

ASHBURTON DISTRICT COUNCIL

AGENDA

For the Council meeting to be held on

Thursday 20 September 2018

Commencing at 1pm

In the Council Chamber

2 Baring Square East, Ashburton

Council Membership

Donna Favel	Mayor
CrThelma Bell	Ashburton Ward
CrLeen Braam	Ashburton Ward
CrNeil Brown	Ashburton Ward
CrRussell Ellis	Ashburton Ward
CrLynette Lovett	Eastern Ward
CrMark Malcolm	Eastern Ward
CrLiz McMillan	Western Ward
CrSelwyn Price	Ashburton Ward
CrDiane Rawlinson	Ashburton Ward
CrPeter Reveley	Western Ward
CrAlasdair Urquhart	Ashburton Ward
CrStuart Wilson	Eastern Ward

Quorum – no less than seven (7) members

The purpose of local government:

- (1) The purpose of local government is –
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to meet the current and future needs of communities for good-quality local infrastructure, local public services, and performance of regulatory functions in a way that is most cost-effective for households and businesses.

- (2) In this Act, **good-quality**, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are –
 - (a) efficient; and
 - (b) effective; and
 - (c) appropriate to present and anticipated future circumstances.

(Local Government Act 2002 – Amendment Act 2012)

Ashburton District Council
Council Meeting – Thursday 20 September 2018

Timetable	
Time	Item
1pm	Council Meeting commences - Opening Prayer – Major Michael Allwright, Salvation Army
2.00pm	Quotable Value NZ Presentation – Gail Smits (National Revaluation Manager) and Kris Rodgers (Senior Consultant)
2.30pm	Jo Luxton MP
2.55pm	Welcome to new and long-serving staff
3.00pm	Afternoon tea
3.45pm	Mayfield Hinds Valetta & Ashburton Lyndhurst Irrigation Companies – Mel Brooks and Rebecca Whillans [Public excluded]

ORDER OF BUSINESS

- 1 Apologies**
- 2 Extraordinary Business**
- 3 Declarations of Interest**
Members are reminded of the need to be vigilant 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.
- 4 Confirmation of Previous Minutes**
- 4.1 Council Meeting – 9/08/18 **1**
- 4.2 Extraordinary Council Meeting – 23/08/18 **5**
- 5 Forward Programme** **6**
- 6 Reports**
- 6.1 **Environmental Services Committee—30/08/18** **7**
— Recommendation *Receive minutes of meeting*
- 6.2 **Service Delivery Committee— 30/08/18** **10**
— Recommendation *Receive minutes of meeting*
- 6.3 **Finance & Business Support Committee – 6/09/18** **12**
— Recommendation *Receive minutes of meeting*
— Recommendation *Draft Surface Water Strategy*
- 6.4 **CBD Streetscape Scheme Plans** **16**
— Jeanette Ward (Abley Consultants)
- 6.5 **Administration and Library Project Control Group – Clarification of Roles** **21**

Cont'd

6.6	Bylaw & Policy Subcommittee – 16/08/18	28
	— Recommendation <i>Climate Change Policy Development</i>	
	— Recommendation <i>Solid Waste and Minimisation Bylaw</i>	
6.7	2018-19 Christmas and New Year Period Closedown	47
6.8	Mayor’s Report	50
6.9	Chief Executive’s Report	54
6.10	Ashburton Water Zone Committee Report	61
7	Business Transacted with the Public Excluded	
7.1	Council – 9/08/18	65
	<ul style="list-style-type: none"> • Executive Committee 1/08/18 Section 7(2)(a) Protection of privacy natural persons • Reserve land easement Section 7(2)(h) Commercial activities 	
	[Now in open meeting]	
	<ul style="list-style-type: none"> • Audit of LTP • Annual tax update • Cyber insurance • EA Networks Shareholders Committee appointment 	
7.2	Extraordinary Council – 23/08/18	67
	<ul style="list-style-type: none"> • [now in open meeting] <ul style="list-style-type: none"> – Appointment of Architect • Land Purchase Section 7(2)(h) Commercial activities 	
7.3	Administration & Library Facilities PCG	73
	<ul style="list-style-type: none"> • Minutes of 17/08/18 Section 7(2)(h) Commercial activities 	
7.4	Finance & Business Support Committee – 6/09/18	78
	<ul style="list-style-type: none"> • Commercial Property update Section 7(2)(h) Commercial activities 	
7.5	EA Networks Centre – Café Rental	79
	Section 7(2)(h) Commercial activities	
7.6	Eastfield Investments Ltd	83
	Section 7(2)(h) Commercial activities	
7.7	Ashburton Contracting Ltd Directors	84
	Sections 7(2)(h) & (a) Commercial activities & Protection of privacy of natural persons	
7.8	Glasgow Lease Freeholding	86
	Section 7(2)(h) Commercial activities	
7.9	CEO Agreement	98
	Section 7(2)(a) Protection of privacy of natural persons	

14 September 2018

Council Minutes

4.1 Council 9/08/18

Minutes of the Council meeting held on Thursday 9 August 2018, commencing at 1pm, in the Council Chamber, 2 Baring Square East, Ashburton.

Present

Her Worship the Mayor, Donna Favel; Councillors Leen Braam, Neil Brown, Russell Ellis, Mark Malcolm, Liz McMillan, Selwyn Price, Diane Rawlinson, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Acting Chief Executive, Group Manager Business Support, Group Manager Service Delivery, Manager People & Capability, Acting Strategy & Policy Manager, Communications Manager, Commercial Manager and Governance Team Leader.

Officers in attendance for the duration of their reports: Assets Manager, Finance Manager, Senior Policy Advisor.

One member of the public.

Public Forum

Historic Places Mid Canterbury- 1.05pm-1.20pm

Deputation

Skevington Development – 1.32pm-1.50pm

Welcome

David Winterburn, Department of Conservation – 1.45pm

The opening prayer was offered by Pastor David Bayne, Grace Presbyterian Church.

1 Apologies

Crs Thelma Bell and Lynette Lovett

Sustained

PUBLIC FORUM

Historic Places Mid Canterbury

Julie Luxton and Nigel Gilkison asked Council to consider retaining the County building as part of the new civic administration and library building. They commented that it would cost less to strengthen the building and rebuild it using the existing floor plate than it would to build new. They would also like to see the Pioneer Hall retained for possible community use. Rather than demolishing the buildings they asked Council to think about what could be designed that is desirable and gracious and will connect with the surrounding architecture.

They thanked Council for supporting the Blue Plaque project. From community feedback they have ranked local heritage buildings in order of preference and this has shown the County building and the Chinese Settlement as the top two.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4.1 Confirmation of Minutes – 28/06/18

That the minutes of the Council meeting held on 28 June 2018, be taken as read and confirmed.

Mayor/McMillan

Carried

4.2 **Confirmation of Minutes – 26/07/18, 19/04/18, 12/04/18**

- The Mayor was absent from the 26 July extraordinary meeting on Council business.
- The point of order raised (pg 12) was in respect to the new Administration & Library building and not the Art Gallery & Heritage Centre.
- Deputy Mayor’s salary (pg 15) unchanged.

That the minutes of the Extraordinary Council meetings held on 26 July, 19 April and 12 April 2018, as amended, be taken as read and confirmed.

Mayor/Brown

Carried

5 **Forward Programme**

No additional items.

6.1 **Environmental Services Committee – 26/07/18**

That the minutes of the Environmental Services Committee meeting, held on 26 July 2018, be received.

Reveley/Rawlinson

Carried

6.2 **Service Delivery Committee – 26/07/18**

That the minutes of the Service Delivery Committee meeting, held on 26 July 2018, be received.

Wilson/Price

Carried

6.3 **Finance & Business Support Committee – 26/07/18**

That the minutes of the Finance & Business Support Committee meeting held on 26 July 2018, be received.

Ellis/Braam

Carried

- **Mt Hutt Memorial Hall & Heritage Board Constitution**

That Council amends the Mt Hutt Memorial Hall & Heritage Board Constitution to reflect the following changes:

- 1) Methven Heritage Centre to be renamed ‘Mt Hutt Memorial Hall, Methven’ and
- 2) Mt Hutt Memorial Hall & Heritage Centre Board to be renamed Mt Hutt Memorial Hall Board.

McMillan/Reveley

Carried

6.4 **Consideration of Pressure Sewer Systems as a Servicing Option for New Development**

John Skevington and Joanne Ruane were welcomed to the meeting, along with Elliot Duke and Matt McLaughlin of Davis Ogilvie.

Mr Skevington asked Council to reconsider the Council officer’s recommendation and allow a low pressure sewer system to be installed in the Village Green development on Huntingdon Drive. Mr Skevington said the system will be easier to install and service than a conventional gravity system. He spoke about the number of years and the significant amount of money that his development has taken to reach this stage, stating that if Council opposes his request he will have to abandon the project.

The Davis Ogilvie representatives spoke in support of the request.

That Council approves the low pressure sewer system in principle, in the Village Green development near Lake Hood, being the operational model based on private ownership of domestic pump stations.

Brown/Reveley

Carried

That within 12 months of the release of national guidance information on pressure sewer systems, Council will develop a formal policy on the use of pressure sewer systems within the Ashburton District.

McMillan/Brown

Carried

6.5 Youth Council – Bite Night Funding

That Council approves \$13,000 from the ‘Council-Events Fund’ for the Ashburton Youth Council to host a Bite Night 2.0 Event in late September 2018.

Braam/Brown

Carried

6.6 Mayor’s Report

That the report be received.

Mayor/Brown

Carried

• Trees for Kiwi Babies

The Mayor referred to correspondence received from the Mayor of Auckland advising that the conservation charity ‘Trees that Count’ has launched a gift registry to celebrate the arrival of the Prime Minister’s baby. The registry has a target of crowd funding around 60,000 native trees and support from councils throughout the country has been sought.

Council acknowledged the intent but declined the request to contribute.

• Department of Conservation

The Mayor introduced Mr David Winterburn, the Department of Conservation Operations Manager, based at Geraldine. The Mayor had invited Mr Winterburn to the meeting to acknowledge his new role with the Department in Takaka and to thank him for the work and contribution he has made in this district.

Mr Winterburn provided a brief update on DOC activities locally and thanked Council for the opportunity to attend today’s meeting.

6.7 Chief Executive’s Report

That the report be received.

Mayor/Ellis

Carried

6.8 Ashburton Water Zone Committee

That the report be received.

Wilson/Brown

Carried

New and Long Serving Staff

The Manager People & Capability introduced Ruben Garcia, recently appointed to the role of Communications Manager, and Tony Waterman, Shane Byron and Garry Bryant who have been appointed to the Open Spaces Team.

Council also acknowledged long-serving staff – Sandy Hogg, Finance Manager (20 years), Jamie Grant, Environmental Services Support Officer (10 years), Neil McCann, Group Manager Service Delivery (5 years), Ian Jamieson, Gardiner (5 years), Steven Handley, Building Official (5 years) and Kelvin Lysaght, Building Official (5 years).

The Mayor invited guests and members of the public to join Council for afternoon tea.

The meeting was adjourned from 3.08pm to 3.30pm.

7 Business transacted with the public excluded – 3.30pm

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:	
7.1	Council Minutes 28/06/18 <ul style="list-style-type: none">Ashburton Business Estate expenditureFreeholding Glasgow Lease	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities

	<ul style="list-style-type: none"> • Temporary Civil Defence Building tender [Now in open meeting] • EMC Board appointments • Approval to relocate reserves 2091-2092 • Confirmation of Grants & Funding 18/19 	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities
7.2	Extraordinary Council 12/04/18 • Freeholding Glasgow Lease	Section 7(2)(h)	Commercial activities
7.3	Finance & Business Support Cmte 26/07/18 • Audit & Risk Subcommittee – 28/06/18 • Glasgow Lease land exchange • Revocation of reserve status • Commercial Property update • Eastfield Investments Liaison • Request for Easement over reserve land	Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities Commercial activities Commercial activities Commercial activities
7.4	EA Networks Shareholders Committee • Appointment of Director • Report of Shareholders Committee (Council appointees)	Section 7(2)(h)	Commercial activities
7.5	Executive Committee 1/08/18 • CE Performance Agreements 2017/18 & 2018/19	Section 7(2)(a)	Protection of privacy of natural persons

Brown/Ellis

Carried

Business transacted with the public excluded now in open meeting

- **Audit of Long Term Plan 2018-28**

That Council receives the report on the audit of Council's 2018-28 Long Term Plan consultation document.

Wilson/Rawlinson

Carried

- **Annual Tax Update**

That Council receives the Annual Tax Update for 2017-18.

Rawlinson/Price

Carried

- **Cyber Insurance**

That Council takes up a cyber insurance policy with cover of \$1million and an excess of no more than \$25,000.

Urquhart/Price

Carried

That Council receives the cyber security self-assessment report.

Price/McMillan

Carried

- **EA Networks Shareholders Committee Appointment**

That Mr David Ward be reappointed to the Electricity Ashburton Shareholder Committee for a further three year term to August 2021.

Ellis/Reveley

Carried

The meeting concluded at 4.30pm.

Confirmed 20 September 2018

MAYOR

Council Minutes

4.2 Extraordinary Council 23/08/18

Minutes of the Extraordinary Council meeting held on Thursday 23 August 2018, commencing at 9.30am in the Council Chamber, 2 Baring Square East, Ashburton.

Present

Her Worship the Mayor, Donna Favel; Councillors Thelma Bell, Russell Ellis, Lynette Lovett, Mark Malcolm, Liz McMillan, Selwyn Price, Diane Rawlinson, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Acting Chief Executive, Group Manager Business Support, Group Manager Service Delivery, Manager People & Capability, Commercial Manager, Commercial Property Advisor and Governance Team Leader.
Shaun Pont (Project Development Manager).

1 Apologies

Cr Leen Braam

Sustained

2 Extraordinary Business

At the conclusion of the agenda, Council agreed to an extraordinary item of business being taken with the public excluded.

- People & Capability Update Section 7(2)(a) Protection of privacy of natural persons

3 Conflict of Interest

Nil.

Business transacted with the public excluded – 9.31am

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:	
4	Administration & Library Facilities Project – appointment of Architect and Lead Designer	Sections 7(2)(h) & 7(2)(a)	Commercial activities and Protection privacy natural persons
5	Land Purchase	Section 7(2)(h)	Commercial activities
6	Extraordinary Business People & Capability update	Section 7(2)(a)	Protection privacy natural persons

Mayor/Urquhart

Carried

Business transacted with the public excluded now in open meeting

• Administration & Library Project – Appointment of Architect

That Council appoints Athfield Architects Limited as architect and lead designer for the Administration and Library Project at a cost of \$1,084,680.

Ellis/Wilson

Carried

Cr Price recorded his vote against the motion.

The meeting concluded at 11.30am.

Confirmed 20 September 2018
MAYOR

5 Forward Programme – Council

Council Meeting		
October 30	Adoption of Annual Report	GM Business Support
	Labour Force Plan (NZIER in attendance)	Chief Executive
	People & Capability Annual Report	Manager People & Capability
	2019 Council Meeting Calendar	Governance Team
	Water Management Zone Committee 28/08	Zone Facilitator
December 13		
	Bylaw & Policy Subcommittee 8/11	Strategy & Policy Manager
	Adoption of Solid Waste Bylaw	
	Adoption of Surface Water Strategy	Strategy & Policy Manager
	Water Management Zone Committee 27/11	Zone Facilitator
	Zone Committee Membership Refresh	ECan

Committee Minutes

6.1 Environmental Services Committee

Minutes of the Environmental Services Committee meeting held on Thursday 30 August 2018, commencing at 1.30pm, in the Council Chamber, 2 Baring Square East, Ashburton.

Present

Councillors Peter Reveley (Chair), Thelma Bell, Russell Ellis, Lynette Lovett, Liz McMillan, Mark Malcolm, Diane Rawlinson, Selwyn Price, Alasdair Urquhart and Stuart Wilson.

In attendance

Acting Chief Executive, Building Services Manager, District Planning Manager, Open Spaces Manager and Governance Team Leader.

Deputation

Mr Bruce Spiers (Land Service Group Ltd) – 1.42pm-1.50pm.

1 Apologies

Mayor Donna Favel (absent on Council business); Crs Leen Braam and Neil Brown Sustained

2 Extraordinary Business

The Chair has accepted a request from Mr Bruce Spiers to speak on item 6.3.

3 Declarations of Interest

Nil.

4 Confirmation of Minutes

That the minutes of the Environmental Services Committee meeting held on 26 July 2018, be taken as read and confirmed.

Rawlinson/Bell

Carried

5 Forward Programme

Nil.

6.1 Annual Report on Dog Control

Officers receive few complaints about dogs not under control in local dog exercise areas but there is a recurring issue with Argyle Park, only part of which is designated as a dog exercise area. The Acting Chief Executive advised that Argyle Park is patrolled regularly.

1 **That** the report be received.

2 **That** the report be notified in a prominent newspaper.

3 **That** the report be sent to the Secretary for Local Government within one month of adoptions.

Wilson/Urquhart

Carried

6.2 Hakatere Huts Emergency Siren

The recommendation to decline funding wasn't fully supported. The Committee heard that the community has relied on the siren to raise the alarm for a number of emergency situations including fire and accidents on the beach.

The Acting Chief Executive advised that the community can decide whether to replace the siren and could potentially apply for a grant towards this. A remotely activated tsunami public address siren could be considered and while significantly more expensive, it is vastly superior and has the advantage of being able to be remotely activated down the east coast of the South Island. It was noted that this siren cannot be used for any purpose other than a coastal tsunami warning

Council has not budgeted for a siren and a request to investigate this option would need to be addressed through the 2019/20 annual plan.

- 1 **That** the request be declined and the cost of a basic emergency siren be borne by the Hakatere Huts community in the same manner as those obtained and installed at South Rakaia and North Rangitata.
- 2 **That** the costs and benefits of an integrated tsunami warning system be further investigated.

Wilson/Bell

Carried

A show of hands gave 6 for and 3 against.

Crs Lovett, Price and McMillan recorded their votes against the motion.

6.3 Proposed Taking of Land – 174 Racecourse Road

Deputation:

Mr Spiers spoke on behalf of the developer who is of the view that by agreeing to provide an area of land at the rear of the subdivision their resource consent requirements will be met and they should therefore be exempt from paying any further reserves contribution. He suggested that the conditions of the resource consent contravene Council's District Plan and submitted that the land, which will create a linkage to future developments, would be acceptable if no cash contribution was required.

Mr Spiers noted that the application for this development didn't originally show a reserve area at the rear of the property and this has been added at Council's request. He explained that the applicant is willing to provide the reserve contribution but does not want to pay for it all upfront.

The presentation concluded at 1.50pm.

The District Planning Manager advised that the land is intended to be a strategic link and the owners would have the benefit of a right to occupy until such time that the land is needed. The developer would be compensated when the land is transferred and the compensation certificate issued. Mr Hyde explained that the District Plan does not include a structure plan, the issue being that there is no prescribed strategic link but that staff have seen merit in securing access before further development. This may in time be part of a reserve, a green path, or possibly a road. He referred to Council's 2005 Development Plan which designates a 'green linkage' outside the Ashburton urban area, noting this is not reflected in the District Plan.

Mr Hyde reported that the Committee's view is being sought because of the possible precedent that could be set if Council allows the developer to forego payment in lieu of the land exchange. The Committee will need to consider whether future developments will require linkages on rear boundaries and what value and financial compensation would be required.

Mr Hyde further advised that when a subdivision is approved there's a period of five years to apply for the Section 223 Certificate. Reserve contributions, would be paid and compensation would also be separately paid to the developer at the same time. The property owner would have use of the land until required by the Council.

That the draft conditions of resource consent SUB18/0027 at 174 Racecourse Road require the payment of all applicable reserve contributions; and

That the land (shown as Lot 17) be secured for a future linkage and compensation paid based on a market valuation at the time of the creation of the compensation certificate.

Wilson/Price

Carried

7 Activity Reports

That the reports be received.

Urquhart/McMillan

Carried

The meeting concluded at 2.05pm.

Committee Minutes

6.2 Service Delivery Committee

Minutes of the Service Delivery Committee meeting held on Thursday 30 August 2018, commencing at 2.06pm the Council Chamber, 2 Baring Square East, Ashburton.

Present

Councillors Stuart Wilson (Chair), Thelma Bell, Russell Ellis, Lynette Lovett, Liz McMillan, Mark Malcolm, Diane Rawlinson, Selwyn Price, Peter Reveley and Alasdair Urquhart.

In attendance

Acting Chief Executive, Group Manager Service Delivery, Assets Manager, Open Spaces Manager, Roading Manager, and Governance Team Leader.

Staff present for the duration of their reports: Open Spaces Planner, District Librarian, Museum Director, Waste Recovery Manager.

1 Apologies

Mayor Donna Favel (absent on Council business); Crs Leen Braam and Neil Brown Sustained

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4 Confirmation of Minutes

That the minutes of the Service Delivery Committee meeting held on 26 July 2018, be taken as read and confirmed.

Lovett/Bell

Carried

5 Forward Programme

The Group Manager Service Delivery acknowledged the request for a report on the Eco-educate programme and suggested it be included in the Committee's activity report on a six monthly basis.

6.1 Closure of Stockwater Race – Irwins Road

1 **That** the Committee approves the closure of the stockwater race starting with a junction at PN: 1670 on Irwins Road, passing through fourteen properties before ending in a soak hole at PN: 22270 on Mainwarings Road, a total distance of 14,400 metres; and

2 **That** the closure be effective immediately.

Reveley/Lovett

Carried

6.2 Beach Road Watermain Extension Investigation

That the Committee approves:

1 The completion of detailed design for a new watermain extension in Beach Road East to service the Residential C and D zone properties only;

2 Preparation of an engineering estimate for the work; and

3 Consultation with affected property owners to determine the level of support for the project based on the engineering cost estimates and seeking a commitment to the project.

Ellis/Urquhart

Carried

6.3 Aoraki Rooding Collaboration – Memorandum of Understanding renewal

- 1 **That** the Aoraki Rooding Collaboration Memorandum of Understanding, including the 9 October 2015 Supplementary Agreement, be renewed with the following changes from the current Memorandum of Understanding:
 - 1) The term be three years from 1 October 2018,
 - 2) The Road Safety Coordination function be included in the scope,
 - 3) That the Supplementary Agreement be redrafted to reflect the changes suggested in paragraphs 20 – 22; and
- 2 **That** the Chief Executive be authorised to sign the new Memorandum of Understanding on behalf of Council.

Ellis/Rawlinson

Carried

7 Activity Reports

That the reports be received.

McMillan/Price

Carried

7.1 Triannual Reports

The triennial reports were discussed in conjunction with the activity reports.

- **Museum**

The Museum Director reported that the funding application to the Ministry for Women has been successful with \$6,000 granted towards the Museum's 125th anniversary of Women's Suffrage exhibition.

- **Open Spaces**

The Open Spaces Manager confirmed that maintenance work is planned for parts of the CBD, including the seating around the chessboard. Prices have been obtained for replacing the boards on the seats.

Completion of the new domain toilets has been delayed pending electrical work. Once completed, a code of compliance will be issued. The old toilets have been demolished and a mobility car park has been added.

- **Stormwater**

From discussion on the recent heavy rain event, the Assets Manager was asked whether there had been issues with flooding and blocked stormwater drains. It was noted that the CBD continues to be affected in heavy rain with stormwater run-off directly onto the pavement. The Rooding Manager advised that the contractor was required to clear drains.

- **Solid Waste**

The Waste Recovery Manager reported that the closure of Wastebusters has resulted in the bale wrap collection service ceasing unless another provider takes it on. Wastebusters have asked Council to consider taking on the contract. A further report will be provided to the Finance & Business Support meeting on 6 September.

Post meeting note: Wastebusters subsequently advised that the service is being considered by a private contractor. The Committee will be provided with an update in October.

- **Lakes Camp & Clearwater Landscape Working Group**

Minutes of the meeting held on 14 August were received. A planting day will be held at the Lakes on 5 October.

The meeting concluded at 3.10pm.

Committee Minutes

6.3 Finance & Business Support Committee

Minutes of the Finance & Business Support Committee meeting held on Thursday 6 September 2018, commencing at 1.30pm in the Council Chamber, 2 Baring Square East, Ashburton.

Present

Mayor Donna Favel; Councillors Russell Ellis (Chair), Thelma Bell, Neil Brown, Russell Ellis, Lynette Lovett, Mark Malcolm, Liz McMillan, Diane Rawlinson, Selwyn Price, Peter Reveley, Alasdair Urquhart and Stuart Wilson.

In attendance

Acting Chief Executive, Group Manager Business Support, Group Manager Service Delivery, Strategy & Policy Manager, Communications Manager, Commercial Manager, Finance Manager, Assets Manager, Senior Policy Advisor and Governance Team Leader.

One member of the public.

Presentation

Experience Mid Canterbury – 3.33pm-4pm

1 Apologies

Mayor Donna Favel (for early departure on Council business) and Cr Leen Braam Sustained

2 Extraordinary Business

That pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987 the following item be taken as extraordinary business.

- Bite Nite 2.0 – Road Closure (Baring Sq East)

Brown/Urquhart Carried

3 Declarations of Interest

Nil.

4 Confirmation of Minutes

That the minutes of the Finance and Community Services Committee meeting held on 26 July 2018, be taken as read and confirmed.

Price/Lovett Carried

5 Forward Programme

No additional items.

6.1 Corwar Lodge Gatekeepers Preservation Society

That Council approves the Corwar Gatekeepers Lodge Preservation Society rental charge of \$1 per annum for the term of the licence to occupy.

Rawlinson/Reveley Carried

6.2 Draft Surface Water Strategy

The draft strategy was amended to reference the Art Gallery's "Water Project" as a footnote in the Mayor's foreword.

Additional changes:

Pg 12 – reference to number of working group members removed.

Pg 18 – Urban growth and development areas of rural land - reference to 'large' removed.

Pg 19 - Goal 4 – amended to read ‘Council will continue to meet its obligations for the Ashburton/Hakaterere River’. Councillors had noted that the goal to reduce the take to 2.9 cumecs has been achieved ahead of the 2023 target date.

The Strategy will be updated and reported to Council.

Attached

A copy of the consultation booklet will be circulated to Councillors.

Recommendation to Council

That the draft Surface Water Strategy 2018 be adopted for consultation beginning 1 October 2018.

Mayor/Brown

Carried

6.3 Carry over of Funds form 2017-18 to 2018-19

The Committee heard that there is an anomaly in the reported carry-over for unsubsidised roading. The Group Manager Business Support advised that there is uncertainty as to whether the \$500k will be carried over for work in the CBD, or be used to offset the loan funded budget. This will be the subject of a report to the Service Delivery Committee.

That the request to carry over funds from the 2017-18 budget to the 2018-19 budget, as detailed in the report, and excluding the \$500k roading carry-over, be approved.

Wilson/Brown

Carried

6.4 2018 Christmas Event

That Council approves \$22,000 from the ‘Council-Events Fund’ for the 2018 Christmas Event to be held in December 2018.

Brown/Bell

Carried

6.5 Industry Training Graduation Ceremony

The Committee agreed that the opportunity to participate in the ceremony should be extended to people who graduated in 2016 and 2017, when Grow Mid Canterbury were no longer hosting this event. On that basis, the proposal to increase the budget from \$3,000 to \$10,000 was supported.

That Council approves up to \$10,000 from the Economic Development budget for the 2018 Industry Training Graduation Ceremony.

Brown/Bell

Carried

6.7 Extraordinary Business

- Bite Nite 2.0 Road Closure

That the following road in the Ashburton township be closed to ordinary vehicular traffic from 4.00pm to 8.00pm on Wednesday 26 September 2018, to allow Bite Nite 2.0 to be held:

Baring Square East, from Havelock Street to Cameron Street.

Lovett/Rawlinson

Carried

7 Activity Reports

That the reports be received.

Wilson/Urquhart

Carried

7.1 Triannual Performance Report

• CRMs

It was noted that the graph shows there were no after-hours calls in October, November and December 2017. This is likely an error which will be checked.

7.3 Strategy and Policy

- **Representation Review – Final Proposal**

The Strategy & Policy Manager reported that three appeals have been received and forwarded to the Local Government Commission for review.

Since notifying the Final Proposal, the Commission has advised of two non-contiguous meshblocks to be relocated from the Ashburton Urban Ward to the Western Ward. The Commission notes that the change won't affect the review process that Council has undertaken. When the Commission releases its decision on the outcome of the review, the changed meshblocks will form part of the final notification.

Post meeting note: the Local Government Commission advises that it is not their usual practice to release appeals until the Commissioners have seen them. They would release them shortly before a hearing (if there is one).

7.4 Finance

- **Variance report**

The June and July reports were presented with discussion focused on the June report.

7.6 Governance and Business Support

- **Methven Travel – Request for additional space and new signage**

- 1 **That** Methven Travel's request for additional space within the Mt Hutt Memorial Hall be approved, subject to Methven Travel entering into a variation of their lease.
- 2 **That** Methven Travel's request to install two signs be approved, subject to the size, location and content of the signs being agreed to by the Mt Hutt Memorial Hall Board Chairman and Council's Commercial Manager.
- 3 **That** Methven Travel complies with all regulatory consent requirements and meets all costs associated with this decision.

McMillan/Price

Carried

The Committee adjourned for afternoon tea from 3.10pm to 3.33pm.

6.6 Experience Mid Canterbury Quarterly Report

EMC Manager Bruce Moffat, and Directors Gary Lee and Bevan Rickerby were welcomed to the meeting and invited to present their report for the July-September 2018 period.

The report commented positively on the growth and visitor spend this year, and the work being undertaken by EMC on marketing the district. This includes the 'Mates Rates' promotional advertising that EMC are developing in conjunction with The Courier. An example of the advertising page was tabled. This will be developed as a means of getting local operators on board and keeping businesses operating well through the low season. It's also about attracting businesses from outside the district. If it proves successful, it will be published quarterly.

Responding to Councillors' questions, Bruce advised that it's not known whether tourists are visiting as a direct result of EMC's product sales, but there's a lot of follow-up to establish what visitors did and didn't like, and asking what Mid Canterbury can offer them.

Bruce acknowledged that the visitor data doesn't include people who used online booking, Airbnb etc but current legislation restricts that information. Attempts are being made to get MBIE and Statistics NZ to look at the whole sector but this is challenging. MBIE have looked at how the UK does this and a report on the study is anticipated mid October.

EMC consider that not having a freedom camping bylaw works well in this district. They've observed a marked increase in motor homes and freedom campers in the last peak season, and will review this at the end of the next peak season.

The presentation concluded at 4pm.

That the Experience Mid Canterbury quarterly report be received.

Bell/Rawlinson

Carried

7 Business transacted with the public excluded (4.02pm)

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:	
8.1	Confirmation of Minutes 26/07/18	Section 7(2)(h)	Commercial activities
8.2	Commercial Property Update	Section 7(2)(h)	Commercial activities

Brown/Urquhart

Carried

The meeting concluded at 4.32pm.

REPORT

Date: 20 September 2018
Report to: Council
From: Group Manager Environmental Services
Subject: CBD Streetscape Scheme Plans

6.4 CBD Streetscape Scheme Plans

6.4.1 Summary

The purpose of this report is to seek approval of the scheme plans for the revitalisation of the CBD streetscape.

6.4.2 Recommendation

That Council approves the attached scheme plans for the CBD streetscape and seeks tenders for the detailed design.

6.4.3 Background

Work on the CBD streetscape revitalisation project has been ongoing for some time. Earlier this year an Issues and Options report prepared by Abley Transportation Consultants was considered. Based on that report, Council adopted renewal options and parking management options for public consultation. Following a one month submission period, a hearing was held on 23 July. After considering submissions, Council adopted the recommended options.

Abley then prepared the attached scheme plans, based on the concept designs that had been consulted on.

Appendix 1

Other work undertaken in the meantime includes a topographical survey of the project area in the CBD and a tree survey to determine the health of existing trees and consider measures to prevent damage to root systems when construction is carried out.

The concept design included cross sections for each street and where these would apply, and also what form the intersections would take. It also included reducing the speed limit from 50km/hour to 30km/hour within the project area. All parking will be time restricted with inground sensors; there will be no paid parking.

These plans have taken into consideration discussions with Eastfield Health regarding assisted patient drop off, property access concerns raised in the consultation and input from ADC utilities and Open Spaces staff. Discussions with Malcolm Lovett Automotive regarding their concerns about proposed changes to the Havelock and Cass Street intersection were still continuing at the time of writing this report.

There are several areas and details that will require further development in the detailed design stage of the project; these include:

- Public space upgrades at the western end of both Burnett and Tancred Streets
- Street furniture types and landscape planting in the areas indicated with green shading
- Proposed mobility parking locations to be discussed with roading staff
- Cycle parking locations

- Safety audits will be undertaken as part of the design process, which may result in minor changes to the layout

Scheme Plan Features

The scheme plans include the following features for each street and intersection:

East Street between Moore Street and Havelock Street is a complete rebuild of the current road and includes the following key features:

- Wider footpath on the east side to allow more space for walking, outdoor dining and street furniture/landscaping
- A footpath on the west side adjacent to the parking
- Flush paved median
- Parking on both sides (60 minute time restriction) and a bus stop as per the current location
- A shared path on west side between the trees (widening of the current path)
- Raised zebra crossings just to the north of the intersections with Burnett Street and Tancred Street
- 30km/hour thresholds (gateways) located where drivers enter this part of East Street via the traffic signals at Moore Street and Havelock Street.
- Kerb buildouts and landscape areas at the intersections of Burnett Street and Tancred Street

Tancred Street between Cass Street and East Street is a complete rebuild of the current road and includes the following key features:

- A one-way, east bound traffic lane
- Wider footpaths on both sides to allow more space for walking, outdoor dining and street furniture/landscaping
- Angle parking on one side and parallel parking on the other (60 minute time restriction unless shown otherwise)
- A loading zone and accessible parking spaces in the vicinity of Eastfield Health to facilitate assisted patient and ambulance access to the building, the kerb will be flush in this location for ease of access
- The central part of the street will be shared space with a one-way traffic zone (35 metres long),
- Raised zebra crossings at each end of the street

Burnett Street between Cass Street and East Street is a complete rebuild of the current road and includes the following key features:

- A one-way, west bound traffic lane
- Wider footpaths on both sides to allow more space for walking, outdoor dining and street furniture/landscaping
- Angle parking on one side and parallel parking on the other (60 minute time restriction unless shown otherwise)
- The central part of the street will be shared space with a one-way traffic zone (65 metres long)
- Raised zebra crossings at each end of the street

Cass Street between Havelock Street and Moore Street is a complete rebuild of the current road and includes the following key features:

- A traffic and cycle lane in each direction
- Two hour time restricted parking on both sides
- Kerb buildout on east side of street between Burnett and Tancred Streets for outdoor dining
- Kerb buildouts and landscape areas at the intersections of Burnett Street and Tancred Street
- Zebra crossings just to the north of the intersections with Burnett Street and Tancred Street

Havelock Street improvements between East Street and Cass Street, include:

- Current layout generally retained, there are no kerb buildouts proposed at this stage as the design of the Baring Square Council site will consider how Havelock Street and Baring Square can be connected for walking
- Two hour time restricted parking on both sides
- The northern end of Havelock Street will retain the signal controlled intersection, the 30km/hour speed limit applies as drivers enter this section of Havelock Street from the west and the north
- A crosswalk will be added to the west leg of the traffic signals to allow people on the shared path on the west side of East Street

Moore Street between East and Cass Streets generally retains the current infrastructure aside from

- A traffic lane in each direction that accommodates the large vehicles that use this street
- A kerb buildout mid-way along the block to provide landscaping and a location where people can cross the road (while still retaining movement for large vehicles through 4.2m wide traffic lanes at this location)
- Two hour time restricted parking on both sides
- The northern end of Moore Street will retain the signal controlled intersection, the 30km/hour speed limit applies as drivers enter this section of Moore Street from the west and south
- A crosswalk will be added to the west leg of the traffic signals to allow people on the shared path on the west side of East Street

The intersection of Cass Street and Moore Street will become a new single lane roundabout with the following features:

- Raised platforms and refuge islands on each leg will assist pedestrians crossing the road
- 30km/hour speed limit threshold treatment on the Moore Street south approach and the Cass Street east approach
- The central island of the roundabout will have a mountable area (known as an 'apron') which allows larger vehicles (including agricultural units) to travel through the roundabout by mounting one wheel on the apron

The intersection of Cass Street and Havelock Street is currently a roundabout however it will be upgraded with the following features:

- Raised platforms and refuge islands on each leg will assist pedestrians crossing the road, the platform on the western leg will be flush due to the presence of a manhole and driveway access

- 30km/hour speed limit threshold treatment on the Havelock Street north approach and the Cass Street east approach
- The central island of the roundabout has a mountable area (known as an ‘apron’) which allows larger vehicles (including agricultural units) to travel through the roundabout by mounting one wheel on the apron

Parking Supply

The parking supply in the area of work is as shown in the table below, this results in removal of 24 spaces. There are also another 6 spaces removed on Moore/Tancred/Burnett/Havelock Streets combined to accommodate the new intersection layouts on Cass Street. This equates to an overall removal of 30 spaces compared to 41 estimated to be removed. Some further spaces on Havelock Street may need to be removed once the Baring Square project is designed.

Street	Existing car park spaces	P120	P60	P10/15	Accessible	Taxi	Loading	Motorcycle area	Coach	
East Street	56	-	49	3					1	
Cass Street	53	-	43							
Burnett Street	38	-	26	1	1	1	1 (3 spaces)	1	1	
Tancred Street	37	-	38		4		1 (3 spaces)	2		
Moore Street	34	26								
Havelock Street	34	31								
Totals	252	57	156	4	4	1	6			
		228								

Process Going Forward

Staff will follow the usual process and evaluate tenders using weighted attributes. A recommendation regarding the preferred tenderer will then be put to the Council. The scoping document for the tender will specify the need for project management, water, stormwater and sewer upgrades and landscape design. Key points requiring design decisions will be referred to the Town Centre Working Party.

6.4.4 Options and Risks Considered

Option 1 – Council could decide not to proceed to the detailed design phase. The project could be delayed or discontinued. This is not recommended, as Council has shown commitment to improving the CBD and there is a public expectation that it will happen.

Option 2 – Approve the scheme plans and seek tenders for the detailed design. This is the recommended option.

Option 3 – Amend the scheme plans. If this option is chosen, Abley would need to revise the plans accordingly.

6.4.5 Statutory Implications

There are no statutory implications for this phase of the project.

6.4.6 Significance and Engagement

The streetscape renewal project is considered significant in terms of the Council’s Significance and Engagement Policy. Extensive public consultation has been carried out in accordance with the Special Consultative Procedure.

6.4.7 Financial Implications

The detailed design costs will be met from existing roading, water and waste budgets and the Parking Reserve account.

Prepared By JANE DONALDSON Group Manager Environmental Services	Approved By HAMISH RIACH Chief Executive
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ATTACHMENTS

Appendix 1 Street maps (sheets 2-11)

REPORT

Date: 20 September 2018
Report to: Council
From: Group Manager Business Support
Subject: Administration and Library Facilities PCG

6.5 Administration and Library Project Control Group: Clarification of Roles

6.5.1 Summary

This report reviews the role of the Probity Advisor on the Project Control Group (PCG), considers the role of Chair of the PCG going forward, and seeks approval for the milestone approval delegations outlined in the project timeline overview.

6.5.2 Recommendation

- 1 **That** Council seeks advice from the Probity Advisor on a case by case basis.
- 2 **That** the Chief Executive be appointed as Chair of the Administration and Library Project Control Group and the Group Manager Business Support be the Deputy Chair.
- 3 **That** the Project Control Group's Terms of Reference be amended to reflect the above recommendations. ([Appendix 1](#))
- 4 **That** Council approves the project milestone delegations. ([Appendix 2](#))

6.5.3 Background

The ongoing role of the Probity Advisor

At the Extraordinary Council meeting on 23 August 2018 there was discussion about the ongoing role of Council's Probity Advisor on the Administration and Library PCG. This was as a result of some questions from some Councillors around the tender process methodology, and the Probity Advisor (Ewen Skinner from Morrison Low) being unable to attend the PCG meeting, and technical difficulties when trying to conference him into that meeting.

Council took the decision to appoint a Probity Advisor to the PCG at the inception of this project in 2015. One of the reasons for this was the review of the Art Gallery and Heritage Centre project which produced a number of learnings, and the development of best practice processes when undertaking a major construction project of that type. Council wanted to ensure that the administration and library project incorporated best practice in all phases of the project.

As a result Ewen Skinner from Morrison Low was appointed to this position as an external advisor on probity issues.

The role of external advisors is contained within the Project Execution Plan (PEP). This states that the external advisor will:

- Provide advice and be a sounding board for the Project Management Team (PMT) and the PCG.
- Input into technical issues as requested by the Project Manager
- Peer review content based on professional expertise.

The PMT is a separate group made up of Council staff (ADC Commercial Manager), the Project Manager, and consultant and contractor representatives.

To date Ewen Skinner has been responsible for a range of both probity and project management tasks:

- Preparing the project execution plan (PEP) including programmes and risk registers for both Stage 1 and Stage 2
- Preparing the feasibility study and site evaluation brief including procurement documentation
- Facilitating the evaluation process and award of contract
- Giving assurance on the tender and evaluation for the architect services
- Providing independent assurance on the consultation process undertaken by Council and OPUS on the site evaluation
- Reviewing feasibility study reports and providing advice to council
- Providing advice to officers, PCG and Council during the preferred site confirmation process
- Preparing the development project management brief and procurement documentation
- Managing the tender evaluation process for the development project manager
- Facilitating the evaluation process and award of contract
- Giving assurance on the tender and evaluation for the development project management services
- Attending PCG meetings
- Providing advice as required on a range of issues to the PMT, PCG and Project Lead
- Monitoring the recommendations from the Art Gallery and Heritage Centre review to ensure that any issues on the Administration and Library Facility are identified and resolved.

Stage 1 has now been completed (up to preferred site identification) and Stage 2 has commenced (facility design and construction). The Development Project Manager, who has been appointed, will provide support to Council and has responsibility for managing the design and construction through to completion.

The question has been put as to what further involvement the Probity Advisor will have. As identified above, the reasons and scope for a Probity Advisor were originally identified and these are still largely relevant to this project (refer to the last 3 bullet points of the section above) which still has a further two years to go before being completed. However, this has to be weighed up against the costs and value that this role adds.

Option 1: Retain the current services of the Probity Advisor

Continue with this input at the current level, with the Probity Advisor attending at all PCG meetings. These meetings are once a month (additional if required). This will give Council added assurance that the project is being well managed, including financial management and risk management. In addition, the Probity Advisor would be available to provide advice as required, noting however that the development project manager (The Logic Group) has the primary responsibility to deliver the project. There is a cost to this with preparation and attendance at each meeting, although this could be minimised if the Probity Advisor can Skype into the meeting rather than physically attend. The estimated cost of this would be approximately \$2,000 per month.

Option 2: Utilise the Property Advisor on a case by case basis

That the PCG identify the issues where Council will require added assurance on a case by case basis. This would include the tender process for the construction in September 2019. This would limit the costs but still give assurance when requested.

It will reduce the need to have the Probity Advisor attend each meeting but will limit the overarching probity function, and would be dependent on the PCG having the ability to recognise when advice was needed, or key milestones where added assurance is required. This would not provide a comprehensive probity overview function that Option 1 would, and it would make it more difficult for the Probity Advisor to confirm that the project has met all requirements. Under this option the Probity Advisor would cease to be a member of the Project Control Group.

The Project Manager Shaun Pont has indicated that it is unusual to have a Probity Advisor through the whole project and in particular the developing of the concept and design stages of the project. However, there may be wider probity issues from a project delivery sense, such as consultation, financial considerations and procurement.

Under either option, the costs of the Probity Advisor will reduce, as much of the costs to date have been in developing key planning documents and organising and managing the tender processes.

Option 2 is the preferred option.

The Chair of the PCG

In September 2015, Council adopted the Administration and Library Facilities Project Execution Plan (PEP). Also on that date, Council appointed the elected members to the PCG, being the Mayor and Councillors Brown, Ellis and Reveley. The PCG membership, as per the current Terms of Reference is as follows:

- Mayor Donna Favel
- Cr Neil Brown
- Cr Russell Ellis
- Cr Liz McMillan
- Andrew Dalziel (CEO)
- Paul Brake (Project Lead)
- Colin Windleborn (ADC Commercial Manager)
- Ewen Skinner (Probity Advisor)
- Shaun Pont –Project Manager

The adopted PEP stated that the Chair of the PCG was the Group Manager Business Support.

The PCG Terms of Reference confirmed by Council on 17 May 2018.

Appendix 1

It is timely to review the Chair of the PCG given the arrival of the new CEO and to consider whether the Chair should be an elected member or remain with an employed officer. The Chair being a Council Officer is consistent with the advice received from the Probity Advisor Ewen Skinner as follows:

In my experience (and I have also followed up with a number of my colleagues - all of us exclusively working in Local Government for the majority of NZ Councils) in the PCGs that I have been involved with and established a Council Officer is generally the Chair. While there is no legislative rules around this I think it is good practice for a number of reasons:

- *It is a Council run project and these are typically run and chaired by staff – they report to the Councillors who provide governance and decision making*
- *The Chair needs to have time to commit to the project so that they are aware of the issues – staff have more time and focus while Councillors have a multitude of other commitments*

which limit their ability to be available. This project has tight timeframes and needs dedicated input

- *Even though the Chair has no casting vote they do appear to have greater ownership of the decisions – Councillors generally do not want to take on this role as it can compromise their ability to debate impartially on issues at full Council level*

A further consideration is that the project will continue after the next local government election and it will be important to maintain continuity with the Chair.

In order to maintain an effective PCG it is recommended the CEO be the Chair of the PCG with the Deputy Chair being the Group Manager Business Support.

Milestones delegations and Approvals

At the recent project concept workshop with the Architects, the Project Manager presented a timeline overview outlining the Milestones, Gateways and Approvals required over the life of the project.

Appendix 2

This clearly sets out the key milestones and identifies the appropriate decision making entity, whether it be the Council, PCG, and/or the Leadership Team. Having these delegations in place will give clarity around the responsibility for the decision making, will ensure the decisions are made at the appropriate level and ensure any delays in approvals are minimised.

6.5.4 Options and Risks Considered

The options and risks around the ongoing role of the Probity Advisor are clearly outlined in the background and options above.

6.5.5 Statutory Implications

There are no statutory implications as a result of the recommendations.

6.5.6 Significance and Engagement

Neither of the two issues (future role of the Probity Advisor or the PCG Chair) are significant in terms of requiring any consultation with the community.

6.5.7 Financial Implications

The cost of the Probity Advisor's work is an ongoing cost to the project. The costs of these services to date is \$258,000. Future costs will be dependent on the level of the Probity Advisor's involvement.

Prepared By

PAUL BRAKE

Group Manager Business Support

Approved By

HAMISH RIACH

Chief Executive

ATTACHMENTS

Pgs 25-27

- Appendix 1 Terms of Reference (with proposed amendments)
Appendix 2 Milestone and Gateway approvals

APPENDIX 1

Administration and Library Facility – Project Control Group Terms of Reference

Purpose and Scope

The purpose of the Project Control Group is to provide oversight and direction to the Administration and Library Facility Project for all phases of the project.

It is anticipated that the Project Control Group won't be discharged at the end of the Council term; it would continue with the Council officer and external appointees until after the triennial election when elected members may be replaced.

Membership

Membership of the Project Control Group comprises:

- Mayor, Donna Favel
- Cr Neil Brown
- Cr Russell Ellis
- Cr Liz McMillan
- Hamish Riach ~~Andrew Dalziel~~ (Chair)
- Paul Brake ~~Project Lead~~ Deputy Chair
- Colin Windleborn (ADC Commercial Manager)
- ~~Ewen Skinner (Probity Advisor)~~
- Shaun Pont (Development Project Manager)¹

The quorum is two Councillor members and two Council staff.

Responsibilities

The responsibilities are as follows:

- Monitor the strategic direction of the project and ensures alignment with the Project Execution Plan and Objectives.
- Provide governance for the Project and provides assurance to Council. Ensures that Council approval is sought where required.
- Ensure the approach and project is well understood across the organisation and ensures integration with other areas of Council.
- Review the status and progress of the project including monitoring of the financial status against agreed budgets.
- Monitor issues and risks with the project and ensures these are being actively managed and resolved. Provides a forum where escalated issues can be discussed.

¹ Appointed by Council 28/06/18

Delegations

The Project Control Group is delegated to:

- Carry out the evaluation and recommendation of a preferred supplier for key roles within the project - Development Project Manager, Library Specialist, Architect/Design/Engineering Consultant, Construction Contractor.
- Input into the design; and management of wider Councillor input into design during the design phase.
- Recommend the final design to Council.
- Prepare and recommend total budget provision breakdown.
- Approve any variations within the budget and contingency provisions, to be reported to Council.
- Establish a stakeholder relationship with the Methodist Church to ensure their project timelines and obligations are met.

Meeting Frequency

The Project Control Group will meet on a monthly basis. This may get extended, subject to PCG approval, to every two months during agreed periods.

Meetings shall be booked at least a month in advance. The meeting agenda shall be prepared by the Project Lead and distributed at least 5 days in advance of the meeting. Minutes of the meeting will be issued within one week of the meeting.

The Project Control Group may invite additional persons or parties to meetings as necessary to discuss matters of relevance to that person or party's expertise.

Reporting

The Project Control Group will report to full Council. Key reporting requirements will be:

- Status updates, including financial projects, on the Project at three monthly intervals (every second Council meeting)
- Recommend to Council the awarding of contracts for the roles of Development Project Manager, Library Specialist, Architect/Design/Engineering Consultant, Construction Contractor
- In addition, the Project Control Group will manage the input of full Council into the early design phase through a design workshop (or similar) and then sign off the agreed design prior to the construction phase.

Term

The Project Control Group will continue in its role until three months after the delivery of the Phase 2 work.

Date Adopted:

17 May 2018

Updated 20 September 2018

APPENDIX 1

MILESTONE / GATEWAY	APPROVAL REQUIRED	APPROVAL FROM	DATE
Return Brief	<ul style="list-style-type: none"> - Guiding Principles - Space requirements & adjacencies - Quality / Benchmark expectations - Budget - Timeline 	<ul style="list-style-type: none"> - Leadership team, PCG and Council - Leadership team - Leadership team, PCG, Council - PCG, Council - PCG, Council 	30 October 2018
Masterplan & Concept Design	<ul style="list-style-type: none"> - Appointment of secondary consultants (QS, Structure, Services etc) - General workplace and facility strategies - General site arrangement - General floor plan arrangement - External shape & form - Budget - Timeline 	<ul style="list-style-type: none"> - PCG - Leadership team, PCG - Leadership team, PCG - Leadership team - Leadership team, PCG - PCG and Council - PCG and Council 	14 December 2018
Preliminary Design	<ul style="list-style-type: none"> - General workplace and facility systems - Appointment of Demolition Contractor - Budget - Timeline 	<ul style="list-style-type: none"> - Leadership team, PCG - PCG - PCG and Council - PCG and Council 	8 March 2019
Developed Design	<ul style="list-style-type: none"> - Materiality - Furniture Systems - Public Realm & Landscape Strategy - Budget - Timeline 	<ul style="list-style-type: none"> - Leadership team, PCG - Leadership team, PCG - Leadership team, PCG - PCG and Council - PCG and Council 	10 May 2019
Detailed Design	<ul style="list-style-type: none"> - Colours - Loose furniture selections - Technical equipment selection - Budget - Timeline 	<ul style="list-style-type: none"> - Leadership team - Leadership team - Leadership team - PCG and Council - PCG and Council 	End July 2019
Construction	<ul style="list-style-type: none"> - Appointment of Main Contractor - Expenditure of Contingency - Adjustment to Scope 	<ul style="list-style-type: none"> - PCG and Council - PCG (mechanics to be developed) - PCG and Council 	Mid-September 2019
Completion	<ul style="list-style-type: none"> - Project Completion & Occupation 	<ul style="list-style-type: none"> - PCG 	2 nd Quarter 2021

MINUTES

6.6 Bylaw and Policy Subcommittee

Minutes of the Bylaw and Policy Subcommittee meeting, held on Thursday 16 August 2018, in the Council Chamber, 2 Baring Square East, Ashburton, commencing at 10am.

Present

Mayor Donna Favel (Chair); Councillors Selwyn Price, Diane Rawlinson, Peter Reveley and Stuart Wilson.

Also present

Crs Thelma Bell, Lynette Lovett, Mark Malcolm and Alasdair Urquhart.

In attendance

Paul Brake (Group Manager Service Delivery), Neil McCann (Group Manager Service Delivery), Toni Durham (Acting Strategy & Policy Manager), Ruben Garcia (Communications Manager), Mel Renganathan (Senior Policy Advisor), Craig Goodwin (Waste Recovery Manager) and Phillipa Clark (Governance Team Leader).

1 Apologies

Councillors Neil Brown, Leen Braam and Russell Ellis Sustained

2 Conflict of Interest

Nil.

3 Extraordinary Business

Nil.

4.1 Confirmation of Minutes

That the minutes of the Bylaw & Policy Subcommittee meeting held on 7 June 2018, be taken as read and confirmed.

Rawlinson/Wilson Carried

4.2 Forward Programme

- Protected Disclosure Policy – update on policy review
- Procurement Policy
- Water Usage Policy (referred to Service Delivery)

5.1 Bylaw Review Update

That the Bylaw Review update be received.

Wilson/Price Carried

5.2 Policy Review Update

That the Policy Review update be received.

Reveley/Rawlinson Carried

5.3 Climate Change Policy Development Update

The Subcommittee generally supported the approach being taken on a Council policy, although there were concerns with some of the Carbon Zero Bill proposals, e.g. being able to achieve zero carbon dioxide by 2050. Cr Reveley suggested that Council should wait until central government has released its policy before developing a Council policy.

The Senior Policy Advisor reported that the draft Bill will be released in October. Council needs to continue its discussion through the Canterbury Regional Climate Change Working Group and having an internal policy will provide officers with advice to take back to the Working Group and help focus the response to consultation.

Recommendation to Council

That the Climate Change Policy development update be received.

Price/Rawlinson

Carried

5.4 Solid Waste Management and Minimisation Bylaw

The Waste Recovery Manager referred to the requirement for organisers of significant events to check with Council on the need for a waste management and minimisation plan. It was noted that officers assist with events now through the supply of free bins, with a charge on disposal. Mr Goodwin spoke about the new 'recycling' trailer that has been commissioned for this purpose. Once completed, the trailer with its recycling and refuse bins will be available for community use through Council's waste contractor.

The Subcommittee asked for a map showing the rural drop-off sites to be included with the draft bylaw; but it was instead agreed the bylaw will refer to Council's web site where the location maps will be kept up to date. The web information will identify the specific uses for the bins.

Recommendation to Council

1 **That** the proposed Solid Waste Management and Minimisation Bylaw 2018:

(a) is the most appropriate way of addressing the perceived problem

(b) is the most appropriate form of bylaw; and

(c) is not inconsistent with, nor gives any rise to any implications under the Bill of Rights Act 1990

2 **That** the proposed Solid Waste Management and Minimisation Bylaw 2018 is adopted for consultation by way of the special consultative procedure beginning 21 September 2018.

Price/Rawlinson

Carried

The meeting concluded at 10.40am.

ATTACHMENT Pgs 30-46

Appendix 1 Solid Waste Management and Minimisation Bylaw

Bylaw

SOLID WASTE MANAGEMENT AND MINIMISATION

TITLE:	Ashburton District Council Solid Waste Management and Minimisation Bylaw 2016
TEAM:	Waste Recovery
RESPONSIBILITY:	Waste Recovery Manager
DATE ADOPTED:	Day Month Year
COMMENCEMENT:	This bylaw comes into force on DATE, except for clause 8.2 which will come into force on 1 July 2019.
NEXT REVIEW DUE:	Day Month Year (as required by LGA s.158 and 159)

1. Title

The title of this bylaw is the “Ashburton District Council Solid Waste Management and Minimisation Bylaw 2018”.

2. Purpose

The purpose of this bylaw is to support the:

- promotion and delivery of effective and efficient waste management and minimisation in Ashburton as required under the Waste Minimisation Act 2008,
- implementation of Council’s waste management and minimisation plans,
- purpose of the Waste Minimisation Act and the goals in the New Zealand Waste Strategy,
- regulation of the collection, transport, and processing of waste,
- protection of the health and safety of waste collectors, waste operators and the public, and
- management of litter and prevention of nuisance in public places.

This bylaw is made pursuant to the Waste Minimisation Act 2008, Local Government Act 2002, Health Act 1956, and the Litter Act 1979.

3. Related documents

- Ashburton District Council Open Spaces Bylaw 2016
- Ashburton District Council Public Places Bylaw 2018

- Ashburton District Council Waste Management and Minimisation Plan 2016
- Climate Change Response Act 2002
- Hazardous Substances and New Organisms Act 1966
- Health Act 1956
- Health and Safety in Employment Act 1992
- Litter Act 1979
- Local Government Act 2002
- Ozone Layer Protection Act 1996
- Radiation Safety Act 2016
- Resource Management Act 1999
- Waste Minimisation Act 2008.

4. Contents

1. Title	1
2. Purpose.....	1
3. Related documents	1
4. Contents	3
5. Compliance with Bylaw	4
6. Definitions	4
7. Controls	10
8. Collection, Transportation, Processing and Disposal of Waste	10
9. General Offences and Penalties.....	16
10. Other Enforcement Powers	16
11. Exceptions and Saving Provisions.....	16
12. Revocation.....	16
Schedule 1 Landfill Classes.....	17

5. Compliance with Bylaw

- 5.1. No person may deposit, collect, transport, sort, store, process or dispose of waste other than in accordance with this bylaw.
- 5.2. To avoid doubt, compliance with this bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, and rules of law.

6. Definitions

- 6.1. In this bylaw, unless the context otherwise requires:

Act means Waste Minimisation Act 2008.

Approved means Authorised in writing by Council.

Approved container means any container (including bags) that has been approved by Council for the collection of any type of waste, with approval based on the following criteria: the prevention of nuisance, the protection of the health and safety of waste collectors and the public, and the achievement of effective waste management and minimisation.

Building work has the same meaning as in section 7 of the Building Act 2004 and generally means any work for, or in connection with, the construction, alteration, demolition, or removal of a building. It can include sitework and design work relating to the building work.

Bylaw means this Ashburton District Council Solid Waste Management and Minimisation Bylaw 2018.

Class 1-4 landfills as defined in the Technical Guidelines for Disposal to Land and provided in Schedule 1 of this Bylaw.

Cleanfill material means waste that:

(1) does not undergo any physical, chemical or biological transformation that, when deposited or with the effluxion of time, is likely to have adverse effects on the environment or human health; and

(2) is not diverted material; and

(3) includes virgin materials such as clay, soil and rock, and other inert materials such as concrete or brick that are free of:

(3.1) combustible, putrescible, degradable or leachable components;

(3.2) hazardous waste;

(3.3) products or materials derived from hazardous waste treatment, hazardous waste stabilisation or hazardous waste disposal practices;

(3.4) materials that may present a risk to human or animal health or the environment; and

(3.5) liquid waste; and

(4) has less than two per cent by volume by load of tree or vegetable matter.

Cleanfill site means land used for the disposal of clean fill material.

Commercial waste means waste that results from a commercial enterprise and includes waste generated by the carrying on of any business, manufacture, trade, market, or other activity of a similar nature.

Construction and demolition waste means waste generated from any building construction or demolition works; and includes but is not limited to any concrete, plasterboard, wood, steel, brick, cardboard, metals, plastic or glass.

Council means the Ashburton District Council or any person delegated or authorised to act on its behalf.

Council collection points means places or facilities where approved containers may be left for collection or waste may be deposited if collection from a public place is unfeasible or impractical.

Cover material means material specified by Council under clause 8.3.6.4 as suitable for use as cover material at a class 1-4 landfill site.

Deposit means to cast, place, throw or drop any waste or diverted material.

Disposal as defined in section 6 of the Act and generally means the final disposal of waste into land set aside for that purpose.

Diverted material as defined in section 5 of the Act and generally means material that is no longer required for its original purpose but for commercial or waste minimisation activities would be discarded.

Domestic waste means waste consisting of refuse, recyclable material or organic matter (food waste and/or greenwaste) originating from any household or from the cafeteria, lunchroom or canteen of any commercial enterprise.

Donation collection point means place or facilities where approved types of waste may be deposited for the purposes of raising funds from the waste items.

Estimated value as defined in section 7 of the Building Act 2004 and generally means the estimated aggregate of all goods and services to be supplied for the building work.

Event means any organised temporary activity of significant scale that is likely to create litter including but not limited to an organised gathering, open-air market, parade, protest, festival, film shoot, concert or celebration. An event is considered significant if it requires a road closure and /or attracts more than 1000 attendees across the event.

Food waste means waste that is derived from any item of food and is organic in origin and includes fruit and vegetable scraps, meat, fish and bone discards, and any other similar food waste.

Green waste means compostable plant or vegetation material excluding flax and cabbage trees.

Handling waste means removing, collecting, transporting, storing, treating, processing or disposing of waste.

Hazardous waste means waste that:

- (1) contains hazardous substances at sufficient concentrations to exceed the minimum degrees of hazard specified by Hazardous Substances (Minimum Degrees of Hazard) Regulations 2000 and defined by the Hazardous Substances and New Organism Act 1996; or
- (2) meets the definition for infectious substances included in the classification of infectious substances in class 6.2 in the Land Transport Rule: Dangerous Goods 2005 and NZ Standard 5433: Part 1: 2012 Transport of Dangerous Goods on Land; or
- (3) meets the definition of radioactive material included in the Radiation Safety Act 2016 and Radiation Safety Regulations 2016.

It does not include domestic waste, commercial-domestic waste, inorganic material, construction and demolition waste or commercial waste that does not contain, meet or include those classifications of hazardous, infectious or radioactive material as defined above.

Home composting means the activity of creating decaying organic matter from domestic green waste and/or food waste into compost.

Inorganic material means waste consisting of household equipment, furniture, appliances and material of a similar type that due to its nature or size cannot be collected as domestic waste in an approved container, and that is specified by Council as suitable for:

- (1) collection from a public place by Council;
- (2) collection from any premises by Council; or
- (3) delivery to a resource recovery facility.

Litter means any refuse, rubbish, animal remains, glass, metal, garbage, debris, dirt, filth, rubble, ballast, stones, earth or waste matter or any other thing of a like nature.

Litter receptacle means a receptacle provided for the collection of litter.

Manager means a person who controls or manages any premises, activity, or event, regardless of whether that person has a proprietary interest in those premises or that activity or event.

Nuisance means a nuisance as defined at section 29 of the Health Act 1956 and generally means where accumulated material is likely to be injurious to health or is offensive.

Occupier means in relation to any property or premises, the resident of that property or premises, including any tenant, lessee and licensee of the premises.

Organic matter means food waste and/or green waste that is specified by Council under clause 8.3.6.1 as organic matter.

Owner means in relation to any property or premises, the registered proprietor, including the person entitled to receive the rack rent of the property or premises, or who would be so entitled if the property or premises were let to a tenant at a rack rent.

Person means an individual, a corporation sole, a body corporate, and an unincorporated body.

Premises means any separately occupied land, building, or part of the same.

Prohibited waste means waste containing-

(1) any material capable of causing harm or injury to any person or animal unless the material is sufficiently contained to prevent injury;

(2) any material capable of causing damage to the approved container or likely to shatter, break apart or change its physical characteristics in any way so as to cause harm or injury, in the course of collection unless the material is sufficiently contained to prevent damage to the approved container or to prevent harm or injury to any person or animal;

(3) any material that may endanger any person, animal or vehicle which may come in to contact with it prior to, during or following collection, transportation or disposal;

(4) any radioactive wastes, but excluding domestic smoke detectors;

(5) any used oil and lead-acid batteries;

(6) any hazardous waste;

(7) medical waste;

(8) any material prohibited by Council under clause 8.3.6.

Public place means (1) A place that is-

(1.1) under the control of Council and/or

(1.2) that is open to or being used by the public, whether or not there is a charge for admission and

(2) includes:

(2.1) a road, street, highway or any sort of similar thoroughfare whether or not it is under the control of Council and including the berm and footpath,

(2.2) any part of the public place, and

(2.3) park, reserve, recreation area or similar open space under the control of Council.

Recovery as defined in section 5 of the Act and generally means extraction of materials or energy from waste or diverted material for further use or processing and includes making waste or diverted material into compost.

Recyclable material means waste specified by Council under clause 8.3.6 as suitable for recycling.

Recycling as defined in section 5 of the Act and generally means the reprocessing of waste or diverted material to produce new materials.

Refuse means waste which:

(1) subject to (2), is not organic matter, recyclable material, prohibited waste, construction and demolition waste or inorganic material;

(2) may include organic matter and/or recyclable material that does not exceed the maximum allowable limits specified by Council under clause 8.3.6 of this bylaw.

Registration means to register with Council as an approved Waste Operator in Ashburton District.

Rural means any areas zoned and/or defined in the Ashburton District Plan as Rural A, Rural B and Rural C.

Specified intended life as defined section 113 (3) in the Building Act 2004 and in relation to a building, generally means the period of time, as stated in an application for a building consent or in the consent itself, for which the building is proposed to be used for its intended use.

Treatment as defined in section 5 of the Act and generally means subjecting waste to any physical, biological, or chemical process to change its volume or character so that it may be disposed of with no or reduced adverse effect on the environment. It does not include dilution of waste.

Waste as defined in section 5 of the Act and generally means any component or element of diverted material, if the component or element is disposed of or discarded.

Waste collector means a person who collects or transports waste and includes commercial and non-commercial collectors and transporters of waste (for example, community groups and not-for-profit organisations); but does not include individuals who collect and transport waste for personal reasons (for example, a person taking household garden waste to a landfill).

Waste management facility A facility which primarily provides treatment and disposal services or waste remediation and materials recovery services, in relation to solid waste.

Waste management facility operator means a person who owns or manages a waste management facility.

Waste management and minimisation plan as adopted under section 43 of the Act and generally includes objectives and policies setting out how a territorial authority will achieve effective and efficient waste management and minimisation in its district.

Waste operator means a person who is a waste collector or operates a waste management facility.

Waste remediation and materials recovery services means the remediation and clean up of contaminated buildings and mine sites, mine reclamation activities, removal of hazardous material and abatement of asbestos, lead paint and other toxic material. This also includes recovery, sorting, and/or storage services in relation to waste.

Waste treatment and disposal services means the treatment or disposal of waste (including hazardous waste), including the operation of landfills, combustors, incinerators, compost dumps and other treatment facilities (except sewage treatment facilities), and waste transfer stations.

7. Controls

- 7.1. Any control specified by Council to support the implementation of this bylaw:
- 7.1.1. must, after consultation pursuant to the Local Government Act 2002, be made by a resolution that is publicly notified; and
 - 7.1.2. may:
 - 7.1.2.1. prohibit, restrict, or control any matter or thing generally, for any specific category or case, or in a particular case;
 - 7.1.2.2. apply to all waste or to any specified category of waste;
 - 7.1.2.3. apply to Ashburton District or to a specified part of Ashburton District; and/or
 - 7.1.2.4. apply at all times or at any specified time or period of time.

8. Collection, Transportation, Processing and Disposal of Waste

8.1. General Responsibilities

- 8.1.1. The occupier and the manager of a premises must ensure that the domestic waste from the premises is separated into waste types as determined by Council, and deposited for collection in the correct approved container. No person may deposit in a container material that is not approved for that type of container.
- 8.1.2. The occupier and the manager of any premises must ensure that:
- 8.1.2.1. reasonable steps are taken to prevent the waste escaping from any waste container;
 - 8.1.2.2. waste from the premises has no more than a minimal adverse effect on neighbouring occupiers;
 - 8.1.2.3. any waste container is regularly emptied when it is full; and
 - 8.1.2.4. the contents of any waste container, excluding containers for green waste, are protected from rain or ingress or egress of flies and animals.
- 8.1.3. The occupier and the manager of any premises who is in control of an approved container must ensure that:
- 8.1.3.1. the approved container is kept in a safe location, hygienic, in good repair, and without any modifications or alterations to its appearance;
 - 8.1.3.2. if required, waste is deposited in the approved container in a manner that allows the whole of the contents to fall out easily and cleanly when the approved container is emptied;
 - 8.1.3.3. unless the approved container is placed at a Council collection point, the approved container is placed for collection in an upright position off the carriageway, in front of the premises from which the waste originated and as close to the kerbside as possible;
 - 8.1.3.4. reasonable steps are taken to prevent the approved container disrupting or obstructing pedestrian and vehicular traffic and to preserve access to the premises; and
 - 8.1.3.5. the approved container is placed for the collection of waste and retrieved in accordance with any applicable control specified by Council.

- 8.1.4. No person may:
- 8.1.4.1. deposit waste into an approved container provided to any other person, other than themselves, without that other person's consent;
 - 8.1.4.2. remove waste from, or interfere with any waste deposited in, an approved container, except Council, a licensed waste collector or the person who deposited the waste;
 - 8.1.4.3. remove an approved container provided by Council from the premises to which it has been allocated, except with the prior written approval of Council.
- 8.1.5. The occupier and the manager of any premises is responsible for any waste generated on the premises until it has been collected in accordance with this bylaw.

8.2. **Registration of Waste Collection and Waste Management Facility Operators**

- 8.2.1. Any:
- 8.2.1.1. waste collector who collects and/or transports more than 20 tonnes of waste from a variety of sources in any one twelve month period in Ashburton District ; and
 - 8.2.1.2. waste management facility operator with a facility in the district of Ashburton that provides waste remediation and materials recovery services or waste treatment and disposal services for more than 20 tonnes of waste in any one twelve month period

must be registered with Council, and may not collect waste or operate the waste management facility (as the case may be) without being registered.

- 8.2.2. Waste Operators must use an application form which is approved by and made available by Council and provide sufficient information required by Council to process the registration.
- 8.2.3. A registration is personal to the holder and cannot be assigned to another.
- 8.2.4. When considering an application for registration, Council may take into account any factors as to the appropriateness to grant a registration, including but not limited to:
- 8.2.4.1. The applicant's experience, reputation, and history in the waste and diverted material industry, including any known past operational issues which may affect the applicant's ability to perform waste treatment and disposal services, and any breaches of conditions to operate; and
 - 8.2.4.2. The terms and conditions under which any disposal of waste is permitted and the existence of, or need for, any statutory approvals, authorisations, or consents required to be held or complied with in respect of such disposal.
- 8.2.5. A registered waste operator must comply with all terms and conditions of the registration. These conditions may include, but are not limited to, the following matters:
- 8.2.5.1. Term – a registration may be granted for a term of up to 6 years;

- 8.2.5.2. Compliance with standards – the registered holder must comply with any standards or policies Council has set for waste handling such as:
 - 8.2.5.2.1. Provision of waste collection services within reasonable times specified by Council; and
 - 8.2.5.2.2. The collection of any litter within a specified distance of an approved container awaiting collection and any litter spillage from the registration holder’s vehicle during the collection, transportation or disposal process.
- 8.2.5.3. Council may suspend a registration if the registration holder fails to comply with this bylaw, any of the terms or obligations of the registration, any relevant controls made under this bylaw, or acts in a manner which Council considers, on reasonable grounds and in light of the purpose of this bylaw, is not suitable for the holder of a waste operator registration.

8.3. **General Controls on the Collection, Transportation and Disposal of Waste**

Collections from a Public Place

- 8.3.1. Waste may not be placed on a public place for collection unless it is:
 - 8.3.1.1. domestic waste;
 - 8.3.1.2. green waste;
 - 8.3.1.3. inorganic material deposited for collection by or on behalf of Council, or
 - 8.3.1.4. any other type of waste determined by Council as able to be placed on a public place for collection.
- 8.3.2. Prohibited waste, diverted material, construction and demolition waste or commercial waste may not be placed in a public place for collection unless authorised by Council under this bylaw.
- 8.3.3. Any waste operator who collects or transports waste from a public place must:
 - 8.3.3.1. make available to the occupier or manager of a premises one or more approved containers to enable separate collection of each of the waste types required to be separately collected from the premises;
 - 8.3.3.2. not collect for disposal any domestic waste which has not been separated into refuse, recyclable material and organic matter. However this does not apply where the amount of recyclable material and/or organic matter mixed with the refuse, or the amount of the recyclable material mixed with the organic matter or vice versa, does not exceed the maximum allowable limits specified by Council under clause 8.3.6.2.
 - 8.3.3.3. not dispose to a class 1 – 4 landfills any waste type that is capable of being reused or recycled.
- 8.3.4. Council may specify controls for the following matters in relation to the collection or transportation of waste from a public place:
 - 8.3.4.1. the area to which the control applies;
 - 8.3.4.2. the type, size, colour, and construction of approved containers that may be used for the storage and collection of waste;
 - 8.3.4.3. the types of waste that may be collected in various types of approved container;
 - 8.3.4.4. the categories of wastes that may be deposited at or collected from a public place;
 - 8.3.4.5. the conditions applicable to any collection service from a public place - including

- the placement and retrieval of approved containers for collection, collection days and times, and restrictions on the number and weight of approved containers;
- 8.3.4.6. requirements to ensure the correct separation of categories of wastes into approved containers;
- 8.3.4.7. the locations, access times and conditions of use of Council waste collection points;
- 8.3.4.8. any other operational matter required for the safe and efficient operation of a collection service from a public place.
- 8.3.5. Any person providing or using a waste collection service in or from a public place must comply with all controls made by Council relating to that collection.

General controls

- 8.3.6. The council may specify controls for the following matters in relation to the collection, transportation or disposal of waste from any property:
 - 8.3.6.1. Types of domestic waste that may be treated for all purposes (including deposit, collection, transportation, and disposal) as recyclable, organic, or refuse;
 - 8.3.6.2. maximum allowable limits of a specified waste type that may be collected or transported from a public place in an approved container for refuse and that subsequently may be disposed of;
 - 8.3.6.3. maximum allowable limits of a waste type that may be placed in a container approved for another waste type;
 - 8.3.6.4. types of waste that may be handled at any class 1 – 4 landfill and material that may be used as cover material at any such site;
 - 8.3.6.5. materials that may be used as natural or other hardfill material at a clean fill site;
 - 8.3.6.6. types of waste that are prohibited.

Council collection points

- 8.3.7. No person may deposit waste at a Council collection point other than in accordance with any applicable control.
- 8.3.8. Council may specify:
 - 8.3.8.1. any place, or receptacle in a public place or on a barge in a marine area, as a Council collection point for the collection of domestic waste; and
 - 8.3.8.2. controls relating to the deposit of waste at Council collection point including the use of specified containers.

8.4. Events

- 8.4.1. Any organiser of an event must consult with Council's Waste Recovery Team to determine if an event waste management and minimisation plan is required.
- 8.4.2. Council may require an event waste management and minimisation plan for significant events to set out:
 - 8.4.2.1. an estimate of the types and amounts of waste to be generated by the event;
 - 8.4.2.2. how waste generated by the event is to be minimised;
 - 8.4.2.3. the steps to maximise the collection and use of recyclables and reusable material;
 - 8.4.2.4. the equipment to be provided for the storage, collection and transportation of waste and diverted material;

- 8.4.2.5. the person responsible for the collection and disposal of waste and the methods to be used; and
 - 8.4.2.6. any other matters relating to event waste management and minimisation that may be specified by Council.
- 8.4.3. If an event waste management and minimisation plan is required, the event organiser must comply with the approved event waste management and minimisation plan.

8.5. **Construction Site Waste Management and Minimisation Plans**

- 8.5.1. Any person applying for a building consent for non-residential building work with an estimated value of \$500,000 or higher must consult with Council's Waste Recovery Team to determine if a site waste management and minimisation plan is required.
- 8.5.2. Council may require a site waste management and minimisation plan to set out:
- 8.5.2.1. The name of the client, principal contractor, and person who prepared the site waste management and minimisation plan;
 - 8.5.2.2. The location of the site;
 - 8.5.2.3. The estimated total cost of the building work;
 - 8.5.2.4. A description of each type of waste expected to be produced;
 - 8.5.2.5. An estimate of the quantity of each type of waste; and
 - 8.5.2.6. The proposed method of waste management for each type of waste (e.g. recovery, recycling, disposal).
- 8.5.3. While the building work is being carried out, the principal contractor will:
- 8.5.3.1. Review the plan as necessary;
 - 8.5.3.2. Record quantities and types of waste produced; and
 - 8.5.3.3. Record the types and quantities of waste that have been:
 - 8.5.3.4. Reused (on or off site)
 - 8.5.3.4.1. Recycled (on or off site)
 - 8.5.3.4.2. Sent to other forms of recovery (on or off site)
 - 8.5.3.4.3. Sent to landfill
 - 8.5.3.4.4. Otherwise disposed of.
- 8.5.4. If a site waste management and minimisation plan is required, the principal contractor must ensure that a copy of the plan is kept on site, and that every contractor knows where it can be found. It must be available to any contractor carrying out any work described in the plan.

8.6. **Inorganic Material**

- 8.6.1. Council may specify controls for the following matters in relation to the collection of inorganic material from a public place:
- 8.6.1.1. the weight, size and nature of inorganic materials that may be deposited for collection by Council;
 - 8.6.1.2. the categories of inorganic waste that may be deposited for collection by

- Council;
- 8.6.1.3. the times, locations and conditions applicable to the collection by Council of inorganic material from a public place;
 - 8.6.1.4. the methods by which the inorganic material may be collected;
 - 8.6.1.5. any other operational matters required for the safe and efficient collection by Council of inorganic material from a public place.
- 8.6.2. Any person who deposits inorganic material for collection on, or collects or transport inorganic material from, a public place must comply with the controls made by the council.

8.7. Nuisance and Litter

- 8.7.1. No person may:
- 8.7.1.1. allow any accumulation of waste or diverted material on any premises they own, occupy or manage to become offensive, a nuisance or likely to be injurious to health;
 - 8.7.1.2. use an approved container in a manner that creates a nuisance, is offensive or is likely to be injurious to health.
- 8.7.2. Except as provided for under this bylaw, no person may dispose of any waste on any premises except at:
- 8.7.2.1.1. a class 1-4 landfill;
 - 8.7.2.1.2. a waste management facility, or
 - 8.7.2.1.3. any premises they own, occupy or manage as provided for under the Land and Water Regional Plan.
- 8.7.3. No person may -
- 8.7.3.1. deposit any waste arising from that person's household or that person's business activities in any litter receptacle provided by Council in any public place;
 - 8.7.3.2. remove any waste from any litter receptacle provided by Council in any public place, where this results in any waste being deposited outside the receptacle, unless authorised by the council to do so;
 - 8.7.3.3. deposit or attempt to deposit any litter in any receptacle provided by Council in any public place if:
 - 8.7.3.3.1. the receptacle is full; or
 - 8.7.3.3.2. the litter is likely to escape.
 - 8.7.3.4. fix or attach any flag, banner, bunting, balloon, sign, poster, leaflet or similar thing to any litter receptacle provided by Council in any public place; or
 - 8.7.3.5. damage any litter receptacle provided by Council in any public place.
- 8.7.4. The owner, occupier or manager of any premises on which any flag, banner, bunting, balloon, sign, poster, leaflet or similar device is displayed that is likely to become litter, must take all steps to the satisfaction of the council to prevent it becoming litter and to clean it up in the event that it does become litter.
- 8.7.5. Council may recover clean- up and disposal costs for wilful or negligent behaviour and remedying damage arising from a breach of this bylaw.

9. General Offences and Penalties

- 9.1. A person who fails to comply with this bylaw commits a breach of this bylaw and is liable to a penalty under the Waste Minimisation Act 2008, the Local Government Act 2002 and/or the Health Act 1956.
- 9.2. A person who commits a breach of this bylaw that is also an offence under the Litter Act 1979 is liable to a penalty under that Act.

10. Other Enforcement Powers

10.1. Inorganic material

- 10.1.1. Where a person does not comply with a control made by Council under clauses 8.7.1 and 8.7.2, Council may:
 - 10.1.1.1. Reject (i.e. not collect) the inorganic material, if the inorganic material or placement is non-compliant;
 - 10.1.1.2. Remove the inorganic material, where the inorganic material or placement is non-compliant, subject to payment of the costs of removal, administrative costs and an additional penalty specified by Council;
 - 10.1.1.3. Enforce any offence that may have been committed under the Litter Act 1979; and/or
 - 10.1.1.4. Enforce any breach of this bylaw, as provided for in the Health Act 1956, the Local Government Act 2002 and the Waste Minimisation Act 2008.

11. Exceptions and Saving Provisions

- 11.1. A person is not in breach of this bylaw if that person proves that the act or omission was in compliance with the directions of an authorised Council officer.
- 11.2. A product stewardship scheme accredited under the Waste Minimisation Act 2008 may be exempted from the requirements of this bylaw.

12. Revocation

- 12.1. At the time of commencement of this bylaw, this bylaw repeals the Ashburton District Council bylaw Chapter 16 - Solid Waste dated 2012.

Schedule 1 Landfill Classes

Class	Common Name	Waste Material	Material Source	Contaminant Risk
1	Municipal Solid Waste Landfill	Non-hazardous waste. Typically mixed waste from multiple sources and containing high content of organic material; may include waste sited for classes 2,3, and 4. May be developed form specific industrial wastes (for example, monofills or residual waste sites).	Households, industry, institutions, construction sites, contaminated sites.	Leachate, contaminated stormwater and landfill gas (LFG). Odour Dust
2	C&D Landfill	Unsorted/uncontrolled construction and demolition material. May be developed for specific industrial wastes (for example, monofills or residual waste sites).	Construction sites, demolition material, soil from areas with significantly different chemical properties.	Leachate and contaminated stormwater; low risk of LFG, but may get odour due to hydrogen sulphide. Dust
3	Managed Fill	Inert material (e.g. selected inert construction or demolition material) or soils with trace element concentrations greater than applicable regional background concentrations.	Selected materials from construction sites, demolition sites.	Some risk of leachate (e.g. as a result of some extraneous wood products, organics or mineral oils amongst inert material). Sediment contamination of stormwater. Dust
4	Clean Fill	Virgin excavated natural material (VENM).	Slips/road clearance, construction site clearance, earthworks surplus.	Little or no risk of leachate and gas. Sediment contamination of stormwater. Dust

Waste Management Institute New Zealand (WasteMINZ), April 2016. *Technical Guidelines for Disposal to Land*. Waste Management Institute New Zealand (WasteMINZ), Pg. 25

REPORT

Date: 20 September 2018
Report to: Council
From: Manager People & Capability
Subject: 2018-19 Christmas and New Year

6.7 2018-19 Christmas and New Year Period Closedown

6.7.1 Summary

This report highlights our Christmas and New Year closures and the services Council will provide throughout the period.

6.7.2 Recommendation

That the report be received.

6.7.3 Background

The Administration building closes down every year for the Christmas and New Year period. Throughout the closure period customers will be able to contact Council by our after-hours phone service, TAS (Timaru Answer Service) who are available 24 hours 365 days a year. They then forward the matter to our contractors or our on-call employees who are available through the period.

Traditionally, this time is a quiet period and a good opportunity for employees to have a holiday and reduce their leave balance. In the past, this arrangement has worked well, with little known negative impact on our customers.

All other Council facilities (EA Networks, Library, Museum) and services (Open Spaces) continue to operate over the Christmas and New Year period with reduced operating hours on certain days.

6.7.4 Details

Council Administration Office

- The administration office at 5 Baring Square West will close at 1pm on Monday 24 December 2018 and reopen at 8.30am on Thursday 3 January 2019.

Please note, to maintain critical services, certain employees based with the Council's administration office work for reduced hours or are on-call during this period.

Open Spaces

- Normal operation. Some staff will take annual leave over this period and a minimal number of employee work on public holidays.

Library

- The Library will close at 5pm on 24, 27, 28 and 31 December and will be closed on public holidays. Saturday and Sunday hours remain the same during this period, with normal hours resuming on Thursday 3 January 2019.

Museum

- The Museum will be closed on public holidays only, with normal operating hours (10am – 4pm) on the remaining days throughout the Christmas and New Year period.

EA Networks Centre and Tinwald Pool

- The EA Networks Centre will close on 25 December and 1 January. They will continue to open the facility at the normal times (5.45am on week days and 7am on weekends) but will close at 5pm on 24, 27, 28 December, 2 January and 3pm 31 December. The weekend hours (29-30 December) are unchanged, and normal hours for the whole facility will resume on 3 January 2019.
- The Tinwald swimming pool will closed on 25 December, operate with an early finish of 5pm on 24, 31 December and 1 January. Otherwise the pool will be open from 12 – 7pm daily.

Prepared By

SARAH MOSLEY

Manager People & Capability

Approved By

JANE DONALDSON

Acting Chief Executive

ATTACHMENT Pg 49

Appendix 1 Schedule of holiday period closures

Appendix 1

Date	Tinwald Pool	EA Networks Centre	Museum	Ashburton Public Library	Open Spaces	Civic Administration Building
Thursday 20 December	CEO Shout – End of Year Staff Event					
Monday 24 December	5pm Close (Normal 7pm)	5pm Close (Normal 9pm)	4pm Close* (Normal 4pm)	5pm Close (Normal 8.00pm)	1pm Close (Normal 4.30pm)	1pm Close (Normal 5pm)
Tuesday 25 December PUBLIC HOLIDAY	CLOSED	CLOSED	CLOSED	CLOSED	CLOSED	CLOSED
Wednesday 26 December PUBLIC HOLIDAY	12pm - 7pm*	10am to 5pm	CLOSED	CLOSED	CLOSED	CLOSED
Thursday 27 December	12pm - 7pm*	5.45am to 5pm	10am-4pm*	9am – 5pm	7.30am-4.30pm*	CLOSED
Friday 28 December	12pm - 7pm*	5.45am to 5pm	10am-4pm*	9am - 5pm	7.30am-4.30pm*	CLOSED
Saturday 29 December	12pm - 7pm*	7am to 7pm*	10am-4pm*	10am - 1pm*	-	-
Sunday 30 December	12pm - 7pm*	7am to 7pm*	10am-4pm*	1pm - 4pm*	-	-
Monday 31 December	12pm - 5pm	5.45am to 3pm	10am-4pm*	9am - 5pm	7.30am-2pm	CLOSED
Tuesday 1 January PUBLIC HOLIDAY	12pm - 5pm	CLOSED	CLOSED	CLOSED	CLOSED	CLOSED
Wednesday 2 January PUBLIC HOLIDAY	12pm - 7pm*	10am to 5pm	CLOSED	CLOSED	CLOSED	CLOSED
Thursday 3 January	Normal hours continue	Normal hours resume	Normal hours continue	Normal hours resume	Normal hours resume	Normal hours resume
Key: * = Normal hours of operation						

REPORT

Date: 20 September 2018
Report to: Council
From: Mayor

6.8 Mayor's Report

6.8.1 Mayor's Update

6.8.1.1 Chief Executive

While Council are extremely appreciative of the commitment shown by Acting CE Jane Donaldson, Leadership Team and all staff in the interim period between Chief Executives. I am pleased to advise that Hamish Riach has now arrived and assumed his role as Chief Executive.

6.8.1.2 Mycoplasma Bovis Update

At the recent Canterbury Mayoral Forum, Nikki Prendergast from MPI provided a detailed update to the Civil Defence Emergency Management committee. I have invited her to present to Ashburton District Council, at the next Environmental Services Committee on Thursday 11 October.

Peter Reveley (as Chair of Rural Support) and I have been invited to be members of the M.bovis Regional Welfare & Recovery Group for Canterbury. We have both accepted the kind invitation.

Below is a summary of Ashburton District farms impacted:

Ashburton District (as at 31 August 2018):

Active Infected Properties – 10

Depopulated Infected Properties - 1

Farms under an RPN (Restricted Place Notice) – 11

Level 5 (highest) infected status – 12 (2 farms have been or are being depopulated)

Farms under a NOD (Notice of Direction) – 23 (but 2 in the process of being lifted)

Farms that had NODs lifted so far - 25

Farms under active surveillance/controls – 94

Farms under a NOD/RPN have a dedicated case manager assigned – 34 out of current 94

6.8.1.3 Welcoming Plan Launches

Under the CREDS work programme Mayor Sam Broughton and I are the lead Mayors for Migrants and Newcomers. Ashburton and Selwyn District Councils are also pilot councils for Welcoming Communities. I am pleased to report that both have now launched their Welcoming Plans, Ashburton 11/7/18 and Selwyn 24/8/18. Thank you to Ilana Batchelor for her hard work and dedication on both plans.

6.8.1.4 Trustpower Community Awards

Trustpower have changed their modus operandi for Community Awards and 2018 will be the first in the new format. Timaru and Waitaki Mayors, officials and entrants will join us in Ashburton for the Awards evening to be held on Thursday 18 October at the Ashburton Trust Event Centre.

6.8.1.5 CECC – Global Connections 2018

Councillor Selwyn Price and I attended the Canterbury Employers’ Chamber of Commerce, re: Global Connections 2018, with a focus on maximising exports. There were an amazing range of speakers:

- Andrew Sharp | CEO | Bobux Shoes
- Amanda Santos | CEO | Tekron
- Catherine Beard | Executive Director | ExportNZ
- David Downs | General Manager | NZTE (MC)
- Grahame Morton | Ministry of Foreign Affairs and Trade
- Hayden Johnston | Founding Director | Tuku Māori Winemakers Collective and Hui Māori Collective
- John Holt | Chairman | Kiwi Landing Pad
- John Stokes | Co-Founder and Export Director | The Produce Company & Eat the Kiwi
- Josh Comrie | Ambit
- Malcolm Johns | Chief Executive | Christchurch International Airport (MC)
- Dr Peter Stevens | Chief Executive | GS1 New Zealand
- Robert Blache | Future Insights Manager – Advanced Manufacturing, Callaghan Innovation
- The Honourable Ruth Richardson

6.8.1.6 Improving Productivity and High Value Manufacturing Agricultural Workshop

The Canterbury Mayoral Forum contracted David Rendall to facilitate Improving Productivity and High Value Manufacturing Agricultural workshops throughout the Canterbury regions. Ashburton District Council hosted a workshop on 21 August. Invitations were sent to a range of businesses throughout the Ashburton district.

6.8.1.7 Medical Students’ – Community Contact Week

The Ashburton District Council hosted a group of third year medical students from Otago University as part of their Community Contact Week programme on 22 August 2018. In return for hosting the students the University makes a donation of \$500, which Council then gives to a charitable organisation of its choice.

Organisations who have previously received the donation:

1998	Order of St John
1999	Alzheimers Association (Ashburton Branch)
2000	Plunket Society (Mid-Canterbury Branch)
2002	Ashburton Palliative Care
2004	Ashburton Benevolent Fund
2005	Ronald McDonald House
2006	St Vincent de Paul Society
2007	Salvation Army
2008	Ashburton Branch of SPCA
2009	Ashburton Branch of Heart Foundation
2010	Base Café
2011	Ashburton Branch, N Z Red Cross
2012	CCS Disability Services
2013	Cancer Society, Canterbury/West Coast Division, Mid Canterbury Centre
2014	Hype Youth Health Centre
2016	Hospice Mid Canterbury
2017	Hospice Mid Canterbury

Recommendation

That the University of Otago Medical Students’ donation of \$500 be given to _____

6.8.1.8 2018 EA Networks AGM

I attended the 2018 EA Networks AGM, held at the Hotel Ashburton. It was well attended, but I was the only ADC elected member there. Gary Leech departed as the Chair, Phil McKendry was appointed as the replacement Chair and a new director was appointed.

I had some interesting learnings on the night.

- Urban undergrounding – a map was displayed of area still to do, plan to be done in the next five years.
- High Health and Safety focus commitment.
- State Highway undergrounding – this is being done in partnership with NZTA.
 - 100% Ashburton to Rakaia done
 - 50% Ashburton to Rangitata done
 - 25% Ashburton to Methven done
- Electric vehicle charging – EA Networks plan to have Methven, Hinds and Mayfield all done this year. Also, during this financial year, plan to start charging at the EV stations.
- Orion have produced an app showing EV charging locations.
<http://www.oriongroup.co.nz/customers/electric-vehicles/ev-charging>

6.8.1.9 Eastfield Liaison Group

Group Manager Finance and Business Support – Mr Paul Brake, Deputy Mayor Neil Brown and myself, met with Eastfield JV Committee for the quarterly update. Topics of discussion included:

- Eastfield Health update
- Discussions on Civic Square ownership – ownership and management
- Car parking
- Finance
- Canterbury Mayoral Forum – re: Regional Development Application
- Eastfield’s Annual General Meeting is to be held at Brophy Knight and Partners on Monday 1 October at 10:00am. The agenda for this meeting has been circulated to Councillors.

6.8.1.10 Rangitata Diversion Race Management Ltd AGM

The annual general meeting of RDR Management Ltd will be held at 2pm on Tuesday 2 October, at the Ashburton Hotel. The Annual Report and Financial Statements have been circulated to Councillors.

With Council’s agreement, the proxy vote form will appoint the Mayor to vote on Council’s behalf with the Chief Executive as the alternative representative.

6.8.1.11 Mt Hutt College International Student Visit

On 28 September Council hosted a group of 14 international students from Mt Hutt College. There were 5 Korean, 3 Japanese and 6 German nationalities in attendance. We had a meet and greet with myself, Crs Lovett, Price and Rawlinson and the students were shown a power point presentation showcasing the Ashburton district. Erana Te Moananui, the Ashburton District Council TUIA representative also spoke to the group about her time as Head Girl of Mt Hutt College, being a participant on the TUIA programme and studying Criminology at Canterbury University.

6.8.2 Mayoral Calendar

Below is the Mayoral Calendar, since the last Mayor’s report:

August

- 1 August: ADC Executive Committee Meeting
- 1 August: ADC Ashburton Youth Council Meeting
- 2 August: ADC Workshop + Surface Water Strategy
- 3 August: Attend Community House Networking Meeting
- 3 August: Attend Rural Women NZ Region 2 Canterbury
- 4 August: Attend Official Opening of Three Rivers Health Facility

- 4 August: Attend Super Rugby Final – Crusaders vs Lions
- 6 August: Host Mt Hutt College guests – Yumegaoka Middle School – Japan
- 6 August: Met with Senior Sergeant Phil Dean and Kevin Clifford
- 6 August: Advance Ashburton Trustee Review Meeting
- 7 August: Road Safety Co-Ordination Committee
- 7 August: Met with Principal Ross Preece and Geraldine Ling
- 9 August: ADC Council Meeting + ACL Quarterly Update
- 10 August: Canterbury Employers Chamber of Commerce – speaker Hon. MP Stuart Nash
- 11 August: Mid Canterbury Newcomers Network - Mid Winter Christmas @ Mania O Roto
- 13 August: Total Mobility Committee Meeting and AGM
- 14 August: Chertsey School judging Speech Competition
- 15 August: Canterbury Employers Chamber of Commerce – Global Connections 2018
- 16 August: ADC Bylaw & Policy Subcommittee Meeting
- 17 August: ADC Admin & Library Project Control Group
- 20 August: Methven Community Board and Mt Hutt Memorial Hall
- 20 August: Attend Issy Ferguson Presentation Rural Self Harm and Suicidality
- 21 August: Ashburton Aquatic Park Charitable Trust Appointments Committee
- 21 August: CREDS – David Rendall “Improving Productivity and High Value Manufacturing Agricultural Workshop
- 22 August: Otago University Medical Students Visit
- 23 August: ADC Extraordinary Council Meeting
- 23 August: ADC Solid Waste Workshop
- 23 August: Met with CEOs from ALIS and MHV
- 24 August: Launch of Selwyn District Council – Welcoming Plan
- 24 August: Visited Eva Taylor – 100th Birthday Celebration
- 27 August: Attended the White Ribbon Breakfast
- 27 August: Attended Hon MP Andrew Falloon – End of Life Choice Bill discussion
- 27 August: Attended the 128th AGM of the Ashburton Horticultural Society
- 28 August: Mount Hutt Visit – Thailand Students
- 28 August: Ashburton Water Zone Committee Meeting
- 29 August: Met with Gabby Simpson from St Joseph School
- 29 August: EA Networks AGM @ Hotel Ashburton District Council
- 29 – 31 August: Civil Defence Emergency Management Training – Marlborough

September

- 2 September: Attended Harris Scientific Reserve Planting Day
- 3 September: Eastfield Joint Venture Liaison Meeting
- 4 September: Met with David West
- 4 September: RDR Remuneration Committee
- 5 September: ADC Urban and Rural Road Reference Groups
- 5 September: Met with ACADS representatives – Chris Clark and Tania Scott
- 5 September: Ashburton Youth Council
- 6 September: ADC Council Workshop – PCG Admin & Library Project Control Group
- 6 September: ADC Finance and Business Support
- 6 - 7 September: Canterbury Mayoral Forum
- 7 September: LGNZ Climate Change – Cr Selwyn Price deputised
- 7 September: Mid Canterbury Hockey Chris Arthur 2nd XI Cup presentation – Cr Diane Rawlinson deputised.

DONNA FAVEL
Mayor

REPORT

Date: 20 September 2018
Report to: Council
From: Acting Chief Executive

6.9 Chief Executive's Report

The following report was prepared by Jane Donaldson in her final week as Acting Chief Executive.

6.9.1 Corporate Work Items

6.9.1.1 Healthier Homes Canterbury

Environment Canterbury has introduced a voluntary targeted rate scheme as part of its Healthier Homes Canterbury initiative. The aim is to help people make their homes warmer, drier and healthier by enabling those who meet certain criteria to add the cost of installing home heating appliances, ventilation and/or insulation to their rates bills. The total amount available is up to \$6,000 (including GST) and it will need to be paid back over nine years at a fixed interest rate (likely to be around 6%).

In order to make this scheme work, ECan needs support from District Councils to include loan repayments on rates invoices and record existing loans in LIMs. We are able to provide that support, and have signed an MOU with Ecan.

6.9.1.2 Three Waters

Two draft papers were supported for further discussion at the Mayoral Forum on 7 September. The first was a stocktake paper and the second was next steps for the three waters.

6.9.1.3 Final Proposal for Regional Council Representation

On 23 August the Canterbury Regional Council determined its final proposal for the 2019 elections. A key change from the initial proposal is an additional member for South Canterbury (from 1 to 2), bringing the total number of members to be elected to 14 rather than 13. The final decision rests with the Local Government Commission following the appeal period.

6.9.1.4 ADC Representation Review Appeals

Three appeals were received to this Council's representation review. These have been sent, alongside supporting and process information, to the Local Government Commission who will make the final decision about the representation arrangements for the district. Their determination will be made before 11 April 2019, with the decision taking effect for the 2019 elections.

6.9.1.5 Waitangi Day Events Funding

A letter has been received from the Prime Minister about marking Waitangi Day in local communities and applying for funding for 2019 events. The letter has been passed on to the Multi-Cultural Bite team, who run their event on Waitangi Day.

6.9.1.6 Changes to Emergency Management

On 30 August the Minister for Civil Defence (Hon Kris Faafoi) announced the Government response to an earlier report prepared by the Technical Advisory Group (TAG). There are five themes to the Government response;

1. Put the safety and wellbeing of people at the heart of the emergency response system
2. Strengthen the national leadership of the emergency management system
3. Make it clear who is responsible for what nationally and regionally
4. Build the capability and capacity of the emergency management workforce
5. Improve the information and intelligence system that supports decision making in emergencies

The Government believes more work is needed before decisions can be made about a new national emergency management agency. Other key points include support for Fly-in Teams of professional response personnel to support local responses where needed, and strengthening the Group approach. The latter will involve legislative changes so that councils buy in to Group planning and decisions, and that emergency management personnel report to the CDEM Group, not Mayors and Chief Executives.

6.9.1.7 Letter from Taxpayers' Union

Councillors across the country recently received a letter from the Taxpayers' Union regarding the increased level of remuneration for elected members announced by the Remuneration Authority. The letter asked elected members if they would acknowledge that many of their ratepayers are struggling and to freeze their own pay until Council elections next year.

The Chair of the Remuneration Authority has clarified that elected members cannot forgo the remuneration increases. Under the law, elected members have no ability to decline all or part of an increase, and nor can a Council instruct its Chief Executive to not pay any increase.

A copy of the letter and the response from the Remuneration Authority are attached.

6.9.1.8 Arrangements with Arowhenua

Council officers met with representatives from the Aoraki Environmental Consultancy (AEC) on 30 August. This was to discuss key projects that AEC are providing advisory services to Council for, and these meetings will occur every six weeks in 2018/19. The key projects discussed include Wakanui Beach, Lake Clearwater landscape plans, Ashburton Domain Development Plan, Surface Water Strategy, stormwater project, and resource consents. The conversations provide a valuable opportunity to develop and strengthen the relationship between Arowhenua and Council.

6.9.2 Staff Movements

For the period 29 June to 20 September 2018

New Starts

Antony Waterman	Alan Hall
Shane Byron	Shane Wright
Ruben Garcia	Charin Phumcharoen
Garry Bryant	Mary-Ann Turton
Sam Tait	Colette Noonan
Madison Faass	Gabi Carrick

Departing Staff

Tayla McAdam	Murray Templeton
Ruby Donaldson	Courtney Van Der Eik
Tayla Hampton	Dorothy Linwood
Louise Glennon	Senara Fernando
Wayne Shiewlaw	Alisdair Gormly
Laura Muckle	Barbara Adam

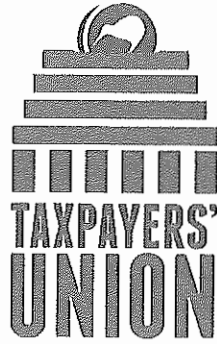
Jessica Windhorst
Elizma Maritz
Szaria Leitner

Emma Anderson
Erin Mitchell
Ronda Katene-Hill

JANE DONALDSON
Acting Chief Executive Officer

ATTACHMENTS *Pgs 57-60*

Appendix 1 Taxpayers Union
Appendix 2 Remuneration Authority



27 August 2018

Mayor and Councillors
[Council]

By email: [emails]

Dear Elected Official,

REQUEST FOR COMMITMENT ON REMUNERATION FREEZE

Last week, Prime Minister Jacinda Ardern froze the pay of Members of Parliament in an acknowledgement that the Government (and MPs) cannot keep taking pay hikes while saying there is no more money for teachers, nurses and other New Zealanders struggling to make ends meet.

At the same time, ratepayers across the country are told to expect rate hikes averaging 50 percent over the next decade – and that's without including new charges such as regional fuel taxes and increased waste levies. Across New Zealand, Council rates are going up many times the rate of inflation and post-tax income growth. That means *your ratepayers* (our members) are having to cut back due to decisions made around your Council table.

As an example of an unjustified pay hike, Dave Cull – Mayor of Dunedin and President of Local Government New Zealand – has just received a 5.7% pay hike. Ironically, Mr Cull has publicly defended his fattened pay packet on the basis of being a Mayor 'full time'. But we see Mr Cull in Wellington (at LGNZ) every other week. He is remunerated for the LGNZ role separately.

Remuneration around the Council chamber should reflect the pressures currently faced by ratepayers. We are asking every Mayor, and Councillor, to follow the Prime Minister's lead, and announce a freeze on their pay.

Will you acknowledge that many of your ratepayers are struggling, and follow Jacinda Ardern's leadership and freeze your own pay until Council elections next year?

Aside from reducing future expenses, this measure would incentivise elected members to more carefully manage ratepayer money and send a strong signal to the public that you (and your Council) are committed to good fiscal management and prudence.

This pay freeze would not require you to overrule the Remuneration Authority – it just requires you personally choosing not to accept increased remuneration this year by instructing your Council's Chief Executive to return the additional remuneration to the Council's consolidated fund.

LOWER TAXES, LESS WASTE, MORE TRANSPARENCY

WWW.TAXPAYERS.ORG.NZ

We have made this easy to do with the **attached** form.

Please let us know if you will stand with ratepayers and take this step. We will be publicly identifying and welcoming those elected officials who take this step.

If you are not willing to, what is your justification for continuing to accept salary hikes while asking ratepayers to tighten their own belts to pay for your Council's significantly increased costs?

We look forward to your response.

Yours sincerely,
New Zealand Taxpayers' Union Inc.



Jordan Williams
Executive Director
Jordan@taxpayers.org.nz
Direct Dial: 04 282 0301

PS. If you are ever in Wellington, drop in and meet us. We represent our 36,000 members and supporters fighting for Lower Taxes, Less Waste, and More Transparency. Our offices are just above Local Government New Zealand and while they're all paid better, our (non-ratepayer funded) coffee is better than Dave's.

LOWER TAXES, LESS WASTE, MORE TRANSPARENCY

WWW.TAXPAYERS.ORG.NZ

Appendix 2

From: Fran WILDE [<mailto:Fran.Wilde@remauthority.govt.nz>]

Sent: Friday, 31 August 2018 2:30 PM

Subject: Important message from the Remuneration Authority [UNCLASSIFIED]

In response to communications you may have recently received from the Taxpayers' Union urging members to forgo the remuneration increases contained in the Local Government Members (2018/19) (Local Authorities) Determination 2018 we issued in July.

The first matter I need to address is whether or not you can do this. The answer is no. Under the law, your remuneration is determined by the Remuneration Authority and you have no ability to decline all or part of it (section 14 of the Remuneration Authority Act 1977). Nor can your council instruct your chief executive to not pay any increase. If people want to donate part of their after-tax pay to charity, that is their own choice – as it is for all of us New Zealanders.

However, an equally important issue is the reason why some local government members were given pay rises this year that were bigger than some received previously. Here is some information that may be useful for you if you receive other queries about this or anything else in our Determination:

- Over the last eighteen months the Remuneration Authority conducted a detailed review of the pay of elected members.
- As part of this review we looked at influences on the work load of councils and, for the purpose of determining remuneration, “resized” the councils according to a number of criteria. The relative “size” of a number of councils changed as a result of that exercise. Some increased to a significant degree, while others dropped on the size index.
- The resizing of councils was also accompanied by an analysis (as far as we were able) of evidence around workload, to try to gain an idea of approximate hours worked by elected members.
- Following this, we then constructed a new pay scale for local government, relating it to parliamentary pay, which is the nearest comparator we could find in terms of job content.
- We set the remuneration of the biggest role in local government (i.e. the mayor of the largest “size” council – Auckland) at a level below that of a Cabinet minister.
- Because of the extreme size of Auckland, we used Christchurch at the top of the scale for the remaining councils and set remuneration for all roles according to their council size and the approximate hours we considered that average incumbents worked.
- It is important to stress that we are unable to set remuneration for individual people or give performance pay – we look at roles, regardless of what may be outstanding or minimal performance of any one person.
- As a result of our review, pay increases for local government were very different in different councils.
- The lowest increase was zero.
- The average increase over all elected members was 3.9%.
- Those who received more than this were in councils which had increased in size (and therefore workload) and whose remuneration was adjusted to reflect this.
- There will be further adjustments next year, when we will also be able to utilise data from the recent census to refine the sizes.
- The Government (especially the Prime Minister and the Minister of Finance) during the last six months talked on number occasions about the necessity to rein in the remuneration of people earning very high salaries and to increase the remuneration of lower and middle-income earners. It was evident from our research that many in local government have always been in the latter category. Assuming 20 hours a week, some councillors have been working for less than the minimum wage. Given the important nature of the decisions they are making and their role as leaders in their communities, this situation needed to be remedied.
- We took into account that people do not enter local government for the money, and that they expect to earn less than a similar role in the private sector because of the public service nature of the role. You made this clear to us in our consultation process.

- Conversely, many of you expressed real concern that if the pay was held at historical levels, it would remain difficult to attract a diversity of people to run for office. You told us this would mean that councils would overwhelmingly be the domain of retired people or those of independent means, and thus not truly represent communities.

The processes I have described above are all discussed in detail in the information paper I sent to you on 3 July 2018. If you need to access the information paper again, you can find it on our website: <https://www.remauthority.govt.nz/assets/Uploads/REM/Determining-the-Remuneration-of-Local-Government-Elected-Members-Information-Paper.pdf> .

One last point I would like to make is in relation to the decision of the parliamentarians to freeze their remuneration this year and suggestions from the Taxpayers' Union that the same should apply to local government. The situation with MPs' pay is entirely different from yours. In 2015 the Government passed legislation which set in law a specific formula that the Remuneration Authority is obliged to follow for MPs' pay. We do not make any decision – we simply load the required data into the formula and the answer is given to us. Thus last year MPs' pay increased by 2.46% and this year the formula would have resulted in an increase of 3.08%. Of course, I am unable to conjecture what the increase (if any) may have been had the Remuneration Authority been able to make a decision, but the comparative differences between the remuneration of parliamentarians (including ministers) and local government members (adjusted for job size and time) can be observed. Calling for a wage freeze for local government representatives who may be earning under the minimum wage just doesn't seem fair to me.

I hope this information assists you in replying to any critics of the fact that the nature and responsibilities of local government roles are now being recognised.

Fran Wilde
Chair

REPORT

Date: 20 September 2018
Report to: Council
From: Ashburton Zone Facilitator
Subject: Ashburton Water Zone Committee

6.10 Ashburton Water Zone Committee

6.10.1 Summary

The purpose of this report is to provide the Ashburton District Council with an update from the Ashburton Zone Committee.

6.10.2 Peter Low Receives Outstanding Contribution Award

At the August Zone Committee meeting the Chair, Bill Thomas, congratulated Peter Lowe on receiving an Outstanding Contribution Award from Environment Canterbury for his involvement in water management. Mr Lowe was present with the Award during the 24 August Regional Council meeting by Environment Canterbury Chair Steve Lowndes who acknowledged the outstanding contribution that Peter Lowe has made to championing sustainable water management in Mid Canterbury. <https://www.ecan.govt.nz/get-involved/news-and-events/2018/peter-low-receives-outstanding-contribution-award/>

One of Peter's most significant achievements was helping to set up and Chair the Managed Aquifer Recharge (MAR) Pilot Working Party to investigate artificial recharge to replenish groundwater levels, restore flows in the coastal drains, and improve water quality in the underlying shallow aquifer.

6.10.3 Managed Aquifer Recharge (MAR) Pilot Project Update

Peter Lowe and Brett Painter presented the Hinds/Hekeoa MAR Pilot Year 2 Progress report to the Zone Committee at the August meeting. The project is showing positive results at the Lagmhor site. Most new test sites have now been built and many tested. They are showing great potential but the project is constrained by the amount of clean water they now have to work with. The Governance group is keen to work with the Zone Committee and Ashburton District Council and ADC Water Strategy to understand how they can deliver the potential of MAR in the catchment. However, targeted stream augmentation trials (TSA) will not require more alpine water.

The Hekeoa/Hinds River Project will be commissioned on 23 September with site blessing then water release, planting and seed "bombing". The group are looking to secure funding to carry on the trial for another three years to continue the learning and finish off the business case.

6.10.4 Compliance Monitoring and Incident Reporting Annual Reports 2017-18

Environment Compliance Monitoring and Incident Reporting Annual Reports for 2017-2018 have been released and are available. Reports for the Ashburton zone are expected in September.

The reports can be found at <https://www.ecan.govt.nz/your-region/your-environment/monitoring-and-compliance/monitoring-and-compliance-annual-report>

6.10.5 Hinds 2017 Good Management Practice (GMP) Nitrogen Loss Rate

Tami Woods, Principal Consents Advisor, Environment Canterbury presented gave the Committee and overview of the revised Q and A's and minimum standards for determining Hinds good management practice gmp nitrogen loss rate.

Summary

1. The Hinds Section of the Land and Water Regional Plan (LWRP) require that farming activities achieve a rate of nitrogen loss that is consistent with good management practice (Hinds 2017 gmp nitrogen loss rate), by 1 January 2017.
2. There has been on-going interest from the primary sector, consultants and irrigation schemes, and clarification provided by Council Staff, on the minimum standard the Council expects to see modelled (using OVERSEER®) to reflect this standard when farming land use consents are lodged and processed.
3. In response to questions around existing advice, Council staff proposed a revised minimum standard in May. After further technical analysis and legal advice the **existing approach** with amendments is proposed to be retained.
4. Q and A's on how Hinds gmp nitrogen loss rates are to be determined is available at <http://www.canterburywater.farm/zones#ashburton>

6.10.6 Carters Creek

As a follow up to the faecal source testing earlier this year, ECan Zone Team staff have set up a sampling regime at six sites along Carters Creek.

Sampling is being conducted to primarily increase the understanding and address the degree of faecal contamination of the creek and its discharge to Lake Hood. Secondly, the sampling will address other environmental attributes previously investigated including water clarity (turbidity) and soluble nutrient load (nitrogen and phosphorus) as these are elevated and contribute to eutrophication of Lake Hood. The relative proportions of the soluble nutrients will assist in discriminating potential faecal sources.

Monthly samples will be collected from August 2018 to January 2019 inclusive. Sampling will comply with standard Environment Canterbury sampling procedures.

In addition to the routine monitoring of the six sites along Carters Creek, the Zone team will also conduct stream walks to identify any obvious sources of contamination.

This investigation will be analysed and compiled as a report to the Ashburton Zone Committee, following the completion of the six months sampling (January or February 2019 Zone Committee Meeting).

6.10.7 Zone Committee Community Member Refresh

Zone committees are made up of representatives from the three CWMS partners (local and regional council and rūnanga) and 5-7 community members. Councils and rūnanga regularly refresh their representatives after local government and rūnanga elections.

Community members are appointed for a term of three years². Appointments expire 31 December. Membership is staggered so that all appointments do not expire at the same time.

The next community member refresh process will begin in August 2018. Decisions by respective councils will be made by December 2018, with new members starting their term January 2019.

Members of the Ashburton zone committee whose term expires 31 December 2018 are Gordon Guthrie, William Thomas and John Waugh. Gordon, William and John are invited to reapply.

² CWMS committee's Terms of Reference

Refresh Process

To be eligible for appointment to a zone committee, a community candidate must either live in or have a significant relationship with the zone. Appointments take into account the balance of interests, the geographical spread and ability of applicants to work in a collaborative, consensus-seeking manner.

Recommendations on appointments of community members are made by representatives of the partners to the CWMS (Environment Canterbury, local Territorial Authority(s) and local rūnanga) with decisions made by respective councils in formal council meetings.

Timetable

July/August	Zone Committees advised
10 September	Advertising and recruitment; applications open
7 October	Applications close
15 October – 9 November	Selection workshops
15 November	Candidates informally advised; agenda papers sent to councils
December	Appointments made by councils
31 December	Existing members appointments expire
1 January 2019	New members/reappointed members terms begin

For members affected, regardless of whether you take the opportunity to seek reappointment or decide to retire, I would like to thank you for your contribution to the work of the Ashburton Zone Committee and commitment to the CWMS.

6.10.7 Next Meeting

The next meeting of the Ashburton Zone Committee is Tuesday 25 September.

DAVE MOORE

Facilitator, Ashburton Zone