boundary adjustment with amalgamations P.S. & M.M. Southerwood 27 Horsnells Road Waimate	20/10/09

Council has received five submissions to the application for resource consent from Oceania Dairy Limited for land use consent to establish, operate and maintain a milk processing facility at the southeast corner of Cooney's Road and State Highway 1 at Glenavy. At this stage, it is uncertain whether this land use application will be heard in conjunction with the resource consent applications required from Environment Canterbury. If the applications are heard jointly, it is hoped that the hearing can be held in Waimate. In any event the matter of hearing panel compositions will be placed before Council for consideration.

District Plan Changes

Davie Lovell-Smith is currently completing work in order to present the plan changes to the Council for final approval at their December meeting. These plan changes relate to hazardous substances, natural hazards, utilities, heritage, financial contributions, unserviced towns and the Otaio Makikihi Water Supply Protection Area. The work includes writing section 32 reports for each of the proposed plan changes which contain an analysis of the costs and benefits of the changing being made to objectives, policies and rules. In addition an assessment is required as to whether the proposed rules are the most efficient and effective way of achieving the desired result. Section 32 reports are a requirement of the RMA for all changes to district plans.

Another part of the process is consulting with people or organisations that may be particularly affected by the proposed changes. To date we have consulted with landowners within the revised Otaio Makikihi Water Supply Protection Area, owners of Quinn's Arcade and the property owners Sequoia tree that is to be protected and residents in Hakataramea township whose properties fall within the revised flood risk area. We have also had to go back to ECan to discuss the rationale behind the extended area given the concerns raised by residents.

The Council will receive a brief report on the plan changes and recommended final versions of the plan changes at the December meeting for approval. The report will explain matters raised in consultation and any recommended amendments resulting from consideration of these matters.

The following is a summary of the statutory processes and timetable for the plan changes that the Council will be approving at the December meeting.

Resolution to approve and publicly notify the proposed plan changes	December 15 2009
Preparation of public notice of proposed plan changes plus organising notification of all ratepayers and relevant public agencies	December 2009
Public notice in the newspaper and sending of notice to ratepayers	Late January 2010
Closing of submissions	Late February 2010
Summarising of the submissions and calling for further submissions	Mid March 2010
Closing of Further Submissions	Mid April 2010
Officers prepare reports on submissions	Late April 2010
Hearing of submissions	Mid May 2010
Decisions on submissions	Mid June 2010
Appeal period	One month after decisions

Recent (2009) amendments to the Resource Management Act have made two important changes to the plan change and review process. Firstly, plan changes now do not have any effect until after the Council has made decision on submissions. Previously they had effect when they were publicly notified. If Council considers there was a strong reason for a plan change to come into effect when notified they have to apply to the Environment Court for this to be approved. Secondly the further submission process has been modified to reduce the workload associated with dealing with large numbers of further submissions. The time period for making further submissions has been reduced from 20 to 10 working days, and further submissions can only be made by a person representing a "relevant aspect of the public interest" or who "has an interest in the plan greater than the general public has". Obviously this it is difficult to say at this stage how these tests will be applied.

Heritage Precinct

A description of the possible form of a heritage precinct based on Queen Street will also be presented to the Council at the December meeting. This will outline the purposes of a heritage precinct and recommended methods to achieve these.

Menacing Dogs

Currently there are 5 dogs in the Waimate District classified as menacing. These dogs have received this classification due to either the breed of the dog or it is considered a threat to any person or animal.

Menacing dogs are required to be muzzled when in public play or private way, and neutered. Failure to comply with these requirements could lead to a maximum fine of \$3000 and seizure of the dog.

Dog Registration

Currently there are 98 known dogs that remain unregistered for the 2009/10 registration year. Failure to register these dogs will result in an infringement fine of \$300.00 each dog. Infringement fines will be posted to the owner of each dog shortly.

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