

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 1/3/1  
DATE: 16 August 2007  
REPORT TO: Council  
FROM: Mayor

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### 4.1. MAYOR'S REPORT

#### 4.1.1 *Visit by Christchurch School of Medicine 3<sup>rd</sup> Year Medical Students*

As in past years, following the visit to Ashburton of a group of third year medical students as part of their study programme, the Christchurch School of Medicine has given \$500 to the Council to make a donation to a suitable agency or committee within the community. In past years Council resolved to forward the contribution as follows:

1998	Order of St John
1999	Alzheimers Association (Ashburton Branch)
2000	Plunket Society Mid-Canterbury Branch)
2002	Ashburton Palliative Care
2003	Ashburton Ostomy Group
2004	Ashburton Benevolent Fund
2005	Ronald McDonald House
2006	St Vincent de Paul Society

#### RECOMMENDATION

“That the Christchurch School of Medicine’s donation of \$500 be given to the Salvation Army to be used in the Ashburton District.”

#### 4.1.2 *Water Issues*

There have been a number of meetings relating to water, beginning with the NRRP Hearing at Ecan concerning water Quantity - Augmentation. I presented a submission on behalf of Ashburton District Council, Hurunui District Council, Ashburton Community Water Trust, Federated Farmers (Combined Canterbury Provinces), Rangitata Diversion Race Management Ltd. Irrigator Forum, Trustpower, Hurunui Community Water Development Project Working Group, and with the agreement of Selwyn District Council, Waimate District Council, Mackenzie District Council, Irrigation New Zealand and Waimakariri Irrigation Company.

The above organisations have assumed the collective title of the Water Resources Working Group and I wish to acknowledge the work of our Operations Manager, Mr Rob Rouse, in co-ordinating this submission.

The purpose of the submission was to introduce and provide an executive summary of the matters relating to water augmentation. In general the main issues of concern were:

- that the prohibited activity status for augmentation should be removed to provide an enabling environment;
- that consideration needs to be given to the wider community values when defining values for water bodies as this was not done when natural state and high naturalness areas were determined;

- that the need to respond to climate change must be taken into account as augmentation will become critical to providing for the region's and nation's future; and
- that a better balance of actual and potential effects of activities is required to include positive effects.

Mr Rouse then presented, in conjunction with Stephanie Brown (OPUS) the Ashburton District Council's submission, water storage and development being a key component. The NRRP's approach to the allocation of water was also considered at length.

While water availability has obvious economic consequences for our district, care needs to be taken to ensure the potential to provide recreational, cultural and environmental enhancement is also possible.

There is concern being expressed that the NRRP may outdate itself and its relationship with the Regional Policy Statement. However there is a determination that in order to progress we must all work together.

#### **4.1.3 Canterbury Strategic Water Study**

Dr Andy Pearce gave an update on progress with stages III and IV. The bottom line is that he considers there is approximately 300,000 hectares able to be irrigated if the region's storage options are implemented. He questions the political will to make this happen bearing in mind the impact on ground water, underground aquifers and the biodiversity factor. There is a meeting of the Canterbury Strategic Water Study Group on 4 September 2007 to evaluate progress so far and discussion of "where to next"

#### **4.1.4 Mayoral Forum**

- **Canterbury Regional Transport Implementation Plan (TRIP)**  
The goal is to provide a transport system that meets the future needs of Canterbury by way of a priorities, integrated and regionally co-ordinated programme. There are Government grants available for key regional projects (C funding) that will ensure N, R, L and DC funding is available for other projects. Obviously there will need to be regional buy-in, agreement of funding and a commitment to "local" share for TLA projects. The Forum decided that our views would be expressed by 10 September 2007, for consideration at the RLTC on 25 September 2007, approved by Ecan on 27 September and Mayoral Forum on 1 October 2007 and presented before the Government deadline of 13 October 2007!
- **Regional Economic Development Policy Update**  
This new approach is thought necessary to "build on what has been achieved under the Regional Partnerships Programme (2000). Regions will be eligible to apply for up to \$750,000 over three years and there will be a contestable fund for nationally significant initiatives of \$9 million in 2007/08 and increasing to \$11.5 million in 2010/11. However, Canterbury has received approximately \$1.1 million over the last three years and it was pointed out in no uncertain terms that our current economic development organisations are well advanced and will be disadvantaged by the new arrangement. There was much debate over the proposed Governance structure (which excludes Ecan!) and the lack of any cost/benefit analysis.

#### **4.1.5 Performing Arts Centre**

The successful lifting of the 37 tonne roof on to its rightful place atop the fly tower was a significant moment in the construction phase of the new complex. The skilful manoeuvring by the crane operators made light work of a very complex task and all involved are to be congratulated. Roger Bradford's lateral thinking has saved approximately \$150,000 and we wish them well for an incident-free completion of the project.

#### **4.1.6 Visit by Mr Tanaka**

It is 29 years since Mr Tanaka began his association with our district when, as a member of the International Ski Instructors Association, he organised the first ski tour from Japan to New Zealand. This year marks the 20<sup>th</sup> year that Mr Tanaka has brought Japanese students to Methven in association with the Japan and New Zealand Cultural Exchange Association. A cultural exchange fund was begun in 1987 as a result of the heavy snow that year. Japanese skiers donated one million yen (\$15,000) and the fund has been contributed to ever since. The funds have been used to upgrade the swimming pool at Mt Hutt College, for the purchase of equipment for the Methven Search & Rescue, enlargement of the fire station, travel costs for soccer and a scholarship for the Japanese class at Mt Hutt College. Mr Tanaka also established the "Tanaka Cultural Exchange Fund" in 1995 with a donation of \$15,000 and a contribution from this fund, together with smaller personal donations from Mr Tanaka, was instrumental in the construction of the Japanese Garden in Methven. Mr Tanaka wanted the garden of Japanese – New Zealand style to be a symbol of goodwill between New Zealand and Japan and help to foster friendship between our two countries. This trip has held special significance as Mr Tanaka organised a display in our Library commemorating the 60<sup>th</sup> anniversary of the A-bomb on Hiroshima. Mr Hansen and Mr Stevens, representing the RSA, joined us in welcoming Mr Tanaka and his students last Wednesday. A 20<sup>th</sup> birthday party honouring Mr Tanaka was held in Methven last Sunday; he is truly a very special friend of our district.

#### **4.1.7 Calendar**

Some of the meetings and functions I have attended since reporting to the last Council meeting on 28 June are as follows:

- 29 June Attended Ashburton Hearing Association Meeting  
Attended HMNZS Canterbury function, Lyttelton
- 30 June Attended HMNZS Canterbury Charter Parade, Christchurch
- 2 July Hosted reception for Japan/New Zealand Soccer Tournament representatives
- 3 July Presented evidence at NRRP Hearing, Christchurch
- 6/7 July Attended New Zealand Young Farmers Final events in Rotorua, as guest of NZ Young Farmers – together with Superintendent of Parks and Recreation
- 10 July Attended Robert Clark Trust meeting
- 11 July Met with Rachel Lloyd, Youth Broker
- 12 July Met with Chantelle O'Brian, Youth Health
- 13 July Hosted Ashburton Writers' Group presentations  
Attended opening of HADES Pizza/Burgers, Tinwald
- 15-18 July Attended LGNZ Conference, Dunedin
- 19 July Attended meeting of Ashburton Water Users Group
- 20 July Class Hits Radio Talkback

- 23 July Attended Ecan Stopbank meeting
- 24 July Met with representatives from Tinwald Reserves Board  
Met with Representative from Ashburton Performing Theatre Trust
- 25 July Attended R D R Directors' meeting
- 26 July Met with representatives from NZ World Ploughing Championships 2010  
Attended Ashburton Community Water Trust meeting
- 27 July Classic Hits Radio Talkback  
Attended Vince Rouse's staff farewell function at Domain
- 30 July Met with Chairman, Museum/Art Gallery Trust  
Met with Jo Goodhew and representatives from Ashburton Performing Arts Theatre Trust  
Attended Advance Ashburton meeting  
Attended Aquatic Park Charitable Trust Appointments Committee meeting
- 31 July Attended BCI Workshop meeting, Ashburton  
Attended Ashburton Guardian morning newspaper launch
- 1 August Met with representatives from Ashburton Stadium Trust  
Met with representatives from Ashburton Trust  
Met with David Stock & CEO  
Met with prospective CDHB candidate
- 2 August Attended Transit function, Christchurch
- 3 August Classic Hits Radio Talkback  
Met with representative from Family & Community Services, Ministry of Social Services (with Cr Beavan)
- 3/4 August Attended Mayoral Forum, Christchurch (with CEO)  
Attended Fat n Thin promotion function, Ashburton
- 7 August Attended Roof lifting into place at Theatre  
Hosted Mr Tanaka and students from Japan  
Chaired Civic Music Council meeting
- 8 August Met with Health Promoters from Community Public Health  
Met with representatives from Auditor-General's office, Ashburton  
Met with representatives from BCI and Electricity Ashburton
- 9 August Attended SWAT meeting, Darfield
- 10 August Met with Hon John Carter & others at ADC  
Met with representatives from Presbyterian Support  
Hosted Park Street Day Care patients to afternoon tea at ADC
- 12 August Attended 20<sup>th</sup> anniversary function for Mr Tanaka, Methven
- 13 August Guest speaker at N Z Historic Places Trust AGM, Ashburton
- 14 August Met with representatives from ACL
- 15 August Opened Ashburton Photographic Society Photographic Exhibition
- 17 August Attended Ashburton Apprentices' Graduation Ceremony

**B O'MALLEY**  
**Mayor**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/24/3  
DATE: 16 August 2007  
REPORT TO: Council Meeting  
FROM: Chief Executive

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### 4.2 CHIEF EXECUTIVE'S REPORT

#### 4.2.1 *Building Act Accreditation*

We have received notice from the Department of Building and Housing that the Government proposes to extend the statutory date by which territorial and regional authorities must be accredited to 30 June 2008, from 30 November 2007.

This is to allow approval processes to continue while the accreditation / transfer process is completed. It is expected that the majority of Councils will still achieve the 30 November target.

#### 4.2.2 *Gambling Act*

A Bill is being introduced to enable some technical amendments to the Gambling Act. We have been working through LGNZ to seek some amendments to assist in achieving the objectives of the Act and Council's adopted policy. This is focused on expiry dates and transferability. These have not been recognised in the Bill. We will continue to make representations through LGNZ, and a direct submission to the Select Committee if necessary.

### 4.3 *Central Plains Irrigation*

The hearing for this scheme has now been put back to April 2008. This is to enable more time to respond to submissions and for processing by the consenting authorities. Work has also been diverted due to the Malvern Hills Protection Society challenge to CPW's requiring authority status, and the Synlait appeal to the High Court of the Environment Court decision regarding priority to the Rakaia available water. Synlait are also challenging to the Environment Court its claim to surplus priority 2 and 3 water.

The Malvern Hills Protection Society challenge has now been dealt with, with Judge Jeff Smith referring to the challenge as being "frivolous, vexatious and an abuse of process". Ashburton District Council was named as a party and was represented through the process.

The High Court appeal is set down for October.

#### 4.2.4 *Enquiry into Local Government Funding*

The report is due to be made public mid-August. No doubt there will be some publicity on key points. I will report back to Council on the detail as soon as we have the report.

#### **4.2.5 Review of Police Act**

The submission has been forwarded. It was disappointing to see the State Services Commission undertake a cost / benefit analysis on the de-merging of traffic environment from police as a separate exercise. This was reported back to the State Services Commission on 28 March 2007, and could easily have been referred to in the Act review document. This review undertaken by the State Services Commission has a very narrow focus and I believe does not affect our submission.

**B LESTER**  
**Chief Executive**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 5/8/1/4  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Operations Manager  
**SUBJECT:** Kate Valley – acquisition of Coastal Farm for a regional or farm park

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### 4.6 KATE VALLEY – ACQUISITION OF COASTAL FARM FOR A REGIONAL OR FARM PARK

#### 4.6.1 SUMMARY

Transwaste Canterbury Ltd (TCL) intends to sell land surplus to its requirements for the operation of Kate Valley landfill. As part of the TCL sale programme for the “Coast Farm” TCL would like to offer its Council shareholders and/or Environment Canterbury (ECan) the opportunity to consider purchasing the land for a regional or farm park.

The purpose of this report is to provide background information on this opportunity and identify Council’s position with respect to the shareholder councils purchasing this land.

#### 4.6.2 RECOMMENDATION

“That Council does not support the purchase of Coast Farm by the Kate Valley regional landfill Council shareholders, and that Council shall not be a party to the purchase or development of Coast Farm.”

#### 4.6.3 BACKGROUND

The Coast Farm is located in the coastal hill country of North Canterbury, approximately 10km to the north-east of Amberley and approximately 7km to the south-east of the Waipara township. The location of the Coast Farm overlooks the Pegasus Bay coastline and adjoins the Tiromoana Bush Restoration area.

In July 2000, Tiromoana Station Limited (TSL), a now wholly owned subsidiary of TCL purchased the 2757 ha Tiromoana Station. In October 2003, the adjoining 570 ha Mt Cass Station was purchased and has been incorporated into the TSL farming operation.

Of the approximately 3,300 ha currently owned by TSL, approximately 1000 ha are to be retained long term. This area contains the Kate Valley landfill, the entire Kate Valley catchment, the Tiromoana Bush Conservation area and public walkway, and a forested buffer zone to the west of Kate Valley.

The balance of the land is to be sold through a staged process, with three primary components:

- The West Farm will comprise approximately 1350 ha of high quality farmland, situated generally to the north and west of Kate Valley. This area includes 160 ha recently sold to Mainpower as a potential wind farm site.
- The Wash Creek Development area of approximately 360 ha lies to the extreme west of the property, close to Waipara and contains land with potential for lifestyle residential and vineyard development.

- The Coast Farm is an approximately 410 ha property along a five kilometre coastal frontage, to the east of Kate Valley.

TCL has outlined a programme for the sale of these land parcels; the initial focus being the preparation of the West Farm and Washcreek properties for sale, with marketing to take place in the spring of 2007 and the possession by new owners in autumn 2008.

The Coast Farm sale programme is currently scheduled for the 2008/09 period.

The TCL Board believes that the Coast Farm has exceptional and unique landscape features and ecological values that offer the potential for a wide range of public uses.

TCL have advised that they would like to offer council shareholders and/or ECan the opportunity to consider purchasing this land.

The process proposed by TCL is set out below:

- TCL briefs the Canterbury Regional Landfill Joint Committee and ECan on the proposal
- TCL invites representatives of all shareholder councils and ECan to a site tour of the Coast Farm in mid 2007
- Copies of this proposal document will be provided to all shareholder councils and ECan with the invitation
- Shareholder councils and ECan will be given a period of approximately three months to consider the proposal
- TCL Board members and CWS staff will be available during that period to talk with individual councils and respond to any queries
- A formal response from shareholder councils and/or ECan will be sought by mid August 2007

Details relating to Coast Farm are summarised below:

- Legal access is currently via Mt Cass Road within the Hurunui district. At present vehicular access is via Tiromoana Station farm tracks. There are a number of options to provide public access.
- Coast Farm has a 5 km coastal frontage. Elevation varies from seal level to 300m amsl.
- The slopes and gullies are predominately covered in Kanuka shrubs.
- The coastal flats are used for grazing and winter feed cropping.
- Water-ways are small and isolated.
- The coastal flats and bush clad gullies attract a variety of wildlife including native species.
- Factors contributing to the overall amenity of the area include:
  - The relative isolation and the very small number of houses in the area;
  - The rural character;
  - The visual pattern created by the combination of the varied topography and the regenerating native bush in the gullies;
  - The views out to the sea;
  - The recreational opportunities (described below);
  - The nearby conservation area and scenic reserve.
- The Coast Farm is a viable farm and is suitable for a one person operation carrying 4100 stock units.

- The Coast Farm is predominately located outside of any environments of special concern or any particular management areas. It is not identified as an outstanding landscape in the Hurunui District Plan. The Coast Farm will contain covenants on the title prohibiting future subdivision or residential use.
- The farm has reticulated stockwater and single phase power.
- The farm has location relationships with Tiromoana bush land and the DOC Scenic Reserve.
- Potential recreational uses include:
  - Walking
  - Mountain biking
  - Orienteering
  - Camping
  - Fishing
  - Surfing
  - Swimming
- Potential conservation uses include:
  - Nature walking
  - Bird watching
  - Native forest protection and restoration
  - Tree planting
  - Wildlife reserve
- Potential educational uses include:
  - Conservation programmes
  - Outdoor education programmes
  - Farming programmes
- Because of the wide range of potential activities that could take place, the farm would need sound management.  
Management options include:
  - By one of the shareholder councils
  - The shareholder councils as a group
  - Through a coordinating body
  - The Regional Council
- The property could be managed as a farm park with farming activities integrated into the overall public use activity.
- Farming activities could provide a source of income.
- Ownership options include:
  - Regional reserve or park which could be held and managed by ECan;
  - Local reserve;
  - Fee simple body corporate where one or any combination of councils acquire the property to use as a commercial recreational venture.

While an area such as this would have some benefits regionally, the advantage the Ashburton district may be limited because of the following:

- It is remote from the district;
- No guarantee of income from farming operations and farming operations carry some financial risks;

- There are more appropriate organisations that could / should become involved in establishing the Coast Farm as a reserve or other regional use;
- Cost versus benefits to the Ashburton community;
- Involvement in an asset outside the district where the district may have limited ability to influence establishment and operations;
- Could be considered inconsistent with the Long Term Council Community Plan which focuses on primarily activities within the district and the districts resident community and visitors.

#### **4.6.4 OPTIONS**

Options available to Council are as follows:

*Option 1: be a party to the purchase and development of Coast Farm.*

*Option 2: does not support the purchase of Coast Farm by shareholder councils and not be a party to the purchase and development of Ocean Farm.*

For the reasons identified in the background section of this report, the recommended option is Option 2: that Council does not support the shareholder councils purchasing Coast Farm and that Council not be a party to the purchase or development of Coast Farm.

#### **4.6.5 STATUTORY IMPLICATIONS**

The Local Government Act allows councils to operate outside its district in areas such as regional parks.

#### **4.6.6 CONSULTATION**

There has been no specific consultation with the wider community regarding the purchase of Coast Farm either jointly with other shareholder councils or separately. Hurunui District Council supports the proposal and are investigating other options to acquire if the concept does not receive support from the shareholding councils.

#### **4.6.7 STRATEGIC LINKS**

The purchase of Coast Farm is inconsistent with the outcomes in the Long Term Council Community Plan which have primarily a focus on assets, residents and visitors in the Ashburton district.

#### **4.6.8 FINANCIAL**

Detailed financial implications for the purchase of Coast Farm and Council's contribution were not known at the time this report was written. The area would be farmed and it is expected that there would be no ongoing operating costs. Depending on ownership structures / responsibilities, development as a reserve for public access may require further input.

If the property was to be sold, Council could expect a return of capital. Alternatively if it was taken over by the councils, then the other Transwaste shareholders could expect their share to be purchased. The return to Council if sold could be around \$150,000 from this property (not budgeted for), the cost to Council if purchased could be a similar amount (also not budgeted).

ROB ROUSE  
Operations Manager

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:**

**DATE:** 16 August 2007

**REPORT TO:** Council

**FROM:** Community Services Manager

**SUBJECT:** Staff Delegations

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### 4.7 STAFF DELEGATIONS

#### 4.7.1 SUMMARY

The purpose of this report is to amend certain delegations given to staff by Council. The recommended changes are as a result of recent management structure adjustments. There are no new or increased delegations, simply transfers of responsibilities to reflect the duties of new or changed positions.

#### 4.7.2 RECOMMENDATION

- “1. That the Community Services Manager be given the following delegations –**
- i) the power to enter into contracts up to the following limits
    - within budgeted levels \$150,000
    - emergency expenditure \$50,000within that officer's areas of responsibility;
  - ii) the power to authorise variations to existing contracts within budget and not greater than \$20,000 or ten percent of the contract price, whichever is the lower.
  - ii) Administrative
    - Advertising, public notices
    - Civic ceremonies and functions
    - Road closures
    - Approve distribution of leaflets
    - Street appeals
    - Street parades
  - iv) Regulatory
    - Licensing Secretary – Ashburton District Licensing Agency
  - v) General
    - Legal opinions and professional advice
    - Council seal
    - Official information
  - vi) Authority to approve allocation of community buildings and facilities.
  - vii) Authority to allocate reserves.
  - viii) Approval of applications to take up collections on reserves and beaches.
  - ix) The allocation of staff and pensioner housing as appropriate.
  - x) Remission of burial charges pursuant to Section 49 of the Burial and Cremation Act 1964.
  - xi) Fixing of charges within the limits imposed by the Reserves Act 1977 for the use of Council reserves in conjunction with the Parks Manager.
  - xii) With another delegated officer to open public tenders.
  - xiii) Approval for the erection of commercial signs and sponsorship signs on sports and recreation grounds.
  - xiv) Authority to sign and seal Council documents.
  - xv) Bank Signatory

**2. That the Finance Manager be given the following additional delegations –**

- i) Property
  - Certification of documents
  - Land dealing – caveats etc
  - Leases, tenancies
- ii) The completion of sale and purchase agreements and other relevant documentation, including leases and tenancy agreements when such transactions have been previously approved, in principle, by Council, and to approve the terms and conditions contained therein whether as vendor, purchaser, lessee, landlord or other capacity.
- iii) Authority to seal and sign Council documents.
- iv) Authority to renew leases of property.
- v) Authority to enter into new leases for Council properties on the following basis:
  - (a) That the length of the lease be not more than five years.
  - (b) That the value of the property be not more than \$200,000.

**3. That the following delegations be removed from the Corporate Services Manager area of authority –**

- i) Property
  - Certification of documents
  - Land dealing – caveats etc
  - Leases, tenancies
- ii) Administrative
  - Advertising - Public Notices
  - Civic Ceremonies & Functions
  - Road Closures
- iii) Regulatory
  - Licensing - Secretary Ashburton District Licensing Agency
- iv) Authority to approve allocation of community buildings and facilities.
- v) Authority to allocate reserves.
- vi) The completion of sale and purchase agreements and other relevant documentation, including leases and tenancy agreements when such transactions have been previously approved, in principle, by Council, and to approve the terms and conditions contained therein whether as vendor, purchaser, lessee, landlord or other capacity.
- vii) Approval of applications to take up collections on reserves and beaches.
- viii) Approval for the erection of commercial signs and sponsorship signs on sports and recreation grounds.
- ix) The allocation of staff and pensioner housing as appropriate.
- x) Termination of tenancies of Council property for non-compliance with tenancy agreements.
- xi) Remission of burial charges pursuant to Section 49 of the Burial and Cremation Act 1964.
- xii) Fixing of charges within the limits imposed by the Reserves Act 1977 for the use of Council reserves in conjunction with the Parks Manager.
- xiii) Authority to renew leases of property.
- xiv) Authority to enter into new leases for Council properties on the following basis:
  - (a) That the length of the lease be not more than five years.
  - (b) That the value of the property be not more than \$200,000.

**J G ROLLINSON**  
**Community Services Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 6/4/1  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Environmental Services Manager  
**SUBJECT:** Delegations to Staff – Environmental Health Officer & General Inspectors

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### 4.8 DELEGATIONS TO STAFF – ENVIRONMENTAL HEALTH OFFICERS & GENERAL INSPECTOR

#### 4.8.1 SUMMARY

This report is intended to result in appropriate delegations being granted to staff, to empower them to act in their respective roles.

#### 4.8.2 RECOMMENDATION

“That Council delegates authority to act in accordance with the provisions of the Health Act 1956, Local Government Act 2002, Resource Management Act 1991, Building Act 2004, the Sale of Liquor Act 1989, the Litter Act 1979 and the Fencing of Swimming Pools Act 1987, to the following staff:

- Adrian John Humphries – Environmental Health Officer
- Magnus Viljoen – Environmental Health Officer
- Alison Batchelor – Environmental Health Officer & Liquor Licensing Inspector
- Charlotte Spilmann – General Inspector & Building Official.”

#### 4.8.3 BACKGROUND

With changes in staff and legislation it is important that staff hold appropriate delegations to enable them to discharge their responsibilities that are set out in their job descriptions.

#### 4.8.4 OPTIONS

There are no other options available to the Council if functions under the Building Act 2004 are to be carried out.

#### 4.8.5 STATUTORY IMPLICATIONS

There are significant statutory implications with this new legislation. This report is based on legal advice received by the Council to enable statutory compliance.

#### 4.8.6 CONSULTATION

The Council is not required to carry out consultation in delegating normal regulatory functions.

#### 4.8.7 STRATEGIC LINKS

The delegations referred to in this report enable the strategic directions of the Council to be fulfilled.

#### 4.8.8 FINANCIAL

Adequate financial provision has been made for the conduct of staff functions subject to this report.

JOHN McKENZIE  
Environmental Services Manager

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 6/4/1  
**DATE:** 7 August 2007  
**REPORT TO:** Environmental Services Committee  
**FROM:** Environmental Services Manager  
**SUBJECT:** Delegations To Staff – Building Act 2004 & Fencing of Swimming Pools Act 1987.

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### 4.9 DELEGATIONS TO STAFF – BUILDING ACT 2004 & FENCING OF SWIMMING POOLS ACT 1987

#### 4.9.1 SUMMARY

As the Building Act 2004 takes effect, it has introduced the need to update the delegations to staff who perform functions under this Act, this report deals with this requirement.

#### 4.9.2 RECOMMENDATION

“That Council delegates authority to act in accordance with the provisions of the Building Act 2004 and the Fencing of Swimming Pools Act 1987, as detailed in the attached schedule, to the following staff –

- Brian Lester – Chief Executive Officer
- John James McKenzie – Environmental Services Manager
- John Nelson Bruce – Building Official
- Leonard Blaise Schimanski – Building Official
- Robert Alastair Banks – Building Official
- Michael John Farrell – Building Official
- James Stephen Linney – Building Official.”

#### 4.9.3 BACKGROUND

The Building Act 2004 was first enacted on 30 November 2004. New functions were created for Territorial Local Authorities performing functions and many of these are being phased in over several years. Simpson Grierson Solicitors have now advised the Council on the content and detail of delegations necessary for Building Officials acting for the Council.

#### 4.9.4 OPTIONS

There are no other options available to the Council if functions under the Building Act 2004 are to be carried out.

#### 4.9.5 STATUTORY IMPLICATIONS

There are significant statutory implications with this new legislation. This report is based on legal advice received by the Council to enable statutory compliance.

#### 4.9.6 CONSULTATION

The Council is not required to carry out consultation in delegating normal regulatory functions.

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#### **4.9.7 STRATEGIC LINKS**

The delegations referred to in this report enable the strategic directions of the Council to be fulfilled.

#### **4.9.8 FINANCIAL**

Adequate financial provision has been made for the conduct of staff functions subject to this report.

JOHN McKENZIE  
**Environmental Services Manager**

# Updated Regulatory/Building Act Delegation

## Building Act – Chief Executive Officer Officer

The Council delegates to the Chief Executive Officer or their appointee for the time being of the Council, pursuant to Section 232 of the Building Act 2004 and clause 32 of Schedule 7 of the Local Government Act 2002. All of its functions, powers and duties under the Building Act 2004 other than:

- a the authority to approve the transfer of functions, powers or duties to other Territorial Authorities under Section 233 of the Act;
- b the authority to fix charges in terms of Section 219 of the Act.

## Building Act – Environmental Services Manager

1 Pursuant to Section 232 of the Building Act 2004 and Clause 32 of Schedule 7 of the Local Government Act 2002 but subject to the conditions attached hereto, the Council, through its Chief Executive Officer delegates to the Environmental Services Manager all of its functions, powers and duties under the Building Act 2004 other than:

- a) the authority to approve the transfer of functions, powers or duties to other Territorial Authorities under Section 233 of the Act;
- b) the authority to fix charges in terms of Section 219 of the Act;
- d) this power of delegation.

### Conditions

- 2 The functions, powers and duties conferred by this Instrument of Delegation shall not be further delegated to any other person.
- 3 This Instrument of Delegation may be amended, altered or revoked by the Council at any time.

## Building Act – Building Officials

Pursuant to the provisions of Section 232 of the Building Act 1991 and Clause 32 of Schedule 8 of the Local Government Act 2002 and subject to the conditions attached hereto, the Council through its Chief Executive Officer, delegates to the Environmental Services Manager for the time being of Council, such of its functions, powers and duties under the Building Act 2004 as are listed in the schedule hereto.

### Schedule of Delegation

- 1 To determine if any project information memorandum already issued contains an error or omission or determine if any information received affects that project information memorandum and re-issue the project information memorandum pursuant to Section 34(4) of the Act.

- 2 To determine if a development contribution is payable in relation to proposed building work and attach a development contribution notice to the project information memorandum relating to that work pursuant to Section 36 of the Act, or to impose charges in accordance with the current Council Schedule of Fees.
- 6 To determine whether a resource consent will or may materially affect proposed building work and attach a resource consent certificate to the project information memorandum relating to that work pursuant to Section 37 of the Act.
- 7 To determine whether the application affects a registered historic place, historic area, wahi tapu or wahi tapu area and to notify that application to the Historic Places Trust, if required, in accordance with the provisions of Section 39 of the Act.

### Conditions

- 8 The functions, powers and duties conferred by this Instrument of Delegation shall only be exercised by the delegate in consultation with either the Chief Executive Officer, or the Environmental Services Manager, or the Senior Building Official.
- 9 The functions, powers and duties conferred by this Instrument of Delegation shall not be further delegated to any other person.
- 10 This Instrument of Delegation may be amended, altered or revoked by the Council at any time.

### **Project Information Memoranda**

(Section of act)

- 33 To determine the adequacy of information received with an application for a project information memorandum and require further information on an application pursuant to Section 33 of the Act.
- 34(1) To issue project information memoranda pursuant to Section 34(1) of the Act.
- 34(4) To determine if any project information memorandum already issued contains an error or omission, or determine if any information received affects that project information memorandum, and re-issue the project information memorandum pursuant to Section 34(4) of the Act.
- 35 To decide what information needs to be included in a project information memorandum pursuant to Section 35 of the Act.

### **Building Consents**

- 45 & 48(2) To determine the adequacy of information received with a building consent application or an application for an amended building consent, and require further information on the application pursuant to Sections 45 and 48(2) of the Act.

- 48 To process building consent applications and have regard to any New Zealand Fire Service Commission memorandum and whether any warning or ban applies to any building method or product that will or may be used in relation to any application pursuant to Section 48 of the Act.
- 49 To determine whether the provisions of the building code would be met if building work were properly completed in accordance with a building consent application, and grant building consents pursuant to Section 49 of the Act.
- 50 To determine whether to refuse any building consent and give written notice of the refusal and the reasons pursuant to Sections 50 of the Act.
- 51 To issue building consents pursuant to Section 51 of the Act.
- 52 To determine applications for extension of time in which to commence building work pursuant to Section 52 of the Act.
- 54 To advise a building consent applicant of the amount of levy for a building consent pursuant to Section 54 of the Act.
- 67 To determine whether a building consent is granted subject to a waiver or modification of the building code and impose any conditions considered appropriate pursuant to Section 67 of the Act.
- 71-73 To determine all matters relating to the grant or refusal of a building consent for the construction of a building, or major alterations to a building on land subject to natural hazards, including granting any waiver or modification of the building code in respect of the hazard concerned and imposing any conditions on the grant of the consent pursuant to Sections 71-73 of the Act.
- 74 To determine if any hazardous land entry on a certificate of title is no longer required pursuant to Section 74 of the Act.

### **Code Compliance Certificates**

- 93-94 To determine all matters relating to whether a code compliance certificate will be issued, including requiring further information, and issue code compliance certificates pursuant to Sections 93-94 of the Act.

### **Certificates of Acceptance**

- 96-98 To determine whether to grant or refuse an application for a certificate of acceptance and issue certificates of acceptance pursuant to Section 96 and 98 of the Act.
- 98(2) To require further information on an application for a certificate of acceptance pursuant to Section 98(2) of the Act.
- 99 To determine whether any qualification should be made and make any such qualifications on any certificate of acceptance pursuant to Section 99 of the Act.

## **Compliance Schedules and Building Warrants of Fitness**

- 110 To require production of annual written reports on compliance schedules pursuant to Section 110 of the Act.

## **Alterations/Changes of Use, etc.**

- 112 To determine all matters in relation to alterations to an existing building, including whether or not to grant a building consent for an alteration to an existing building that will not comply fully with the relevant provisions of the building code pursuant to Section 112 of the Act.
- 113 To determine conditions and issue building consents for buildings with specified intended lives pursuant to Section 113 of the Act.
- 115 To determine whether to permit the change of use of a building and give written notice to the owner pursuant to Section 115 of the Act.
- 116(1) To determine whether to permit the extension of life of a building with a specified intended life pursuant to Section 116(1) of the Act.
- 116(2) To determine whether to give effect to a subdivision that affects a building permit to Section 116(2)-(3) of the Act.

## **Dangerous, Earthquake-Prone and Insanitary Buildings**

- 121 To determine whether a building is dangerous, including seeking advice from the New Zealand Fire Service, and having regard to the advice pursuant to Section 121 of the Act.
- 122 To determine whether a building is earthquake-prone pursuant to Section 122 of the Act.
- 123 To determine whether a building is insanitary pursuant to Section 123 of the Act.

## **Notices to Fix**

- 164 To determine whether any of the circumstances in Section 164(1) apply and issue notices to fix. Determine whether another authority should issue a notice to fix and notify and give reasons to the other authority pursuant to Section 164 of the Act.
- 165 To determine the content of any notices to fix pursuant to Section 165 of the Act.
- 167(1) To inspect, or arrange for an authorised agent to inspect, the building work to which any notice to fix relates pursuant to Section 167(1) of the Act.
- 167(2), (4) To confirm or refuse that any notice to fix has been complied with. Give written reasons where a notice to fix is not confirmed and issue further notices to fix pursuant to Sections 167(2) and 167(4) of the Act.

## Conditions

Those functions, powers and duties conferred by this Instrument of Delegation relating to Sections 121, 122, 123 and 164, of the Act shall only be exercised by the delegate in consultation with the Environmental Services Manager or Chief Executive Officer or Senior Building Official.

The functions, powers and duties conferred by this Instrument of Delegation shall not be further delegated to any other person.

This Instrument of Delegation, may be amended, altered or revoked by the Council at any time.

## Compliance Schedules and Building Warrants of Fitness

- 102 To issue a compliance schedule pursuant to Section 102 of the Act.
- 103 To determine the content of a compliance schedule pursuant to Section 103 of the Act.
- 106 To determine applications to amend a compliance schedule and give written notice to the owner of the decision to amend and attach a copy of an amended compliance schedule to the notice, or given written notice of any refusal to amend a compliance schedule and the reasons for that refusal pursuant to Section 106 of the Act.
- 107 To determine whether an amendment to a compliance schedule is required and advise the owner and consider any submissions made by the owner in relation to the proposed amendment. Give written notice to the owner of any decision to amend and attach a copy of an amended compliance schedule to the notice pursuant to Section 107 of the Act.
- 109 To consider and determine a licensed building practitioner's recommendation to amend a compliance schedule, advise the owner and consider any submissions made by the owner in relation to the recommendation. Give written notice to the owner of any decision to amend the compliance schedule pursuant to Section 109 of the Act.

## Matters Relating to Determinations

- 177 To apply to the Chief Executive of the Department of Building & Housing for a determination pursuant to Section 177 of the Act.
- 178 Make a submission on or appear at any determination hearing pursuant to Section 178 of the Act.
- 180 To withdraw any application for a determination pursuant to Section 180 of the Act.
- 189 To apply for the clarification of a determination pursuant to Section 189 of the Act.

To be an authorised enforcement officer pursuant to Section 229 of the Act.

## Conditions

Those functions, powers and duties conferred by this Instrument of Delegation relating to Sections 177, 178, 180 and 189 of the Act shall only be exercised by the delegate in consultation with the Environmental Services Manager and the Senior Building Official or Council's Chief Executive Officer and the Senior Building Official.

The functions, powers and duties conferred by this Instrument of Delegation shall not be further delegated to any other person.

This Instrument of Delegation, may be amended, altered or revoked by the Council at any time.

## **Fencing of Swimming Pools Inspectors**

Pursuant to Section 11 of the Fencing of Swimming Pools Act 1987 Council authorises its Fencing of Swimming Pool Inspectors under Section 11(1) for the purposes of enforcement of this Act and identifies the scheduled officers as warrant holders under Section 11(4)

[Council report attachment – 16/08/07]

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 2/35/1  
**DATE:** 9 August 2007  
**REPORT TO:** Council  
**FROM:** Community Consultation Manager  
**SUBJECT:** Annual NRB Residents Survey

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### 4.10 ANNUAL NRB RESIDENTS SURVEY

#### 4.10.1 SUMMARY

The attached report summarises the results of the 2007 NRB survey of Ashburton District residents. *Pages*

#### 4.10.2 RECOMMENDATION

“That the report be received.”

#### 4.10.3 BACKGROUND

Each year the Council commissions an independent survey of Ashburton District residents to ascertain community satisfaction with Council services and performance and to gather information on resident’s views on topical issues. This survey enables Council to monitor performance targets set in the Community Plan 2006-2016 and the Annual Plan. A summary report and the full results of the 2007 survey are attached to this report.

#### 4.10.4 OPTIONS

Not applicable.

#### 4.10.5 STATUTORY IMPLICATIONS

Not applicable.

#### 4.10.6 CONSULTATION

Not applicable.

#### 4.10.7 STRATEGIC LINKS

Various.

#### 4.10.8 FINANCIAL

Not applicable.

GAVIN THOMAS  
Community Consultation Manager

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 10/4/1  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Community Consultation Manager  
**SUBJECT:** Elderly Persons Housing Survey

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### 4.11 ELDERLY PERSONS HOUSING SURVEY

#### 4.11.1 SUMMARY

The attached report presents the results of the 2007 tenant satisfaction survey for residents in Ashburton District Council elderly persons housing units.

#### 4.11.2 RECOMMENDATION

“That the information be received.”

#### 4.11.3 BACKGROUND

Each year the Council carries out a client satisfaction survey for its elderly persons housing activity. The results of the 2007 surveys are attached to this report for the information of the Committee.

#### 4.11.4 OPTIONS

Not applicable.

#### 4.11.5 STATUTORY IMPLICATIONS

There is no statutory requirement that the Council survey client satisfaction of tenants in its elderly persons housing units, but this information will be reported in the Annual Report and assists the Council to monitor the performance of these agencies.

#### 4.11.6 CONSULTATION

Not applicable.

#### 4.11.7 STRATEGIC LINKS

##### Community Outcomes:

Outcome 5: Healthy, active people enjoying a good quality of life in a caring and safe community.

- A caring community that supports the elderly and helps others in need.

#### 4.11.8 FINANCIAL

There are no financial implications associated with this report.

GAVIN THOMAS  
Community Consultation Manager

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 3/7/7  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Community Consultation Manager  
**SUBJECT:** Ashburton District Tourism Survey

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### 4.12 ASHBURTON DISTRICT TOURISM SURVEY

#### 4.12.1 SUMMARY

The attached report presents the results of the 2007 survey of client satisfaction for Ashburton District Tourism.

#### 4.11.2 RECOMMENDATION

“That the information be received.”

#### 4.12.3 BACKGROUND

Each year the Council carries out a client satisfaction survey for Ashburton District Tourism. This survey enables Council to monitor performance targets set for Ashburton District Tourism in the Community Plan 2006-2016 and the Annual Plan. The results of the 2007 surveys are attached to this report for the information of the Committee.

#### 4.12.4 OPTIONS

Not applicable.

#### 4.12.5 STATUTORY IMPLICATIONS

Not applicable

#### 4.12.6 CONSULTATION

Not applicable.

#### 4.12.7 STRATEGIC LINKS

**Community Outcomes:**

Outcome 1: A thriving and diverse local economy that provides the foundation for a quality lifestyle

Outcome 6: A community with access to a variety of cultural, recreational and heritage experiences and facilities that enrich our quality of life

#### 4.12.8 FINANCIAL

Not applicable.

GAVIN THOMAS  
**Community Consultation Manager**

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## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 3/7/7 & 1/3/19  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Community Consultation Manager  
**SUBJECT:** Enterprise Ashburton Survey

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### 4.13 ENTERPRISE ASHBURTON SURVEY

#### 4.13.1 SUMMARY

The attached report presents the results of the 2007 survey of client satisfaction for Enterprise Ashburton.

#### 4.13.2 RECOMMENDATION

“That the information be received.”

#### 4.13.3 BACKGROUND

Each year the Council carries out a client satisfaction survey for Enterprise Ashburton. This survey enables Council to monitor performance targets set for Enterprise Ashburton in the Community Plan 2006-2016 and the Annual Plan. The results of the 2007 surveys are attached to this report for the information of the Committee.

#### 4.13.4 OPTIONS

Not applicable.

#### 4.13.5 STATUTORY IMPLICATIONS

Not applicable.

#### 4.13.6 CONSULTATION

Not applicable.

#### 4.13.7 STRATEGIC LINKS

**Community Outcomes:**

Outcome 1: A thriving and diverse local economy that provides the foundation for a quality lifestyle

#### 4.13.8 FINANCIAL

Not applicable.

GAVIN THOMAS  
**Community Consultation Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:** 9/10/1  
**DATE:** 16 August 2007  
**REPORT TO:** Council  
**FROM:** Community Services Manager  
**SUBJECT:** Ashburton Promotions Association

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### 4.14 ASHBURTON PROMOTIONS ASSOCIATION

#### 4.14.1 SUMMARY

To redistribute assets of the Ashburton Promotion Association.

#### 4.14.2 RECOMMENDATION

“That the assets of the former Ashburton Promotions Association pass into the ownership of the Ashburton District Tourism Development Board Charitable Trust.”
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#### 4.14.3 BACKGROUND

On 30 July 2007, the Ashburton Promotions Association was wound up. This was done as part of an exercise to merge the district's two i-SITE visitor centres with Ashburton District Tourism amalgamating all three bodies into one charitable trust. Managers of the two centres will now report to the Tourism Board.

Upon winding up the assets of the Association reverted to the Ashburton District Council.

#### 4.14.4 OPTIONS

1. Council retains the assets. These consist of office fixtures, fittings, pc's, printers etc.
2. As recommended. There is little point in taking responsibility for chattels outside of Council's everyday sphere of management.

#### 4.14.5 STATUTORY IMPLICATIONS

Nil.

#### 4.14.6 CONSULTATION

Not applicable.

#### 4.14.7 STRATEGIC LINKS

Not applicable.

#### 4.14.8 FINANCIAL

Not applicable.

J G ROLLINSON  
Corporate Services Manager

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 3/4/4/1  
DATE: 16 August 2007  
REPORT TO: Council  
FROM: Community Consultation Manager  
SUBJECT: Major Community Projects Funding Applications

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### 4.15 MAJOR COMMUNITY PROJECTS FUNDING APPLICATIONS

#### 4.15.1 SUMMARY

Council has received one application for funding from the Major Community Projects grants from the Ashburton Aviation Museum, seeking \$100,000 in funding for their proposed "Super Hangar". Councillors received information regarding this project through a submission to the Annual Plan 2007/ 08 from the Ashburton Aviation Museum requesting grant funding for the project. Updated and/ or further information regarding this application is included with this report.

*Pages*

Council has also received an application for reserve contribution funding from Rakaia Courts who are requesting funding for unforeseen costs associated with their project to upgrade the courts at the Rakaia Domain. Council may want to consider providing funding for this project from the Major Community Projects budget.

#### 4.15.2 RECOMMENDATION

- "1. That Council provides grant funding to the Ashburton Aviation Museum Society of \$93,000 from the Major Community Projects budget.
2. That Council provides grant funding to the Rakaia Courts Revamp Committee of
  - a) \$7,000 from the Major Community Projects budget; and
  - b) \$13,000 from the reserve contributions account."

#### 4.15.3 BACKGROUND

##### **Ashburton Aviation Museum "Super Hangar"**

The Ashburton Aviation Museum Society was founded in 1974 with the aim of preserving and recording civil and military aviation history. It opened its first museum display hangar in 1991 and has completed numerous aircraft acquisition and/ or restoration projects including a Harvard, Tiger Moth, Canberra B2, and a Harrier jet fighter.

The current project the society is seeking funding for involves the construction of a new "Superhangar" to house and display aircraft and to be the "home" of the Southern DC3 Trust's operational aircraft, which will be operated as a "heritage airliner" for the benefit of all New Zealanders. Also planned as part of the project is an annex building that will provide café facilities, a 50 seat theatrette, a memorial wall, shop and other services.

Total cost of the project is currently estimated at \$750,000. The Society has raised \$415,000 to date through grants, donations and gifts and has had 23 contractors and individuals provide services and goods estimated to value \$50,000. Site preparation for the project is intended to begin in October 2007, subject to permits, consents and funding.

**Major Community Projects Funding Criteria:** The Society is seeking funding from Council's Major Community Projects fund of \$100,000. This is 15% percent of the project costs – the normal maximum allowable under Council's policy on Major Community projects.

The project meets all the criteria of the policy:

Qualifying organisations will be charitable trusts or incorporated societies -

1. Whose object or principal objects are in keeping with the ideals of the Local Government Act, ie providing recreation, enjoyment, education or instruction of the public, or promoting any form of culture
2. That operate primarily in the Ashburton district
3. That provide or will provide a facility that is available or accessible to all of the residents of the district
4. That are not for profit organisations.

The purpose of the fund will be to assist or facilitate major projects which will be of significance to the recreational or cultural wellbeing of the residents of the district or which will bring wider recognition of the district while promoting the interests of its residents.

The fund is intended to assist major projects of significance to the district and may be initiated by a qualifying organisation or by the Council. When considering applications, Council will take the following matters into account:

- i. fundraising undertaken by the applicant
- ii. ability of the applicant to manage the project
- iii. benefits to the community
- iv. other avenues of funding available to the applicant and
- v. other grants already received by the applicant from this fund.

No upper or lower limit is imposed, however Council will generally observe a guideline of contributing not more than 15% of the total cost of the project. The fund may accumulate for up to two years but will not at any time exceed \$200,000.

### **Contribution to Community Outcomes**

The Ashburton Aviation Museum Society's project can be expected to contribute to the following Ashburton District community outcomes.

Outcome 3: A community with a strong sense of identity and heritage, which welcomes new residents and encourages diversity.

Strategic Objectives:

- b. A district that has a strong sense of identity and people who participate in community life(Priority Objective)
- d. A community which recognises and preserves the cultural and social heritage of our district

Outcome 6: A community with access to a variety of cultural, recreational and heritage experiences and facilities that enrich our quality of life.

Strategic Objectives:

- a. Cultural, recreational and heritage experiences and facilities are accessible to the community and actively used
- b. Cultural, recreational and heritage facilities are maintained and developed to meet community needs (Priority Objective)

### **Recommendation**

This project clearly meets the criteria of Council's Major Community Projects grants policy and is likely to contribute strongly to promoting the social and cultural wellbeing of our community. The project is also likely to bring visitors to the district and to enhance the reputation of the district at a regional and national level.

It is recommended that Council provide funding from the Major Community Projects fund of \$93,000.

### **Rakaia Courts Project**

The Rakaia Hockey, Netball and Tennis Clubs, the Rakaia Reserves Board, and the Rakaia Community Association are jointly undertaking a project to upgrade the court facilities at the Rakaia Domain. What is planned is:

- The resurfacing of two tennis courts in synthetic tennis turf enabling tennis matches and hockey practice on the new surface
- The realignment and resurfacing of the remaining two tennis courts in asphalt on which tennis and netball will be able to practice and play matches.
- Upgrading the lighting of the entire complex
- Dismantling an old fence and erecting a new three metre wire mesh and galvanized pipe fence

The project has been revised to remedy unforeseen ground quality conditions and to provide a higher quality facility than originally budgeted for, resulting in the project being more costly than initially budgeted. Specifically these are:

- a. Requirement to excavate substandard foundation material – cost \$11,138
- b. New fence not originally budgeted – cost \$4,500
- c. Upgrading to higher quality court surface on one court – cost \$10,990
- d. Upgrading to higher quality lighting - \$7,990

Total additional proposed expenditure is \$34,618. This brings the total cost of the project to \$201,118. The project committee has written to Council seeking a further \$20,000 from reserve contributions.

The project Committee has raised \$172,800, some of which is yet to be collected. This amount includes \$22,500 provided by Council from reserve contributions.

The financial statement for the project shows that to date the Rakaia Reserves Board has not contributed funding for this project, which the Board should consider as core business. The Rakaia Reserves Board is currently in the process of having a crop of pine trees harvested and sold on its behalf which should net the Board in excess of \$150,000. An argument could be made for the Board to contribute to this project. Conversely, the Board has advised that it expects to be required to fund a shortfall in the user's contributions for the project to the order of \$20 – 30,000. The harvest proceeds are also expected to cover the Board's outgoings for up to 30 years.

### **Major Community Projects Funding Criteria:**

The project committee is seeking a further \$20,000 from Council reserve contributions to fund the shortfall detailed above. Council may wish to consider providing some funding from the Major Community Projects budget as the project meets most of the criteria of the policy for that fund.

The total cost of the project is \$201,118. The criteria states Council will not normally fund more than 15% of a project which is \$30,167.70. Council has already provided \$22,500 from reserve contributions, leaving \$7,667 to stay within the criteria. Council can decide to go outside the normal limit if it considers this appropriate.

#### **Contribution to Community Outcomes**

These were detailed in the report to Council last year regarding the initial application to Council for funding.

#### **Recommendation**

This project meets the criteria of the Major Community Projects fund and is clearly an important project for the people involved and the people of Rakaia and surrounding districts.

The Rakaia Reserves Board appears committed to contributing significant funds from the sale of its pine plantation trees to this project.

It is recommended that Council provide funding of \$7,000 from the Major Community Projects fund and \$13,000 from reserve contributions.

#### **4.15.4 OPTIONS**

Included in the discussion above.

#### **4.15.5 STATUTORY IMPLICATIONS**

Not applicable.

#### **4.15.6 CONSULTATION**

Not applicable.

#### **4.15.7 STRATEGIC LINKS**

Included in the discussion above.

#### **4.15.8 FINANCIAL**

Dependant on the funding mechanism used.

GAVIN THOMAS  
**Community Consultation Manager**

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 3/4/4/1  
DATE: 16 August 2007  
REPORT TO: Council  
FROM: Community Services Manager [SUPPLEMENTARY REPORT]  
SUBJECT: Major Community Projects Funding Applications

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### 4.15 MAJOR COMMUNITY PROJECTS FUNDING APPLICATIONS Supplementary Report

#### 1. SUMMARY

A late application (13 August 2007) has been received for assistance from this fund. The applicant organisation understood the closing date to be 27 August 2007.

#### 2. RECOMMENDATION

- “1. That Council allows the late filing of an application to the Major Community Project Fund from the Ashburton Branch of the New Zealand Vintage Car Club (Inc).
2. That the Major Community Projects fund be allocated as follows:
- |                                   |           |
|-----------------------------------|-----------|
| NZ Vintage Car Club Ashburton Inc | \$16,300  |
| Ashburton Aviation Museum         | \$83,700  |
| Total                             | \$100,000 |
3. That the Rakaia Courts Revamp Committee be granted the sum of \$20,000 to be funded from the Reserves Contribution fund.”

#### 3. BACKGROUND

The Vintage Car Club was founded in 1968 and has a membership in excess of 260. The Club is planning an extension to its present museum which will provide improved display areas, a library and archives area, a meeting room, kitchen and upgraded toilets. They have applied for \$50,000.

The cost of the project including GST is \$146,169 (quotes provided). The Club has raised approximately half the amount required over 10 years and has decided that Stage 1 should commence to avoid the cycle of cost increases. A grant application is also being made to the Mid-South Canterbury Community Trust.

#### **Contribution to Community Outcomes**

The improved and enlarged facility contributes to community outcomes in exactly the same way as the application from the Aviation Museum Society.

#### **Recommendation**

This project meets the criteria in all respects.

If Council is minded to grant the application from a maximum fund of \$100,000 the two projects could share the fund pro rata as follows:

Ashburton Aviation Museum	\$83,690
---------------------------	----------

Vintage Car Club

\$16,310

If this late application to the Major Community Project fund is allowed it is recommended that the Rakaia application be treated simply as an application to the Reserves Contribution fund. If that is accepted then the two Major Community Project applications are entitled to up to 15% of their respective applications. Given that the two applications have equal merit then the suggested appropriation of the fund is based on the following:

	<b>Total Cost of Project</b>	<b>15% of Total Cost</b>	<b>Pro-rata Allocation</b>	<b>Rounded</b>
Vintage Car Club	146,169	21,925	16,310	16,300
Aviation Museum	750,000	112,500	83,690	83,700
Totals	896,169	134,425	100,000	100,000

J G ROLLINSON  
**Community Services Manager**

16 August 2007

## ASHBURTON DISTRICT COUNCIL REPORT

FILE NO: 2/24/3  
DATE: 16 August 2007  
REPORT TO: Council Meeting  
FROM: Chief Executive  
SUBJECT: LGNZ Conference Report

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### 4.16 LOCAL GOVERNMENT NEW ZEALAND CONFERENCE / AGM DUNEDIN — 15 – 18 July 2007

#### 4.16.1 Opening

The theme of the conference was 'Investing in our Future'. The opening began with a welcome by the Mayor of Dunedin, Peter Chin. An interesting expose of Dunedin and its people was concluded with a solo song based on the current issues in Dunedin.

The President of LGNZ, Basil Morrison, followed with a more serious focus on issues coming up, in particular:

- roading, acknowledging the Government fully allocating funds from RUC and petrol taxes, but concerns over the lack of action on increasing the FAR rate. Efforts from the sector will continue on this issue.
- Drinking Water Standards. That the proposed legislation is both unnecessary and unjust. The Drinking Water Assistance programme was inadequate at \$150 million, compared to the estimated cost of implementation at \$800 million.
- the challenges facing our communities regarding flood risk management
- the coming release of the findings from the rates inquiry

The Minister of Local Government, Mark Burton's address referred to:

- the coming review of funding local government
- the importance of the central / local government partnership
- the need for local government to embrace shared service provision
- an undertaking to review the rates rebate scheme by the end of this financial year (currently 106,000 have benefited)
- the challenge for further work in waste minimisation / recycling
- the need for a new look at dog control measures
- the challenge to improve communications with communities regarding the sustainability challenges ahead

#### 4.16.2 *Sir Michael Lyons, Advisor to the British Government*

Sir Michael chaired the 'Lyon Inquiry into Local Government' from 2004-07. The inquiry was initially on finance, then to role and function. It was a continuation of a 30 year debate (Legfield 74/76, Thatcher 1990, 1993). Key issues were what do local government do in the 21<sup>st</sup> century, the balance between central government grants and local taxation, fairness – who pays, acceptability of differences between councils / communities, and how to ensure a vigorous and trusted local government. Some interesting differences:

- council tax average 15% of their income
- fees and charges 12%
- central government grants 48%
- business rates (collected nationally) 13%

- rents 5%

He referred to ‘place shaping’, being flexible in levels of service, and doing what the community believes it can afford. Local government is seen as the convenor / co-ordinator of all public services. There were a number of common themes, including unfunded mandates from central government, and “people who do benefit keep quiet, those who do not speak out”.

The key theme of the review was – National Prosperity, Local Choice, Civic Engagement.

Finding focused on:

- local choice, local needs, improved value for money
- efficiency may add value, but really an issue of what we are prepared to pay for, and what we can afford
- local government can increase the size of the cake through economic development

Place shaping refers to:

- promote the general wellbeing of the community
- building / shaping local identity, providing direction
- regulating harmful and disruptive behaviour
- ensuring a cohesive community, that voices are heard
- understanding needs and priorities

Local government is about leadership::

- anticipate future challenges look outside community boundaries
- building trust, being open with information
- looking outward rather than upward (not just about satisfying central government)

The final report identified confused accountability, local revenue is under pressure. Communities need to choose more for themselves to get the balance right, and the need for a ‘grown up debate’ about what we can afford. It identified a need for consistency in services, while recognising that there can be ‘managed differences’. A new constitutional settlement will be developed regarding unfunded mandates.

#### **4.16.3 Rob White, CEO New Zealand Wine Company**

The address was on sustainability, with his company being the first carbon zero certified winery in the world. The message was: *measure – manage – mitigate*

The ‘food miles’ concept has been highjacked by the ‘Buy Local Campaigners’. Their project has led to cost reductions as well as new business opportunities

#### **4.16.4 John Key – Leader of the Opposition**

- shared concerns over unfunded mandates to local government with over 60 pieces of legislation passed over to local government by the current government (7 years)
- expressed concern over the falling voter turnout for elections
- will seek to work closer with local government and share work for more efficient government
- he saw low infrastructure investment in past periods as a wheel clamp, referring to \$60 billion required in the next 10 years, requiring a co-ordinated decision making framework. The need for longer term financing, partnerships and more user charging
- need for better processes for delegating functions to local government including funding
- central government must recognise diverse communities, and central government policies have different impacts — one size does not fit all
- reform in Auckland has to happen, but any review cannot be rushed, there must be clearly defined outcomes and ensure fair representation

He concluded that National can do better than it has in the past with local government, and that it will do.

#### **4.16.5 Sustainability (D Glass)**

The most interesting phase of the conference was a workshop on “sustainability”.

This took the form of a debate on the topic ‘Sustainability is a Journey not a Destination’ followed by questions to each of the six speakers.

The stance adopted by the affirmative was that sustainability had to be planned for the journey to be effective and this necessitated a new culture and continuing enthusiasm. Made good use of the Mad Hatter’s quote to Alice in Wonderland. “*If you don’t know where you are going any road will do*”. Then again from R L Stevenson “*To travel hopefully is better than to arrive*” and the opposition countered by stating that “*joy is always in finishing not in doing*”.

#### **4.16.6 Building Heritage (J Leadley)**

The breakout session was led by Sir Neil Cassels, British Heritage Authority

Key points:

- Obvious difference between UK heritage 2-500 years plus, compared with the New Zealand situation, but remember much Maori heritage is underground.
- Huge differences amongst TLA’s as to what constitutes heritage and concern over the likely cost implications. Need for government to recognise what is local preference, accepting local input.
- Key factor is that buildings must be able to be used, otherwise costs become prohibitive – developers are short term stakeholders.
- Heritage is a very broad picture – must involve landscape, industry, farming, as well as buildings.
- Wellington City is currently adding another 50 items to its schedule which will bring it up to over 500. Interestingly Wellington City Council spent \$5 million upgrading the Embassy Theatre for Lord of Rings premiere. Has just restored St James Theatre at a cost of \$21 million.
- Hutt City has a whole street of state houses on its schedule.

***And from Tim Shadbolt, Mayor Invercargill City (in his own inimitable way) the following: “Making money out of heritage”.***

- “I was approached in February 1993 five months after becoming Mayor by three likely lads wanting help to relocate a few of the endangered Auckland Island pigs to ensure their survival. I found a fund called Mayor’s Contingency Fund with a balance of \$1,320. Seemed too small to warrant keeping so handed it over. Was somewhat surprised to be invited to view a few weeks later, five of the most undernourished porcine specimens I’d ever seen. Years of eating seaweed and seagull eggs to survive had obviously ruined their sex drive to the point of extinction. Thought no more of it till three years later when Council was approached to put a further \$15,000 into the programme. Three years of oats, porridge and brewers grain had turned them into fattest, sexiest 143 pigs on the planet.

Come 2007 and after 14 years of study, scientists have identified a gene with huge possibilities in the treatment of diabetes in humans, in the group. Currently 16 scientists from around the world are based in Invercargill researching this major breakthrough. **And all for \$1320.”**

#### **4.16.7 Creating Effectiveness (N Brown)**

I attended this session which was presented by three speakers who spoke about this topic.

- **Richard Braae, General Manager, Land Transport New Zealand.**
  - His catch phrase was “fix the potholes or is it a road rebuild”, ie get the basics right first and find out what needs to be done, start at the beginning
  - Funding: revenue is rising slowly but cost pressures are on the other side eating in to the extra income
  - Getting value for money is very important. Having well planned programmes is essential for procurement to create value
  
- **Bruce Robertson, Assistant Auditor General**
  - He talked of efficiency through shared services by small LA’s, including arrangements with bigger LA’s
  - Be specific as to what you want to achieve. Be effective  
Efficiency = economics of scale. Viability = access to expertise
  - Support and leadership of Councillors and CEO (all need to be able to work together to be efficient)
  - Need an environment encouraging working together
  - All options assessed
  - A sound business case – benefits outweigh costs
  - Understanding the objectives (how is it going to work)
  
- **David Adamson, CEO, Southland District Council**  
**Drivers for Efficiencies**
  - Economic
  - Enhanced customer services
  - Purchasing power
  - Increasing critical mass
  - Increasing capacity
  - Attracting and affording specialists
  
- **Potential Partners**
  - Other authorities
  - Contractors
  - Consultants
  - Private companies
  - Some SDC agreements now are:
    - Archives
    - Common rate accounts
    - Library access
    - Dog/pound services
  - SDC joint contracts:
    - Regional waste disposal
    - Professional services
    - Street light maintenance
    - Southern rural fire district
  - Issues to grapple with:
    - Loss of control
    - Different cultures and management styles
    - Different customer view

- Training co-ordination
- Managing change
- Ability/willingness to pay
- Weak project management
- Implementation harder to control
- Barriers – “People, People, People”
  - Hidden agendas
  - Lack of trust
  - Equality is paramount
  - Process involves give and take
  - Projects need adequate resources
- The Future: develop/change management skills, involve all stakeholders from inception. Leaders and champions must be found.
- **The Wairarapa Experience**
  - Big is not necessary better. They have worked together on
    - Combined district plan
    - Waste management
    - Wellington regional strategies
    - Environmental health
    - Building and plumbing
    - Road safety
    - Truancy services
    - Workforce trust

***Comments***

We are doing a lot of these things already so it tells us we are on the same track as other councils and well on the way to creating efficiencies.

- **Sherri Torjman – Caledon Institute of Social Policy (Canada)**

The talk was on strong and healthy communities, about resilience. The institute is privately funded, with projects not seeking government assistance in the first instance – if the community does not want it, then you cannot go to government. The fundamental is about getting interested parties together, with the whole becoming greater than the sum of the parts.

**4.16.8 ‘Caring for the baby-boomers’ (J Leadley)**  
***Feedback from breakout session***

- There is no room for a “one size fits all” policy – success only comes with community involvement, problem solving needs a community response.
- Community Plans need to be just that – the expectations of the community.
- Age and experience are one of communities most valuable assets, don’t under-rate or under-utilize their knowledge.
- Porirua City has average annual 9% rate rise. Citizens Revolt Against Politicians (CRAP) formed and hold 3 of 10 seats on Council. Survey showed over 65’s were three times as likely to vote as others.
- Need for much more flexibility in working conditions – many more older people are keen and willing to work, eg 25 hours work + 15 hours volunteering.
- Attendees were impressed with ADC’s Kids Forum concept and wanted details of that and Youth Council.

- Need to constantly promote rates rebate scheme and lobby government to research flat rate cost of energy.
- Working closely with health sector is essential, suitable housing, subsidized mobility scooters, proactive approach to easy access facilities, free parking for over eighties, all help to keep seniors in their own homes.
- Supergrans volunteer service to babysit, report graffiti and litter, all help build communities.
- Expo on positive ageing brought good results.

#### **Key Message**

**Council partnership with “baby boomers” if done properly can benefit whole communities**

#### **4.16.9 Community Boards (D Glass)**

This captured my attention mainly because of a questionnaire we were asked to fill out concerning relationship with our Council and any Community Board under its jurisdiction and I marked our efforts rather poorly which surprised me as most other Community Boards gained 100%. My negatives were:

- Does your Council invite Community Board members to training sessions?
- Do Community Board members attend zone meetings?
- Do Regional Councillors attend Community Board meetings?
- Are Community Board members trained to be Hearing Commissioners?
- Does Community Board chair have a vote at Council meetings?
- Does Community Board chair stay for in committee discussions that are relevant to their area?
- Does Community Board chair have speaking rights at Council?

Having a foot in both camps, namely a Councillor on a Community Board, it would appear that liaison with our Community Board should be revitalized in the next term of Council.

#### **4.16.10 Climate Change — Mitigation / Adaptation**

There was a panel discussion on this issue. The key starting point to the discussion is to not waste time on debating the cause, but accept that things are changing, that there are more frequent extreme events, and how are these best managed.

Local government has a role, as a property owner, a service provider and a community leader. The issue is global, local focus needs greater emphasis on adaptation.

Issues raised included:

- Equity / costs, who is affected, and who pays
- Lack of reliable information (not Aus budgeted \$167 million adaptation)
- District plan effectiveness - communities now less flexible

Starting Points:

- Identify and priorities major risks
- Assign responsibility
- develop options, strategies
- Increase local awareness

#### **4.16.11 Are we there yet – has well being really improved? (N Brown)**

The focus was on community outcomes, and recognised the need to combine forces and work partnerships. In doing so, there is a need to keep it simple, change through persistency and perseverance, be transparent, and tailor strategies to fit the communities’ needs. Smaller areas should not be forgotten.

**Other points: (N Brown)**

- Communities are having improving expectations, the goal posts move every year and you don't get there.
- Community outcomes – combine resources and organizations to monitor outcomes.
- Do the basics first. Community stuff comes second.
- Need information from government agencies to monitor against, eg Msd on unemployment, sickness beneficiaries, pensions, etc.
- All communities want different things, what suits one doesn't suit another.

**4.16.12 David Shand – Chair of Local Government Rates Inquiry**

This inquiry would now have been reported back to government. The address indicated a very thorough review and understanding of the challenges of local government.

**4.16.13 Kyoto Conference report back – Mayor of Auckland, Dick Hubbard**

This address was quite entertaining, while delivering some important messages. He referred globally, that 70% of emissions come from cities. Cities rather than countries will make the difference. He also referred to the myth of pending economic disaster.

Councils need to take a lead role, and make the difference by:

- engaging communities
- setting targets – in order to treasure, we must measure.
- providing incentives (rather than sticks – taxes!)
- develop partnerships

*“The only thing certain in the future is that the future will be uncertain”*

**4.16.14 Closing - David Benson-Pope (then Minister for the Environment)**

Reference was made to the constructive relationship between local and central government. In defending the government's new legislation, he commented that “*we ask for*” in reference to dog control and building changes. Product stewardship for waste management is being developed, good work is progressing on the Sustainable Programme of Action – Water, and the air national standard

He acknowledged the work of the Mayors' Taskforce for Jobs, with youth employment (17-19 year olds) dropping from 17,600 to 900 over the last seven years.

**4.16.15 Summary**

The conference was well worthwhile, while accepting that some sessions can be harder going than others.

Projects undertaken by the Ashburton District Council received interest in discussion at the workshop sessions, including Kids Forum, Wastewater Project, Rural Relief Trust.

While our Council appears to be us there with the best practice, the social sessions are always useful for sharing and learning.

The support of Council in enabling attendance is very much appreciated.

**Mayor Bede O'Malley  
Deputy-Mayor John Leadley  
Chief Executive Brian Lester**

**Councillor Neil Brown  
Councillor Derek Glass**

## ASHBURTON DISTRICT COUNCIL REPORT

**FILE NO:**  
**DATE:** 16 August 2007  
**REPORT TO:** Council [Supplementary Report – refer page 33]  
**FROM:** Chief Executive  
**SUBJECT:** Staff Delegations

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### **4.7 STAFF DELEGATIONS SUPPLEMENTARY REPORT**

#### **4.7.3 Environmental Services Manager**

The Environmental Services Manager has various delegations regarding the departmental operations. Over the next few months, John will be away from the office at regular intervals. While I have the same delegations, I believe in my absence a second delegated authority should be put in place.

In the new year, I expect to bring the full delegations back to Council. In the interim, I believe we need to delegate the authorities of the Environmental Services Manager to the Senior District Planner, Mr Peter Kloosterman.

#### **RECOMMENDATION**

“That the delegations authorised to the Environmental Services Manager be extended to the Senior District Planner.”
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**B LESTER**  
**Chief Executive**