

# Ashburton District Council

## AGENDA

---

### **Notice of Meeting:**

A meeting of the Ashburton District Council will be held on:

**Date:** Wednesday 15 November 2023

**Time:** 1.00pm

**Venue:** Council Chamber

### **Membership**

Mayor	Neil Brown
Deputy Mayor	Liz McMillan
Members	Leen Braam
	Carolyn Cameron
	Russell Ellis
	Phill Hooper
	Lynette Lovett
	Rob Mackle
	Tony Todd
	Richard Wilson

## Meeting Timetable

Time	Item
<b>1.00pm</b>	Council meeting commences
<b>2.45pm</b>	Welcome to new staff and long-serving staff
<b>3.15pm</b>	EA Networks Limited – CE and Board members

### 1 Apologies

- Cr Leen Braam

### 2 Extraordinary Business

### 3 Declarations of Interest

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

### Minutes

<b>4</b>	Council – 31/10/23	<b>3</b>
<b>5</b>	Audit & Risk Committee – 25/10/23	<b>6</b>

### Reports

<b>6</b>	Mayfield Reserve Board mower shed update	<b>8</b>
<b>7</b>	Representation Review pre-engagement	<b>14</b>
<b>8</b>	Mt Hutt Memorial Hall fees and charges	<b>25</b>
<b>9</b>	Ashton Beach enhancement project	<b>30</b>
<b>10</b>	Destination Management Plan	<b>56</b>
<b>11</b>	Approval of water race sharing by Hekeao Hinds Water Enhancement Trust	<b>60</b>
<b>12</b>	Financial variance report – September 2023	<b>73</b>
<b>13</b>	Councillor reports	<b>103</b>
<b>14</b>	Mayor’s report	<b>105</b>

### Business Transacted with the Public Excluded

<b>15</b>	Audit & Risk Committee 25/10/23		
	• Health & Safety report	Section 7(2)(a) Protection of privacy of natural persons	<b>PE 1</b>
<b>16</b>	Lake Hood Management	Section 7(2)(h) Commercial activities	<b>PE 2</b>
<b>17</b>	EA Networks Ltd	Section 7(2)(h) Commercial activities	<i>Verbal</i>

## 4. Council Minutes – 31 October 2023

Minutes of the Council meeting held on Tuesday 31 October 2023, commencing at 1pm in the Council Chamber, 137 Havelock Street, Ashburton.

### Present

His Worship the Mayor, Neil Brown; Deputy Mayor Liz McMillan; Councillors Carolyn Cameron, Russell Ellis, Phill Hooper, Lynette Lovett, Rob Mackle, Tony Todd and Richard Wilson.

### In attendance

Hamish Riach (Chief Executive), Toni Durham (GM Democracy & Engagement), Jane Donaldson (GM Strategy & Compliance), Leanne Macdonald (GM Business Support), Neil McCann (GM Infrastructure & Open Spaces), Sarah Mosley (GM People & Facilities), Janice McKay (Communications Manager) and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Mark Low (Strategy & Policy Manager), Emily Reed (Corporate Planner), Richard Mabon (Senior Policy Advisor), Jim Henderson (Emergency Management Officer), Simon Worthington (Economic Development Manager) and Sarah Davidson (Events Advisor).

### 1 Apologies

Cr Leen Braam

Sustained

### 2 Extraordinary Business

The Mayor gave notice that Item 5 will be taken later in the meeting, pending Audit NZ's letter of approval being tabled.

### 3 Declarations of Interest

Nil.

### Presentation

CDEM Draft Recovery Plan for Canterbury – 2.09pm-2.35pm

### 4 Confirmation of Minutes – 18/10/23

**That** the minutes of the Council meeting held on 18 October 2023, be taken as read and confirmed.

Lovett/Todd

Carried

### 6 Submission on the Emergency Management Bill

**That** Council approves the draft submission on the Emergency Management Bill and directs the Chief Executive to lodge the submission with the Governance & Administration Select Committee.

Cameron/Todd

Carried

### 7 Mayfield Reserve Board – mower shed funding

Use of the rural amenity targeted rate to fund the construction of the shed was not fully supported. It was suggested that funding could instead be from reserve contributions and officers were asked to investigate other options.

**That** the matter lies on the table until 15 November 2023.

Mayor/Cameron

Carried

## **8 Glow in the Park**

It was generally agreed that relocating this event to the Ashburton Domain will address concerns around traffic management and provide more space; however Council also acknowledged the success of the two events held on the Tinwald Domain.

**That** Council's "Glow in the Park" event be relocated to the Ashburton Domain.

McMillan/Lovett

Carried

## **5 Annual Report 2022-2023**

The GM Business Support presented Audit NZ's representation letter for the year ended 30 June 2023, confirming sign-off on Council's Annual Report 2022-23.

The Mayor thanked the officers involved, acknowledging the challenges faced with timing and Audit resources. He will take up this issue through the Canterbury Mayoral Forum.

Council agreed it would be useful to have more detailed discussion on the Annual Report at the November Audit & Risk Committee meeting.

1. **That** the Council adopts the 2022-2023 Annual Report for the Ashburton District Council.
2. **That** Council authorises the Chief Executive to instruct officers to make any final amendments as a result of Audit New Zealand's request.

Cameron/Wilson

Carried

## **9 Services provided over Christmas and New Year 2023-24**

**That** Council receives the 2023-24 services provided over Christmas- New Year report.

Todd/Hooper

Carried

## **10 Ashburton Car Club – temporary road closure**

**That** Council permits the following road to be closed from 8.00 am Sunday 19 November 2023 until 5.30 pm the same day to allow the Scott's Shingle Sprint to be held:

From the intersection of Le Bretons Road and Christys Road

From the intersection of Le Bretons Road and Denshires Road

From the intersection of Le Bretons Road to Chertsey Road (for 2km).

Ellis/Lovett

Carried

## **11 Affordable Water Reform update**

**That** Council uplifts the Affordable Water Reform matter that was left to lie on the table at the 25 July 2023 Council meeting.

Cameron/Todd

Carried

**That** Council does not identify a preferred date to join Entity I given the new National-led government that is being formed and their policy to overturn the affordable water reform within the first 100 days of government.

McMillan/Todd

Carried

## 12 Deputy Mayor's Report

That Council receives the Deputy Mayor's report.

McMillan/Mayor

Carried

## 13 Mayor's Report

That Council receives the Mayor's report.

Mayor/Lovett

Carried

### Civil Defence Emergency Management – Plan for Canterbury

Regional Civil Defence Group Recovery Manager, Richard Ball was welcomed to the meeting and invited to present the draft Recovery Plan for Canterbury.

Richard explained that the Plan is aimed at a large or catastrophic event and today's presentation is to increase awareness of recovery and where the Group is at.

The draft Plan is a first step in developing a shared understanding and expectations across recovery partners, identifying responsibilities and funding and addressing 'gaps' – i.e. organising for recovery now in readiness for when an event happens.

Feedback on the draft Plan is sought by 1 December and a revised draft will be finalised in early 2024.

### Business transacted with the public excluded – 2.35pm

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

Item No	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
14	Council 18/10/23 • Library & Civic Centre PCG 18/10/23 • Methven Community Board 16/10/23 [Now in open meeting] • Sale of Ashburton Library site	Section 7(2)(h) Section 7(2)(a)	Commercial activities Protection of privacy natural persons

Mayor/McMillan

Carried

**There being no resolutions passed Council resumed in open meeting at 2.36pm.**

Council adjourned from 2.36pm until 2.44pm

### Welcome to Staff

Katie Perry, People & Capability Manager introduced Jo Briggs who was recently appointed as a Lifeguard at the EA Networks Centre.

The meeting concluded at 2.46pm.

Confirmed 15 November 2023

---

MAYOR

## **5. Audit & Risk Committee – 25/10/23**

Minutes of the Audit & Risk Committee meeting held on Wednesday 25 October 2023, commencing at 1.00pm, in the Council Chamber, 137 Havelock Street, Ashburton.

### **Present**

Mayor Neil Brown; Councillors Russell Ellis (Chair), Carolyn Cameron, Liz McMillan and Richard Wilson; and Murray Harrington (via MS Teams).

### **Also present:**

Councillors Phill Hooper, Lynette Lovett, Rob Mackle and Tony Todd.

### **In attendance**

Hamish Riach (CE), Leanne Macdonald (GM Business Support), Jane Donaldson (GM Compliance & Development), Sarah Mosley (GM People & Facilities) and Carol McAtamney (Governance Support).

Staff present for the duration of their reports: Richard Wood (Sport & Recreation Manager), Katie Perry (People & Capability Manager) and Julie Crahay (Safety & Wellness Lead).

### **1 Apologies**

Councillor Leen Braam

Sustained

### **2 Extraordinary Business**

Item 7 (Transwaste Canterbury Limited Annual Report) will be taken in open meeting.

### **3 Declarations of Interest**

Nil.

### **4 Confirmation of Minutes – 13/9/23**

**That** the minutes of the Audit & Risk Committee meeting held on 13 September 2023, be taken as read and confirmed.

Cameron/Harrington

Carried

### **5 EA Networks Centre Income and Expenditure**

The August 2023 income and expenditure report was received and discussed.

### **6 Transwaste Canterbury Limited Annual Report**

Council holds 600,000 (3%) shares in Transwaste Canterbury Ltd. Council received dividends totalling \$465k in the 2022/23 financial year.

It was agreed that Transwaste Canterbury Limited representatives be invited to speak at a future meeting.

**That** the Transwaste Canterbury Limited Annual Report for the year 30 June 2023 be received.

Mayor/McMillan

Carried

**Business transacted with the public excluded – 1.15pm**

That the public be excluded from the following parts of the proceedings of this meeting, namely – the general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>Item No</b>	<b>General subject of each matter to be considered:</b>	<b>In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:</b>	
<b>7</b>	<b>Audit &amp; Risk Committee minutes</b>	Section 7(2)(a)	Protection of privacy of natural persons
<b>8</b>	<b>Health &amp; Safety</b>	Section 7(2)(a)	Protection of privacy of natural persons

McMillan/Cameron

Carried

The meeting concluded at 1.34pm.

## ***6. Mayfield Reserve Board Mower Shed - Update***

Author *Toni Durham: GM Democracy & Engagement*  
Executive Team Member *Hamish Riach: Chief Executive*

### **Summary**

- The purpose of this report is to give advice to Council on uplifting the funding for the Mayfield Reserve Board Mower Shed that was left to lie on the table at the 31 October 2023 Council meeting.

### **Recommendations**

- 1. That** Council uplifts the Mayfield Reserve Board mower shed matter that was left to lie on the table at the 31 October 2023 Council meeting.
- 2. That** Council approves \$58,000 in capital expenditure for the construction of a mower and equipment shed on the Mayfield Reserve.
- 3. That** the funding be sourced from the Rural Beautification Reserve, which has a balance of \$392,000 as of 30 June 2023.

### **Attachment**

**Appendix 1** 31 October Report to Council



## Background

### The current situation

1. Council is seeking alternative options for funding the Mayfield Reserve Board mower shed that do not entail raising a loan.
2. Officers have found two possible options for Council to consider:
  - Financial contributions
  - Rural beautification reserve funding

### Options analysis

#### Option one – Utilise \$58,000 of financial contributions for the construction of the Mayfield Reserve Board Mower Shed (not recommended)

3. The use of financial contributions is guided by policy 9.3C of the District Plan. Cash contributions received from subdivisions toward the provision of open space may be used for the following purposes:
  - to purchase land for neighbourhood parks in areas where there are existing or potential deficiencies in the provision of local parks;
  - to plan, design and develop neighbourhood and District parks to a level at which they are usable and enjoyable for children’s play, recreation and for visual amenity with trees, shrubs and garden plantings;
  - to obtain and develop neighbourhood walking and cycling linkages.
4. Officers have assessed that the use of financial contributions for the construction of a mower shed is inconsistent with the District Plan Policy for the use of financial contributions. As such, this is not the recommended option.

<b>Advantages:</b> Financial contributions would be being used in less urban areas of the district	<b>Disadvantages:</b> Potentially a precedent setting decision for Council that is inconsistent with past approaches to funding projects of this type.
<b>Risks:</b> Reputational risk to Council in making inconsistent decisions (section 80 LGA).	

#### Option two – Utilise \$58,000 of rural beautification reserve funding for the construction of the Mayfield Reserve Board Mower Shed

5. The Annual Report 2022/23 shows a rural beautification reserve of \$392,000. Council funds rural beautification through a 50/50 mix of general rate and targeted rate on all properties except those in the Ashburton, Methven and Rakaia rating areas.

6. Clause 11.24 of Council’s Revenue and Financing Policy states the purpose of the rural beautification fund is for Council to undertake projects and maintenance to enhance the streetscapes, sports grounds, parks and reserves in rural areas of the district. This activity excludes Ashburton, Methven and Rakaia which make up the ‘Township beautification’ activity.

<p><b>Advantages:</b> Utilises a rural beautification reserve that is showing a healthy balance and that hasn’t been committed in 2023/24 year.</p>	<p><b>Disadvantages:</b> Not an exact match for how rural reserves are funded (100% targeted rate on all properties except those in Ashburton, Methven and Rakaia rating areas)</p>
<p><b>Risks:</b> Nil</p>	

## Legal/policy implications

### Resource Management Act 1991

7. Section 108(2)(a) of the Resource Management Act 1991 (RMA) enables Council to require a financial contribution is made as a condition of any resource consent. Section 111 provides for the use of any such cash contribution, in that Council must deal with that money in reasonable accordance with the purposes for which the money was received.
8. The RMA deals with the presumed implicit intent of the policy, in that it requires that reserve contributions are used for the purposes for which they are collected.

### District Plan

9. The District Plan outlines how Council carries out its functions under the RMA and is required by statute under section 73 of the Act. The District Plan is the appropriate mechanism for setting the framework for financial contributions associated with subdivision.
10. Through the District Plan (policy 9.3A), Council requires financial contributions toward public recreation areas and open space from residential subdivision developers. These financial contributions must be paid by the developer before Council will issue its final sign-off for the development under section 224(c) of the RMA.
11. The basis for financial contributions for reserves is the additional (actual or potential) demand anticipated for recreational land and open spaces as a consequence of subdivision and development. Contributions are collected at the time of subdivision so that the costs of this additional provision of open spaces (or their upgrading) necessitated by development, is met by the developer.

12. Council’s ability to use these financial contributions is governed by policy 9.3C of the District Plan. Cash contributions received from subdivisions toward the provision of public open space may be used for the following purposes:

*“to purchase land for neighbourhood parks in areas where there are existing or potential deficiencies in the provision of local parks;*

*to plan, design and develop neighbourhood and District parks to a level at which they are usable and enjoyable for children’s play, recreation and for visual amenity with trees, shrubs and garden plantings;*

*to obtain and develop neighbourhood walking and cycling linkages”*

13. The District Plan therefore requires financial contributions to be used for the provision of public open spaces and linkages that can be used by anyone without restriction and for the general benefit of the public. For this reason, officers have deemed the Mayfield Reserve Board proposal is not eligible for financial contributions, as the shed will not be able to be used by anyone without restriction.

### **Development & Financial Contributions Policy 2021**

14. Section 2.15 of Council’s [Developments & Financial Contributions Policy 2021](#) also describes how Council can use financial contributions that are provided through the subdivision process under the District Plan. Section 2.15 is consistent with Policy 9.3C of the District Plan, in that it provides for Council to use these cash contributions for the provision of open space and recreation areas, for example where there are existing or potential deficiencies, or for walking and cycling linkages.

### **Revenue and Financing Policy**

15. As noted earlier in this report, section 11.24 of Council’s [Revenue and Financing Policy](#) outlines the purpose of the rural beautification reserve, as well as the funding source (50% targeted CV rate and 50% general rate).
16. As one of the purposes of the reserve is to undertake projects on parks and reserves in rural areas, officers consider the proposed shed better fits within the purpose of this reserve.

#### **Review of legal / policy implications**

Reviewed by In-house Counsel

Tania Paddock; Legal Counsel

### **Strategic alignment**

17. The recommendation relates to Council’s community outcome of ‘A District of Great Spaces and Places’.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		
Environmental		
Cultural		
Social	✓	Reserves provide recreational opportunities for local communities.

## Financial implications

Requirement	Explanation
What is the cost?	\$58,000
Is there budget available in LTP / AP?	Budget was included in the LTP 2021-31 but was missed from the Annual Plan 2023/24 due to human error.
Where is the funding coming from?	Rural beautification is funded through the Rural Amenity Rate and General Rate (50/50).
Are there any future budget implications?	Minor in that the reserve is depleted by \$58k. However, there is a healthy balance in this specific reserve.
Reviewed by Finance	Leanne Macdonald, Group Manager – Business Support

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The project was consulted with the community through the Long Term Plan 2021-31 process and was approved by Council. The report is seeking to address an administrative error that occurred during the budget development late last year.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

## ***7. Representation Review Early Engagement***

Author	<i>Femke van der Valk; Policy Advisor</i>
Activity Manager	<i>Mark Low; Manager Strategy &amp; Policy</i>
Executive Team Member	<i>Toni Durham; GM Democracy &amp; Engagement</i>

### **Summary**

- The purpose of this report is to approve the Representation Review Early Engagement document for community consultation.
- Council has the following options regarding the Early Engagement document:
  - Conduct community early engagement on the Representation Review using the proposed document (no changes), or
  - Make changes to the Early Engagement document.

### **Recommendation**

- 1. That** Council approves the Representation Review early engagement document for community consultation from Wednesday 22 November until Sunday 17 December.

### **Attachment**

**Appendix 1** Representation Review Early Engagement document

## Background

1. Council must carry out a representation review in accordance with the Local Electoral Act 2001 requirements prior to the next triennial elections which are to be held on 11 October 2025.
2. Council has indicated the arrangements outlined below are to be included in the review.
  - Total number of councillors; elected in wards or at large
  - Option of district wide voting as well as wards
  - Option of a single rural and single urban ward
  - Option of southern and northern rural ward
  - Māori representation options
  - Ward names in Te reo
  - Methven Community Board boundary
3. The Local Government Commission strongly encourages local authorities undertaking representation reviews to carry out early engagement. Early engagement may assist councils to identify communities of interest, and to seek views on particular representation options. This can assist local authorities to identify issues relevant to the review process and enable them to consider a wider range of representation options when developing their formal proposal. The early engagement will enable the community to consider the options available and feedback to Council on what is supported.
4. Council will consider this feedback, determine their initial proposal and formally consult on this in June/July 2024.
5. As part of the early engagement the district's Representation Review and options for Māori representation were discussed at a hui with Aoraki Environmental Consultancy (AEC) on Monday 30 October. As a result of that conversation the request was made to prepare a more detailed document on the scenarios to be presented to the Rūnaka for a further conversation.

### **The current situation**

6. Officers have prepared the community early engagement document, containing 'general' and open questions referring to the representation arrangements in the district and clarifying the option of maintaining the status quo as a result from the review.
7. Early engagement is scheduled to take place from 22 November to 17 December.
8. The previously proposed timetable for the next steps in the review was updated following the notification that there will be no meetings held in July 2024. The following schedule refers to the work required to meet legislative deadlines. This includes the community engagement to arrive at an initial proposal which is the main topic of this report.

<b>2023</b>	
October - November – December	Early engagement (Community, Rūnaka)
15 November	Council meeting: early engagement document presented for approval
22 November – 17 December	Representation Review early engagement
<b>2024</b>	
Jan – May	Process early engagement and Initial Proposal development
May	Report to Council on Initial Proposal
End May	Adoption of Initial (Draft) Proposal
June	Public notice of Initial Proposal (max 14 days after adoption Initial Proposal)
June/July (to prevent overlap LTP consultation + no meetings in July)	One month formal consultation period ( <i>under Local Electoral Act 2001, S19M</i> )
August	Council Hearing on submissions and Final Proposal developed
End August/Early Sept	Final Proposal via public notice ( <i>under Local Electoral Act 2001, S19N</i> )
Sept/Oct	Appeals/objections period
Not later than Tuesday 3 December	Public appeals/objections to Final Proposal due
20 December	Latest date that appeals/objections can be forwarded to the Local Government Commission
<b>2025</b>	
Not later than Thursday 10 April	Determinations by LGC on representation arrangements review
Not later than Sunday 11 May	Latest date by which the Local Government Commission can determine appeals/objections

## Options analysis

### Option one – approve the early engagement document for consultation (no changes)

9. Under this option, Council approves the early engagement document for public consultation from 22 November to 17 December 2023.

<p><b>Advantages:</b> The community’s views will be collected which will help the preparation of the draft proposal for the representation review.</p>	<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>No disadvantages have been identified.</li> </ul>
<p><b>Risks:</b> There is no risk associated with this option.</p>	



## Option two – Approve the early engagement document with amendments.

10. Council could decide to make changes to the early engagement document.

<b>Advantages:</b> The community’s views will be collected which will help the preparation of the draft proposal for the representation review	<b>Disadvantages:</b> Depending on the number and extent of the changes the timeframe could be affected.
<b>Risks:</b> There is no risk associated with this option.	

## Legal/policy implications

11. The Representation Review process is governed by the [Local Electoral Act 2001](#) (the Act) with the Local Government Commission acting as the authority charged with making the final decision on arrangements. Statutory requirements are extensive and are provided for in the Act, with the review process set out in section 19H to 19Z of the Act.
12. The [Local Government Electoral Legislation Act 2023](#) contains date changes for the Representation Review process and Amendments relating to the establishment of Māori wards and constituencies, but their implementation is delayed until after the 2025 local elections.
13. Further statutory requirements are provided for under the [Local Government Act 2002](#), in particular s.14 which requires councils to:
  - make itself aware of, and have regard to, the views of all its communities
  - take account of the diversity of the community’s interests
  - provide opportunities for Māori to contribute to decision-making processes.

## Climate change

14. The early engagement with the community on the Representation arrangements will not have a direct impact on climate change.

## Strategic alignment

15. The recommendation relates to Council’s community outcome of ‘Residents are included and have a voice’, Ka whai wāhi, ka whakaputa korero kā kainoho. The Representation Review relates to all well-beings.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Having the correct representation arrangements will contribute to Economic well-being for the community.
Environmental	✓	Having the correct representation arrangements will contribute to Environmental well-being for the community.
Cultural	✓	Having the correct representation arrangements, where the shared beliefs, values, customs, behaviours and identities are reflected, will contribute to Cultural well-being for the community.
Social	✓	Social wellbeing refers to 'Involved individuals, their families, whanau, hapu, iwi, and a range of communities that is being able to set goals and achieve them'.

## Financial implications

Requirement	Explanation
What is the cost?	Consultation costs covered by existing budgets.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Communications Budget for Community Consultation
Are there any future budget implications?	n/a
Reviewed by Finance	Leanne Macdonald Group Manager Business Support

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	This is an initial opportunity to feedback on potential representation arrangements, and is of interest to all residents and electors.
Level of engagement selected	3. Consult – formal two-way communication
Rationale for selecting level of engagement	This report enables approval of early engagement document to gather feedback for Council's decision on its initial (draft) proposal which will be formally consulted on under the Local Electoral Act 2001.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

# Appendix 1

## Representation Review Pre-engagement

Have your say!

### Representation review 2024

Every three years, local elections are held across New Zealand to elect mayors, councillors and community boards.

To ensure our community has fair and effective representation, under the Local Electoral Act 2001 we're required to review the representation arrangements for the Ashburton District every six years. This includes how many councillors we have, how they are elected and whether we have community boards. You'll find more detail about each of these topics on the following pages.

It's worth noting that there's no requirement to make changes. If our community feel they are represented well, we can retain our current arrangements for another six years.

We are seeking some early feedback from our community now to help Council make their decision on the draft proposal for the full consultation scheduled for next year.

How do you want to be represented?

*We are accepting feedback until Sunday 17 December*

### 1. What size should our council be?

Currently the Ashburton District Council consists of a mayor and nine elected councillors. During the previous Representation Review in 2018, the number of councillors was reduced from 12 to 9.

The Local Electoral Act allows councils to consist of any number of councillors between 5 and 29. Our current arrangement means there is approximately one councillor for every 4,000 people in the Ashburton District.

#### ***Do you feel the community is well represented by the current number of councillors (i.e. 9 councillors)?***

Yes / no / please explain

.....  
.....

## 2. How should councillors be elected?

The Local Electoral Act provides different options for councils to elect their councillors. These include electing councillors via:

- wards (our current system) - where you only vote for candidates standing in your ward
- 'at large' (district wide) - meaning Councillors are elected across the district, you are able to vote for all candidates and are not restricted to the candidates representing a ward.
- a mixed system - where some councillors are elected at large and others through the ward system.

The mayor is always elected through a district wide vote.

### *What system of electing councillors do you prefer?*

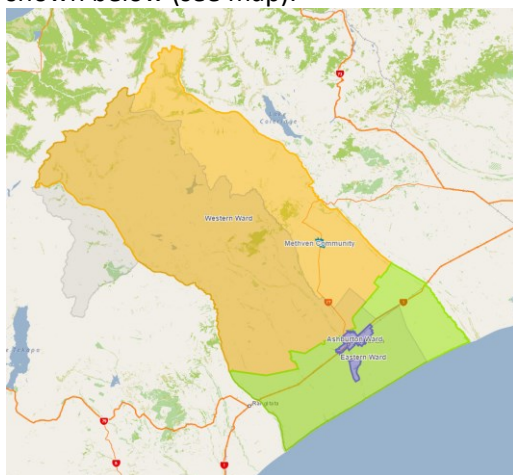
- *wards (our current system)*
- *at large (district wide)*
- *mix of wards and at large*

Comments:.....  
.....  
.....

*No matter what system is used to elect a councillor, councillors always represent the entire district.*

## 3. The current system in our district – election of councillors via wards

Our councillors are currently elected via a ward system, with the district divided into three wards as shown below (see map).



For communities to be ‘fairly’ represented, legislation specifies that each elected member should represent roughly the same number of people, and meet what is called the +/- 10% rule.

**SIDEBAR - +/- 10% rule**

Any district council must ensure that the population of each ward, divided by the number of members to be elected by that ward, produces a figure no more than 10% greater or smaller than the population of the district divided by the total number of elected members (excluding the mayor).

GRAPHIC (shows wards, number of councillors)

DISTRICT	WARD	Population	Members	Population-member ratio	Difference from quota	% Difference from quota
Ashburton District	Western Ward	7,860	2	3,930	-150	-3.68
	Eastern Ward	7,660	2	3,830	-250	-6.13
	Ashburton Ward	21,200	5	4,240	160	3.92
	<b>Total</b>	<b>36,720</b>	<b>9</b>	<b>4,080</b>		

Caption - The current distribution of council seats across the district's three wards ensures each elected member represents approximately the same number of people. The Ashburton Ward elects five councillors, while the Eastern and Western wards elect two councillors apiece.

While reviewing our representation arrangements, it's important to check that our ward boundaries are still accurate. For example, they could require adjustments to take into account town growth.

Ward boundaries can also be amended to make sure the wards accurately capture ‘communities of interest’ (see sidebar).

**SIDEBAR - What are communities of interest?**

One of the goals of the representation review is to achieve ‘effective representation’, which means that wards should be based on communities of interest - that is areas that people identify with and relate to.

Legislation does not define what a community of interest is, but the concept includes things like:

- people feeling a collective sense of identity and belonging to the area;
- people using the same services, like schools, pools, roading networks
- councillors being able to effectively represent the interests of the area.

When deciding the size of wards and their boundaries, ideally communities of interest should not be split and disparate communities of interest should not be joined together into one ward.

You can view a detailed map of our current ward boundaries at [ashburtondc.govt.nz/haveyoursay](http://ashburtondc.govt.nz/haveyoursay)

***If our district continues to retain the ward system;***

- ***do you support the number of councillors representing each ward?***

Yes / no / please explain

.....  
.....

- ***do you support the current ward boundaries?***

Yes / no / please explain

.....  
.....

- ***do you support the current ward names (Ashburton, Eastern and Western ward)***

Yes / no / please explain

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

One option we are exploring for the Ashburton District is to merge the Eastern and Western ward into one ward and keep the Ashburton ward as is. This would mean the new ward would elect 4 councillors and the Ashburton ward the remaining 5 councillors.

***Do you support merging the Eastern and Western ward and maintaining the current Ashburton ward?***

- Yes / no / please explain

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

## 4. Māori Representation

The Local Electoral Act provides a threshold for Māori wards to be established, using a formula that considers the General Electoral and Māori Electoral populations. Currently, the Ashburton District does not meet the threshold for the establishment of a Māori ward. There are alternative options for councils to have Māori represented at a governance level, like advisory committees or other iwi partnership models. As part of the review, we'll discuss these options with Manawhenua.

*Do you have any thoughts on Māori representation in the district?*

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

## 5. Community boards

The Ashburton District currently has one community board – the Methven Community Board. The board contains five board members that are elected every three years and two appointed members who are the two Western Ward councilors. The Methven Community Board (MCB) provides a coordinated voice that represents the Methven community's interests in council decision-making. Residents in the Methven Community Board area pay a fixed targeted rate per year, (\$146.20 in 2023), for the Community Board.

*What are your thoughts on community boards in the district?*

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

## Representation Review process and timeline

Representation reviews must follow the process and timeframes outlined in the Local Electoral Act.

This process includes several stages, including early engagement (this document). Council will use the community's feedback during this stage to help determine an initial (draft) proposal.

The initial proposal will present the district's proposed representation arrangements for the next six years, including any changes. It will be formally consulted on in June/July 2024.

The community feedback from that consultation will be used to decide a final proposal, which is then formally advertised for appeals/objections.

Where the final proposal receives no appeals/objections, this will then apply until the next representation review.

If the final proposal receives objections or appeals, these are referred to the Local Government Commission (LGC) and the council will need to provide evidence for its decisions and of the process it has followed. The LGC then makes a final decision about representation for the district.

**Early engagement with the community**

Wednesday 22 November - Sunday 17 December 2023

**Community Consultation on Initial proposal**

June/July 2024

**Final proposal**

August 2024

**Electoral System:**

In September 2023, Council decided to retain the First Past the Post (FPP) electoral system for the 2025 local election. Electors of Ashburton District Council have the right to demand a poll on the electoral system before 11 December 2023. Public notice was published on 11 September and can be viewed on the Council website.

***Representation and rates:***

It may be surprising, but the number of councillors does not have a significant impact on rates.

Remuneration for councillors is funded from district rates, however it's based on a fixed pool of funds which is set independently by a government agency, the Remuneration Authority.

This amount does not go up or down in relation to the number of councillors. Instead, the total is divided between the number of elected members. This means if we had a greater number of councillors, each would be paid less and vice versa.

Community boards are funded by a targeted rate paid by residents living within the respective board's area. (see page X). This includes paying for remuneration for Board Members which is set by the Remuneration Authority.



## **8. Mt Hutt Memorial Hall – Fees & Charges**

Author *Toni Durham: GM Democracy & Engagement*  
Executive Team Member *Hamish Riach: Chief Executive*

### **Summary**

- The purpose of this report is for Council to approve an updated fees and charges schedule for the Mt Hutt Memorial Hall.

### **Recommendation**

- 1. That** Council approves the updated Mt Hutt Memorial Hall fees and charges schedule for 2023/24.

### **Attachment**

**Appendix 1** Mt Hutt Memorial Hall updated fees & charges schedule 2023/24

## Background

### The current situation

1. Council adopts fees and charges through the annual plan or long-term plan process. This includes for Council-owned facilities such as the Mt Hutt Memorial Hall (MHMH).
2. Through a recent internal audit of the fees and charges at the Mt Hutt Memorial Hall, it has been found that there are some inconsistencies in the current fees and charges schedule that the Mt Hutt Memorial Hall Board would like remedied for the remainder of the current financial year.
3. Doing so will ensure that the income generated by the hall is aligned with the MHMH budget.
4. To ensure the community is clear on the updated fees and charges, it is proposed that these take effect from 1 January 2024.
5. At the Mt Hutt Memorial Hall Board meeting on Tuesday 2 November, the following resolution was unanimously passed by the Board:

*That the fees and charges schedule presented to the Mt Hutt Memorial Hall Board is confirmed and approved for ratification by Council, with the intention that this is applied from 1 January 2024.*

### Options analysis

#### Option one – Council approves the updated fees and charges schedule attached as appendix one (recommended option)

6. This option would allow the Mt Hutt Memorial Hall team to apply consistent charging across both community and commercial bookings of the facility.
7. The fees and charges would align with increases in costs faced by the hall.

<p><b>Advantages:</b> Transparency with the community of the costs of hiring the Mt Hutt Memorial Hall</p> <p>Updated fees and charges to enable the MHMH to maximise income in 2023/24</p>	<p><b>Disadvantages:</b> Changing the fees and charges outside of the usual process.</p>
<p><b>Risks:</b> Minor reputational risk to Council of amending fees and charges mid-way through a financial year.</p>	

## Option two – Council amends the updated fees and charges schedule

8. Council could decide to amend some of the fees and charges listed in Appendix one.

<b>Advantages:</b> Council input may enhance or improve some costings	<b>Disadvantages:</b> May miss the appropriate price-point for the local community and / or commercial users.
<b>Risks:</b> Moderate risk of undermining Mt Hutt Memorial Hall Board and/or staff expertise in this area	

## Option three – Council does not approve the updated fees & charges schedule and refers any amendments to the Long-Term Plan 2024-34 process

9. This option would see any amendments to the fees and charges structure delayed until the 1 July 2024.

<b>Advantages:</b> Align with the usual fees and charges setting process	<b>Disadvantages:</b> Missed revenue from not having appropriate fees and charges in place would mean that the hall is more likely to run at a deficit.
<b>Risks:</b> Moderate risk of undermining Mt Hutt Memorial Hall Board and/or staff expertise in this area	

## Legal/policy implications

### Local Government Act, 2002

10. Council is required, under section 103 of the Local Government Act 2002, to include its fees and charges as a basis for giving effect to the Revenue and Financing Policy for the financial year, before the commencement of the Annual Plan.
11. This means that Council adopts the fees and charges for the financial year in which the Annual Plan or Long-Term Plan is produced.
12. Council is able to amend fees and charges throughout the year by resolution.

### Strategic alignment

13. The recommendation relates to Council’s community outcome of ‘*A district of great spaces and places*’.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Adds vitality to the Methven economy by offering unique community spaces in the Mt Hutt Memorial Hall
Environmental		
Cultural		
Social	✓	Makes our district an enjoyable space to live and support community connections

## Financial implications

Requirement	Explanation
What is the cost?	Nil
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Mt Hutt Memorial Hall is funded by the Methven Targeted Rate (CV)
Are there any future budget implications?	Yes, if the recommended option is not adopted it is unlikely that the MHMH will raise the income forecast in the budget.
Reviewed by Finance	Leanne Macdonald, Group Manager – Business Support

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	Inform
Rationale for selecting level of engagement	The community will be informed of the updated fees and charges schedule online and to directly affected facility users.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

## Appendix One: Mt Hutt Memorial Hall Updated Fees & Charges Schedule 2023/24

Note: To take effect from 1 January 2024

Mount Hutt Memorial Hall	Current 2023/24	Proposed 2023/24
<b>Community charges</b>		
Hourly room hire rate (eg Tai Chi, Yoga etc)	New charge	\$30
Ihub lease space (per month)	New charge	\$115
Board room hire per half day	New charge	\$58
Board room hire per full day	New charge	\$115
Theatrette hire per half day	New charge	\$90
Theatrette hire per full day	New charge	\$150.00
Function room hire per half day	\$80	\$115
Function room hire per full day	\$170	\$170
Hall hire per day	\$350	\$460
<b>Commercial charges</b>		
Downstairs office hire per half day	New charge	\$46
Function room hire per half day (without lawn)	\$80	\$130
Function room hire per half day (with lawn)	New charge	\$180
Function room hire per full day (without lawn)	\$200	\$200
Function room hire per full day (with lawn)	New charge	\$290
Function room hire per night function	\$80	\$115
Kitchen Hire	\$80	\$80
Theatrette hire per half day	\$80	\$115
Theatrette hire per full day	\$100	\$200
Hall hire per day	\$800-1000	\$800-1000
Board room hire per half day	\$70	\$70
Board room hire per full day	\$100	\$150
Encounter hire full day	New charge	\$170
Wedding hires per day (includes Hall, Function Room, Kitchen, plus full clean)	New charge	\$1,440
Wedding hires - set up & pack down	New charge	\$460
Art Gallery hire full day	New charge	\$115
Tablecloths (each)	New charge	\$20
Entire clean after function	New charge	\$170

## 9. *Ashton Beach Enhancement Project*

Author	<i>Bert Hofmans, Open Spaces Planner</i>
Activity Manager	<i>Ian Soper, Open Spaces Manager</i>
Executive Team Member	<i>Neil McCann, Group Manager Infrastructure &amp; Open Spaces</i> <i>Sarah Mosley, Group Manager People &amp; Facilities</i>

### Summary

- The purpose of this report is to inform Council of the outcome of consultation with Department of Conservation (DOC) staff regarding the Ashton Beach Enhancement Project following DOC's decision to decline our Wildlife Act Authority Application.
- The recommended option is to accept the decision of the Department of Conservation and not progress the motorcycle park any further.

### Recommendation

- 1. That** Council accepts the Department of Conservation's decision on the Wildlife Act Authority Application and discontinues investigating the establishment of a motorcycle park on Council land near Ashton Beach.
- 2. That** Council acknowledges Ashburton Motorcycle Club's efforts and willingness to be a key partner within the proposed project, had consent been granted.
- 3. That** Council permits the Ashburton Motorcycle Club to spend the grant funding they received and held since 2020 for any infrastructure improvements at their Trevors Road Motorbike Park, including noise mitigation measures to the satisfaction of the Group Manager Compliance and Development.

### Attachments

- Appendix 1** Department of Conservation decision and supporting documentation  
**Appendix 2** Synopsis by Council's consultant herpetologist  
**Appendix 3** Response from the Hon Poto Williams, Minister of Conservation

## Background

### The current situation

1. In 2019, Council officers became aware of a health and safety issue on an unfenced portion of Council's Ocean Farm at Ashton Beach. A steep area of land was being used by motorbike and 4wd vehicle enthusiasts for recreation. These areas have since been fenced off.
2. A potential alternative area for motorbike riding on Ocean Farm was identified through community consultation in February 2020 (blue area Figure 1).
3. An ecological assessment in May 2020 concluded the proposed area contained important ecological values. While it is dominated by exotic grassland, it also contains important native plant species, some of which have a 'Threatened –Nationally Vulnerable' conservation status.
4. A skink survey was also conducted in May 2020 of the proposed area. It confirmed the presence of southern grass skink (*Oligosoma aff. polychroma*). The conservation status of this species is 'At Risk- Declining'.
5. New Zealand currently has 126 species of lizards and new species are still being discovered. All of our lizard species are endemic which means they are not found elsewhere in the world. All native lizards are absolutely protected under the Wildlife Act (1953) meaning it is illegal to catch, collect, kill or cause habitat loss.
6. A report to Council 4 June 2020 was left to lie on the table until Councillors undertook a site visit on 11 June 2020. On 18 June 2020, Council resolved:
  - *That Council supports further work and consultation to enable the establishment of an alternative area for motorbike riding on Council owned land within the Ashton Beach area.*
  - *That Crs Leen Braam and Lynette Lovett be appointed to the Ashton Beach project stakeholder group.*
7. Preliminary consultation was undertaken with the Department of Conservation, Environment Canterbury and Royal Forest and Bird Society representatives. While acknowledging Council's desire to provide an alternative motorbike riding area away from the beach and rivermouth they also shared concerns that the proposed motorbike park could attract more motorcyclists to the beach area with the potential for adverse effects on biodiversity values. In summary, the parties had some concerns about the proposal but were not firmly opposed to the development of a motorcycle park in the area.

8. Ashburton Motorbike Club applied for two grants under the Community Infrastructure Fund in 2020, one for their Trevors Road Motorbike Park and one to assist with the development of the proposed park near Ashton Beach.
9. In June 2020, Council awarded the Ashburton Motorbike Club a grant of \$8,000 from the Community Infrastructure Fund as a contribution towards track formation near Ashton Beach. Given there was a chance that the consenting process for this project would not be completed and had a risk of failure, Council discussed that the funds would be granted to Ashburton Motorbike Club on the basis that they were used for the new park near Ashton Beach and if that didn't proceed it could be used on another infrastructure improvement at the Trevors Road Motorcycle park.
10. In September 2020, Council resolved:
  - *That Council supports further work to enable the establishment of an alternative area for recreational motorbike riding on Council owned land within the Ashton Beach area.*
  - *That Council funds up to a maximum of \$27,000 for the biodiversity requirements of this project from the rural reserves' beautification reserve should alternative funding sources not be successful.*
11. In November 2020, Ryder Environmental were commissioned to prepare the lizard management plan required to accompany the Wildlife Act Authority application. While the Lizard Management Plan acknowledged that the actual and potential effects of the proposed motorbike park (disturbance, death, injury and displacement of southern grass skink), it also proposed a range of avoidance, mitigation, and restoration measures to offset the anticipated losses of lizard values across the project footprint.
12. The application was lodged December 2020 and in June 2021 the Department of Conservation advised that the proposed mitigation measures were insufficient and the Council should consider identifying and protecting in perpetuity (through a covenant) an area of grass skink habitat the equivalent or better in terms of skink abundance than the proposed motorbike park area.
13. Fauna Finders were commissioned to undertake a survey to compare the relative abundance of southern grass skink at the proposed motorbike park site and a potential covenanted area on Council land on the southwestern side of Lower Beach Road (see Figure 1). Following four days of trapping at both sites in November 2021, the survey concluded that skink capture numbers were higher in the proposed bike park area (8,672m<sup>2</sup>) than in the proposed covenant area (9,492m<sup>2</sup>).





**Figure 1 – Indicative locations of proposed motorbike area (blue) and covenanted areas (green and orange) at Ashton Beach**

14. Discussions between the Department and Council representatives confirmed the application was more likely to be approved if the proposed covenanted areas were enlarged to include more Council land (3,300m<sup>2</sup>) on the eastern side of the proposed motorbike park – refer smaller green area in Figure 1. Council expanded it further to encompass the whole donga by also including the triangular section (see orange area in Figure 1).
15. This is in addition to other measures already proposed i.e. habitat enhancements within the covenanted areas (adding rock piles, native plantings, and control of woody weeds), ongoing monitoring of skink numbers before and after enhancements, educational signage, and the involvement of a local restoration group/and or school.
16. On this basis, Council resolved 2 March 2022:
 

*That Council supports the covenanting of land at Ashton Beach and proceeds with the Wildlife Act Authority.*
17. On the 25 July 2022, the Department of Conservation formally declined Councils' application for a Wildlife Authority Application. Reasons cited in the decision and in the supporting documentation (Appendix 1) were:
  - the proposal does not provide an adequate level of protection for lizards;
  - there are alternative avoidance options;
  - there will likely be a net loss of lizards overall;
  - there is no net benefit to wildlife;
  - Arowhenua do not support the application; and
  - the application is inconsistent with the purpose of the Wildlife Act 1953.

18. The decision is discussed in the synopsis provided by Council's consultant herpetologist in Appendix 2.
19. Council resolved 21 September 2022:
  - *That Council is extremely concerned at the Department of Conservation's decision to decline the Wildlife Act Authority Application and expresses that view to the Minister of Conservation and opposition political party conservation spokespersons.*
  - *That Council further engages with Iwi, Department of Conservation and Environment Canterbury before considering whether to submit a revised Wildlife Act Authority application incorporating an additional range of mitigation measures.*
20. A response from the then Minister of Conservation the Hon Poto Willams was received 14 November 2022 (Appendix 3).
21. More recently, Council staff have consulted with the new Operations Manager of the Ruakapuka Geraldine Office over this matter. Their response is unfavourable towards a revised Wildlife Authority Act Application. They advised it is unlikely to be approved given the proposals' inability to demonstrate 'no net loss' which the Council is now informed is the fundamental Wildlife Act requirement.
22. Demonstrating "no net loss"(net gain) of biodiversity requires salvage and translocation of the lizard population from the project to another site that is more than 5km away to avoid lizards returning to their original habitat. This process would be costly to the Council and time-consuming.
23. The conditions for the salvage and translocation require an intensive survey to identify all lizards at Ashton Beach, relocation to a receiving site to be approved by DOC and Iwi, ongoing population monitoring and predator control (fencing and trapping) at the receiving site, and habitat enhancement.
24. A recent lizard salvage and translocation for a significant project by Christchurch City Council cost \$611,000. We estimate that this process would cost this Council over \$250,000 based on the scale of the project.
25. Despite these measures it remains uncertain if the application would be approved due to the proximity of the proposed motorbike park to a rare bird breeding site at Ashton Beach and given the new National Policy Statement on Indigenous Biodiversity and its protection of highly mobile fauna habitats.

## Options analysis

### Option One – Accept the Wildlife Authority Application decision and do not proceed with motorbike park at Ashton Beach (recommended)

26. Under this option, Council no longer proceeds with the project to establish a motorbike park in this location. Council staff would continue to make improvements to Ashton Beach where they benefit passive recreation and enhance biodiversity values.

<p><b>Advantages:</b> Biodiversity values are not impacted by proposed motorbike park. Council does not risk the further expenditure on the project (approximately \$9,000 to obtain approvals and another \$250,000 to implement the mitigation package).</p>	<p><b>Disadvantages:</b> There is no return on Council’s expenditure to date (\$17,420). Ongoing adverse effects on the wider area as motorcyclists are not provided with a designated motorbike riding area nearby.</p>
<p><b>Risks:</b> Reputational risk to Council as it had previously indicated its support for the proposal.</p>	

### Option Two –Submit a new Wildlife Act Authority Application incorporating additional mitigation measures

27. This option involves developing new mitigation measures and submitting a fresh Wildlife Act Authority Application to obtain Arowhenua support for the proposal and the Departments’ approval of the application.
28. The revised application would need to demonstrate no net loss of biodiversity. This process would cost approximately \$250,000 for lizard salvage and translocation.

<p><b>Advantages:</b> Improved recreational opportunities. Opportunity to use increased visitation to promote the biodiversity values of the area.</p>	<p><b>Disadvantages:</b> Lizard salvage and translocation is expensive and time consuming (approximately \$250,000). Site is located in an area of threatened native plant species and in a potential Significant Natural Area. Proposal would interrupt an important habitat corridor and linkage between the river mouth and inland ecosystems. New legislation does not support this option (NPS-IB) due to proximity to highly mobile fauna habitat (Hakatere rivermouth).</p>
<p><b>Risks:</b> The application for a Wildlife Act Authority could still be declined despite additional measures. The resource consent application is publicly notified and declined. Risk of environmental degradation to the wider area through increased motorbike activity outside the park. Reputational risk to Council i.e. proposing a motorbike park in an area with important ecological values.</p>	

### Option Three – Appeal the Wildlife Authority Application decision

29. There are no appeal rights under the Wildlife Act and therefore this option is limited to seeking a judicial review of the decision in the High Court. There are limited grounds for lodging a judicial review and legal counsel has advised that costs for this process would be at least \$50,000.

<b>Advantages:</b> Application decision could be overturned and motorbike park is allowed to proceed.	<b>Disadvantages:</b> Considerable demand on resources (at least \$50,000) for judicial review, no certainty of the outcome.
<b>Risks:</b> Risk that Council expends significant funds without achieving the desired outcome. Potential relationship damage with Arowhenua and the Department of Conservation.	

### Legal/policy implications

#### Resource Management Act 1991

30. The Council has a statutory obligation under the Resource Management Act to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance (section 6).
31. It also directs Councils (section 31) to control the actual or potential effects of land use and development to maintain indigenous biological diversity.
32. The proposal requires resource consent and Council will need to demonstrate that, amongst other things, the proposed motorbike park can meet these requirements.

#### Ashburton District Plan

33. While the site contains significant indigenous vegetation, it is not formally recognised as an Area of Significant Indigenous Nature Conservation Value in the Ashburton District Plan.
34. The proposed motorbike park is situated on a donga and will result in some modification of this landform. Dongas are now uncommon on the Ashburton coast as many have been lost or disturbed as a result of farming practises (Davis *et al.* 2016).

#### The National Policy Statement for Indigenous Biodiversity

35. The entire site is located within an acutely threatened land environment that has less than 10% indigenous cover left (Cierad *et al.* 2015) and is a rare Canterbury landform ecosystem that holds remnants of native vegetation on the plain (Coastal Donga).

- 36. Under the National Policy Statement for Indigenous Biodiversity, the site qualifies as a Significant Natural Area because it supports an ‘At Risk’ lizard species and is close to a highly mobile fauna breeding habitat (Hakatere Rivermouth).
- 37. Establishing a motorbike park in a likely Significant Natural Area sets a precedent in relation to the Council’s position on the implementation of NPS-IB and Significant Natural Areas mapping as proposed within its biodiversity strategy goals.

**Biodiversity Action Plan**

- 38. The proposal is not consistent with the Council’s Biodiversity Action Plan Objective 2 that seeks to first protect, then maintain and restore areas of significant biodiversity.

**Ashburton/Hakatere Rivermouth Management Strategy**

- 39. The adjoining land to the east (ADC and DoC land) is subject to the non-statutory Ashburton/Hakatere Rivermouth Management Strategy (2019) prepared by Environment Canterbury. The strategy aims to ‘protect and enhance the recreational and environmental values of the Hakatere river mouth and estuary’. It recognises off-road driving (4WD and motorcycles) as a valued recreational use of the area and seeks to minimise existing tensions with biodiversity by directing these activities away from the sensitive river mouth environment.

**The New Zealand Coastal Policy Statement 2010 (NZCPS)**

- 40. The New Zealand Coastal Policy Statement 2010 guides local authorities in their day to day management of the coastal environment and seeks to protect indigenous biological diversity and vulnerable ecosystems and habitats in the coastal environment.

**Health and Safety**

- 41. Should the project proceed, specialist motorcycle park course designers would have been engaged to create a track that provided both enjoyment and safety. It was also intended to be a Council-Community Partnership Project, with safety resources and established practices obtained through the Ashburton Motorbike Club.

**Climate change**

- 42. The project has no clear climate change relevance.

Review of legal / policy implications	
Reviewed by In-house Counsel	<i>Name; Position to be entered by the reviewer</i>

**Strategic alignment**

- 43. The recommendation relates to Council’s community outcome of ‘A balanced and sustainable environment – He taiao toitu’ because our indigenous biodiversity is valued.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		
Environmental	✓	The recommended outcome values our indigenous biodiversity.
Cultural		
Social	✓	Motorbike riding is both an individual and club sport. There will be no designated riding area with different terrain for our district's riders

## Financial implications

44. In the report to Council in September 2020, staff estimated the total project costs to be \$55,000 as follows:
- Phase 1 – Approvals (\$10,000)
  - Phase 2 – Habitat construction (\$22,500)
  - Phase 3 – Motorbike track formation (\$10,000)
  - Project management (\$10,000)
  - Contingency (\$2,500)
45. To date Council has incurred a total cost of \$17,420 on Phase 1 as follows:
- Ecological Assessment and Lizard Habitat Assessment (\$3,800).
  - Lizard Management Plan preparation and advice (\$7,600).
  - Skink survey (\$4,700).
  - Lizard Management Plan amendments and advice (\$1,320).
46. The Department of Conservation waived its fee for processing the application. Project management services were not able to be contracted out and instead this service had to be provided by Council staff (staff time).
47. If Council decides to accept the recommendation (Option One- Recommended) then there are no further costs.
48. If Council decides to proceed with the establishment of a motorbike park by lodging a fresh application (Option Two), it will require an additional total of \$9,000 (estimate only) for amendments to the Lizard Management Plan, payment of the Wildlife Act Authority processing fees, and resource consent deposit fees; and approximately \$250,000 for biodiversity offsets at an alternative sites if “net gain” of biodiversity (salvage translocations) is to be explored.
49. The original cost estimates for subsequent phases 2 and 3 (habitat construction, track formation) of the project remain unchanged, although the grant (\$8,000) to the Ashburton Motorbike Club would offset most of the track formation costs. Council may also choose to provide further financial grant support to community groups associated with this project to assist with the development of the park, biodiversity enhancements and community education.

Requirement	Explanation
What is the cost?	N/A
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	N/A
Are there any future budget implications?	No
Reviewed by Finance	Erin Register, Finance Manager.

## References

Cieraad E., Walker S., Price R., and Barringer J. 2015. An updated assessment of indigenous cover remaining and legal protection in New Zealand's land environments. *New Zealand Journal of Ecology* 39(2): 309-315.

Davis M., Head N.J., Myers S.C. and Moore S.H. 2016. Department of Conservation guidelines for assessing significant ecological values. *Science for Conservation* 327. Department of Conservation, Wellington.

Walker, S., Price, R., and Rutledge, D. (2008). *New Zealand's remaining indigenous cover* Science & Technical Publishing Department of Conservation PO Box 10420, The Terrace Wellington 6143, New Zealand.

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	The project is likely to affect less than 100 people. While there will be some community interest at a local level, the proposal has a low impact on rates and levels of service.
Level of engagement selected	Comment – Informal two way communication
Rationale for selecting level of engagement	Community engagement commenced in early 2020 and resulted in the project (creating an alternative motorbike track) being identified. This project is of high interest to some members within our community and Te Rūnaka o Arowhenua, and there has been ongoing conversations since that time. The community will be kept informed of the final decision on the project through usual communication channels.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager



## Permission Decision Support Document

### Application Details

Decision Maker	Duncan Toogood, Operations Manager, Geraldine District Office
Applicant	Ashburton District Council
Permission Number	91865-FAU
Permission Type	Wildlife Act authorisation

### Key Dates

Application received	29/12/2020
Task Assignment assigned	06/04/2021
Context Meeting	16/04/2021
Check-In Meeting	27/04/2022

### Document Links

Application	<a href="#">DOC-6542948</a>
Task Assignment	<a href="#">DOC-6542958</a>

### Resources

Senior Permissions Advisor	Sanjay Thakur
Geraldine District Office	Chris Coulter, Senior Ranger community Ian Fraser, Senior Ranger biodiversity
Science and Policy	Lynn Adams, Technical Advisor ecology



## 1. Purpose

To make a decision on the application.

## 2. Context

Initial context from Task Assignment:

Ashburton District Council (ADC) are proposing to site a new recreational motor biking park on 215 Terrace Road, Ashton Beach on Council-owned land (Ocean Beach Farm). The new site is to replace an existing site used for motorbiking (and 4WD vehicles) over the 4.49 ha ADC Recreation Reserve at Ashton Beach and part of the adjoining 1.39 ha Department of Conservation Kōngutu Recreation Reserve.

The proposed c. 1-hectare site provides habitat for a population of southern grass skink (*Oligosoma* aff. *polychroma* Clade 5, At Risk – Declining) with an estimated density of 200-1,000 skinks/hectare (see the accompanying Lizard Management Plan entitled "Lizard Management Plan for the Proposed Ashton Beach Motorbike Park December 2020").

The site is significant with respect to the Canterbury Regional Policy Statement (RPS), Ashburton District Plan, and Department of Conservation (DOC) guidelines for assessing significant ecological values, due to the presence of southern grass skink and its habitat on a donga landform.

Actual and potential effects of the proposed development include disturbance, death, serious injury, minor injury and displacement of southern grass skinks, and loss of an estimated 0.24 ha of exotic and native grassland habitat used by southern grass skinks (c. 24 % of the site). A variety of avoidance, remediation and mitigation actions are proposed to offset anticipated losses of lizard values across the project site; these are summarised in Table 1 of Section 8 of the lizard management plan.

**Proposed term:** December 2020-December 2026

**The activity has been applied for at the following location:**

**Note: Not Public Conservation Land** - Ashburton District Council are proposing to site a new recreational motor biking park on 215 Terrace Road, Ashton Beach on Council-owned land

### 3. Critical Issues

*Critical Issues from the Context Meeting:*

- 1) How to ensure iwi support the application?

**Task:** Chris to initiate iwi consultation with relevant rūnanga (will need to allow 20 working days).

**Outcome:** see iwi consultation section below.

- 2) How to ensure consistency with the purpose of the Wildlife Act 1953?

The applicant is seeking authorisation for the incidental killing of protected wildlife with no attempt to salvage and lizards likely to be killed. The Wildlife Act requires that any authorisations granted be for the protective benefit of wildlife. In order to be consistent with the Act, DOC must be confident that the proposed mitigation measures would offer net benefit to wildlife.

**Task:** Ian/Lynn to provide advice on whether they think the proposed mitigation is adequate to meet the high threshold required under the Wildlife Act or if further mitigation measures are required.

**Outcome:** see contributions section below.

- 3) How to understand if DOC can include a condition requiring the authority holder to covenant land (via QEII or some other form of conservation covenant) as part of their mitigation?

**Task:** Sanjay to investigate whether DOC can require this.

**Outcome:** Yes, DOC can require this and include it as a condition.

- 4) How to ensure that if the application is approved the proposed mitigation measures are adhered to?

**Task:** Sanjay to ensure the draft authority includes special conditions requiring the holder to carry out the agreed mitigation measures.

**Note:** District Office would have post-approval responsibility for monitoring of compliance with conditions.

- 5) How to ensure appropriate term?

**Task:** Ian to discuss with Bert (ADC) and advise that we will not approve a term greater than three years.

## 4. Consultation with Treaty Partners

### Geraldine District Office – Chris Coulter Senior Ranger Community

#### SECTION A: Treaty Settlement implications

1. Is any site subject to the application due to be transferred to whānau, hapū, or iwi?  
If no, go to question 4. If yes, identify the site.

NO

4. If your Treaty Partners have settlement legislation in place already, are there any specific post-settlement implementation obligations that relate to the site or proposed activity?

N/A

#### SECTION B: Marine and Coastal (Takutai Moana) Area Act 2011

- Is the location subject to any applications or approvals for customary marine title or protected marine rights under the Marine and Coastal (Takutai Moana) Act 2011? If yes, identify the Treaty Partners who have either applied for or had approved customary marine title or protected marine rights at the location.

NO

#### SECTION C: Whānau, hapū, and iwi consulted

Consultation Summary			
Treaty Partner consulted with	Arowhenua		
Date consultation was sent out	29/04/2022		
Consultation time frame end date	27/05/2022		
Consultation method (email, phone, face to face etc)	Email		
How many attempts made to consult?	1		
DOC-CM link to any consultation emails received	<a href="#">DOC-7084503</a>		

#### SECTION D: Consultation with Arowhenua

- Does this application activate any agreed triggers for consultation with Treaty Partners?

YES

- Did the whānau, hapū, or iwi engage in consultation on this application? If not, ensure attempts to engage are detailed in Section C.

YES

- What is the interest of the whānau, hapū, or iwi in the site or activity?

Arowhenua and AEC understand the proposal put forward by ADC as they seek to exclude vehicles from the beach at the mouth of the Hakatere/Ashburton River due to concerns around impacts on wildlife and health and safety risks associated with current motorbike activities. AEC have been working alongside both ADC and Environment Canterbury (ECan) on the proposed management plan for the area and understand the issues involved.

- What are their views on the activity (taking place at the specified site)?

Full response from Arowhenua saved to [DOC-7084503](#), summary provided below.

- What sort of adverse effects do the whānau, hapū, or iwi believe the activity will have on their interests (at the specified site)?

Arowhenua and AEC are greatly concerned with the significant number of skinks that will be displaced, injured or killed as a result of the proposal. In addition to this, Arowhenua and AEC are concerned that the rehabilitation/enhancement plan for the covenanted area proposed involves the planting of grasses and plants that do not support a skink habitat. As a consequence of the number of skinks to be lost as a result of the proposal and the potential for a large, covenanted area to be planted in a manner that does not provide for skinks, Arowhenua and AEC cannot support the proposal in its current form.

- Have the whānau, hapū, or iwi identified any methods to avoid, remedy, or mitigate these effects?

Arowhenua through AEC are more than happy to work alongside DOC staff and lizard experts to assist ADC in amending the application to create a more favourable outcome if this is possible.

- Summarise any other information provided by the whānau, hapū, or iwi.

Full response from Arowhenua saved to [DOC-7084503](#)

## 5. Contributions

Lynn Adams, Technical Advisor ecology, 14 July 2022

The applicant has submitted a revised Lizard Management Plan after receiving comments from DOC about some aspects of the original application. I comment here only on the revised and final application as the one we must consider. The final application submitted provides a good overview of the skinks at the site, including a useful estimate of the number of lizards that will be impacted within the bikepark and the proposed covenant; data that was generated by survey to inform this application.

**Avoidance:** The primary purpose of this application is to provide alternative motorbiking options to avoid impacts on nesting river birds within the riverbed. As a consequence avoidance of lizard habitat has not been fully considered as this would then impact on birds (i.e the riverbed where most birds are impacted, would be the best avoidance area for lizards). By necessity, the applicant was weighting competing value at this sites. Within the proposed bikepark area, the applicant has avoided small areas of lizard habitat. The motivation seems to have mostly been to avoid other values not part of the consideration of the WA (areas of significant vegetation and rare plants, rather than lizards). Further avoidance was proposed through fencing to exclude motorbikes from other areas of lizard habitat nearby. Construction of the motorbike trails within the park would be contained within a 3m corridor. I note that this did not address the ongoing effects of users not staying on formed tracks within the motorbike park (which is largely out of the control of the applicant, but still a consequence of the activity). Overall these avoidance actions are useful and aim to minimise and contain impacts to the c.1ha area although in my view that the whole area within the motorbike park will be impacted significantly and there is potential for the whole populations within the area to be lost, both during the construction of the tracks, and from ongoing use by motorbike through disturbance and direct killing (crushing under tires). There is unknown effects of lizards from surrounding habitat moving into the unoccupied territories within the bikepark, and continuing to be impacted

Unfortunately the best option to avoid all impacts on lizards (and birds) further upstream on the river edge was dismissed by Council due to a perceived view that motorcycle users would not use it.

**Remediation:** The applicant proposed to plant 1500 plants in surrounding lizard habitat that is suitable for lizards. I support this action as it will improve lizard habitat by increasing complexity of habitat which may provide more protection from large bodied predators (cats and mustelids, but not rodents), and creating new food sources.

**Mitigation:** The plan proposed to create a 1.8ha conservation covenant which would protect the lizard habitat in perpetuity. The size of the area was chosen to reflect the protection of a similar number of skinks that will be impacted within the bike park. Further mitigation was proposed to “Continue to work with ECan and revise, as required, Concept B of the Ashburton/Hakatere River Mouth Management Strategy....” this action was non-committal in its success so provided little additional mitigation benefit, although I support the principle that was intended.

I agree with the applicant that this is a significant population of lizards, not only is *O. polychroma* ‘clade 5’ At Risk, Declining, but regionally this species is largely only surviving in unmodified highcountry areas, and in very very small patches on the Canterbury plains where vegetation disturbance and development is not regular; namely the river marginals coastal areas and unusual features such as the dongas. Indeed, the population of skinks being impacted by

this development is larger than the population of banded dotterels that are being protected by excluding motorcycles from the riverbed, and will include killing lizards rather than disturbance.

Overall this plan provides a reasonable level of remediation and mitigation. However at the end of this development the net population of skinks will be lower than it is currently. Given there are alternative avoidance options, and that the primary purpose of the development is to protect conservation values I do not think that this plan provides an adequate level of protection for lizards.

## **Analysis of the Principles of the Treaty of Waitangi**

### **Sanjay Thakur, Permissions Advisor**

Section 4 of the Conservation Act 1987 states ‘This Act shall be so interpreted and administered as to give effect to the principles of the Treaty of Waitangi’.

The key [principles](#) of the Treaty of Waitangi that apply to DOC’s work are:

1. Partnership – mutual good faith and reasonableness: The Crown and Māori must act towards each other reasonably and in good faith;
2. Informed decision-making: Both the Crown and Māori need to be well informed of the other’s interests and views;
3. Active protection: The Crown must actively protect Māori interests retained under the Treaty as part of the promises made in the Treaty for the right to govern;
4. Redress and reconciliation: The Treaty relationship should include processes to address differences of view between the Crown and Māori.

#### **Discussion:**

The Department has given effect to the principle of informed decision making thorough consultation with Te Rūnanga o Arowhenua to understand their views on this application. Te Rūnanga have made clear that they do not support the application in its current form (i.e. the revised application under consideration).

Based on the Department’s internal technical advice, the application is considered inconsistent with the purpose of the Wildlife Act 1953 and is recommended for decline on that basis.

Provided the application is declined it is considered that the Department will have given effect to the principles of partnership and active protection of Māori interests and there will be no differences of view requiring redress or reconciliation.

## **Statutory Analysis: Authorisation under the Wildlife Act 1953**

### **Sanjay Thakur, Permissions Advisor**

#### Consistency with conservation legislation

Assess the application against the relevant legislation conservation legislation and consider if the activity is consistent with that legislation. If the assessment is that the activity is not consistent with the relevant legislation, or if it is unclear, discuss the reasons for this.

**Conservation legislation assessed:**

Wildlife Act 1953 (WA53)

**Criteria for decision:**

- Is the activity consistent with the relevant conservation legislation?

Yes / No

**Discussion:**

In order to be considered consistent with the WA53, applications for authorisations must be considered consistent with the purpose of the WA53. The purpose of the WA53 is the protection of wildlife, thus the threshold that must be met is providing protective benefit to wildlife.

The application has been reviewed by the Department's technical advisor ecology who has significant subject matter expertise in lizard ecology management. The technical advisor concluded: "Given there are alternative avoidance options, and that the primary purpose of the development is to protect conservation values I **do not think that this plan provides an adequate level of protection for lizards.**"

It is therefore considered that this application is not consistent with the purpose of the WA53 and should be declined on that basis.

## 6. Proposed Operating Conditions

**Conditions**

**Standard conditions applicable to the proposed activity:**

N/A – the application is recommended for decline as inconsistent with the purpose of the Wildlife Act 1953.

**Special conditions relevant to this application:**

N/A – the application is recommended for decline as inconsistent with the purpose of the Wildlife Act 1953.

**Fees:** It is recommended that all processing fees for this application be waived.

## 7. Decision Making

### Recommendations

It is recommended that the application be declined for the following reasons:

- Wildlife Act Authorisations should only be granted where the activities authorised are considered consistent with the purpose of the Wildlife Act. The purpose of the Wildlife Act is the protection of wildlife so the proposed activities need to offer protective benefit to wildlife. In this case, the Department's technical advice is that the proposed activities do not meet the threshold of protective benefit to wildlife since at the end of this development the net population of skinks will be lower than it is currently.
- The Department undertook consultation with our Treaty Partner who advised that they "cannot support the proposal in its current form".

### Decision: Authorisation under the Wildlife Act 1953

1. Approve the granting of a Wildlife Act Authorisation to Ashburton District Council subject to the standard authorisation document and the special conditions listed below:

~~Approve~~ / Decline



---

Signed by Duncan Toogood, Operations Manager, Geraldine District Office

Pursuant to the delegation dated 9 September 2015

Date: 14/07/2022

### Decision Maker comments

This application is inconsistent with the Wildlife Act 1953 as there is no conservation or net benefit to the species being harmed by the proposed activity. Manawhenua have also expressed strong misgivings regarding this activity and the proposed mitigations not being adequate to achieve a gain for the lizard species.

A decline decision is the only possible decision in this situation.





LizardExpertNZ

0272489363 Cell  
[mtocher@lizardexpertnz.co.nz](mailto:mtocher@lizardexpertnz.co.nz) Email  
[www.lizardexpertnz.co.nz](http://www.lizardexpertnz.co.nz) Web  
P.O. Box 54 Port Chalmers, 9050 Address

Bert Hofmans  
Resource Management Planner  
Ashburton District Council

5<sup>th</sup> September 2022

### ASHTON BEACH MOTORCYCLE PARK: COMMENTARY OF THE DECLINED WILDLIFE ACT PERMIT (91865-FAU)

Dear Bert,

I have now reviewed the decision support document relating to the declined Wildlife Act permit (91865-FAU) and have also reviewed related email correspondence involving yourself; the Department of Conservation (DOC) decision maker, Duncan Toogood; the DOC technical advisor, Lynn Adams, and the independent herpetologist, Dr Marieke Lettink. As you are aware, Dr Lettink has been heavily involved in the project having carried out all on-the-ground surveys and related advice and reporting, including much liaison with Lynn Adams to discuss 'where to now' following surveys of the proposed covenant areas. In addition, I have sought clarification on the Wildlife Act process pertaining to 91865-FAU through a brief conversation with Lynn Adams and a longer conversation with Dr Lettink. I have tried unsuccessfully to contact the Geraldine DOC office (Ian Fraser) for further clarification, and I have been advised that Duncan Toogood has resigned from DOC and is, therefore, unable to be reached. I have read the correspondence from Arowhenua to DOC, dated 16<sup>th</sup> May 2022.

As requested, below I provide a high-level synopsis on how, in my opinion, the Wildlife Act (1953) (WLA) process has led Ashburton District Council (ADC) to this point, and finish with a recommendation on 'where to now'.

#### 1. Department of Conservation Decision on 91865-FAU

As I understand it, the tone and overall drafting of the WLA and its case-law supports technical-led decisions and the Section 4 of the Conservation Act (1987), relating to iwi consultation, is applicable to

all WLA decisions. With this context, I note that the following issues were raised by DOC staff in the decision support document:

1. Lack of Arowhenua support, primarily regarding the death of many lizards, and the choice of plants to be used in rehabilitation of the proposed covenant.
2. The proposal was not consistent with purpose of the WLA.
3. 'Alternate avoidance options' were available but were not proposed.

These issues with related commentary were put in front of the decision maker, Duncan Toogood, and ultimately led to the decline of 91865-FAU

#### Lack of Iwi (Arowhenua Support)

It is apparent to me that DOC staff may have failed to provide Arowhenua with accurate information on the plant species used by southern grass skinks for food and shelter, and the value of the covenant option to offset lizard losses. As a result, ADC were denied the opportunity to gain iwi support through further dialogue with Arowhenua. The willingness of Arowhenua to engage further on plant selections is expressed explicitly in the decision support document, and clearly in their letter to DOC dated May 16<sup>th</sup>, 2022.

#### Proposal not consistent with the purpose of the WLA

Despite DOC providing ADC with precedents, Arowhenua and DOC themselves overlooked the long-term protective benefits to southern grass skinks of the proposed covenant areas, when assessing 'overall protective benefit' of the proposal (detailed in the revised Lizard Management Plan, dated March 2022). Covenanting Rural B zoned land<sup>1</sup> that supports southern grass skink populations would have provided permanent lizard protection not offered anywhere else in the Ashburton District. Furthermore, I note discrepancies and errors of fact throughout the technical assessment in Section 5 of the decision support document, a Section that I assume weighed heavily on the final decision.

---

<sup>1</sup> Land that that could be developed by right under the District Plan e.g., Farming activities, intensive farming, forestry, and earthworks are all permitted activities in the Ashburton District Plan for Rural B zoned land.

## Consideration of 'Alternate Avoidance Actions'

Commentary on this aspect within the decision support document is muddled and unclear with improper references made to banded dotterels. I note that the LMP followed the DOC LMP template and was a standalone document designed to manage actual and potential adverse effects on southern grass skinks of the proposed construction and operation of the Motorcycle Park; there are no banded dotterels over the proposed Motorcycle Park. Following from this, I am unable to understand what is meant by '*there are alternate avoidance actions*' (Section 5 of the decision support document) but given the factual errors present in the technical assessment of the avoidance measures offered in the Lizard Management Plan (LMP), I am concerned that confusing advice was put to the decision maker, and perhaps to Arowhenua, in this regard.

Notwithstanding these comments, I believe DOC in this instance were not satisfied that the chosen location, Ashton Beach home to significant vegetation and fauna habitat, provided the only option for a motorcycle park in the Ashburton District.

## 2. Alternative Actions that ADC could have taken

In reviewing the background documents and conversations available to me at the time of writing, and only addressing key issues relating to the WLA decline decision, I noted the following:

- Evidence of ongoing and regular ADC liaison with Arowhenua regarding the proposal
- Evidence of a single episode of contact between DOC and Arowhenua regarding the proposal
- Evidence of a proactive and timely response by ADC to addressing DOC's request for extra survey within proposed covenant area
- Evidence of active engagement and then firm agreement between the DOC technical advisor and ADC/Dr Lettink on issues raised by DOC and the ensuing ADC response
- Acceptance of the 'covenant' concept by DOC who set in train plans to add a covenant requirement to the issued WLA permit
- No evidence of engagement between DOC/ADC on the issue of 'alternate avoidance actions'.

Based on the list above I have formed the view that the 'decline' decision was issued somewhat independently of much of the information relayed to and from ADC by DOC during the permitting process. Put simply, substantive discrepancies have occurred between email (and verbal) feedback received from both DOC and iwi and the text of the decision support document. For this reason, ADC appear to have been 'blind-sided' by the decline decision that has come about by a flawed process more so that a failure by ADC to provide DOC with quality information. For this reason, I believe there was little else ADC could have done to have influenced the outcome of a decision made within a flawed process. Of note, both myself, Dr Lettink and the DOC technical advisor expressed surprise at the 'decline' decision.

### 3. Likely success of reapplying for the Wildlife Act permit

I do not advise that ADC reapply for a WLA permit to construct and operate a Motorcycle Park at Ashton Beach for the following reason:

- DOC policy and process is flawed, fluid and lacks transparency meaning any such application carries with it a significant risk of failure.

In providing this advice I note that should my recommendation be taken on this aspect it will result in a lost opportunity to protect significant southern grass skink populations of the Lowland Plains Ecological District within the covenant that formed part of the proposal.

### 4. Options from here

As I understand it, ADC now have four options to consider:

1. Abandon the proposal to establish a new motorcycle park in the Ashburton District.
2. Liaise further with Arowhenua/DOC and then revise the proposal to accommodate their concerns and submit a new application for Ashton Beach. I expand on this option below.
3. Begin afresh with a new proposal at a new site where no wildlife (as defined under the WLA) occurs within or in the vicinity of the site. This option negates the need for a WLA permit. For example, ADC could facilitate the creation of hummocks/hills/slopes and the like favoured by motorcyclists

over fresh ground where past land use (e.g., cultivation) means all wildlife is now absent. Should this option be favoured, I recommend that the site is selected in collaboration with a wildlife expert, iwi, and DOC.

4. Explore the potential for a Judicial review of the decision through the High Court.

Option 2, namely, to liaise further with Arowhenua/DOC and then revise the proposal to resubmit as a fresh application, requires further commentary. Notwithstanding my strong view that the flawed DOC process has led to the decline decision, not the detail of the proposed lizard management, there are options that could be included in any such revision, for example:

- A larger covenant area could be offered along with a more detailed commentary on how the covenanted area will ensure a no net loss outcome for lizards over the longer term.
- Alone or in combination with a larger covenanted area, southern grass skinks could be salvaged (rescued) from the Motorcycle Park and released at safe habitat elsewhere (e.g., within habitat created at the ADC Harris Scientific Reserve).

Through conditions on an issued Wildlife Act permit, DOC typically set a high bar on salvage methods and release protocols which can result in very high costs. As an example, a lizard salvage carried out by Christchurch City Council (CCC) was reported in the media as follows:

*“\$611,000 of ratepayer money had to be spent on a Christchurch city council project after endangered lizards were discovered at a council work site”<sup>2</sup>.*

This cost related to the salvage of 2,700 southern grass skinks and some habitat enhancement at the release site, with related administration. In order to salvage lizards over the Ashton Beach, salvage could take weeks and given the site is continuous with other lizard habitat outside of the Motorcycle Park, salvage will result in constant reinvasion of lizards into the salvage area. This reinvasion

---

<sup>2</sup> <https://www.odt.co.nz/star-news/star-christchurch/rare-lizards-blow-out-budget-christchurch-city-council-project>

may mean salvage may need to be repeated depending on what conditions DOC impose.

Apart from the costly salvage, a suitable release site is required that adheres to at least the following principles:

- The site must be protected in perpetuity (i.e., is a covenant or public conservation land).
- Has suitable habitat either present or created to support the 1000's of skinks salvaged and then released there.
- The habitat has to be free of existing southern grass skinks unless predator control and/or habitat enhancement is carried out to enable the site to accommodate newcomers.
- Some intense predator control will be required (not just the top predators, but including rodents), for at least 5-years (depending on the conditions imposed).

In the example above for the CCC, DOC allowed some of these principles to be relaxed but given the importance of southern grass skink populations of the Ashburton District, I cannot imagine that DOC will relax these principles substantively for the ADC.

## 5. Recommendation

I recommend that the ADC begin afresh, at a site devoid of wildlife. That said, I believe the apparent failure of DOC to provide an unambiguous technical-led decision that fully captures Arowhenua interests justifies ADC exploring the option of a Judicial review of the decision.

Dr Mandy Tocher



Herpetologist, LizardExpertNZ



# Appendix 3

## Hon Poto Williams

MP for Christchurch East  
Minister of Conservation  
Minister for Disability Issues  
Associate Minister for Children



16 NOV 2022

Ref: CORM-845

Mayor Neil Brown  
Ashburton District Council

[Carol.McAtamney@adc.govt.nz](mailto:Carol.McAtamney@adc.govt.nz)

Tēnā koe Neil

Thank you for your email dated 7 October 2022 expressing concerns with the Department's decision to decline your Wildlife Act Authority due to effects arising from a proposed development for a motorcycle park at Ashton Beach and seeking assurance that if further time and money is spent on a revised application, that a fair and objective review will occur.

When considering Wildlife Act authorisations, the Department must ensure they are only granted where the activities authorised are considered consistent with the purpose of the Wildlife Act. The purpose of the Wildlife Act is the protection of wildlife, and the proposed activities need to offer protective benefit to wildlife. I have noted the extensive time and effort that has gone into attempting to address impacts on wildlife and that in this case, the Department's technical advice concluded that the proposed activities do not meet the threshold of protective benefit to wildlife.

I can provide the assurance that the Department's staff are committed to seeking resolutions and supporting applications under the Wildlife Act, where possible.

I encourage you to further engage with the Department's staff over your aspirations to provide a motorcycle park for the local community and to help reduce impacts from this activity on other sensitive areas. Staff in Raukapuka Geraldine are available to assist with early conservation advice on areas you identify as possible alternatives to Ashton Beach.

Thank you for taking the time to write.

Nāku noa nā

A handwritten signature in blue ink, appearing to be 'Poto Williams', written over a horizontal line.

Hon Poto Williams  
Minister of Conservation

## 10. Destination Management Plan

Author *Simon Worthington: ED Manager*  
Executive Team Member *Jane Donaldson: GM Compliance and Development*

### Summary

- The purpose of this report is to seek endorsement from the Ashburton District Council for the Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan.
- The plan outlines a strategic direction and the mechanism for the partner regions to work together.
- The plan has been developed for Christchurch, Waimakariri, Selwyn and Ashburton Districts.
- There is no funding available currently for the implementation of the plan, this may change with the new government or if Council are minded to progressing some of the suggested activities in the plan.

### Recommendation

1. **That** Council **notes** receipt of the final Destination Management Plans (DMP) for Ōtautahi Christchurch Waitaha Canterbury.
2. **That** Council **notes** that there is no implementation budget associated with the plan, however the recommendations within it help guide any existing fund expenditure and prioritisation desired by the community in the future
3. **That** Council **endorses** the 2023-2030 Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan and confirm that ChristchurchNZ, in their role as the Canterbury Regional Tourism Organisation, should adopt the plan for the Canterbury region.
4. **That** Council notes that no monies have been provisioned in the 2024-34 Long Term Plan for any of the developments and initiatives highlighted in this document.

### Attachment *[Supplementary document]*

**Appendix 1** Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan



## Background

1. MBIE provided funding for the development of Destination Management Plans across New Zealand, and ChristchurchNZ led the development of this plan on behalf of the Canterbury Regional Tourism Organisation region (Christchurch, Waimakariri, Selwyn and Ashburton). ChristchurchNZ are due to report to MBIE by end of November 2023 with an endorsed plan.
2. Commencing with a thorough tender process undertaken in April 2022, development and extensive research commenced for the development of a Destination Management Plan for the Canterbury Regional Tourism Region (plus an additional plan for the Banks Peninsula region due to their specific requirements, including cruise visitation).
3. A leadership advisory group was established to guide the development of the plan, comprising of mana whenua, industry experts, key stakeholders and governance specialists. Community surveys, visitor surveys, an online social comment board for Ashburton District specifically (available for six months), and local stakeholder workshops were held to inform the plan during its development. From these insights a draft plan was prepared.
4. In June 2023 feedback on the draft plan was received from Waimakariri, Selwyn and Ashburton Districts and Christchurch City Council. An expert peer review of the document was then also completed.
5. The Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan reflects the community and stakeholder intentions for visitation for the time period 2023-2030. At the heart of the plan is the desire for growth to win back our region's previous market share of visitor spend, and to utilise the significant infrastructure that has been built post the earthquakes. The plan clearly acknowledges that any growth must be sustainable and focused on regenerative tourism development for the future. Finally, what is important for all is that our success comes from working together across the region to promote this place as a destination to visit - not just a gateway to elsewhere.
6. While this Destination Management Plan seeks to address the opportunities, challenges, and future aspirations of the region, it is constrained by being a strategic framework with no future funding currently associated. Additionally, across New Zealand there is a lack of clarity about an equitable model and system for future tourism funding, with local government bearing much of the costs without adequate revenue streams. Finally, the plan comes with no statutory or regulatory compliance components to enable its execution.
7. For successful implementation of the 2023-2030 Ōtautahi Christchurch Waitaha Canterbury Destination Management Plan, the buy-in, collaboration and support of the Councils acknowledged within it is required. Given that funding does not come with the plan, Council would need to separately consider the investment required if minded to do so.

## Options analysis

### Option one – Endorse the Plan - Recommended

#### 8. Endorse the attached Destination Management Plan

<p><b>Advantages:</b></p> <p>The region has an agreed approach to its destination management.</p> <p>The Regional Tourism Operator (ChristchurchNZ) have a more robust platform to lobby for central government support for the region.</p> <p>Funding may be made available in the coming years to implement the activities suggested.</p>	<p><b>Disadvantages:</b></p> <p>There is no funding available currently to implement the activities.</p>
<p><b>Risks:</b></p>	

### Option two – Decline to Endorse the Plan

#### 9. Decline to endorse the attached Destination Management Plan

<p><b>Advantages:</b></p> <p>There is no funding available currently to implement the activities.</p>	<p><b>Disadvantages:</b></p> <p>The plan provides a robust template for the different Territorial Authorities to work together.</p> <p>Should funding be made available in the future, Ashburton would not be eligible.</p> <p>MBIE will not accept a plan that is not endorsed by the partner regions.</p>
<p><b>Risks:</b></p> <p>The Council has provided feedback on the DMP and failure to endorse would come with some reputational damage with the other territorial authorities.</p>	

## Legal/policy implications

10. There are no legal implications with the Destination Management Plan.
11. The Destination Management Plan will become the Strategic Document for Destination Management, however there are no policy implications at an Ashburton District Council level.

### Climate change

12. The Destination Management Plan has Climate Change as part of its values seeking to improve the quality of the environment through effective stewardship and activities designed not to cause environmental damage.

## Strategic alignment

13. The recommendation relates to Council's community outcome of Economic because tourism is a sector of our economy that provides some diversification and growth potential away from Agriculture.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	The report provides a template for joined up regional tourism growth that will positively impact on the Ashburton District and its businesses
Environmental	✓	A core value of the report considers the environment and smart development to ensure the environment is protected.
Cultural	✓	The Destination Management Plan has been developed in partnership with Ngai Tahu.
Social	✓	N/A

## Financial implications

Requirement	Explanation
What is the cost?	There is no cost
Is there budget available in LTP / AP?	No
Where is the funding coming from?	No activities discussed in the Destination Management Plan come with funding currently.
Are there any future budget implications?	Yes If council enacts any ideas outlined in the plan, a separate business case would be required as there is no budget identified at this stage.
Reviewed by Finance	Erin Register; Finance Manager

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	The plan outlines a way of working together with other territorial authorities, it does not require Council to spend unbudgeted funds unless Council are so minded to do so, this would result in further decision papers and business cases.
Level of engagement selected	Inform
Rationale for selecting level of engagement	The development of the Destination Management Plan has involved the engagement of the visitor sector in its development. The community would be informed of Council's decision to endorse or not endorse the plan.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

## ***11. Approval of Water Race Sharing by HHWET***

Author *Andrew Guthrie, Assets Manager*  
Executive Team Member *Neil McCann, GM Infrastructure & Open Spaces*

### **Summary**

- The purpose of this report is to seek approval to share selected water races with Hekeao Hinds Water Enhancement Trust (HHWET) in order for the trust to convey their consented water to existing and future HHWET sites.
- A trial of race sharing has been successfully completed over the last few months and HHWET now wishes to formalise race sharing and construct infrastructure in and around our race network.
- Initially, this relates only to the trial race system that was used to augment flows to the MAR-01 site – the original MAR pilot site near the intersection of Timaru Track and Frasers Road.

### **Recommendation**

**That** in accordance with Option 1, Council:

1. Approves the use by Hekeao Hinds Water Enhancement Trust of selected water races within the water race network as identified in this report for shared conveyance of water consented for HHWET purposes; and
2. Agrees in principle to the construction of all structures necessary to give effect to the race sharing for each race sharing proposal, subject to final approval of infrastructure design by officers; and
3. Retains the right to rescind race sharing approval at any future time to manage or address unforeseen issues or to progress closure of a shared race.

### **Attachment**

**Appendix 1** Plan: HHWET Races of Interest  
**Appendix 2** Correspondence: Aoraki Environmental Consultancy Ltd

## Background

### The current situation

1. The Hekeao/Hinds Water Enhancement Trust (HHWET) have requested access to selected races within the ADC water race network to use in conjunction with the stockwater operation in order to convey MAR water<sup>1</sup> to existing and future MAR sites.
2. Officers have been working with HHWET representatives to understand the extent of races of interest. These have been identified and mapped to ensure that if the races are subsequently identified for closure, Council can consider HHWET's interest in those races.
3. The length of water races HHWET have expressed interest in is 156km comprising 104.5km of main race, and 51.5km of local race.
4. This report is seeking approval and formalisation of the race sharing in general terms and agreement in principle for HHWET to construct infrastructure in and adjacent to our water race network.

### Hekeao/Hinds Water Enhancement Trust

5. The overarching aim of the Hekeao/Hinds Water Enhancement Trust (HHWET) is improved ecosystem health while maintaining social/cultural cohesion and economic viability.
6. Continuing the work from the early project governance groups, HHWET are progressing an Integrated Catchment Management (ICM) approach for the Hekeao Hinds Plains. A key partner in this work is RDRML and MHV who have been assisting in the conveyance of water for HHWET.
7. To date HHWET has trialled and implemented concepts to improve ecosystem health in groundwater through Managed Aquifer Recharge (MAR), and the Hekeao Hinds River through Near River Recharge (NRR).
8. HHWET are also leading and/or supporting the trialling and implementation of relevant concepts that have been initiated by other parties e.g. Targeted Stream Augmentation (TSA), Bioreactors and Constructed Wetlands.

---

<sup>1</sup> No additional water is being sought from Council as part of this request.

9. HHWET have recently reported through the Ashburton Water Zone Committee their analysis of monitoring data for 2022-23, the seventh year of operation. This analysis shows continued clear ecosystem health improvements in receiving groundwater and Hekeao Hinds waterways<sup>2</sup>.
10. In light of the earlier and ongoing success of the MAR programme, HHWET are seeking consents (from Environment Canterbury) for an increase from 15 to 35 MAR sites, an increase from 1 to 3 NRR sites, plus additional use (for MAR / NRR purposes) of RDRML consented water.
11. As part of this proposed expansion, HHWET are keen to establish an alternative distribution system for MAR water when the MHV water distribution system is at full capacity or is shut down for maintenance. This alternative includes race sharing using identified races within Council's water race network (refer appendix 1).

### **Race sharing trial**

12. To better understand the impact of this proposal, a race sharing trial has recently been completed. This trial was simply to test the conveyance of MAR water and operationally required stockwater in the same race system and confirm that there would be no impact on ADC levels of service and the practice would be viable for MAR water conveyance.
13. HHWET confirmed with Environment Canterbury that the race sharing trial (and future operation) was compatible with the MAR and ADC consents prior to proceeding.
14. The trial was conducted from 10 July to the 8 September, with consented MAR water being pumped from the MHV's Valetta intake forebay into the water race main adjacent to Valetta Cavendish Road.
15. MAR water is then abstracted from the water race system near the MAR-01 site (original pilot site) near intersection of Timaru Track & Frasers Road, using existing offtake infrastructure.
16. Commencing initially with augmentation of lower flows and progressively increasing from week to week. ADC & MHV rangers monitored the race system throughout the trial to identify potential issues arising from the greater volume passing down the race.
17. A peak average flowrate of 78.4 L/s of MAR water was delivered to the MAR-01 Site during the trial. The table below shows the flow data collected during the trial.

---

<sup>2</sup> When the influence of rainfall is accounted for.

	<b>At RDR</b>	<b>Offtake to MAR-01 Site</b>		
<b>Date</b>	<b>Ave Supplied l/s</b>	<b>Meter Reading m<sup>3</sup></b>	<b>Total Delivered m<sup>3</sup></b>	<b>Ave Delivered<sup>3</sup> l/s</b>
10/07/2023	0.0	0	0	0.0
18/07/2023	37.2	14,070	14,070	20.4
25/07/2023	37.3	36,659	22,589	37.3
01/08/2023	0.0	36,659	0	0.0
08/08/2023	0.0	36,659	0	0.0
15/08/2023	66.4	73,782	37,123	61.4
22/08/2023	79.4	121,194	47,412	78.4
29/08/2023	74.7	165,581	44,387	73.4
05/09/2023	80.8	211,235	45,654	75.5
08/09/2023	85.6	223,236	12,001	69.5
<b>Total</b>			<b>223,236</b>	

18. Feedback from the ADC ranger personnel suggests few issues arising for the period of the trial but note that there may be potential issues during peak summer when stockwater demand is higher.
19. However, HHWET is satisfied with the results and would like to proceed to make the arrangements more permanent. This involves installing an offtake directly from MHV trunk pipeline approximately 1.3km below the RDR (This work has been completed early, prior to the irrigation season getting underway). It is also necessary to construct a structure within the bank of the ADC water race main to manage the delivery of MAR water into the race system.
20. This report is seeking Council approval of the conveyance of water consented for HHWET related activities, within the identified races, and agreement in principle of the construction of all reasonable structures necessary within the network to facilitate this operation. Final approval of the structures is delegated to officers.

### **Previous decisions**

21. Council has representatives on the trust and has been a strong supporter of its work to date. For the pilot trial phase of the first MAR site, Council made up to 500 l/s of consented stockwater and land available to HHWET for MAR.
22. At the request of HHWET, as the 5 year trial neared its conclusion, Council considered and passed the following resolution (extract 24/09/2020 minutes):

---

<sup>3</sup> The difference between average supplied and average delivered is effectively race losses.

## 20 Hekeao/Hinds Water Enhancement Trust – Managed Aquifer Recharge

**That** Council confirms its ongoing support for Managed Aquifer Recharge and agrees in principle to:

- a. providing access to up to the current allocation of 500 litres/second of consented unused stockwater associated with the Cracroft Intake beyond 25 February 2021;
- b. consideration of access to other volumes of consented unused stockwater where identified in conjunction with officers;
- c. extending access to the land parcel RES 1959 BLK XI WESTERFIELD SD beyond 1 October 2020; and
- d. consideration of access to other land parcels owned by Council where identified in conjunction with officers.

Wilson/Lovett

Carried

## Consultation with Arowhenua

23. It is noted that Te Rūnanga O Arowhenua were represented on the HHWET for some years and have had a long involvement in the MAR pilot project. They were represented on HHWET up until 2022, and formally withdrew from the trust in January 2023.
24. A draft of this report was circulated to Aoraki Environmental Consultancy Ltd (AECL) seeking their views on the matter. Their response is appended to this report (refer appendix 2).
25. In summary, their response notes the following matters:
  - Expressing concern over an apparent endorsement of an expanded scheme that has yet to complete a consenting process and requesting that Council delay any decision on race sharing until consents for the expanded scheme are granted (assuming they were to be).
  - Concern that MAR is being promoted as the primary option for managing nitrate concentrations in the catchment. Specifically, they hold the view that “...*the reduction of nitrate-nitrogen concentrations should come from reducing the leaching of nitrate-nitrogen from land uses...*”
  - They also ask that the “...*benefits from MAR are weighed against the impacts on the source water body from the take and mixing of waters.*”
26. As a consequence of this consultation, a fourth option was developed and incorporated into the report. This option partly reflects the desire by Arowhenua that the decision on access to shared races be linked to issue of the new resource consents.



## Options analysis

### Option one – Approve conveyance using all HHWET races of interest [Recommended Option]

27. Under this option, Council approves the use of all HHWET Races of Interest as shown in appendix 1 and provides agreement in principle of the construction of all structures necessary to facilitate race sharing.
28. All works and costs associated with giving effect to race sharing shall be met by HHWET. This includes any intake and discharge infrastructure and includes culvert<sup>4</sup> and race upgrades where necessary.

<p><b>Advantages:</b></p> <ul style="list-style-type: none"><li>• This provides the maximum flexibility for HHWET and future initiatives.</li><li>• Extends the operation of MAR and other HHWET activities into the peak irrigation season.</li><li>• Approach is consistent with the aims of ADC Surface Water Strategy.</li></ul>	<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"><li>• Increases the operational complexity of the race system when sharing is occurring.</li><li>• The importance of the affected races is increased making it more difficult to close the races in future.</li><li>• Does not address concerns raised by Arowhenua.</li></ul>
<p><b>Risks:</b></p> <ul style="list-style-type: none"><li>• May be resistance from landowners who do not want the races to convey additional volumes of water.</li><li>• HHWET's use of a water race system may complicate future proposals to close the race system if that was desired.</li></ul>	

### Option two – Approve conveyance using HHWET trial race only

29. Under this option, Council approves the use of HHWET **Trial Race only** as shown in appendix 1 and provides agreement in principle of the construction of all structures necessary to facilitate race sharing of this race system only. Final approval of the structures is delegated to Council officers.
30. All works and costs associated with giving effect to race sharing shall be met by HHWET. This includes the intake and discharge infrastructure and includes culvert<sup>4</sup> and race upgrades where necessary.

---

<sup>4</sup> This may be necessary if the subject culvert cannot pass the required flows and may include private farm culverts where identified.

<p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• Provides HHWET an additional supply option for the MAR-01 site.</li> <li>• Extends the operation of MAR-01 site into the peak irrigation season.</li> <li>• Approach is consistent with the aims of the ADC Surface Water Strategy.</li> </ul>	<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• Increases the operational complexity of the race system when sharing is occurring.</li> <li>• The importance of the affected races is increased making it more difficult to close the races in future.</li> <li>• Does not fully address HHWET request for access.</li> <li>• Does not fully address concerns raised by Arowhenua.</li> </ul>
<p><b>Risks:</b></p> <ul style="list-style-type: none"> <li>• May be resistance from landowners who do not want the races to convey additional volumes of water.</li> <li>• HHWET's use of a water race system may complicate future proposals to close the race system if that was desired.</li> </ul>	

**Option three – Decline access to all HHWET races of interest**

31. Under this option, Council would decline access to the race system for conveyance of HHWET consented water.

<p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• No increase in operational complexity for Council.</li> <li>• Addresses concerns raised by Arowhenua.</li> </ul>	<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• Inconsistent with the aims of the ADC Surface Water Strategy.</li> <li>• Does not contribute to the expansion of HHWET activities.</li> </ul>
<p><b>Risks:</b></p> <ul style="list-style-type: none"> <li>• Council may be criticised for not supporting a successful environmental project.</li> </ul>	

**Option four – Approve conveyance using HHWET trial races only and make approval of all other races of interest subject to issue of ECan consents**

32. Under this option, Council approves the use of HHWET **Trial Race only** as shown in appendix 1 and provides agreement in principle of the construction of all structures necessary to facilitate race sharing of this race system only. Final approval of the structures is delegated to Council officers.

33. Council also approves the use and provides agreement in principle of the construction of all structures necessary to facilitate race sharing on the remaining races of interest, subject to the issue of resource consents to HHWET for the expanded scheme.

This option would mean that no infrastructure could be advanced until such time that the ECan consents are issued.

34. All works and costs associated with giving effect to race sharing shall be met by HHWET. This includes the intake and discharge infrastructure and includes culvert<sup>5</sup> and race upgrades where necessary.

<p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• Provides HHWET an additional supply option for the MAR-01 site.</li> <li>• Extends the operation of MAR-01 site into the peak irrigation season.</li> <li>• Sets the foundation for HHWET’s expanded activities (albeit conditional upon obtaining ECan consents)</li> <li>• Approach is consistent with the aims of ADC Surface Water Strategy.</li> <li>• Addresses Arowhenua’s concerns (in part)</li> </ul>	<p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• Increases the operational complexity of the race system when sharing is occurring.</li> <li>• The importance of the affected races is increased making it more difficult to close the races in future.</li> <li>• May delay HHWET’s ability to progress infrastructure provision ahead of consent issue.</li> </ul>
<p><b>Risks:</b></p> <ul style="list-style-type: none"> <li>• May be resistance from landowners who do not want the races to convey additional volumes of water.</li> <li>• HHWET’s use of a water race system may complicate future proposals to close the race system if that was desired.</li> </ul>	

## Legal/policy implications

### Legislation

35. Facilitating the expansion of the activities of HHWET is entirely consistent with the purpose of local government as set out in the [Local Government Act 2002](#).
36. HHWET currently hold a number of consents issued under the Resource Management Act. The key active consents are the water take consent [[CRC210832](#)], and the discharge consent [[CRC210830](#)]. These consents cover the operation of the MAR-01 site and other minor sites. The resource consents explicitly allow the distribution of MAR water via ADC water races.

---

<sup>5</sup> This may be necessary if the subject culvert cannot pass the required flows, and may include private farm culverts where identified.

37. To support the ongoing expansion of HHWET’s initiatives, HHWET has a number of other consent applications lodged with Environment Canterbury, which are currently being processed.

### Water Race Bylaw

38. The water races bylaw is available [here](#). Although not expressly covered, the use of the water race network by HHWET is considered to fall within the purpose of the bylaw.

### Climate change

39. This decision has little impact on climate change outcomes. There is the prospect with climate change of increasing frequency of wet weather events. These events do at times impact on the water race network through receipt of overland flows of water runoff.
40. There may be a perception that the additional flows required for HHWET activities might combine with overland flow and overwhelm the shared races. However, it is noted that MAR related activities are required to cease during certain periods of high rainfall, so this outcome is highly unlikely to occur.

## Strategic alignment

### Community Outcomes & Wellbeings

41. The recommendations relates to Council’s community outcome of *a balanced and sustainable environment (He taiao toitū)* because facilitating the expansion of MAR and other HHWET initiatives will ultimately contribute to improved ecosystem health in groundwater, the Hekeao Hinds River and coastal drains.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	An expanded managed aquifer recharge scheme in the Hekeao Hinds Plains catchment is expected to contribute to significant improvements to groundwater quality. In combination with on-farm actions, the reduced impacts of current land use and the remediation of legacy nutrients in the groundwater system will enable the achievement of ecosystem health targets and the continued economic wellbeing of the farming sector.
Environmental	✓	HHWET have provided evidence that MAR is contributing to improved environmental wellbeing, even at the present pilot scale. An expanded scheme of HHWET initiatives is expected to improve and build upon the results already apparent.
Cultural		
Social		

## Plans & Strategies

42. The recommendations are consistent with the goals and objectives contained in the Surface Water Strategy 2018-28. In particular:
- “Council will use a collaborative approach to support surface water management. This means...building partnerships with different agencies, interest groups and community to achieve the best outcomes for surface water management...”
  - “Continue to support the implementation of the Canterbury Water Management Strategy: This means...Supporting and implementing the Zone Implementation Programme through projects such as Managed Aquifer Recharge (MAR)...”

## Financial implications

Requirement	Explanation
What is the cost?	Nil The cost of any infrastructure necessary, will be met by HHWET. The operational management responsibility will be shared jointly between MHV (on behalf of HHWET) and ADC.
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	N/A
Are there any future budget implications?	No.
Reviewed by Finance	Erin Register; Finance Manager.

43. There are no financial implications to Council arising from the recommendations contained in this report.

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform, one way communication
Rationale for selecting level of engagement	This level of engagement was selected given the low number of properties involved and the proposal having no impact on stockwater levels of service.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager



**Legend**

**Water Race Network**

Operating Status, Race\_type

- Open, Main
- - - Closed, Main
- Open, Race
- - - Closed, Race
- Races Sought by HHWET Trial Race
- Races Sought by HHWET
- Serv addr table
- RDR Network


0 1 2 3 4 5 10 Kilometres

<b>PROJECT NAME:</b>	HHWET ROI
<b>PREPARED BY:</b>	A R Guthrie
<b>SCALE:</b>	1:150,000 (at A3)

Disclaimer Note:  
Cadastral data is sourced from Land Information New Zealand's CRS Cadastral Database. Crown Copyright Reserved Digital Licence No. 133563-01. Any color aerial photography is sourced from Air Logistics New Zealand Ltd.  
Due to differences in data registration techniques any aerial photography in the map relative to cadastral boundaries should be considered as indicative only and MUST NOT be used for legal purposes.  
The information supplied in this image is sourced from information held by the Ashburton District Council - It is supplied in good faith but its accuracy or completeness is not guaranteed.

## HHWET Races of Interest

### Races Sought for Shared Use to Convey Water for MAR



Plan No: TBC

Sheet 1 of 1 sheets

26 October 2023

Toni Durham  
Strategy and Policy Manager  
Ashburton District Council  
By email to [toni.durham@adc.govt.nz](mailto:toni.durham@adc.govt.nz)

Tena koe Toni,

### **HHWET RACES OF INTEREST – REPORT TO COUNCIL ON USE OF ADC WATER RACE NETWORK**

Thank you for providing Aoraki Environmental Consultancy Limited (AECL) on behalf of Te Rūnaka o Arowhenua (Arowhenua) the ability to comment on the proposed Council report to use parts of its stockwater race network to convey water for Managed Aquifer Recharge (MAR).

The report is concerning in that it shows endorsement for a process that has not proceeded through an appropriate consenting process. Hekeao/Hinds Water Enhancement Trust (HHWET) currently have applications for resource consents before Environment Canterbury seeking to expand the current MAR sites.

Arowhenua requests the report is delayed until a decision is made on the consents. The content of this report is something that the Council could determine once a decision has been made on the expansion of current MAR. The report indicates a trial has been undertaken and the ability to share the network has been determined. Arowhenua considers it would be more appropriate that the extent to which sharing occurs is only made once it is known if MAR will proceed at the scale proposed.

If the report is to proceed, then Arowhenua requests the Council look closely at the drafting of the report to ensure a balanced analysis of the effects and considerations are provided. Option 3, for example, as drafted suggests that selecting this option would be ridiculous. While Arowhenua understands there are polarised views of the successfulness of MAR and the risks of its expansion, it is concerning that from a trial the Council has extrapolated an overall benefit to the environment such that it would make any other option than endorsing HHWET completely non-sensical. This is further endorsed by the statements of community outcomes and risks which again contains words like “improved environmental wellbeing ...already apparent”.

Arowhenua is aware of the importance of the rural economy to the district, but rūnaka hold the view that MAR should not be used as the primary option for managing nitrate concentrations. The reduction of nitrate-nitrogen concentrations should come from reducing the leaching of nitrate-nitrogen from land uses. MAR should not therefore become a mechanism to offset the effects of land

use on water quality where a change to land use would also achieve the same outcome. If MAR is to be used, then it should be for the purpose of improving river/stream flows to restore mahinga kai and ecosystem health. Ngāi Tahu and Arowhenua consider it appropriate that any benefits from MAR are weighed against the impacts on the source water body from the take and mixing of waters.

Please contact me if you have any questions.

Ngā mihi,

A handwritten signature in blue ink, appearing to read 'Ally Crane', with a stylized flourish at the end.

**Ally Crane**

General Manager

Aoraki Environmental Consultancy Limited

8A Washdyke Flat Road, Washdyke, Timaru 7940

Mobile: 027 643 9686 | Office: 03 684 8723



## Council

15 November 2023



---

## ***12. Financial Reports***

Author *Erin Register, Finance Manager*  
GM responsible *Leanne Macdonald, GM Business Support*

### **Attachments**

Financial variance report – September 2023

***Ashburton District Council  
Financial Variance Report  
For the period ending  
30 September 2023***

Variances greater than \$100,000 are highlighted in **red bold**. If the variance is permanent an explanation is provided.

**F** (favourable variance) means that either actual revenue is greater than budget or actual expenditure is less than budget.

**U** (unfavourable variance) is **when** actual revenue is less than budget or actual expenditure is greater than budget.

## Contents

Income and Expenditure – Overview.....	3
Income and Expenditure – Summary.....	4
Transportation – Income & Expenditure Report.....	5
Drinking Water – Income & Expenditure Report.....	7
Wastewater – Income & Expenditure Report.....	8
Stormwater – Income & Expenditure Report.....	9
Stockwater – Income & Expenditure Report.....	10
Waste Reduction & Recycling – Income & Expenditure Report.....	11
Recreation Facilities – Income & Expenditure Report.....	12
Recreation & Community Services – Income & Expenditure Report.....	13
Economic Development – Income & Expenditure Report.....	15
Parks & Open Spaces – Income & Expenditure Report.....	17
Community Governance & Decision Making – Income & Expenditure Report.....	19
Environmental Services – Income & Expenditure Report.....	20
Miscellaneous, Dividends & Internal Overheads – Income & Expenditure Report.....	21
Balance Sheet - DRAFT.....	24
Net Debt and Borrowings.....	25
Council Investments.....	27
Receivables Summary (Including Prior Month Comparative).....	28

## Income and Expenditure – Overview

For period ending 30 September 2023

<p><b>\$21.99 M</b></p> <p>Actual YTD Operating Income</p>	<p><b>\$91.34 M</b></p> <p>Budget Full Year Operating Income</p>	<p><b>(\$69.35) M</b></p> <p>Variance Operating Income</p>	<p><b>24%</b></p> <p>% of Budget Operating Income</p>
<p><b>\$21.49 M</b></p> <p>Actual YTD Operating Expenditure</p>	<p><b>\$81.58 M</b></p> <p>Budget Full Year Operating Expenditure</p>	<p><b>(\$60.10) M</b></p> <p>Variance Operating Expenditure</p>	<p><b>26%</b></p> <p>% of Budget Operating Expenditure</p>
<p><b>\$0.74 M</b></p> <p>Actual YTD Capital Income</p>	<p><b>\$26.63 M</b></p> <p>Budget Full Year Capital Income</p>	<p><b>(\$25.89) M</b></p> <p>Variance Capital Income</p>	<p><b>3%</b></p> <p>% of Budget Capital Income</p>
<p><b>\$12.82 M</b></p> <p>Actual YTD Capital Expenditure</p>	<p><b>\$42.60 M</b></p> <p>Budget Full Year Capital Expenditure</p>	<p><b>(\$29.78) M</b></p> <p>Variance Capital Expenditure</p>	<p><b>30%</b></p> <p>% of Budget Capital Expenditure</p>
<p><b>\$0.00 M</b></p> <p>Actual YTD Loans Repaid</p>	<p><b>\$7.02 M</b></p> <p>Budget Full Year Loans Repaid</p>	<p><b>(\$7.02) M</b></p> <p>Variance Loans Repaid</p>	<p><b>0%</b></p> <p>% of Budget Loans Repaid</p>

*Budgeted Operating Expenditure excludes carry forward of \$1.90 M. As at the end of September, Operating Expenditure equates to 26% of the Forecast Operating Expenditure (including carry forwards).*

*Budgeted Capital Expenditure excludes carry forward of \$37.04 M. As at the end of September, Capital Expenditure equates to 16% of Forecast Capital Expenditure (including carry forwards).*

## Income and Expenditure – Summary

For period ending 30 September 2023

	Actual YTD	Full Year Budget	Variance	Percentage of Budget
<b>Revenue</b>				
Rates	11,937,354	46,905,992	(34,968,638)	25%
Fees and Charges	3,298,878	11,044,099	(7,745,221)	30%
Subsidies and Grants	4,114,364	10,881,403	(6,767,039)	38%
Finance Income	207,577	417,200	(209,623)	50%
Other Revenue	1,707,593	5,394,060	(3,686,467)	32%
Other Sales	526,085	1,139,074	(612,990)	46%
Development / Financial Contributions	201,427	632,800	(431,373)	32%
Gain on Sale of Assets	0	12,107,828	(12,107,828)	0%
Vested Assets	0	2,816,100	(2,816,100)	0%
<b>Total Revenue</b>	<b>21,993,278</b>	<b>91,338,557</b>	<b>(69,345,279)</b>	<b>24%</b>
<b>Operating Expenditure</b>				
Payments to Staff and Suppliers	16,007,402	59,802,669	(43,795,267)	27%
Finance Costs	1,202,673	4,576,131	(3,373,458)	26%
Other Expenses	22,492	205,155	(182,663)	11%
Depreciation	4,252,715	16,998,015	(12,745,300)	25%
<b>Total Expenditure</b>	<b>21,485,282</b>	<b>81,581,971</b>	<b>(60,096,689)</b>	<b>26%</b>
<b>Net operating surplus (deficit)</b>	<b>507,996</b>	<b>9,756,586</b>	<b>(9,248,591)</b>	<b>5%</b>
<b>Capital Income</b>				
Loans Raised	0	21,728,878	(21,728,878)	0%
Land Sales	730,800	4,797,800	(4,067,000)	15%
Other Asset Sales & Disposals	13,913	104,300	(90,387)	13%
<b>Total Capital Income</b>	<b>744,713</b>	<b>26,630,978</b>	<b>(25,886,265)</b>	<b>3%</b>
<b>Capital Expenditure</b>				
Infrastructural Assets	4,827,855	22,700,929	(17,873,075)	21%
Cyclic Renewals	2,476,111	14,278,380	(11,802,269)	17%
Plant	179,149	456,834	(277,685)	39%
Additions/Alterations	4,785,332	1,696,627	3,088,705	282%
Other Assets	550,854	3,464,551	(2,913,697)	16%
<b>Total capital expenditure</b>	<b>12,819,301</b>	<b>42,597,322</b>	<b>(29,778,020)</b>	<b>30%</b>
Loan Repayments	0	7,024,840	(7,024,840)	0%
<b>Total capital to be funded</b>	<b>12,074,588</b>	<b>22,991,184</b>	<b>(10,916,595)</b>	<b>53%</b>

## Transportation – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Footpaths	484,324	1,331,840	(847,516)	36%	No
Roading	4,357,504	15,805,183	(11,447,679)	28%	No
	4,841,829	17,137,023	(12,295,195)	28%	
<b>Operating Expenditure</b>					
Footpaths	326,414	1,451,336	(1,124,921)	22%	No
Roading	4,017,128	15,805,184	(11,788,056)	25%	Yes
	4,343,542	17,256,520	(12,912,978)	25%	
<b>Capital Income</b>					
Footpaths	0	11,053	(11,053)	0%	
Roading	0	2,342,897	(2,342,897)	0%	No
	0	2,353,950	(2,353,950)	0%	
<b>Capital Expenditure</b>					
Footpaths	464,691	521,500	(56,809)	89%	
Roading	1,505,342	9,378,039	(7,872,697)	16%	No
	1,970,033	9,899,539	(7,929,506)	20%	
<b>Loan Repayments</b>					
Footpaths	0	60,728	(60,728)	0%	
Roading	0	254,177	(254,177)	0%	No
	0	314,905	(314,905)	0%	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	0	0	0%	

*The above financials do not include appropriations - to and from activities*

## Transportation – Operating Expenditure

### **Roading**

**\$11,788,056F**

#### ***Reason for variance***

There will be an overspend of roading operating expenditure for the cost of repairs from the July 2023 heavy rain event. Waka Kotahi has approved the estimated total cost of \$1,044,790 with the Waka Kotahi normal FAR of 51% applied.

## Drinking Water – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Group Water Supplies	1,644,023	6,492,235	(4,848,211)	25%	No
Montalto Water Supply	96,763	383,282	(286,519)	25%	No
Lyndhurst Water Supply	4,094	17,974	(13,880)	23%	
Barhill Water Supply	1,223	4,830	(3,607)	25%	
	<u>1,746,103</u>	<u>6,898,321</u>	<u>(5,152,218)</u>	<u>25%</u>	
<b>Operating Expenditure</b>					
Group Water Supplies	1,312,933	6,349,738	(5,036,804)	21%	No
Montalto Water Supply	80,272	386,087	(305,815)	21%	No
Lyndhurst Water Supply	1,989	4,926	(2,937)	40%	
Barhill Water Supply	573	1,405	(831)	41%	
	<u>1,395,768</u>	<u>6,742,156</u>	<u>(5,346,388)</u>	<u>21%</u>	
<b>Capital Income</b>					
Group Water Supplies	0	8,530,430	(8,530,430)	0%	No
Montalto Water Supply	0	363,847	(363,847)	0%	No
	<u>0</u>	<u>8,894,277</u>	<u>(8,894,277)</u>	<u>0%</u>	
<b>Capital Expenditure</b>					
Group Water Supplies	3,568,705	9,304,789	(5,736,084)	38%	No
Montalto Water Supply	202	490,210	(490,008)	0%	No
	<u>3,568,907</u>	<u>9,794,999</u>	<u>(6,226,092)</u>	<u>36%</u>	
<b>Loan Repayments</b>					
Group Water Supplies	0	780,829	(780,829)	0%	No
Lyndhurst Water Supply	0	13,048	(13,048)	0%	
Barhill Water Supply	0	3,425	(3,425)	0%	
	<u>0</u>	<u>810,161</u>	<u>(810,161)</u>	<u>0%</u>	
<i>The above financials include the following:</i>					
Development Contributions	54,774	178,232	(123,458)	31%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	1,189,020	(1,189,020)	0%	

*The above financials do not include appropriations - to and from activities*



## Wastewater – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Ashburton Wastewater	1,352,242	5,041,400	(3,689,157)	27%	No
Methven Wastewater	147,082	479,331	(332,249)	31%	No
Rakaia Wastewater	86,854	424,516	(337,662)	20%	No
	1,586,178	5,945,247	(4,359,069)	27%	
<b>Operating Expenditure</b>					
Ashburton Wastewater	1,278,498	4,699,136	(3,420,639)	27%	No
Methven Wastewater	131,847	479,480	(347,633)	27%	No
Rakaia Wastewater	102,506	426,096	(323,590)	24%	No
	1,512,850	5,604,712	(4,091,861)	27%	
<b>Capital Income</b>					
Ashburton Wastewater	0	2,197,148	(2,197,148)	0%	No
Rakaia Wastewater			0	0%	
	0	2,197,148	(2,197,148)	0%	
<b>Capital Expenditure</b>					
Ashburton Wastewater	499,884	2,843,998	(2,344,115)	18%	No
Methven Wastewater	51,849	165,082	(113,233)	31%	No
Rakaia Wastewater	16,976	0	16,976	0%	
	568,708	3,009,080	(2,440,372)	19%	
<b>Loan Repayments</b>					
Ashburton Wastewater	0	1,456,620	(1,456,620)	0%	No
Methven Wastewater	0	16,277	(16,277)	0%	
Rakaia Wastewater	0	54,326	(54,326)	0%	
	0	1,527,223	(1,527,223)	0%	
<i>The above financials include the following:</i>					
Capital Services Contribution	194,516	383,791	(189,276)	51%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	1,397,620	(1,397,620)	0%	

*The above financials do not include appropriations - to and from activities*

## Stormwater – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Ashburton Stormwater	339,912	1,336,985	(997,073)	25%	No
Methven Stormwater	22,782	87,334	(64,552)	26%	
Rakaia Stormwater	12,044	45,619	(33,575)	26%	
Hinds Stormwater	2,910	11,493	(8,583)	25%	
Rural Stormwater	13,663	52,127	(38,464)	26%	
	<u>391,311</u>	<u>1,533,558</u>	<u>(1,142,247)</u>	<u>26%</u>	
<b>Operating Expenditure</b>					
Ashburton Stormwater	269,317	1,387,820	(1,118,502)	19%	No
Methven Stormwater	27,678	90,869	(63,191)	30%	
Rakaia Stormwater	9,205	47,418	(38,213)	19%	
Hinds Stormwater	807	11,729	(10,922)	7%	
Rural Stormwater	20,714	53,535	(32,821)	39%	
	<u>327,721</u>	<u>1,591,371</u>	<u>(1,263,650)</u>	<u>21%</u>	
<b>Capital Expenditure</b>					
Ashburton Stormwater	0	24,140	(24,140)	0%	
	<u>0</u>	<u>24,140</u>	<u>(24,140)</u>	<u>0%</u>	
<b>Loan Repayments</b>					
Ashburton Stormwater	0	273,939	(273,939)	0%	No
Methven Stormwater	0	7,539	(7,539)	0%	
	<u>0</u>	<u>281,478</u>	<u>(281,478)</u>	<u>0%</u>	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	229,460	(229,460)	0%	

*The above financials do not include appropriations - to and from activities*

## Stockwater – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Stockwater	263,590	1,109,456	(845,866)	24%	No
	263,590	1,109,456	(845,866)	24%	
<b>Operating Expenditure</b>					
Stockwater	319,108	1,141,752	(822,643)	28%	No
	319,108	1,141,752	(822,643)	28%	
<b>Capital Expenditure</b>					
Stockwater	8,674	0	8,674	0%	
	8,674	0	8,674	0%	
<b>Loan Repayments</b>					
Stockwater	0	17,674	(17,674)	0%	
	0	17,674	(17,674)	0%	
<i>The above financials include the following:</i>	0	0	0	0%	
<i>The above financials do not include the following:</i>	0	0	0	0%	
<i>The above financials do not include appropriations - to and from activities</i>					

## Waste Reduction & Recycling – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Refuse Collection	766,646	2,966,392	(2,199,747)	26%	No
Refuse Management	1,277,868	5,117,713	(3,839,845)	25%	No
	<u>2,044,514</u>	<u>8,084,106</u>	<u>(6,039,592)</u>	<u>25%</u>	
<b>Operating Expenditure</b>					
Refuse Collection	719,223	2,966,390	(2,247,167)	24%	No
Refuse Management	1,597,609	5,463,623	(3,866,014)	29%	No
	<u>2,316,832</u>	<u>8,430,013</u>	<u>(6,113,181)</u>	<u>27%</u>	
<b>Capital Income</b>					
Refuse Management	0	198,707	(198,707)	0%	No
	<u>0</u>	<u>198,707</u>	<u>(198,707)</u>	<u>0%</u>	
<b>Capital Expenditure</b>					
Refuse Management	245,570	182,525	63,045	135%	
	<u>245,570</u>	<u>182,525</u>	<u>63,045</u>	<u>135%</u>	
<b>Loan Repayments</b>					
Refuse Collection	0	4,462	(4,462)	0%	
Refuse Management	0	27,710	(27,710)	0%	
	<u>0</u>	<u>32,172</u>	<u>(32,172)</u>	<u>0%</u>	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	0	0	0%	

*The above financials do not include appropriations - to and from activities*

## Recreation Facilities – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Ashburton Museum and Art Gallery	479,929	1,850,284	(1,370,355)	26%	No
Library	363,157	1,421,935	(1,058,778)	26%	No
Recreation Facilities and Services	1,437,438	5,928,186	(4,490,747)	24%	No
	<u>2,280,524</u>	<u>9,200,405</u>	<u>(6,919,881)</u>	<u>25%</u>	
<b>Operating Expenditure</b>					
Ashburton Museum and Art Gallery	506,263	2,288,305	(1,782,042)	22%	No
Library	479,757	1,770,933	(1,291,176)	27%	No
Recreation Facilities and Services	1,605,552	7,038,217	(5,432,665)	23%	No
	<u>2,591,572</u>	<u>11,097,455</u>	<u>(8,505,884)</u>	<u>23%</u>	
<b>Capital Income</b>					
Library	0	157,309	(157,309)	0%	No
	<u>0</u>	<u>157,309</u>	<u>(157,309)</u>	<u>0%</u>	
<b>Capital Expenditure</b>					
Ashburton Museum and Art Gallery	9,541	76,157	(66,616)	13%	
Library	65,703	236,427	(170,724)	28%	No
Recreation Facilities and Services	52,754	316,759	(264,005)	17%	No
	<u>127,998</u>	<u>629,343</u>	<u>(501,344)</u>	<u>20%</u>	
<b>Loan Repayments</b>					
Recreation Facilities and Services	0	10,822	(10,822)	0%	
	<u>0</u>	<u>17,926</u>	<u>(3,718)</u>	<u>0%</u>	

The above financials include the following:

Development Contributions	0	0	0	0%
---------------------------	---	---	---	----

The above financials do not include the following:

Vested Assets	0	0	0	0%
---------------	---	---	---	----

The above financials do not include appropriations - to and from activities

# Recreation & Community Services – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Public Conveniences	361,894	689,305	(327,411)	53%	Yes
Elderly Persons Housing	162,218	686,938	(524,720)	24%	No
Memorial Halls	129,045	306,558	(177,514)	42%	No
Reserves and Camping Grounds	259,281	808,094	(548,813)	32%	No
Reserve Boards	198,909	596,951	(398,042)	33%	No
Community Safety	12,456	45,436	(32,980)	27%	
	<u>1,123,804</u>	<u>3,133,283</u>	<u>(2,009,479)</u>	<u>36%</u>	
<b>Operating Expenditure</b>					
Public Conveniences	108,786	591,808	(483,022)	18%	No
Elderly Persons Housing	316,296	750,588	(434,292)	42%	No
Memorial Halls	347,974	595,145	(247,171)	58%	No
Reserves and Camping Grounds	240,464	1,039,379	(798,915)	23%	No
Reserve Boards	242,487	581,370	(338,883)	42%	No
Community Safety	17,891	57,826	(39,935)	31%	
	<u>1,273,899</u>	<u>3,616,116</u>	<u>(2,342,217)</u>	<u>35%</u>	
<b>Capital Income</b>					
Elderly Persons Housing	0	909,920	(909,920)	0%	No
Reserve Boards	0	54,236	(54,236)	0%	
	<u>0</u>	<u>964,156</u>	<u>(964,156)</u>	<u>0%</u>	
<b>Capital Expenditure</b>					
Public Conveniences	208,081	0	208,081	0%	Yes
Elderly Persons Housing	6,665	959,560	(952,896)	1%	No
Memorial Halls	8,995	4,172	4,823	216%	
Reserve Boards	135,359	74,053	61,306	183%	
	<u>359,099</u>	<u>1,037,785</u>	<u>(678,685)</u>	<u>35%</u>	
<b>Loan Repayments</b>					
Public Conveniences	0	251,946	(251,946)	0%	No
Elderly Persons Housing	0	9,929	(9,929)	0%	
Reserves and Camping Grounds	0	2,252	(2,252)	0%	
Reserve Boards	0	14,587	(14,587)	0%	
	<u>0</u>	<u>278,714</u>	<u>(278,714)</u>	<u>0%</u>	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	0	0	0%	

The above financials do not include appropriations - to and from activities

## Recreation & Community Services – Operating Income

### **Public Conveniences**

**\$327,411U**

#### ***Reason for variance***

Council has received \$184,000 unbudgeted TIF funding for the Rakaia Gorge new facilities.

There will also be a permanent difference relating to unbudgeted Better off Funding of \$250,000 from the DIA for the Digby Park Toilet.

## Recreation & Community Services – Capital Expenditure

### **Public Conveniences**

**\$208,081U**

#### ***Reason for variance***

There will be a permanent variance of \$250,000 for the construction of the new Digby Park Toilet which is funded by the Better off Funding.

# Economic Development – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Commercial Property	2,802,008	19,924,084	(17,122,075)	14%	Yes
Business & Economic Development	382,145	734,060	(351,915)	52%	No
District Promotion	57,919	226,974	(169,055)	26%	No
Forestry	470,267	604,619	(134,352)	78%	No
	<u>3,712,339</u>	<u>21,489,736</u>	<u>(17,777,397)</u>	<u>17%</u>	
<b>Operating Expenditure</b>					
Commercial Property	3,545,789	6,757,575	(3,211,787)	52%	Yes
Business & Economic Development	211,981	863,517	(651,536)	25%	No
District Promotion	48,165	262,423	(214,258)	18%	No
Forestry	139,201	474,897	(335,697)	29%	No
	<u>3,945,135</u>	<u>8,358,413</u>	<u>(4,413,279)</u>	<u>47%</u>	
<b>Capital Income</b>					
Commercial Property	730,800	11,363,618	(10,632,818)	6%	No
	<u>730,800</u>	<u>11,363,618</u>	<u>(10,632,818)</u>	<u>6%</u>	
<b>Capital Expenditure</b>					
Commercial Property	4,700,834	13,594,462	(8,893,628)	35%	No
	<u>4,700,834</u>	<u>13,594,462</u>	<u>(8,893,628)</u>	<u>35%</u>	
<b>Loan Repayments</b>					
Commercial Property	0	3,254,184	(3,254,184)	0%	No
	<u>0</u>	<u>3,254,184</u>	<u>(3,254,184)</u>	<u>0%</u>	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	0	0	0%	

*The above financials do not include appropriations - to and from activities*



## Economic Development – Operating Income

### **Commercial Property**

**\$17,122,075U**

#### ***Reason for variance***

There will be a permanent difference relating to unbudgeted Better off Funding of \$2.3M from the DIA for the Fairfield Freight Hub.

## Economic Development – Operating Expenditure

### **Commercial Property**

**\$3,211,787F**

#### ***Reason for variance***

There will be a \$2.3M permanent difference relating to grant expenditure of Better off Funding for the Fairfield Freight Hub.

## ***Parks & Open Spaces – Income & Expenditure Report***

For period ending 30 September 2023

	<b>Actual YTD</b>	<b>Budget Full Year</b>	<b>Variance</b>	<b>Percentage of Budget</b>	<b>Permanent Variance</b>
<b>Operating Income</b>					
Cemeteries	170,749	617,045	<b>(446,297)</b>	28%	No
Parks and Recreation	1,286,094	4,857,121	<b>(3,571,027)</b>	26%	No
	<u>1,456,843</u>	<u>5,474,166</u>	<u>(4,017,323)</u>	<u>27%</u>	
<b>Operating Expenditure</b>					
Cemeteries	137,608	732,549	<b>(594,941)</b>	19%	No
Parks and Recreation	1,066,186	4,461,100	<b>(3,394,914)</b>	24%	No
	<u>1,203,794</u>	<u>5,193,649</u>	<u>(3,989,855)</u>	<u>23%</u>	
<b>Capital Income</b>					
Parks and Recreation	0	397,513	<b>(397,513)</b>	0%	No
	<u>0</u>	<u>397,513</u>	<u>(397,513)</u>	<u>0%</u>	
<b>Capital Expenditure</b>					
Parks and Recreation	960,697	662,305	<b>298,392</b>	145%	No
	<u>1,006,433</u>	<u>662,305</u>	<u>344,128</u>	<u>152%</u>	
<b>Loan Repayments</b>					
Cemeteries	0	14,587	(14,587)	0%	
Parks and Recreation	0	199,248	<b>(199,248)</b>	0%	No
	<u>0</u>	<u>213,835</u>	<u>(213,835)</u>	<u>0%</u>	

*The above financials include the following:*

Development Contributions	0	0	0	0%
---------------------------	---	---	---	----

*The above financials do not include the following:*

Vested Assets	0	0	0	0%
---------------	---	---	---	----

*The above financials do not include appropriations - to and from activities*

## Parks and Open Spaces – Capital Expenditure

### **Parks and Recreation**

**\$298,392U**

#### ***Reason for variance***

This will not be a permanent variance of capital expenditure as it will be funded from carry forwards from the 2022/23 year.

# Community Governance & Decision Making – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Council	708,454	2,768,827	(2,060,373)	26%	No
Methven Community Board	38,642	148,349	(109,707)	26%	No
Youth Council	3,390	12,551	(9,161)	27%	
Community Grants Funding	596,406	1,614,191	(1,017,785)	37%	No
Water Zone Committee	32,208	132,511	(100,303)	24%	No
	<u>1,379,099</u>	<u>4,676,429</u>	<u>(3,297,330)</u>	<u>29%</u>	
<b>Operating Expenditure</b>					
Council	783,336	3,481,421	(2,698,085)	23%	No
Methven Community Board	22,135	148,517	(126,382)	15%	No
Youth Council	1,373	13,702	(12,329)	10%	
Community Grants Funding	639,895	1,225,178	(585,284)	52%	No
Water Zone Committee	32,438	154,890	(122,452)	21%	No
	<u>1,479,177</u>	<u>5,023,709</u>	<u>(3,544,532)</u>	<u>29%</u>	
<b>Loan Repayments</b>					
Community Grants Funding	0	99,000	(99,000)	0%	
Water Zone Committee	0	18,000	(18,000)	0%	
	<u>0</u>	<u>117,000</u>	<u>(117,000)</u>	<u>0%</u>	

The above financials include the following:

Development Contributions	323,297	561,984	(238,687)	58%
---------------------------	---------	---------	-----------	-----

The above financials do not include the following:

Vested Assets	0	0	0	0%
---------------	---	---	---	----

The above financials do not include appropriations - to and from activities

# Environmental Services – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Environmental Health	16,092	176,314	(160,222)	9%	No
Building Regulation	634,256	2,665,224	(2,030,968)	24%	No
Emergency Management	31,315	124,657	(93,342)	25%	No
Liquor Licensing	52,844	169,995	(117,151)	31%	No
Land Information Memorandum	23,029	104,343	(81,314)	22%	No
Parking	81,028	228,184	(147,155)	36%	No
Animal Control	407,800	549,035	(141,236)	74%	No
Resource Consents	182,776	702,232	(519,455)	26%	No
Monitoring and Enforcement	83,499	324,728	(241,229)	26%	No
Planning	96,876	393,592	(296,715)	25%	No
	1,609,516	5,438,303	(3,828,787)	30%	
<b>Operating Expenditure</b>					
Environmental Health	54,354	218,077	(163,723)	25%	No
Building Regulation	625,471	2,685,147	(2,059,676)	23%	No
Emergency Management	15,553	105,112	(89,559)	15%	No
Liquor Licensing	49,330	190,185	(140,855)	26%	No
Land Information Memorandum	26,385	104,343	(77,959)	25%	No
Parking	69,414	240,625	(171,211)	29%	No
Animal Control	125,567	585,146	(459,579)	21%	No
Resource Consents	203,023	770,783	(567,760)	26%	No
Monitoring and Enforcement	94,524	439,293	(344,769)	22%	No
Planning	81,283	482,052	(400,769)	17%	No
	1,344,905	5,820,763	(4,475,858)	23%	
<b>Loan Repayments</b>					
Animal Control	0	4,400	(4,400)	0%	No
Planning	0	144,302	(144,302)	0%	No
	0	148,702	(148,702)	0%	

The above financials include the following:

Development Contributions	0	0	0	0%
---------------------------	---	---	---	----

The above financials do not include the following:

Vested Assets	0	0	0	0%
---------------	---	---	---	----

The above financials do not include appropriations - to and from activities

## Miscellaneous, Dividends & Internal Overheads – Income & Expenditure Report

For period ending 30 September 2023

	Actual YTD	Budget Full Year	Variance	Percentage of Budget	Permanent Variance
<b>Operating Income</b>					
Dividends and Interest	363,577	1,329,981	(966,404)	27%	No
Library and Civic Centre	132,671	416,958	(284,287)	32%	No
Executive Team	441,262	1,781,255	(1,339,993)	25%	No
People & Capability	281,696	1,273,939	(992,243)	22%	No
Information Systems	909,338	3,765,936	(2,856,598)	24%	No
Customer Services	160,561	747,023	(586,462)	21%	No
Treasury	411,527	1,586,875	(1,175,348)	26%	No
Rates	137,192	825,430	(688,238)	17%	No
Community Relations	220,187	1,038,306	(818,119)	21%	No
Communications	204,333	990,062	(785,729)	21%	No
Property Administration	360,402	1,693,906	(1,333,504)	21%	No
Service Delivery	1,053,195	4,051,793	(2,998,598)	26%	No
Parks Administration	723,947	3,830,491	(3,106,544)	19%	No
Plant Operations	206,880	963,206	(756,326)	21%	No
	5,606,769	24,295,161	(18,688,393)	23%	
<b>Operating Expenditure</b>					
Dividends and Interest	10	55,003	(54,992)	0%	
Library and Civic Centre	132,671	416,923	(284,252)	32%	No
Executive Team	441,262	1,781,256	(1,339,994)	25%	No
People & Capability	281,696	1,273,939	(992,244)	22%	No
Information Systems	909,338	4,203,764	(3,294,427)	22%	No
Customer Services	160,560	746,909	(586,349)	21%	No
Treasury	411,527	1,586,875	(1,175,348)	26%	No
Rates	174,031	825,430	(651,399)	21%	No
Community Relations	220,187	1,038,305	(818,118)	21%	No
Communications	204,333	990,062	(785,728)	21%	No
Property Administration	360,402	1,785,673	(1,425,271)	20%	No
Service Delivery	1,053,195	4,051,793	(2,998,598)	26%	No
Parks Administration	725,344	3,749,959	(3,024,614)	19%	No
Plant Operations	237,681	923,573	(685,891)	26%	No
	5,312,523	23,429,465	(18,116,942)	23%	
<b>Capital Income</b>					
Plant Operations	13,913	104,300	(90,387)	13%	
	13,913	104,300	(90,387)	13%	
<b>Capital Expenditure</b>					
Information Systems	83,897	490,210	(406,313)	17%	No
Plant Operations	179,149	456,834	(277,685)	39%	No
	263,046	947,044	(683,998)	28%	
<i>The above financials include the following:</i>					
Development Contributions	0	0	0	0%	
<i>The above financials do not include the following:</i>					
Vested Assets	0	0	0	0%	
<i>The above financials do not include appropriations - to and from activities</i>					

## Miscellaneous, Dividends & Internal Overheads – Operating Income

### **Dividends and Interest**

**\$966,404U**

#### ***Reason for variance***

Dividends and Interest includes a dividend received from Transwaste of \$156,000 as at the end of September.

# Loan Repayments

For period ending 30 September 2023

	<b>Actual YTD</b>	<b>Budget Full Year</b>	<b>Variance</b>	<b>Percentage of Budget</b>	<b>Permanent Variance</b>
Loan Repayments	0	7,024,840	<b>(7,024,840)</b>	0%	No



## Balance Sheet - DRAFT

As at 30 September 2023

	YTD Actual	2023 Actual
<b>Public Equity</b>		
Ratepayers Equity	516,311,521	521,519,000
Revaluation Reserves	360,123,000	360,123,000
Funds and Reserves	68,466,000	68,466,000
	<b>944,900,521</b>	<b>950,108,000</b>
<b>Non-Current Liabilities</b>		
External Loans	105,600,000	85,600,000
Other Term Liabilities	303,588	303,588
	<b>105,903,588</b>	<b>85,903,588</b>
<b>Current Liabilities</b>		
Trade Creditors	2,359,775	7,820,977
Deposits & Bonds	1,631,105	1,287,724
Other Current Liabilities	996,678	804,558
Accrued Liabilities	8,610,093	10,116,153
	<b>13,597,650</b>	<b>20,029,412</b>
<b>Total Equity &amp; Liabilities</b>	<b>1,064,401,759</b>	<b>1,056,041,000</b>
<b>Fixed Assets</b>	148,301,937	148,301,389
<b>Infrastructural Assets</b>	800,390,483	804,643,197
<b>Work in Progress</b>	67,254,000	67,254,000
<b>Advances</b>	390,958	390,958
<b>Shares</b>	9,688,455	9,188,455
<b>Current Assets</b>		
Cash & Bank	14,190,618	7,681,523
Cash Investments	10,000,000	3,100,000
GST	1,843,500	2,185,113
Receivables	4,518,156	3,059,151
Provision for Doubtful Debts	(35,438)	(58,933)
Stock	87,452	86,767
Accruals	2,910,001	5,327,882
Other Current Assets	4,861,638	4,881,498
	<b>38,375,927</b>	<b>26,263,000</b>
<b>Total Assets</b>	<b>1,064,401,759</b>	<b>1,056,041,000</b>

## Net Debt and Borrowings

As at 30 September 2023

### Net Debt



### External Borrowing

LGFA 2023	12,000,000	5.79%	Floating	15-Nov-23
LGFA 2020 Coupon	2,000,000	5.87%	Floating	15-Apr-24
LGFA 2022	5,000,000	6.20%	Floating	15-Apr-24
LGFA 2021	5,000,000	5.93%	Floating	15-Apr-24
LGFA 2022	3,000,000	5.94%	Floating	15-Apr-25
LGFA 2022	5,000,000	6.00%	Floating	15-Apr-25
LGFA 2023	7,000,000	6.02%	Floating	15-Apr-25
LGFA 2020	10,000,000	6.28%	Floating	15-Apr-26
LGFA 2023	5,000,000	6.06%	Floating	15-Apr-26
LGFA 2023	5,000,000	6.20%	Floating	15-Apr-26
LGFA 2023	5,000,000	6.23%	Floating	15-Apr-27
LGFA 2023	5,000,000	6.34%	Floating	15-Apr-27
LGFA 2020 Coupon	5,000,000	1.23%	Fixed	15-Apr-27
LGFA 2020 Coupon	5,000,000	0.97%	Fixed	15-Apr-27
LGFA 2021 Coupon	16,600,000	2.01%	Fixed	15-May-28
LGFA 2022	<u>10,000,000</u>	6.26%	Floating	20-Apr-29
<b>Total External Funding</b>	<b>105,600,000</b>			

## Borrowing by Activity

As at 30 September 2023

<b>Activity</b>	<b>External Borrowing</b>	<b>Internal Borrowing</b>
Commercial Property	55,954,424	1,377,499
Wastewater	19,019,859	-
Drinking Water	12,343,492	-
Environmental Services	833,006	-
Stormwater	2,916,797	-
Cemeteries	1,712,720	23,730
Water Resources	343,360	-
Arts & Culture	2,146,004	-
Refuse and Recycling	776,728	38,419
Stockwater	301,727	31,567
Roading	6,024,463	1,156,952
Footpaths	684,328	-
Recreation Facilities	49,106	-
Civic Building	43,794	-
Parks	1,559,207	196,852
Camping	16,873	-
Public Conveniences	184,112	-
Reserve Boards	690,000	-
<b>Total</b>	<b>105,600,000</b>	<b>2,825,019</b>

## Council Investments

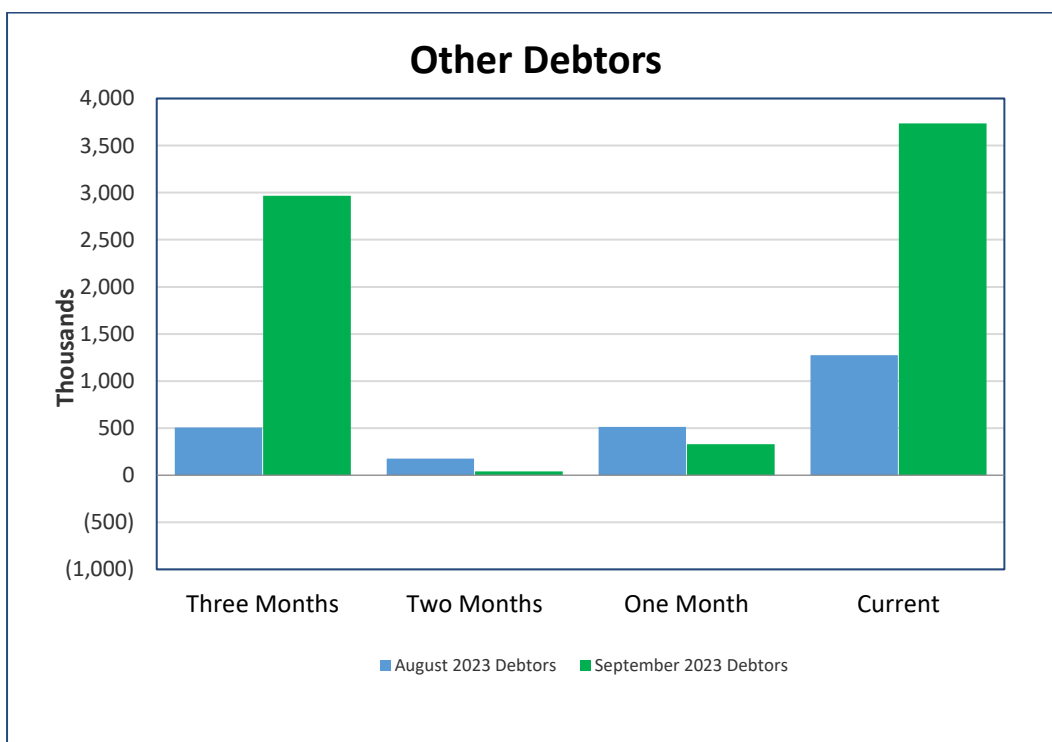
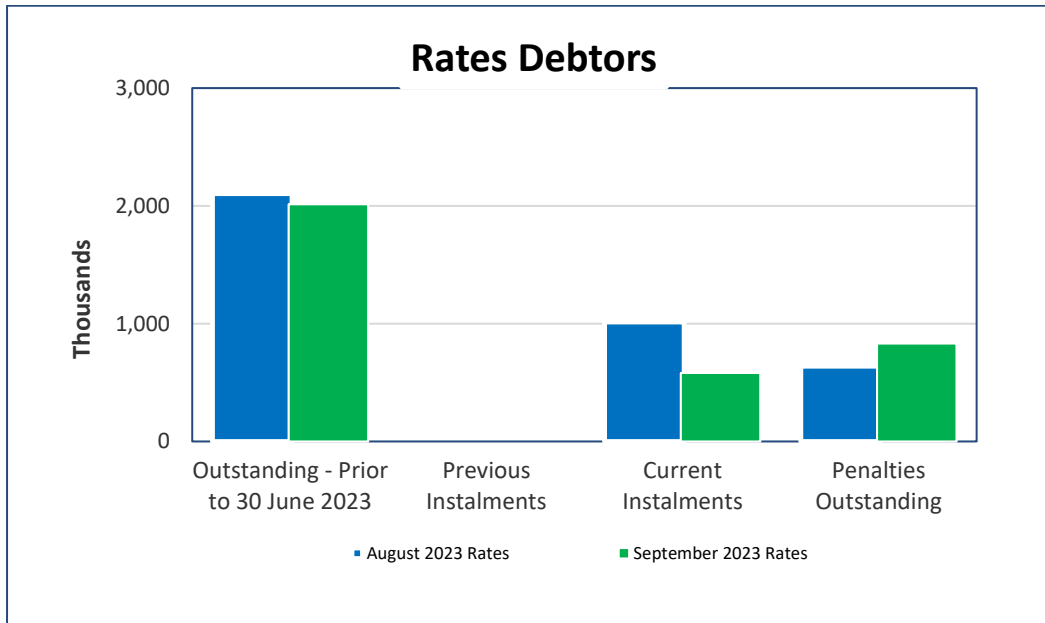
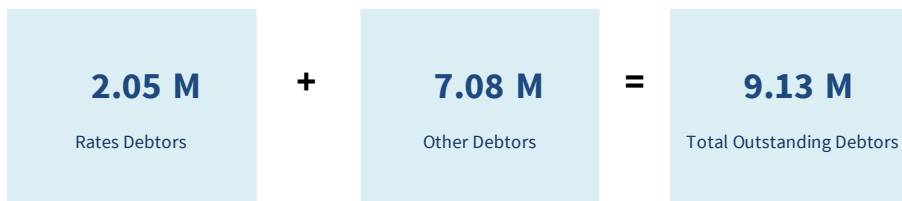
As at 30 September 2023

Listed below are the current significant investments held by Council.

<b>Term Deposit</b>	<b>Principal</b>	<b>Interest</b>	<b>Term</b>	<b>Maturity</b>
Westpac	6,000,000	4.86%	30 Days	29-Oct-23
	<b>6,000,000</b>			
<b>Local Authority Stock and Bonds</b>	<b>Principal</b>	<b>Interest</b>	<b>Term</b>	<b>Maturity</b>
<b>Bonds</b>				
ANZ	1,000,000	3.00%	6.07%	17-Sep-26
Westpac	1,100,000	6.19%	6.05%	16-Sep-27
Kiwibank	1,000,000	5.74%	5.50%	19-Oct-27
Westpac	900,000	6.73%	6.60%	14-Feb-28
	<b>4,000,000</b>			
<b>Advances</b>				
Eastfield Investments	390,958			
	<b>390,958</b>			
<b>Shares</b>				
Ashburton Contracting Ltd	4,500,000			
NZ Local Govt Co-op Shares	52,655			
RDR Management	30,000			
Transwaste Canterbury Ltd	1,044,000			
ATS	500			
Electricity Ashburton Rebates	1,300			
LGFA Equity	2,295,000			
Eastfield Investments	1,765,000			
	<b>9,688,455</b>			

# Receivables Summary (Including Prior Month Comparative)

As at 30 September 2023



## ***Receivables Summary continued***

Outstanding Debtors over 90 days	
>\$100,000	0
\$50,000 - \$100,000	1
\$30,000 - \$50,000	5
\$10,000 - \$30,000	9

The above debtors are being actively managed or under a resolution process.

## ***13. Councillor Reports***

### ***Councillor Tony Todd***

#### **13.1 LGNZ Rural and Provincial Sector Meeting, Wellington – 1/2 November**

##### **Day 1 - The Future of Local Government**

This workshop flowed on from discussions from councils, and the Mayoral Forum’s workshops on this topic.

There were four sessions that covered the Treaty, Funding, Wellbeing, and Transformation of Local Government. The intent of this session was to “move the dial” to obtain better agreement under those four headings.

LGNZ will collate all comments and distribute back to all councils for their input.

##### **Day 2 - Rural and Provincial Sector Meeting**

- R&P Chair Alex Walker. Funding important. Working with NZTA
- Provincial Chair Neil Holden working with Sam LGNZ
- Political and economic risk and compliance and regulation risk

##### **LTP Panel**

- Tim Hampton, Treasury, Director Economic Systems

Inflation long way to go, deficits will carry on, expenses growing, infrastructure spend back, net debt largest in the world.

- Mark Maloney OAG Asst Auditor General Local Government

Most challenging LTP. Heightened sense of affordability, increase in infrastructure spend. Climate change travel in same direction, are all measures needed, effective oversight by Councillors.

- Bruce Robertson, Independent Risk Consultant

Is risk negative management the thing that stops you achieving? State of your mind as you approach LTP!!, Think in terms of generations, we don’t have a rate issue we have an ‘other revenue’ issue, where are we in 10 years’ time? How well do we think about our business model? LTP drives your organisation, need strong cohesive governance, long term plans for climate change, quality of spend.

Re 3 Waters, two years in eight years blank, so what is the future/uncertainty? What is effective for leading our community, good relationship with Auditor, using comms to get message across, relationships with councils is where the Government is coming from, low productivity growth holding back our economy, what specific Government support are you asking for in your LTP, and what are the key challenges for your Council?

Paul Brislen, CE Telecommunications Forum

What does resilience look like? Mobile, fixed line, process, working party of network operators, feed info into the national emergency grid. National Emissions Standards (NESTF) are out of date.

- Ben Thomas Director Capital Government Relations

Central vs Local, housing accommodation, 3 Waters, Government centralised, Future by Local Government - new Government will repeal 3 Waters,

RMA, devolve, localise, plan at local level, National looking for solutions at a local level, real opportunity to offer solutions to Government, think outside the box, City /Regional deals – Government could be receptive.

- Federated Farmers, Wayne Langford and Sandra Faulkner

Wayne - Federated Farmers been around for 125 years, farming 10.7% GDP, 56 billion in exports, confidence at all time low, environmental progress take farmers on the journey, not too late to get this right, roading, power, communication priorities.

Sandra - relationships have power, Emergency Management Bill first off the rank. Focus on water storage, stay connected to your rural base.



## **14. Mayor's Report**

### **14.1 Local Government NZ – Special General Meeting**

National Council has called a Special General Meeting of Local Government NZ on Monday 11 December at 4.30pm, by Zoom. The purpose of the meeting is to vote on the position that will be developed through the future **by** local government consensus process, which will conclude in November. The position paper will be shared with member councils on Friday 24 November, along with the agenda for the SGM.

Under LGNZ's constitution, Ashburton District Council can be represented by up to three delegates and is entitled to three votes at the Special Meeting. Council is required to appoint one presiding delegate who will vote on Council's behalf with express authority (by way of delegation). Should the Mayor be absent from the AGM for any reason, another delegate may vote on Council's behalf.

Other councillors interested may also join as an observer. All delegates and observers are to be registered by Friday 24 November.

#### **Recommendation**

**That** the Mayor be authorised to vote on behalf of Council at the Local Government New Zealand Special General Meeting on 11 December 2023, and (in the Mayor's absence) the Deputy Mayor be the alternate presiding delegate.

### **14.2 Future by Local Government/LGNZ Rural and Provincial**

Along with Councillors Phill Hooper and Tony Todd and CE Hamish Riach, I attended a Future by Local Government meeting and LGNZ Rural and Provincial sector meeting in Wellington, 2/3 November.

There were some interesting speakers at this meeting and Councillor Todd has provided a good summary of the meeting.

## **Meetings**

- **Mayoral calendar**

#### **November 2023**

- 1 November: ACL AGM and quarterly update
- 1 November: Ashburton Swim Team representatives
- 2 November: Future by Local Government, Wellington with Councillors Phill Hooper and Tony Todd and CE Hamish Riach
- 3 November: The Breeze radio interview

- 3 November: LGNZ Rural and Provincial, Wellington with Councillors Phill Hooper and Tony Todd and CE Hamish Riach
- 2 November: Mt Hutt College Senior Prizegiving – Deputy Mayor Liz McMillan deputised
- 7 November: RDR meeting – Cr Richard Wilson deputised
- 8 November: Rebecca Whillans – MHV Water
- 8 November: Advance Ashburton Investment committee
- 9 November: Braided Rivers Trust AGM
- 10 November: Te Whare Whakaterere site visit with James Meager – MP for Rangitata
- 10 November: Te Kupenga Kete hui, Arowhenua Marae
- 11 November: Armistice Day ceremony
- 13 November: Leeann Watson – Canterbury Employers’ Chamber of Commerce with CE Hamish Riach
- 13 November: Lake Clearwater Coach ban hearing
- 13 November: Todd Holmes re: green waste outlet options with Deputy Mayor Liz McMillan and CE Hamish Riach
- 14 November: PCG Te Whare Whakaterere meeting
- 14 November: Ashburton Airport User Group meeting
- 15 November: Road Closure hearings
- 15 November: Lake Clearwater Coach ban hearing
- 15 November: Council meeting

### **Recommendation**

**That** Council receives the Mayor’s report.