

Ashburton District Council

AGENDA

Notice of Meeting:

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

Date: **Wednesday 18 March 2026**

Time: **1.00pm**

Venue: **Hine Paaka Council Chamber**
Te Whare Whakatere, 2 Baring Square East, Ashburton

Membership

Mayor	Liz McMillan
Deputy Mayor	Richard Wilson
Members	Carolyn Cameron
	Russell Ellis
	Phill Everest
	Deb Gilkison
	Jeanette Maxwell
	Julie Moffett
	Phill Hooper
	Tony Todd

Meeting Timetable

Time	Item
1.00pm	Council meeting commences

1 Apologies

2 Extraordinary Business

3 Declarations of Interest

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

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Business Transacted with the Public Excluded

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Council

25 February 2026



4. Council Minutes – 25 February 2026 (Unconfirmed)

Minutes of the Council meeting held on Wednesday 25 February 2026, commencing at 1.00pm in the Hine Paaka Council Chamber, Te Whare Whakaterere, 2 Baring Square East, Ashburton.

Present

Her Worship the Mayor, Liz McMillan; and Councillors Carolyn Cameron, Russell Ellis, Phill Everest, Deb Gilkison, Phill Hooper, Jeanette Maxwell, Julie Moffett, Tony Todd and Richard Wilson.

In attendance

Hamish Riach (Chief Executive), Helen Barnes (GM Business Support), Toni Durham (GM Community & Open Spaces), Ian Hyde (GM Compliance & Development), Neil McCann (GM Infrastructure), Sarah Mosley (GM People & Facilities), Tania Paddock (GM Legal & Democracy) and Carol McAtamney (Governance Support).

Staff present for the duration of their reports: Mark Low (Strategy & Policy Manager), Richard Mabon (Senior Policy Advisor), Emily Reid (Corporate Planner), Tayyaba Latif (Policy Advisor), Mel Neumann (Policy Advisor), Ian Soper (Open Spaces Manager).

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

4 Confirmation of Minutes – 4/2/26

That the minutes of the Council meeting held on 4 February 2026, be taken as read and confirmed.

Cameron/Gilkison

Carried

5 Audit, Risk & Finance Committee – 11/02/26

That Council receives the minutes of the Audit, Risk & Finance Committee meeting held on 11 February 2026

Todd/Cameron

Carried

- **Ashburton Contracting Limited – Draft Statement of Expectations**

That Point 6 of the draft Statement of Expectations be reworded to:

6. Dividend Policy

ACL is expected to maintain a prudent dividend policy balancing shareholder returns and reinvestment needs. Dividends should be declared annually subject to profitability and liquidity, with a target payout based on the greater of either:

- i. 50-60% of net profit after tax (excluding any realised capital gains/losses, revaluation movements, any material one-off non-cash items, and any after tax profits/losses arising from the Lake Hood Extension Project); or
- ii. 4% of closing equity

In the event that Directors do not believe that this expectation is in the best interests of ACL in any particular year, ACL Chairman shall enter discussions with ADC Mayor and CEO with the expectation agreement can be reached in relation to the specific dividend paid.

7. Capital Investment Expectations

Capital investment proposals must align with Council's strategic priorities and demonstrate robust business cases, including risk assessment and sustainability considerations

Cameron/Ellis Carried

That Council

- a) Adopts the Ashburton Contracting Limited – Statement of Expectation; and
- b) Grants Ashburton Contracting Limited an extension to 9 March 2026 to provide its draft Statement of Intent to Council, in accordance with Clause 4, Schedule 8 of the Local Government Act 2002.

Cameron/Moffett Carried

• Audit NZ Engagement Letter 2026-2028

That Council

- a) Receives Audit New Zealand's Audit Engagement Letter for 2026, 2027 and 2028; and
- b) Recommends that Council delegates authority to Mayor Liz McMillan to sign the Audit Engagement Letter.

Todd/Maxwell Carried

6 Three Waters Committee – 11/02/26

That Council receives the minutes of the Three Waters Committee meeting held on 11 February 2026

Ellis/Gilkison Carried

7 Methven Community Board – 26/01/26

That Council receives the minutes of the Methven Community Board meeting held on 26 June 2026

Gilkison/Moffett Carried

8 Mid-Year Non-Financial Performance Report

Clarification was sought on the performance by dimension of service statistics, in particular the Utilisations which are showing as primarily off track. Officers will investigate and report back to Council.

That Council receives the Mid-year non-financial performance report 2025/26.

Hooper/Everest Carried

9 Open Spaces Bylaw 2016 – adopt for public consultation

Amendment:

10.2 – correction to the spelling of devices

1. **That** Council determines that:
 - a. A bylaw is the most appropriate way of addressing the perceived problem; and
 - b. The proposed amendment to the Open Spaces Bylaw is the most appropriate form of bylaw; and
 - c. Does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA) and is not inconsistent with NZBORA
2. **That** Council adopts the proposal to amend the Open Spaces Bylaw 2016, attached as Appendix 1, as the basis for public consultation

Gilkison/Todd

Carried

10 Draft Open Spaces Strategy 2026 for public consultation

That Council approves the draft Open Spaces Strategy for public consultation from 4 March to 7 April 2026.

Maxwell/Todd

Carried

11 Brothel Location Bylaw 2016 – adopt draft for public consultation

1. **That** Council determines that:
 - a. A bylaw is the most appropriate way of addressing the perceived problem; and
 - b. The proposed amendment to the Brothel Location Bylaw is the most appropriate form of bylaw; and
 - c. Does not give rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA) and is not inconsistent with NZBORA
2. **That** Council adopts the proposal to amend the Brothel Bylaw 2016, attached as Appendix 1, as the basis for public consultation

Hooper/Maxwell

Carried

12 Local Governance Statement 2025-28

Amendment:

Membership – correction to the spelling of Cr Deb Gilkison name.

That Council receives and publishes the Local Governance Statement 2025-2028.

Mayor/Moffett

Carried

13 Mayor's Report

• Canterbury Biodiversity Advisory Group

That Councillor Richard Wilson be appointed as the Ashburton District Council's representative on the Central Canterbury Biodiversity Advisory Group

Cameron/Gilkison

Carried

• SuperLocal26 Conference and AGM

LGNZ have requested Council to submit remits for consideration by Monday 25 May 2026. Copies of previous remits are to be circulated to Councillors for background information.

- **Local Government Members (2025/26) Determination – proposed amendment**

That Ashburton District Council does not support the Remuneration Authority’s proposal to amend clauses 11, 12, 14 and 15 of the Local Government Members (2025/26) Determination.

Cameron/Hooper

Carried

That Council receives the Mayor’s report.

Mayor/Ellis

Carried

Business transacted with the public excluded – 1.43pm

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

Item No	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
14	Council 4/02/26 • Executive Committee 19/01/26	Section 7(2)(h)	Commercial activities
15	Audit, Risk & Finance Committee 11/02/26 • Health & Safety • Legal & Democracy Activity • Audit NZ Report	Section 7(2)(a) Section 7(2)(h) Section 7(2)(a)	Protection of privacy of natural persons Commercial activities Protection of privacy of natural persons
16	Methven Community Board 26/01/26 • Short-term visitor accommodation	Section 7(2)(a)	Protection of privacy of natural persons
17	People & Capability Report	Section 7(2)(a)	Protection of privacy of natural persons
18	Appointments Committee for ACL Directors	Section 7(2)(h)	Commercial activities

Ellis/Cameron

Carried

Council resumed in open meeting at 2.13pm

Welcome to Staff

Katie Perry, People & Capability Manager, introduced new staff – Natalie Lucas (Swim School & Programmes Manager), Natasha Fourie (Financial Accountant) and Shania Harrison-Lee (People & Capability Graduate).

Council also acknowledged the long service of Library Manager Jane Riach (5 years) and Quality Assurance Co-ordinator Penny Tuanui (5 years).

The meeting concluded at 2.16pm.

Confirmed 18 March 2026

MAYOR

5. Road Safety Co-ordinating Committee – 17/02/26

Minutes of the Ashburton District Road Safety Co-ordinating Committee meeting held on Tuesday 17 February 2026, commencing at 9.30am in the Wakanui Room, Te Whare Whakatere, 2 Baring Square East, Ashburton.

1 Welcome and Apologies

That apologies for absence be received from Steph Poole (ACADS), Lesley Symington (Safer Communities Ashburton), Steve Oschner (FENZ) and James Long (Waka Kotahi/NZTA).

Maxwell/Skevington

Carried

Present:

Liz McMillan	ADC Deputy Mayor	Craig Chambers	FENZ
Phill Hooper	ADC Councillor (Chair)	Steve Burgerhout	NZ Police
Jeanette Maxwell	ADC Councillor	Shane Cochrane	NZ Police
John Skevington	Automobile Association	Jim Crouchley	Ia Ara Aotearoa/Transporting NZ
Neil Simons	Principals Association		

In attendance:

Mark Chamberlain	Roading Manager	Carol McAtamney	Governance Support Officer
Georgie Wilson	Road and Safety Technician		

2 Notification of Extraordinary Business

Nil.

3 Confirmation of Minutes

That the minutes of the Ashburton District Road Safety Coordinating Committee meeting held on 9 December 2025, be taken as read and confirmed.

Maxwell/Cochrane

Carried

4 Correspondence

Nil.

5 Reports/Agency Updates

5.1 Ashburton District Road Safety

- At the previous meeting it was reported that the RYDA programme was fully funded by NZTA. This was incorrect and the programme remains partially funded so Road Safety Education still relies on support from other organisations to operate these programmes.
- A Girls Can Do Maintenance evening, in conjunction with Toyota, is in the planning stages.

5.2 FENZ

- A report detailing road incident statistics was circulated.

5.3 ACADS

- The launch night for the Community Alcohol Action Programme is being held on 26 February, 6.30pm in the Event Space at the Library

5.4 Safer Mid Canterbury

- Fundraising is progressing well. Notification has been received this morning that another funding application has been successful which will enable the construction to commence in March with an expected completion date of June 2026.

5.5 Automobile Association

- 'Be Safe – Be Seen' project to continue with approximately 750 lights to distribute this year.
- Concerns expressed regarding side road access at the new traffic signals in Tinwald. Contact to be made with the Wellington Transport Operations Centre to review the phasing.

5.6 Waka Kotahi/NZTA

- Report taken as read.

5.7 NZ Police

- A report detailing road statistics was worked through
- Request for data to see if the alcohol impairment statistics are trending downwards

5.8 Ia Ara Aotearoa Transporting

- Report taken as read

5.9 Principals Association

- Continual ongoing concerns with speed around school buses.

Terms of Reference

An update terms of reference is to be included in the next agenda:

- Key actions and functions to be updated
- Remove reference to 'Road to Zero'
- Review membership

6 Next Meeting

The next meeting date is Tuesday 5 May 2026 at 9.30am.

Noted: Steve Burgerhout registered an apology.

Meeting closed at 10.44am

Biodiversity Advisory Group

17 February 2026



6. Biodiversity Advisory Group Minutes – 17/02/26

Minutes of a meeting of the Biodiversity Advisory Group held on Tuesday 17 February 2026, in the Wakanui Room, 2 Baring Square East, Ashburton, commencing at 1.00pm.

Present

Mayor Liz McMillan; Councillors Richard Wilson (Chair) and Deb Gilkison.

Gen de Spa, Joe Butler, Matt Poole, Angela Cushnie, Donna Field, Mary Ralston, Val Clemens, Edith Smith, Mike Salvesen and Robb Stevens.

In attendance

Toni Durham (GM Community & Open Spaces), Ian Soper (Open Spaces Manager), Dr Christian Chukwuka (Ecologist/Biodiversity Advisor), Linda Clarke (Communications Advisor) and Phillipa Clark (Governance Team Leader).

Presentations

Forest & Bird – Nicky Snoyink (Regional Conservation Manager)

1 Apologies

Sally Stevens (absence) and Sarah Mason (lateness)

2 Extraordinary Business

Nil

3 Declarations of Interest

Nil

4 Confirmation of Minutes

That the minutes of the Biodiversity Advisory Group meeting held on 1 December 2025 be taken as read and confirmed.

Gilkison/de Spa

Carried

Presentation

5 Nicky Snoyink – Royal Forest & Bird Protection Society

Presentation on the impact of wild ungulates (deer, goats and pigs) on native biodiversity.

Nicky spoke about introduced browsing animals, where they're found, what the cost impact is and their impact on primary productivity and ecosystems.

Key points:

- Wallabies are spreading rapidly
- DOC undertakes monitoring of pest animals – found in 2023-24 a 20% increase in range across public conservation land of these wild ungulates. In 10 years there has been a big increase in the range of wild animals. Populations are increasing and the range is expanding.

- Problem for indigenous biodiversity – referred to as ‘forest collapse’.
- Federated Farmers surveyed members a couple of years ago – found it costs around \$213m/year in lost productivity and pest control to maintain indigenous species on their properties.
- Decline in diversity in forest (another cost to be factored in). Animals eat the most palatable first, then the rest.
- An example of the effect of ‘exclosure plots’ was shown – this is where vegetation is restored when animals are kept out. Peel Forest has an exclosure plot.
- What’s the right number of animals to have in forests to satisfy everyone? Some examples show there should be low or very low numbers of wild animals in environmental areas to allow these areas to restore – or none at all. Other examples support the need to control or remove Thar completely.
- Predators are now a major focus, but ungulates are largely uncontrolled. Ultimate responsibility is with DOC.
- The policy for dealing with wild animals needs to be clarified. Alignment between agencies involved gives a good idea of what a solution could look like (Fed Farmers, Forestry, Forest & Bird, Deer Industry NZ and Raukumara Pae Maunga – iwi led wild animal control programme which puts the health of the forest at the heart of what they do).
- Some competing forces. Primary industries are listening to the sector and looking to run pilot projects, and regional councils have wallabies and wilding pines programmes. Land occupiers need help.
- What needs to happen? Accept that introduced browsers do damage and that there’s an urgent need to protect native species and to reduce erosion.
- Suggest a co-ordinated national action programme (partnership groups) for wild animals – much like the wilding programme. The model being used is that of Australia’s national feral deer action plan.
- Quit the Game Animal Council and Herds of Special Interest.

Nicky agreed that there’s an opportunity for a collaborative approach in Mid Canterbury. DOC is the lead agency for the wild animal co-ordination group. Now seeing MPI launching a grass-roots approach to the cull of wild animals. It’s about all groups and stakeholders working together.

Christian reported that Council is monitoring about 10 plots in the foothills. He suggested that wider deer control in the high country be looked at, potentially bringing together foothills landowners, Forest & Bird and the catchment group with a report to come back to the Biodiversity Advisory Group.

Nicky reminded the Group that ECan’s biodiversity advisory groups have a big role in this area and suggested that Council appoint a representative to the Central Biodiversity Advisory Group.

The presentation concluded at 1.58pm.

6 Establishment of Ashburton District Conservation Covenant

Members acknowledged that covenants will be voluntary and landowners will need to meet the cost.

There was some concern that ‘short-term’ covenants won’t provide the same certainty as QEII Covenants which are granted in perpetuity.

Christian explained that a request will be tested against the QEII requirements and if it doesn’t meet those, will be referred to Council. He advised that perpetuity is negotiable, however there is no requirement to lock in a covenant permanently under the Reserves Act. The decision would be with the Minister of Conservation, with Council undertaking the work on behalf of the Ministry.

Officers will prepare a report for Council, taking into consideration today’s discussion and concerns. It’s not anticipated that there will be a high demand – this is about working with landowners who are concerned about the succession of land that they have put work into.

That the Biodiversity Advisory Group endorses the ‘Establishment of Conservation Covenant’ being presented to Council.

Clemens/de Spa

Carried

7 Ecologist / Biodiversity Advisor’s Report

- **Compile general biodiversity information on the Ashburton District (3.1A)**

Christian asked BAG members to provide examples which he will compile and report back on – i.e. animals and where they are found, landowners (if they agree) or a broader reference to location.

Angela Cushnie left the meeting at 2.29pm.

- **Heading**

Christian will send info out. Funding is to attract students to come and do research

Biodiversity grant

Council’s community grants are open for application until 31 March 2026. This includes funding for biodiversity projects.

- **Otuwharekai integrated plan**

Plan is ready to be made public. Christian is part of the OTWK group going forward and will keep BAG updated

- **World Biodiversity Day**

Friday 22 May (at Wakanui Beach this year)

That the Ecologist/Biodiversity Advisor’s report be received.

Wilson/Gilkison

Carried

8 Group updates

Brief verbal updates were provided from each of the organisations present.

Next Meeting

Tuesday 5 May 2026.

The meeting concluded at 2.45pm.

Stockwater Transition Working Group

4 March 2026



7. *Stockwater Transition Working Group – 04/03/26* **Unconfirmed**

Minutes of a meeting of the Stockwater Transition Working Group held on Wednesday 4 March 2025, in the Hine Paaka Council Chamber, 2 Baring Square East, Ashburton, commencing at 1.30pm.

Present

Mayor Liz McMillan; Councillors Richard Wilson (Chair) and Carolyn Cameron, John Wright (Consultant), Darrell Hydes (Federated Farmers), Marcelo Wibmer (Ecan)

Via MS Teams David Acland (Federated Farmers) and Treena Davidson (Aoraki Environmental Consultancy)

Also present:

Crs Phill Everest and Deb Gilkison

9 members of the public

In attendance

Neil McCann (GM Infrastructure & Open Spaces), Andrew Guthrie (Assets Manager), Crissie Drummond (Infrastructure Services Support Lead), and Carol McAtamney (Governance Support).

2 Apologies

Sally Reihana (Aoraki Environmental Consultancy)

3 Correspondence

Inwards: Irrigation Companies Collective.

Correspondence had been received from the Irrigation Companies Collective group (MHV Water, Ashburton Lyndhurst Irrigation, Barrhill Chertsey Irrigation, Rangitata Diversion Race Management Limited, Hekeao Hinds Water Enhancement Trust)

Andrew Mockford (MHV Limited) spoke to the meeting. The collective intent is to work with Council to:

- Ensure continuity and reliability of stockwater supply for users following Council's withdrawal;
- Retain and appropriately provide for the multiple benefits historically delivered by the water race network, including aquifer recharge, biodiversity, amenity, firefighting, surface water drainage, and recreation; and
- Develop a clear, transparent governance and funding model that distinguishes between user pays services and publicly funded public good outcomes

4 Limestone Creek Intake – Proposed Closure

Recommendation to Council

That Council approves:

1. The closure of the Limestone Creek intake and race network from the intake on Limestone Creek, to its terminal discharge points into the Montalto Hinds stockwater main
2. The date of the closure to be affected on 30 June 2026

Cameron/Wright

Carried

5 Alford Forest Intake & Race Network – Proposed Closure

Recommendation to Council

That Council approves:

1. The exit of the management of the Alford Forest intake and race network from the intake on Alford Forest Settlement Road, to its terminal discharge points on PN:26512 – 2535 Ashburton Staveley Road. By 30 June 2026
2. Working with interested parties to investigate the potential alternative management pathways of the water up until 30 June 2027.

Wright/Cameron

Carried

9 Next meeting

The next meeting of the Stockwater Transition Working Group is scheduled for TBA

The meeting concluded at 2.27pm.

8. Swim Squad Programme Delivery Review

Author	<i>Richard Wood; Sport & Recreation Manager Mel Neumann; Policy Advisor</i>
Activity Manager	<i>Richard Wood; Sport & Recreation Manager</i>
Executive Team Member	<i>Sarah Mosley; Group Manager People & Facilities</i>

Summary

- The purpose of this report is to seek a final decision from Council as to its future role in the direct provision of the Swim Squad Programme.
- During the 17 December 2025 Council meeting it was resolved, “that subject to consultation, Council will cease the delivery of the Swim Squad Programme by 28 June 2026 (or sooner subject to coach availability or an alternative provider emerging).”
- Consultation was undertaken between 22 January to 13 February 2026, and a total of 12 submissions were received. 75% (9 submissions) were from current squad members or parents of current squad swimmers.
- While 63.6% of submitters did not support Council’s proposal, officers continue to believe in the merits of the proposal.
- Following the consultation process, we have reached agreement, pending Council’s decision.

Recommendation

1. **That** Council will exit from the delivery of the Swim Squad Programme at EA Networks Centre, by 28 June 2026

Attachment

Appendix 1	December 17 2025, Council Report (redacted)
Appendix 2	Full Submission Booklet – Swim Squad Programme Delivery Review
Appendix 3	Submission Summary Document – Swim Squad Programme Delivery Review

Background

1. When Council took over the operation of the Ashburton Community Pool and subsequently moved to EA Networks Centre, existing squad coaching staff transferred across. Council has continued to offer the Swim Squad Programme through the employment of a swim coach(es). This programme is a progression beyond the Learn to Swim Programme, where instructors teach tamariki and rangatahi water safety and basic swim technique.

Previous Council direction

2. Council previously considered this matter in the public excluded section of the Council meeting on 17 December 2025, with this decision brought into public mid-January so the proposal could be shared with affected employees, squad families and wider stakeholders.
3. The resolution was: that subject to consultation, Council will cease the delivery of the Swim Squad Programme by 28 June 2026 (or sooner subject to coach availability or an alternative provider emerging).
4. Following the December 17 report to Council, public consultation was undertaken with customers and stakeholders directly impacted by a decision on this topic, on whether there was support for Council to exit from providing the Swim Squad Programme. This was carried out between 22 January and 13 February 2026. Targeted email communication regarding the proposal was sent to 59 swimmer families and 6 key stakeholders.
5. The consultation had 12 submitters, 11 of which answered whether they were in support of the proposal or not. Of those who answered, 7 (63.6%) were not in favour of the proposed Council direction. The feedback is attached to this report in Appendices 2 and 3.
6. Council received no feedback from the Ashburton Swim Team Committee and overall there was a low number of submissions received.
7. In parallel, officers commenced a change process with the two potentially impacted employees. They have been advised of our preliminary decision that is subject to final decision from Council.
8. Both staff are positive about the alternative opportunities ahead. To protect the privacy of these individuals, no further information can be provided publicly.

Options analysis

Option one – continue to provide a Swim Squad Programme (status quo)

9. Council could decide to continue to provide a Swim Squad Programme. This is not the recommended option.
10. Under this option, Council could keep providing the programme as it currently does, or make updates to the programme such as increased fees.

<p>Advantages:</p> <ul style="list-style-type: none">• In line with majority of the feedback received from 12 members of the community• No impact on staff• Council continues to provide opportunities for local youth to easily take part in competitive swimming• Direct Swim Meet income received by EANC and the wider economic benefit associated is more likely to continue, noting this is a third parties' decision.	<p>Disadvantages:</p> <ul style="list-style-type: none">• Not in line with what has been proposed to the community• Inconsistency between Council's involvement across sports will continue• Swim Squad Programme will continue to be subsidised by ratepayers• Relationship challenges with Ashburton Swim Team will likely continue• Officer time disproportionately focused on a low-income generating activity.
<p>Risks:</p> <ul style="list-style-type: none">• With no Swim Meet agreement with Ashburton Swim Team, Council has no health and safety or employment controls of the tasks, expectations or environment that their coaching staff may face at swim meets.• Officer burnout and or growing reluctance to focus energy on the Swim Squad Programme – potential to lead to staff attrition.• If Council decided to continue the programme but increase the fees, pricing could exceed the price swimmers are willing to pay, therefore causing a greater financial loss than the current situation.	

Option two – exit the provision of the Swim Squad Programme (recommended)

11. A clear decision from Council will enable all involved parties to move forward, make the necessary decisions and provide certainty to the current Squad swimmers and their families.
12. While this option is not in line with the majority of the feedback, some submitted said Council should continue to provide the programme until an alternative provider exists. While officers accept this point of view, the challenge is that they cannot pre-empt Council's decision by offering a binding lane hire arrangement to the interested service provider.

<p>Advantages:</p> <ul style="list-style-type: none"> • In line with what has been proposed to the community • Change of current relationship with Ashburton Swim Team • Council can focus on providing facilities • Consistency in Council’s involvement across other sports • User pays for private benefit. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Not in line with majority of the feedback received (12 submissions) • Risk to future of competitive swimming if an alternative provider does not come forward • Impact on affected staff • Potential loss of swim-meet related income • Potential adjustment period for swimmers and families.
<p>Risks:</p> <ul style="list-style-type: none"> • Negative media or community reaction to the decision, including the fact that the decision is not in line with majority of community feedback. 	

Legal/policy implications

13. Council has no legal requirement to deliver a Swim Squad Programme.
14. All employment related decisions are bound by the Employment Relations Act 2000 and are not a matter for this report.

Climate change

15. The recommendation has no impact on climate change, or Council’s carbon footprint.

Review of legal / policy implications	
Reviewed by In-house Counsel	<i>Tania Paddock; GM Legal & Democracy</i>

Strategic alignment

16. The recommendation relates to Council’s community outcome of “He tiriwā pai, he wāhi pai i tēnei takiwā, a district of great spaces and places” because Council will be able to focus on the provision of facilities.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Less direct swim squad income and associated expenses. There may also be a decrease in swim meet income.
Environmental		
Cultural		
Social	✓	Social aspects of competitive youth swimming will no longer depend on Council’s involvement.

Financial implications

Requirement	Explanation
What is the cost?	Excluding employment entitlements (which cannot be finalised until redeployment conversations conclude), there are no costs associated with exiting the provision of the swim squad programme.
Is there budget available in LTP / AP?	If required existing operational budgets will meet any costs.
Where is the funding coming from?	N/A
Are there any future budget implications?	If the recommendation is adopted is chosen, then the 2026/27 Annual Plan Budget will need to be amended. Swim Squad fees, Coaches salaries, and overheads will be affected.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	The number of people directly affected by this service level change is small when compared to the district as a whole. There is minimal to no financial cost to the recommendation, and low level of impact on the majority of the community or the environment.
Level of engagement selected	1. Inform -
Rationale for selecting level of engagement	Council has consulted directly on this matter with stakeholders and affected parties. The outcomes of Council's decision will be communicated to the community, while any required action from that will be worked through with the relevant parties directly.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

Appendix 1

Council

17 December 2025

Public excluded

Grounds of public exclusion: Section 7(2)(a) Protection privacy natural persons



20. EA Networks Centre Service Level – Swim Squad

Author Richard Wood, *Sport & Recreation Manager*
Executive Team Member Sarah Mosley, *Group Manager: People & Facilities*

Summary

- The purpose of this report is to seek direction from Council as to Council's future role in the direct provision of the Swim Squad Programme.
- Since the last officer report in October 2023, officers have successfully introduced a number of operational changes to Swim Squad Programme to improve its profitability, however, Ashburton Swim Team (AST) have voiced concerns and either resisted or rejected a number of proposed options or changes.
- While the Council has directly employed coaches for the Swim Squad since Council assumed the Community Pool's operation, (just prior to EA Networks Centre opening), the duties "to arrange for instruction and coaching in swimming and associated aquatic sports and disciplines" is one of Ashburton Swim Team's constitutional purposes.
- Officers acknowledge that if the recommendation is adopted,
 - there will likely be short to medium term disruption to competitive youth swimming within the Ashburton District while another service provider/model is introduced by AST. This will directly impact the 67 current swim squad members
 - Ashburton Swim Team Committee and 67 swimmer families are likely to strongly and publicly disagree with this decision
 - Officers will commence employment change process with the two affected Council employees (approx. 1 FTE) who currently provide swim squad coaching services.

Recommendation

1. **That**, subject to consultation with affected staff (as provided in point 2), Council will cease providing a Swim Squad Programme on 28 June 2026 (or sooner subject to coach availability or alternative provider emerging).

2. That officers will commence consultation with affected staff regarding potential redeployment or other options.

Attachments

- Appendix 1** Squad Options Document with AST Reply
- Appendix 2** AST feedback to draft Swim Meet Agreement – 25 July 2025
[Withheld from public release due to external document source.]
- Appendix 3** Ashburton District Council & Ashburton Swim Team Agreement: Coaching Services at Swim Meets
- Appendix 4** Email communication 7-13 August 2025

Copy of Report
from Council meeting
17 Dec 25

Background

History

1. Over the years, competitive youth swimming within Ashburton has produced a number of successful swimmers and athletes who have gone on to be successful in a number of other sporting endeavours.
2. When Council took over the operation of the Ashburton Community Pool and subsequently moved to EA Networks Centre, existing squad coaching staff transferred across. Council has continued to offer the Swim Squad Programme through the employment of a swim coach(s). This programme is a progression beyond the Learn to Swim Programme, where instructors teach tamariki and rangatahi water safety and basic swim technique.
3. Officers undertook a detailed review of the Swim Squad Programme in 2023, separating its income and costs (to the extent possible) from the Learn to Swim programme.

Service Levels & Commitments

4. In 2022 a MOU was created to provide some structure and guidance to responsibilities of both parties (Council & AST). While the MOU was signed and honoured by both parties, there was greater onus on Council, which included paying for coaches time at swim meets.
5. Following Council's decision on 4 October 2023 (below), officers provided AST with a discussion document on 19th October 2023, which included 8 alternative service delivery options (Appendix 1).

“That the Audit & Risk Committee recommends that Council considers outsourcing swim coaching with first right of refusal given to the affected parties”.

6. In December 2023 officers gave notice to terminate the MOU, to enable the opportunity for an alternative service delivery model to commence 1 July 2024. While initially officers thought the opportunity of an alternative service model might appeal to AST, this did not eventuate.
7. Both ADC and AST have invested time and effort (7 meetings, many emails and 3 LGOIMA's during October 2023 to August 2025) trying to advance the situation, however, the parties differing views remain strong. Members of AST met with the Mayor and the Chief Executive on separate occasions and they also emailed the Mayor and Councillors as a group on multiple occasions.
8. During the meeting on 22 March 2024 AST said the committee agreed that after reviewing the 8 service delivery options provided (and the opportunity to put forward any other desired option) the only option they will accept is the status quo.

Officers shared their preference was an option whereby they become only the facility provider (i.e. swimming was treated exactly like all other sporting groups at EANC), however are willing to accept an 'Improved Status Quo' (Option B) that resets the responsibilities and addresses some cost redistribution between parties.

9. At times, interactions have been challenging however, officers have continued to move forward as they want competitive swimming to succeed. Over the last two years officers gave AST suggestions of additional funding organisations (other than their annual application to the Lion Foundation due to reducing amounts), and explained the Sport NZ Travel Fund criteria and they received \$800. Additionally, officers provided raffle prizes when asked for their club fundraiser (29/11/25) and have provided other prizes previously.

The current operation

10. Currently of the 67-Swim Squad members, those that also attend swim meets pay an annual subscription directly to AST which covers their competitive registration and contribution to the committee's operation. Squad members also pay a weekly fee to Council (s28.4 Fees and Charges) with the intention that direct costs are covered. Whether this is achieved or not is dependent on the assumptions regarding overheads (staff, facility wide and council) and if sole use of swimming lanes should incur charges.
11. 2023-24 financials show the squad income didn't cover direct coach labour cost by circa \$24,135, in 2024-25 it was -\$18,746, and officers believe the income for 2025-26 will result in a reduced loss of circa \$9,834. In effect, these losses are offset through rates.
12. Since moving to a 'modified 'status quo' operation in April 2024, officers efforts resulted in two 6 monthly fee increases to address a fee discounting error since COVID-19, introduction of endurance swimming option to compliment the competitive programme and from 1 July 2025 all coaching costs associated with competitive swim meets are now borne by the swimmers directly or the coach volunteers their time, so as not to pass any costs onto the swimmers.
13. Since 1 July 2025, Council's coaches have willingly elected to volunteer their time at swim meets. While the coach's willingness to volunteer their time is commendable, it is an industry norm that Swim Coaching is a paid position for all aspects (training and at swim meets), therefore, if the current coach was to leave or change their mind, Council could not require our current or any future coach to continue to provide their time at swim meets on a voluntary basis.
14. [REDACTED]
[REDACTED]
[REDACTED] Council also created a draft Swim Meet Agreement (final version - appendix 3) for AST to review. The agreement provided all parties (ADC, AST and the coach themselves) with confirmation as to the parties' respective responsibilities at swim meets.

15. Officers thought that multiple focused agreements on specific topics (vs a single, comprehensive agreement), would be more practical and establish a strong foundation for the relationship between ADC and AST to move forward. Correspondence with AST on this draft Swim Meet Agreement continued through mid-2025, with AST also writing to the Mayor and councillors to outline their concerns with the agreement.
16. On 25 July 2025, AST shared their feedback on the draft Swim Meet Agreement (appendix 2).
17. Council made amendments to the draft agreement) to reflect AST's feedback. The Mayor also replied to AST's email reinforcing the previously stated deadline for AST to sign the agreement and also stated that *"If AST does not sign the agreement and therefore does not commit to work with ADC, Council is likely to reconsider its decision about continuing to provide coaching services as part of the next Annual Plan process."* (Appendix 4).
18. While Council did not receive a signed agreement on the 8th of August, AST's reply provided greater clarity of their view of the role:

"The purpose of AST is to be the entity that swimmers need to register with to enable them to swim competitively and to facilitate accommodation and travel (upon coaches' instructions). Accordingly, AST's position is that there no need for any agreement between ADC and AST (inclusive of the agreement currently in negotiation) and that ADC should engage directly with swimmer families.

With this clarity, ADC's next email reply stated that officers will conclude all communication and interactions with AST on operational swim squad matters accordingly.

19. For the above reasons, officers consider the ongoing provision of swim coaches and the squad programme is potentially untenable. Officers consider it is therefore timely for Council to consider ceasing the provision of these services on or before 28 June 2026. As two Council employees are affected, if Council adopts the officer recommendation, staff will begin a consultation process with affected employees.

Future Swim Coaching Options

20. A recent review of AST's constitution (detailed below), expands their purpose beyond the scope and or desire of the current committee (point 18). It states AST purpose is:

- 2.1 *To promote, foster and encourage swimming and associated aquatic sports and disciplines.*
- 2.2 **To arrange for instruction and coaching in swimming and associated aquatic sports and disciplines.**
- 2.3 *To promote, organise and/or conduct competitions, carnivals, tournaments, training camps and entertainments both relating to swimming and associated aquatic sports and disciplines and also unrelated to swimming and associated aquatic sports and disciplines, (in the later case for the purpose of furthering, extending, assisting, fostering or providing financial support for swimming and associated aquatic sports and disciplines or individuals or affiliated clubs and/or other members);*
- 2.4 *To affiliate with swimming New Zealand (Incorporated) and to do all acts matters and things incidental thereto.*
- 2.5 *To promote attitudes and behaviour conducive to good conduct and fair play; and*
- 2.6 *To do all other acts matters and things as are incidental to or conducive to the charitable purposes described above in this clause 2.*

21. Given this, the onus of providing coaching services is AST responsibility to determine their next step. This could result in them engaging a third-party or partnering with another club. Depending on AST's selected arrangement the swimmers may continue to swim at EA Networks Centre as a squad or not, or swimmers may just use our pool for independent practice.

Income

22. Based on current squad members remaining until 30 June 2026 the estimated income for the remainder of the financial year is \$67,000 (\$58,719 in 2024-25). However, once consultation commences the estimate income (circa \$67,000) will drop as some swimmers would likely join neighbouring clubs sooner than later and only swim at EANC for remote/ad hoc training sessions before the date of ceasing service.

23. Traditionally AST host a regional swim meet "Ashburton Splash" annually in May. They hire the main pool for 2 days and in 2025 they paid Council \$3,913 +GST for this hire. During this swim meet trained members of AST and their volunteers used the specialist pool timing equipment and met all the sporting regulations enabling the event to be FINA/record capable. The Canterbury West Coast Swimming Calendar includes Ashburton Splash 2-3 May 2026, however, there is a risk that they could decide not to host this swim meet any more, or host it at a neighbouring facility.

24. AST and their volunteers also provide services to enable the specialist timing equipment to be used at Mid-Canterbury Counties, and Aoraki swim meets at EANC. The organising body pay AST for their services and ADC for pool hire (2024-25 this totalled \$2,200+gst). If AST no longer wished to provide timing services (and no longer receive payment directly from the swim meet organisers), Council would likely lose these events or need to train alternative resource to manage the timing equipment to provide the same level of service.

Expenses

25. The largest direct cost associated with Squad swimming is the coach labour. As Council is no longer paying for coaches to attend swim meets (or if we do, that cost is directly recoverable from the swimmers who attended the meet) the YTD expense is \$ [REDACTED], vs the total for 2024-25 was \$ [REDACTED] with this including \$ [REDACTED] for labour at swim meets.
26. There is no provision for the Squad Swim Programme to contribute towards the lane hire fees for their training sessions. Due to being an 'inhouse activity' this has always been treated this way, however neighbouring council's that have an external provider supplying coaching services, have a negotiated rate of [REDACTED]% listed lane hire fees.
27. There are also other direct (consumables, training equipment, uniforms, staff training, computers) and indirect costs (manager oversight, facility and Council overhead) with the provision of the Swim Squad Programme.

Assets

28. The equity from the Allenton Swimming Charitable Trust contributed approximately \$97,000 to the community fundraising campaign for EA Networks Centre. Council used this money to support the purchase and installation of a specialist timing system for swim meets. This asset with current book value of \$4,979 is the property of Council, with estimated replacement cost of the system is unknown however the initial capital value in 2015 was \$168,440.
29. Council owns 7 backstroke ledges (required for swim meets), which if purchased now cost approximately \$1,500 per unit. AST owns 3 units, thus allowing each lane to be used in swim meets.
30. AST owns many plastic chairs (estimate 300) which are used for additional seating during a swim meet. The chairs along with all other equipment associated with Squad Swimming (that is not used daily) is stored in a large container (AST purchased) at the back of EANC free of charge. This was provided when AST indicated they had an urgent need to remove the chairs from existing off-site storage. The initial agreement in return for free storage was that EANC would have access to utilise these – however recent enquiries demonstrate AST now want income in return for use.

Summary

31. While officers believe the changes made to date have been required, the time and internal resource cost (GM People & Facility, Sport & Recreation Manager, Swim School Manager, Legal Counsel) over the last two years has been significant. Officers have continued to try and find a way forward balancing Council's needs while maintaining the programme so not to disadvantage the squad swimmers. Officers have continued to try and find a way forward balancing Council's needs while maintaining the programme so as not to disadvantage the squad swimmers. However, when AST refused to sign the Swim Meet Agreement, officers believe the relationship had reached a point where it would be timely for Council to review the delivery of the Swim Squad Programme, even if this ultimately resulted in a loss of swim meet and potential squad income for Council.
32. The proposed change in service level addresses the current anomaly of Council being directly involved in the provision of one sport. Instead, swimming as a sport will be treated like other sports in the district (and at EANC) with Council continuing to assist with providing facilities that sporting groups may choose to utilise. This recommendation also aligns to Council's stance that the service provides private benefit and that ultimately should not be subsidised by rates.
33. If Council ultimately decides to stop this service following consultation, this will be very impactful for the current swimmers and competitive swimming as a sport within Ashburton for a period of time. However, like other councils that have ceased providing a Swim Squad Programme, market forces will ultimately prevail and alternative arrangements may emerge once known within the industry.
34. Given the timing and duration of the Annual Plan process (adopted 30 June 2026), officers recommend targeted consultation with affected staff and key stakeholders and interested parties (mid January to mid February 2026). This meets consultation requirements for both local government consultation and employment related processes. A second report (18 March 2026) that includes feedback regarding the level of service change should enable Council to make its final decision on this matter.

Options analysis

Option one – Continue to provide Swim Squad Programme (Status Quo)

<p>Advantages:</p> <ul style="list-style-type: none"> • Council continues to provide opportunities for local youth to easily take part in competitive swimming. • Direct Swim Meet income received by EANC and the wider economic development spend associated with a 2 day swim meet continues. • AST volunteers likely to continue to provide timing equipment services to enable other swim meets at EANC. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Inequity between how Council treats Swimming compared with other sports. • Continuing with a fractious relationship (Council and AST) -i.e. AST unwilling to sign Swim Meet Agreement . • Officer time disproportionately focused on a low income generating activity.
<p>Risks:</p> <ul style="list-style-type: none"> • With no Swim Meet agreement with AST, ADC has no health and safety or employment controls of the tasks, expectations or environment that their coaching staff may face at swim meets. • Officer burnout and or growing reluctance to focus energy on the Swim Squad Programme – potential to lead to staff attrition. 	

Option two – Discontinue providing the Swim Squad Programme (recommended)

<p>Advantages:</p> <ul style="list-style-type: none"> • Council provides facilities to enable sporting bodies to utilise. • Council will negotiate lane hire rates and agreements with any organisation in the future. • The future request for budget to replace the specialist timing equipment would be at Council's discretion based on likely swim meet income compared with obligations to AST, • The challenging relationship between ADC and AST in its current context will cease 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Change management processes will commence with the coaching staff. Where redeployment into existing vacant roles or if external funding for target populations groups exists, a new part time opportunity may arise. • [REDACTED] • [REDACTED] • Swim meet income may decrease or cease. • Specialist timing equipment may not be used for a period.
<p>Risks:</p> <ul style="list-style-type: none"> • Negative media or community reaction to the decision. 	

Option three – Uplift Swim Squad Programme fees

35. This uplift would need to cover all direct and indirect coaching and management overhead costs. An estimate of \$40,000 has been calculated for overheads for other self-funded roles within Council, so this would be the base.

<p>Advantages:</p> <ul style="list-style-type: none">• Council continues to provide a Squad Swimming Programme.• Private benefit of this programme is met by swimmers.	<p>Disadvantages:</p> <ul style="list-style-type: none">• Uplift in cost is unlikely to be accepted by participants, with some swimmers likely to stop the sport and other joining a neighbouring squad swim programmes.• No contractual agreements between ADC and AST about service levels and responsibilities, yet the relationship continues.
<p>Risks:</p> <ul style="list-style-type: none">• Negative media or community reaction to the uplift in fees.• Council would continue to operate the Swim Squad Programme but it's pricing could exceed the price swimmers are willing to pay, therefore causing a greater financial loss than the current situation.	

Legal/policy implications

36. All employment related decisions are bound by the Employment Relations Act 2000. Council will be informed of the outcome following the change management process with staff.
37. Council's Community Engagement Policy adopted in 2024 outlines when Council will and the reasons why it might not engage with the community over particular decisions. This ensures the level of engagement is appropriate to the decision or action intended to be taken by Council. While this decision will be significant to those directly impacted by the decision, it scores "low" using the Significance Tool (contained within the Policy). However, due to the proposed level of service change directly impacting some members of the community, targeted consultation is recommended and aligns to the LGA consultation principles.
38. Council adopted the Play, Active Recreation and Sport Strategy on 27 July 2022. Clause 2.14 of the action plan "Encourage and assist community sports clubs to access the funding, coaching and learning opportunities provides" was assigned to Sport Canterbury (funded in part by ADC) to assist with accessing opportunities, therefore this report's recommended action is not inconsistent with the strategy and Council will continue to support Swimming as a sport by providing a high quality, fit for purpose facility.

39. The recent government announcements regarding rates capping and the structure of local government has the potential to impact the services offered by Councils in their facilities. While the form and impact of the reform is not yet known, the approaches of neighbouring Councils vary, with Christchurch and Selwyn outsourcing such services but Timaru remains an in-house model.

Climate change

40. This recommendation makes no impact on Council's carbon footprint or climate change as whole.

Review of legal / policy implications	
Reviewed by In-house Counsel	Tania Paddock; GM Legal & Democracy

Strategic alignment

41. The recommendation relates to Council's community outcome of "a district of great spaces and places."

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Less direct swim squad income and associated expenses. There is also a likely decrease in swim meet income.
Environmental		
Cultural		
Social	✓	Social aspects of competitive youth swimming will no longer depend on Council's involvement.

Financial implications

Requirement	Explanation
What is the cost?	<p>If the recommendation is adopted, there would be no cost except officer time.</p> <p>Subject to employment change management processes and targeted public consultation, a future report to Council (in March 2026) could amend the 2026-27 Annual Plan by:</p> <ul style="list-style-type: none"> - Swim Squad Fees \$0 - Coaches Salaries \$0 - Swim Meet Income \$0
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	N/A
Are there any future budget implications?	No
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	The number of people directly affected by this service level change is small when compared to the district as a whole. Direct engagement with Ashburton Swim Team regarding alternative service provision options commenced in October 2023. In August 2025 AST committee were advised that Council will review the provision of the service at the next Annual Plan. Officers are unaware whether AST has shared this information with their members.
Level of engagement selected	1. Inform/Comment

Rationale for selecting level of engagement	The matter is not significant to the district as a whole. However it impacts a select group of users (directly impacted or previous connection with AST) who would likely have strong views, as at this point of time there is no known alternative provider. For this reason, some targeted consultation is recommended as outlined below under next steps.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

Next steps

42. Officers need to carefully manage the change process with staff, therefore the public excluded nature of this report and information will remain until that process is sufficiently underway.

Date	Action / milestone	Comments
17 December 2025	Report and decision to remain in public excluded until officers commence change management processes with directly impacted employees, key stakeholders and interested parties.	
Mid January 2026	1. Officers to commence change management process with affected employees (14 January).	
	2. Officer to redact and then share Council report (17 December 2025) with key stakeholders and interested parties., providing survey link for feedback (15 January).	
	3. Officers to publish a media release.	
4 February 2026	Resolution (17 December 2026) included in Council meeting minutes.	
11 February 2026	4 Week public and staff consultation period concludes.	
18 March 2026	Second report to Council for final decision regarding Council's role in the provision of Swim Squad Programme.	

Significance and engagement assessment tool

Criteria	Assessment
Strategic assets	Low
Impact on the community	Low
Community interest	Medium
Impact on Te Rūnanga o Arowhenua	Low
Financial cost	Low
Levels of service	Medium
Environmental / climate change impact	Low
Overall risk	Low
Total HIGH	0
Total MEDIUM	2
Total LOW	6
Overall level of significance	<i>Low</i>
SIGNIFICANT?	<i>No</i>

Swim Squad Programme Delivery Review 2026 Feedback

22 January - 13 February 2026

Full submission booklet

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Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 19/01/2026

First name: Janet

Last name: Hadley

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

No

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

Yes

Why do you support / not support this proposal?

I think the Council has given the Swim Squad a good start and it is now time it stood independently.

3. Do you have any other comments you'd like to make?

No, thankyou.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 19/01/2026

First name: Barry

Last name: Linwood

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

No

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

Until they find some other kind of permanent funding I feel the council can use some of our rates to train & inspire our present squad of swimmers & our future swimming squads will know that funding is taken care of by their council & community

3. Do you have any other comments you'd like to make?

Having family members my generation (Gen x) who have been in swimming squads around the country & been trained by Olympic & Commonwealth coaches. Their children are now in swimming squads & funding is essential for this to continue going forward for future generations.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 22/01/2026

First name: Shannon

Last name: Johnson

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

Yes

Why do you support / not support this proposal?

It would be ok for the council to cease providing a swim squad as long as there is a suitable external provider willing to take this on, and as long as the set up with ADC is feasible eg the lane hire cost may need to be heavily discounted to allow an external provider or club to make it work.

If there was no one willing to take on the swim squad, then it would be really sad to see this disbanded and in this case I would want to see the ADC continue to provide the squad.

3. Do you have any other comments you'd like to make?

Jeff the current squad coach is amazing. My kids have really enjoyed his coaching.

There is a bit of a dysfunction at the moment whereby kids get stuck at level 7 and don't get admitted to squad. There's a real bottle neck here and from experience kids become despondent and lose interest in swimming because they get stuck with younger kids and often don't progress because they lose motivation and swimming 1x per week isn't really enough to improve. Perhaps an external provider would be more likely to admit them to squad earlier and this would help hold their interest and also they improve so much faster when they reach squad because they swim more than just once per week.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 22/01/2026

First name: Alisha

Last name: Cornwall

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

it would take away a valuable resource to the community, increasing fees and potentially leading to relying on volunteers to coach, which would ultimately lead to a lot less people participating in the competitive sport

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 23/01/2026

First name: Kate

Last name: Parkin

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

Yes

Why do you support / not support this proposal?

I think it would be good to have a consistent approach provided by the person delivering the programmes.

3. Do you have any other comments you'd like to make?

it would be good for the council to focus on providing better training and ensuring consistency across the learn to swim tutors.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 23/01/2026

First name: Sarah

Last name: Carstens

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

our children of mid canterbury will be hugely disadvantaged if they cannot swim competitively. This is a grossly unfair proposal to our local children who love to swim. Jeff and the team are excellent. What a terribly short sighted and hopeless proposed reallocation of funds. Where is the Council's community nexus and focus on fostering our youth into disciplined swim training? Our family (two squad swimmers and one up and coming) are Extremely dissappointed at this proposal.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided*

for you (e.g. via public forum at a Council meeting).

If you select yes, please make sure you have provided your contact details.

Yes

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 23/01/2026

First name: Iso

Last name: Barlass

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

because i have been in the swim team for 3-4 years and I enjoy it so much, it is one of my main sports and there are so many new people joining and it would be an enormous disappointment if the swim squad was cancelled.

3. Do you have any other comments you'd like to make?

No

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 24/01/2026

First name: Richard

Last name: Mckernan

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

3. Do you have any other comments you'd like to make?

To Whom it may concern

Currently we pay \$35.65 plus 16.90 for the gym. So that works out at almost \$2500 a year prior to fees to actually compete in Races. Name another sport that is so exorbitant, for what we get it seems a lot. If the council feels that they no longer want involvement it would mean association with a Christchurch club. However it is possible that we could be a satellite squad. Whilst disappointed, we can understand the council's position. Would we be able to have a discounted weekly pool rate?

I find it interesting that you have an expression of interest, yet it hasn't been opened up to other providers. There are more questions than answers. As long as we have access to the pool at a reasonable rate we are not opposed to it.

Thanks Richard

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 27/01/2026

First name: Greg

Last name: Howard

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

No

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

Yes

Why do you support / not support this proposal?

as a committee member on a local soccer club, being involved directly in fundraising and knowing just how much work goes into keeping the club financial, applying for grants and continually working on the survival of the club/sport in this area, I wholeheartedly agree that there should not be a singular bias toward swimming in this district. It may fail without funding but that is no reason to pay coach's with tax payers money. Great work.

3. Do you have any other comments you'd like to make?

I hope this proposal goes through, if the current squad does not manage to keep the swim team afloat, then that's life. It is not the responsibility of the council to ensure their survival, only that the facility is there for use as you say.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 30/01/2026

First name: Amanda

Last name: Ward

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

i think it would be very mean to just dump the programme without an alternative provider locked in. It would be the beginning of the end for competitive swimming in ASHBURTON

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 03/02/2026

First name: Liz

Last name: McCallum

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

Swim squad should be viewed as part of the overall learn to swim programme - an ultimate goal to aim for and achieve and a natural progression beyond level 8. I am not sure why council are looking at the operational costs of squad in isolation rather than as part of the swim school overall.

If part of the councils rationale for no longer supporting swimming (squad) is that it would provide a consist approach across sporting codes then why are they not looking to offer the management of the entire learn to swim programme to external parties? (To be clear, again, I believe council should retain control of all levels of swim training)

Finally, under the community grants section of the councils own website the Sports NZ Rural Travel Fund states that it was developed 'in response to concerns from councils about the lack of participation in sports by young people living in Rural communities'. I am saddened that the same concern has not been applied by our own council to their own excellent rural swim programme - can Council guarantee that swim participation in our rural community will not be adversely

affected by their proposed changes.

3. Do you have any other comments you'd like to make?

If an alternate provider does take over I hope that the council will offer pool lane use at NO COST to ensure operational overheads remain low thus ensuring that offering a swim squad remains a viable option.

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

Swim Squad Programme Delivery Review

Submitter Details

Submission Date: 11/02/2026

First name: Pjee

Last name: Soriano

Feedback

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Yes

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

**Please note, this proposal is only referring to Ashburton District Council's involvement in the programme provision. An alternative provider could look to develop the same or similar programme.*

No

Why do you support / not support this proposal?

why change?we are new to the team but we can see the difference with her training with the team

3. Do you have any other comments you'd like to make?

None

4. Would you like an opportunity to speak to Council about this proposal?

**Please note, there is no hearing currently scheduled for this, but an opportunity can be provided for you (e.g. via public forum at a Council meeting).*

If you select yes, please make sure you have provided your contact details.

No

*Swim Squad Programme Delivery
Review
Summary of feedback*

22 January to 13 February 2026

Contents

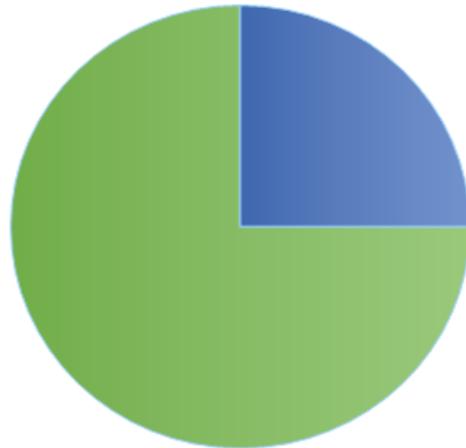
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3. Other comments	7

1. Membership

1. Are you currently a member, or do you have a child who is currently a member of Council's Swim Squad Programme?

Total number of responses: 12

	Number of people	%
Yes	9	75.00%
No	3	25.00%
Total	12	



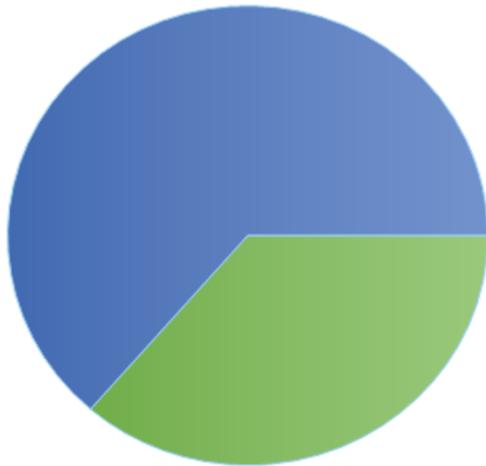
● Yes ● No

2. Support for the proposal

2. Do you support the proposal for Ashburton District Council to cease providing a Swim Squad Programme?

Total number of responses: 11

	Number of people	%
Yes	4	36.36%
No	7	63.64%
Total	11	



● Yes ● No

Submitter name	Submitter comments	Staff comments
Yes		
1 - Janet Hadley	I think the Council has given the Swim Squad a good start and it is now time it stood independently.	
3 - Shannon Johnson	<p>It would be ok for the council to cease providing a swim squad as long as there is a suitable external provider willing to take this on, and as long as the set up with ADC is feasible e.g. the lane hire cost may need to be heavily discounted to allow an external provider or club to make it work.</p> <p>If there was no one willing to take on the swim squad, then it would be really sad to see this disbanded and in this case I would want to see the ADC continue to provide the squad.</p>	
5 - Kate Parkin	I think it would be good to have a consistent approach provided by the person delivering the programmes.	
9 - Greg Howard	as a committee member on a local soccer club, being involved directly in fundraising and knowing just how much work goes into keeping the club financial, applying for grants and continually working on the survival of the club/sport in this area, I wholeheartedly agree that there should not be a singular bias toward swimming in this district. It may fail without funding but that is no reason to pay coach's with tax payers money. Great work.	
No		
2 - Barry Linwood	Until they find some other kind of permanent funding I feel the council can use some of our rates to train & inspire our present squad of swimmers & our future swimming squads will know that funding is taken care of by their council & community	
4 - Alisha Cornwall	it would take away a valuable resource to the community, increasing fees and potentially leading to relying on volunteers to coach, which would ultimately lead to a lot less people participating in the competitive sport	
6 - Sarah Carstens	our children of mid canterbury will be hugely disadvantaged if they cannot swim competitively. This is a grossly unfair proposal to our local children who love to swim. Jeff and the team are excellent. What a terribly short sighted and hopeless proposed reallocation of funds. Where is the Council's community nexus and focus on fostering our youth	

	into disciplined swim training? Our family (two squad swimmers and one up and coming) are Extremely disappointed at this proposal.	
7 - Iso Barlass	because i have been in the swim team for 3-4 years and I enjoy it so much, it is one of my main sports and there are so many new people joining and it would be an enormous disappointment if the swim squad was cancelled.	
10 - Amanda Ward	i think it would be very mean to just dump the programme without an alternative provider locked in. It would be the beginning of the end for competitive swimming in ASHBURTON	
11 - Liz McCallum	<p>Swim squad should be viewed as part of the overall learn to swim programme - an ultimate goal to aim for and achieve and a natural progression beyond level 8. I am not sure why council are looking at the operational costs of squad in isolation rather than as part of the swim school overall.</p> <p>If part of the councils rationale for no longer supporting swimming (squad) is that it would provide a consist approach across sporting codes then why are they not looking to offer the management of the entire learn to swim programme to external parties? (To be clear, again, I believe council should retain control of all levels of swim training)</p> <p>Finally, under the community grants section of the councils own website the Sports NZ Rural Travel Fund states that it was developed 'in response to concerns from councils about the lack of participation in sports by young people living in Rural communities'. I am saddened that the same concern has not been applied by our own council to their own excellent rural swim programme - can Council guarantee that swim participation in our rural community will not be adversely affected by their proposed changes.</p>	
12 - Pjee Soriano	why change? we are new to the team but we can see the difference with her training with the team	

3. Other comments

3. Do you have any other comments you'd like to make?

Total number of responses: 9

Submitter name	Submitter comments	Staff comments
1 - Janet Hadley	Question Comments: No, thankyou.	
2 - Barry Linwood	Question Comments: Having family members my generation (Gen x) who have been in swimming squads around the country & been trained by Olympic & Commonwealth coaches. Their children are now in swimming squads & funding is essential for this to continue going forward for future generations.	
3 - Shannon Johnson	<p>Question Comments:</p> <p>Jeff the current squad coach is amazing. My kids have really enjoyed his coaching.</p> <p>There is a bit of a dysfunction at the moment whereby kids get stuck at level 7 and don't get admitted to squad. There's a real bottle neck here and from experience kids become despondent and lose interest in swimming because they get stuck with younger kids and often don't progress because they lose motivation and swimming 1x per week isn't really enough to improve. Perhaps an external provider would be more likely to admit them to squad earlier and this would help hold their interest and also they improve so much faster when they reach squad because they swim more than just once per week.</p>	
5 - Kate Parkin	Question Comments: it would be good for the council to focus on providing better training and ensuring consistency across the learn to swim tutors.	
7 - Iso Barlass	Question Comments: No	

8 - Richard Mckernan	<p>Question Comments:</p> <p>To Whom it may concern</p> <p>Currently we pay \$35.65 plus 16.90 for the gym. So that works out at almost \$2500 a year prior to fees to actually compete in Races. Name another sport that is so exorbitant, for what we get it seems a lot. If the counsel feels that they no longer want involvement it would mean association with a Christchurch club. However it is possible that we could be a satellite squad. Whilst disappointed, we can understand the counsels position. Would we be able to have a discounted weekly pool rate?</p> <p>I find it interesting that you have an expression of interest, yet it hasn't been opened up to other providers. There are more questions than answers. As long as we have access to the pool at a reasonable rate we are not opposed to it.</p> <p>Thanks Richard</p>	
9 - Greg Howard	<p>Question Comments: I hope this proposal goes through, if the current squad does not manage to keep the swim team afloat, then that's life. It is not the responsibility of the council to ensure their survival, only that the facility is there for use as you say.</p>	
11 - Liz McCallum	<p>Question Comments: If an alternate provider does take over I hope that the council will offer pool lane use at NO COST to ensure operational overheads remain low thus ensuring that offering a swim squad remains a viable option.</p>	
12 - Pjee Soriano	<p>Question Comments: None</p>	

18 March 2026

9. Establishment of Ashburton District Conservation Covenant under S77 of the Reserve Act 1977

Author	Christian Chukwuka, Ecologist/Biodiversity Advisor
Activity Manager	Ian Soper, Open Spaces Manager
Executive Team Member	Toni Durham, GM Community and Open Spaces Tania Paddock, GM Legal and Democracy

Summary

- The Ashburton District has historically relied on QEII covenants to protect significant ecological values voluntarily, but recent changes in QEII criteria and limited funding have reduced the number of new covenants.
- Currently, QEII can only establish fewer covenants annually in Mid-Canterbury, leaving many recommended sites unprotected.
- To address this gap, Council is considering creating its own conservation covenant under Section 77 of the Reserves Act 1977, which allows a voluntary legal protection of private land without requiring ownership transfer.
- Officers also seek Council approval to amend the LocoDelegations register to allow the Group Manager, Community and Open Spaces, to sign covenant instruments, to streamline administration and reduce delays.
- This approach would provide long-term biodiversity protection on voluntary bases and avoid the high costs of land acquisition while maintaining private ownership of lands with ecological values.

Recommendation(s)

- 1. That** Council approve the establishment of Ashburton District Conservation Covenant under the Section 77 of the Reserve Act 1977.
- 2. That** Council delegate the Group Manager Community & Open Spaces authority to sign the covenant instrument on behalf of the Council.

Attachment

Appendix 1 Draft Conservation Covenant Framework

Appendix 1 Draft Conservation Covenant Instrument

Background

The current situation

1. Voluntary land covenants around the district are protected through Queen Elizabeth Trust (QEII) covenant, ensuring long-term protection of significant ecological and biodiversity values.
2. In 2023, Council reviewed its biodiversity grant criteria with funding priority on private lands with existing legal protection such as QEII covenant. This was to ensure that biodiversity values are safeguarded in perpetuity, and that Council investment is secure and long-lasting, reducing the risk of biodiversity loss after change of property ownership.
3. However, since 2023, QEII covenant criteria has changed, and the number of covenants provisioned for the Ashburton District has reduced significantly due to a reduction in the allocated funding available for new covenants.
4. An alternative to the QEII covenanting process for areas in Mid-Canterbury that frequently fall outside QEII eligibility is to establish an Ashburton District Council conservation covenant under Section 77 of the Reserves Act 1977.
5. For Māori land, covenants can be created under the Te Ture Whenua Māori Act 1993.

Conservation Covenant

6. A conservation covenant is a legal instrument registered on the property's record of title, which sets out the landowners and Council's respective rights and obligations.
7. Section 77 of the Reserves Act 1977 provides that the Council is authorised to enter into conservation covenants over private land if:

“(1) The Minister, any local authority, or any other body approved by the Minister, if satisfied that any private land .. should be managed so as to preserve the natural environment or landscape amenity or wildlife or freshwater life or marine life habitat, or historical value, and that the particular purpose or purposes can be achieved without acquiring the ownership of the land .. for a reserve may treat and agree with

the owner for a covenant to provide for the management of that land in the manner that will achieve the particular purpose or purposes of conservation...

(2) *Any covenant under this section may be in perpetuity or for any specific term.”*

8. A conservation covenant may be voluntarily entered into in different ways, for example:
 - a) Landowners may willingly ask the Council for a covenant to protect ecological and biodiversity values within their property;
 - b) As an offset or compensation condition for a land use change or subdivision resource consent under section 108 Resource Management Act 1991 (RMA).
9. A conservation covenant allows the property to remain under private ownership while imposing legally binding restrictions that require the owner to comply with specified terms and conditions. Acquiring the relevant land from private owners to protect, preserve, and enhance waterways and wetlands is not always feasible.
10. The placement of a conservation covenant on any private property, without transfer of ownership, offers a cost-effective mechanism for Council to facilitate biodiversity protection. This approach eliminates the need for capital expenditure associated with land acquisition while ensuring ecological values are protected.
11. Such covenants may be established in perpetuity or for a defined period.
12. The area within the property that is subject to the covenant is defined through a formal survey. Once the survey plan is approved by Land Information NZ, the conservation covenant is registered against the property's title. Covenants can only be surrendered from the property owner's title in the future with Council's approval. As the covenant is registered on the property title, the covenant runs with the land and is automatically binding on all successors in title.
13. The cost of establishing a conservation covenant includes legal services and a legal survey, which will be covered either by the landowner who requests the covenant on their property, or by developers seeking to offset biodiversity impacts within a proposed development site.
14. For landowners, these costs may be partially funded through an application to the Council's biodiversity grant, provided all grant criteria are met, including a 50% cost contribution from the landowner.
15. Officers have prepared draft conservation covenant frameworks in **Appendix 1**, highlighting different scenarios a site may qualify for the conservation covenant within the Ashburton District and criteria for assessing a site for conservation covenants.

16. Note that this covenant proposal is based on the Reserves Act 1977 and it is currently not affected by the proposed Resource Management Act (RMA) law changes.
17. The new Planning Bill emphasizes property rights and streamlined consenting, so covenants such as the proposed conservation covenants, remain a voluntary tool rather than a regulatory requirement.
18. Officers have prepared draft conservation covenant terms in **Appendix 2**. These terms will form the base of the covenant, with additional terms specific to the circumstances of the site drafted by Council.
19. Within these terms, the landowner remains responsible for the ongoing maintenance of the site in perpetuity or within the agreed covenanted period, including fencing, weed and pest control, and additional planting. Other than potentially through grant funding, no costs will be incurred by the Council.
20. As the primary purpose of a conservation covenant is to safeguard and protect the biodiversity and environmental values, the covenant will not always allow public access compared to other Open Space Reserves. A private landowner would have to agree to public access across their land as one of the terms of the covenant.
21. Also, landowners may be able to apply for a 50% rates remission on any land in the district with a conservation covenant under the Reserves Act 1977, as stipulated in the Ashburton District Council [Rates Remission Policy 2024-27](#) (clauses 17-18). The purpose of this rates remission is to “*..facilitate the protection and preservation of sites significant for natural, historic, or cultural conservation purposes*”.
22. Officers would enter into conservation covenants on the terms contained in **Appendix 2**, with some modifications to these terms based on the specifics of the particular site.
23. Once a covenant has been agreed on, Council’s role will be periodic monitoring to ensure that the ecological values remain in good condition. Monitoring will be undertaken two years after the date of agreement, and then at five-year intervals thereafter, as part of the ongoing biodiversity monitoring programme across the district.

LocoDelegations for signing covenant instrument

24. Currently, the power to enter into a conservation covenant under section 77 Reserves Act sits with Council under [Ashburton District Council LocoDelegations register](#).
25. Officers do not have delegated authority to agree to a covenant. Therefore, each conservation covenant would require Council approval through a report.

26. Officers are seeking Council approval to amend LocoDelegations register to give the Group Manager Community and Open Spaces authority to enter into any conservation covenant on private land. This delegation will enable administration and operational efficiency, particularly in circumstances where the landowner may be offering it as part of a resource consent application which must be determined within a statutory timeframe.
27. Elected members will be updated through the Activity Briefings on every conservation covenant entered into, the location and the processes involved.

What other Councils are doing

28. Several Councils around New Zealand are actively using conservation covenants to protect natural, cultural, or historical values. These include Selwyn District Council, Auckland Council, Christchurch City Council, Waimakariri District Council, Whangārei District Council, Far North District Council, and Wellington City Council.
29. Some of these covenants are encouraged for long-term protection measures for ecological, cultural, and landscape values under s77, for example through a Council's biodiversity fund, rates relief or ecological advice during consenting process.

Options analysis

Option one – approve the establishment of Ashburton District Conservation Covenant under the Section 77 of the Reserves Act and delegate authority to the Group Manager Community & Open Spaces to sign the covenant instrument on behalf of the Council (recommended).

30. This option proposes approving the establishment of the Ashburton District Conservation Covenant under Section 77 of the Reserves Act 1977. Officers would enter into conservation covenants on the terms contained in Appendix 2, with some modifications to these terms based on the specifics of the particular site.
31. Officers also recommend delegating authority to the Group Manager Community & Open Spaces to sign the covenant instrument on behalf of the Council, streamlining the process and reducing the burden on elected members.

<p>Advantages:</p> <ul style="list-style-type: none"> • Enables more conservation covenants to be established in the district, addressing the gap left by reduced QEII covenant availability. • Provides long-term protection of rare ecological values wetlands, and habitats of threatened species in the district. • Supports delivery of biodiversity strategy actions (e.g., Action 1.1b) and contributes to climate-related goals. • Creates a legally binding mechanism to safeguard significant ecological areas and offset biodiversity loss from development. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Reduction in rates collected if those with conservation covenants apply for a rates remission for the area subject to the covenant.
<p>Risks:</p> <p>There is a reputational risk if the Council is perceived as not supporting the actions outlined in the Biodiversity Strategy.</p>	

Option two – do not approve establishment of conservation covenant

32. This option means Council will not proceed with creating a conservation covenant under Section 77 of the Reserves Act, and there will be no need to amend the LocoDelegations register.

<p>Advantages:</p> <ul style="list-style-type: none"> • No financial or operational burden on Council, including through rates remission. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Key operational needs for protecting environmental values through covenanting will remain unmet. • Only sites that meet QEII criteria will continue to be legally protected in the district, leaving many ecologically significant areas vulnerable.
<p>Risks:</p> <p>Reputational risk for Council as failing to provide alternative protection mechanisms could result in more biodiversity loss.</p>	

Option three – approve the establishment of Ashburton District Conservation Covenant under the Section 77 of the Reserves Act, with the covenant instrument to be approved by Council

33. This option supports creating a conservation covenant under Section 77 of the Reserves Act. However, this option retains the requirement for Council approval for each conservation covenant, rather than delegating authority to the Group Manager Community & Open Spaces.

<p>Advantages:</p> <ul style="list-style-type: none"> • Enables the establishment of more conservation covenants in the district, addressing the gap left by reduced QEII covenant availability. • Provides long-term protection of rare ecological values wetlands, and habitats of threatened species in the district. • Supports delivery of biodiversity strategy actions (e.g., Action 1.1b) and contributes to climate-related goals. • Creates a legally binding mechanism to safeguard significant ecological areas and offset biodiversity loss from development. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Where the landowner requests the covenant as a mechanism to legal protect ecologically significant areas, there will be an unnecessary administrative burden on officers to take reports to Council to approve the covenant request. • Process could cause delays in resource consent application processes while awaiting Council meetings and decisions. • Reduction in rates collected if those with conservation covenants apply for a rates remission for the area subject to the covenant
<p>Risks:</p> <p>There is a reputational risk if the Council is perceived as not supporting the actions outlined in the Biodiversity Strategy.</p>	

Legal/policy implications

Reserves Act 1977 Section 77

34. The proposed conservation covenant aligns with Section 77 of the Reserves Act 1977, which authorises local authorities to enter into conservation covenants over private land without acquiring ownership, provided the land is managed to preserve natural, landscape, wildlife, or historical values.

Resource Management Act 1991 (RMA)

35. Under the RMA, the protection of biodiversity is recognised as a matter of national importance through Section 6(c), which requires all decision-makers to “recognise and

provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna”.

36. Establishing conservation covenants provide a practical mechanism to secure a voluntary long-term protection of high-value ecological sites on private land, complementing RMA consent conditions and ensuring alignment with national biodiversity objectives.

Ashburton District Plan

37. Ashburton District Plan objective 3.2 states to:

“Protect, maintain and/or enhance indigenous biodiversity and ecosystems by controlling and managing activities that have the potential to affect the life supporting capacity of soils, and water quality in the lakes, rivers and wetlands and significant nature conservation values.”

38. Conservation covenants will provide a practical mechanism to secure a voluntary long-term protection of high-value ecological sites on private land, in addition to the existing areas of significant conservation values (ASCV).

Ashburton District Council Rates Remission Policy 2024

39. The Ashburton District Council Rates Remission Policy 2024 (clauses 17–18) supports rates relief for land under conservation covenants, facilitating protection of sites with significant natural, historic, or cultural values.

Ashburton District Biodiversity Strategy 2024

40. The proposal is consistent with Council’s Biodiversity Strategy action 1.1b, which aims to *“encourage covenants and other forms of land protection in private properties and Council reserves with ecological values”*.

Climate change

41. The proposals in this report are not likely to make a significant contribution to climate change adaptation or emissions reduction.

Review of legal / policy implications

Reviewed by In-house Counsel

Tania Paddock; GM Legal & Democracy

Strategic alignment

42. The recommended option relates to Council’s community outcome of “*A balanced & sustainable environment*” because our unique landscapes and indigenous biodiversity are valued and enhanced.
43. The proposal will lead to protection of our valued indigenous biodiversity remnants, habitats of indigenous biodiversity and unique landscapes around the district.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		
Environmental	✓	Support protection of Canterbury remnant ecological and biodiversity values.
Cultural	✓	Some cultural sites with indigenous biodiversity will be protected through covenant process.
Social	✓	Protected sites of indigenous biodiversity remnants, habitats of indigenous biodiversity and unique landscapes around the district will provide a means for promoting social interactions and connections with nature.

Financial implications

44. Establishing covenants will not have any financial implications. Landowners or developers are expected to cover the legal and survey costs.
45. However, site ecological assessment and monitoring will be done by Council Ecologist and Biodiversity Advisor two years after the date of agreement, and then at five-year intervals thereafter. This will form part of the ongoing biodiversity monitoring program around the district.

Requirement	Explanation
What is the cost?	There is no cost implication to the Council in establishing a covenant. However, landowners may apply for Council grants to cover legal and survey costs and seek rates remission for the portion of their land that is subject to the covenant.
Is there budget available in LTP / AP?	Not applicable
Where is the funding coming from?	Possibly from Council grants on an application basis
Are there any future budget implications?	Staff time for ecological monitoring of the covenanted sites every 5 years.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	Not applicable
Level of engagement selected.	Inform- one way communication through website update and flyers.
Rationale for selecting level of engagement	This proposal will not affect rates and will not have any direct impact on the wider community. Participation in the conservation covenant will be entirely voluntary for landowners who choose to enter into an agreement with the Council.
Reviewed by Strategy & Policy	Toni Durham: GM Community & Open Spaces

Appendix One – Draft Framework for the Proposed Conservation Covenant

Proposed Ashburton District Council Conservation Covenant Framework based on Section 77 of the Reserve Act 1977

Conservation covenants

A conservation covenant is a legally binding agreement between a landowner and an authorised agency under section 77 of the Reserves Act 1977. The landowner continues to own the site, while managing it in accordance with the agreement. It protects the natural, cultural, historical, and significant values of a site. The covenanted area is registered on the land title and is binding on future owners of the site.

Covenants are a good example of individuals working with Council to protect and enhance biodiversity values and habitat for threatened species within the district. Conservation covenants in Ashburton District can cover a range of landscapes and habitats. These include native bush, scrub, tussock vegetation land, coastal dune, and wetlands, including man-made swamps, drains, and river margins.

Conservation covenants provision under the Reserves Act 1977

Council is required to establish conservation covenants with landowners on private land by Section 77 of the Reserves Act 1977. For Māori land, covenants can be created under the Te Turi Whenua Māori Act 1993.

A covenant can be placed on a site at any time and the costs to set up a covenant are met by the landowner. These costs include:

- surveying
- legal costs and registering the covenant on the property title.
- expert reports (if applicable)

To establish a covenant with the Council, an applicant should contact the biodiversity@adc.govt.nz. Further information can be found [here](#).

Benefits of conservation covenants

A conservation covenant ensures long-term protection of a site, either permanently or for a specified duration (such as 50 years), safeguarding its ecological and cultural values. Such protection can increase property values along with natural, cultural, and historic values.

Landowners who enter into covenants may receive rate remission for the covenanted area, and ecological and technical advice for managing the site. There will also be a quinquennial (five-year period) monitoring of the covenanted area from the Council Ecologist.

Generally, covenants can improve a site in many ways:

- protecting remnant vegetation and sensitive landscapes in Mid-Canterbury
- creating habitat corridors to protect ecosystems for native plants and animals
- enhancing water quality and ecosystem values
- reducing erosion by retiring flood-prone or hilly slopes for conservation
- contributing to reducing climate change by storing carbon through planting.

Type of site that would qualify for a conservation covenant

Specifically, with the Ashburton District, sites that could qualify for conservation covenants include:

- i. Native forest remnants include beech forest and other forests with rare or threatened indigenous species.
- ii. Stream channels and riparian margin within a natural drain or stockwater race networks with a setback more than 10 meters from the stream edge.
- iii. Wetlands, including peat lakes, ephemeral tarns, swamps, bogs, and red tussock wetlands.
- iv. Coastal ecosystems such as dunes, coastal dongas with remnants of indigenous vegetation, estuaries, and drains.
- v. Tussock grasslands and rocky outcrops, particularly in the high countries and foothills.
- vi. Geological formations such as limestone outcrops with indigenous plants, rocky outcrops and gullies with indigenous fauna habitats.
- vii. Archaeological or cultural heritage sites, including wāhi tapu (sacred sites), tupuna (ancestral grounds) and urupā (burial grounds).

- viii. Scenic landscape areas with high visual or recreational value.
- ix. Recently restored landscapes, wetlands, riparian margins with indigenous biodiversity, with or without original remnants of indigenous biodiversity (as exchange for biodiversity grant).

Criteria for assessing sites for a conservation covenant

i. Ecological and Biodiversity

Conservation covenants are generally offered for the protection of remnant biodiversity sites, cultural sites that holds ecological values, and habitats of rare and threatened species. Sites considered for conservation covenants are generally assessed on their ecological significance and contribution to biodiversity protection and native vegetation cover.

1. Ecological significance
 - a. Presence of threatened or rare species.
 - b. Representativeness of rare and unprotected ecosystems.
 - c. High biodiversity value or ecological integrity.
2. Landscape and scenic values
 - a. Visually striking or culturally iconic landscapes.
 - b. Contribution to regional or national scenic character.
3. Habitat quality
 - a. Intactness and connectivity of habitat.
 - b. Potential for restoration or enhancement.
4. Cultural or historical values
 - a. Sites with archaeological features, wāhi tapu, or historical relevance.

ii. Through subdivision or land use change consenting process

A conservation covenant may also be established voluntarily if a landowner volunteers it as a condition, or if it is included in the application as an offset concession to ensure that ecologically, riparian margin or culturally significant areas be given permanent protection when development occurs. This approach ensures that adverse effects from the environmental impacts are mitigated and sensitive habitats, riparian margins, wetlands, or cultural sites are safeguarded from land use intensification.

Here, the management of a site protected through a conservation covenant imposed as part of a resource consent process remains the responsibility of the landowner, except where the site is designated as an esplanade reserve, in which case the Council assumes management.

iii. Exchange for Biodiversity Grant

A conservation covenant may be offered as a rebate for a biodiversity grant to a landowner undertaking restoration or revegetation planting on sites that do not meet any of the above criteria. The agreement will be finalised during the disbursement of the grant funding to the applicant.

Landowners' responsibilities

If a conservation covenant exists in a land that you own or have bought, you are responsible for its management and maintenance. Some assistance may be obtained from the Council Biodiversity grant for assistance with fencing and pest control, although this is not guaranteed.

Your responsibilities may include:

- undertaking pest and weed management
- maintenance of access tracks and perimeter fences
- encouraging the regeneration of native vegetation
- enhancement planting

You are responsible for ensuring that the site is maintained and preserved. Any work restricted by the covenant agreement will require the Council's prior written approval.

Monitoring

The proposed conservation covenant will be monitored **two years** after the date of agreement, and then at five-year intervals thereafter. The monitoring will assess and reports on the state of the covenant. Council will provide a copy of the report to the landowner.

Appendix Two – Draft Conservation Covenant Instrument

CONSERVATION COVENANT

Parties

ASHBURTON DISTRICT COUNCIL (the Council)

[] (the Owner)

Background

- A. The Owner is the registered owner of the Land described in Schedule 1 on **XX Road, Ashburton**.
- B. The Council is authorised by the Reserves Act 1977 (the Act) to obtain conservation covenants in respect of any private land for the purpose of managing that land so as to preserve the natural environment, or landscape amenity, or wildlife or freshwater-life or marine-life habitat, or historical value, where that particular purpose or purposes can be achieved without acquiring the ownership of the Land.
- C. The Owner has agreed to grant the Council a conservation covenant over part of the Land for the purposes of ongoing protection and management of the areas of **[insert the special characteristics of land]** identified in **[insert description, ie. Condition X of resource consent LUC25/XXX.]**

TERMS OF THE DEED OF COVENANT

1. DEFINITIONS AND INTERPRETATION

1.1. In this Deed, unless the context indicates otherwise:

“Act” means the Reserves Act 1977;

“Council” means Ashburton District Council and includes its successors as territorial authority where the Land is situated and, where appropriate, its officers and agents;

“Covenant Area” means the area marked **ABC** on Deposited Plan **XYZ** as described in Schedule 1 of this Deed;

“Land” means the land described in Schedule 1 of this Deed; and

“Owner” means the owner named in this Deed and includes the Owner’s successors, but only as long as they are the registered owner of the Land.

1.2. In this Deed:

- 1.2.1. Where obligations bind more than one person, those obligations bind those persons jointly and severally; and
- 1.2.2. The Schedule to this Deed has the same effect as if set out in the body of this Deed.

2. COVENANTS

- 2.1. As from the date of registration of this Deed, the Owner covenants under section 77 of the Act that it will at the Owner's cost and to the Council's reasonable satisfaction comply with the Owner's obligations and responsibilities contained in this covenant in relation to the Covenant Area.

3. OWNER'S OBLIGATIONS AND RESPONSIBILITIES

- 3.1. Unless otherwise agreed in writing by the parties, the Owner covenants with the Council: **[Note – these are examples only – to be drafted on a case by case basis]**

- 3.1.1. To not permit farm animals to graze within the Covenant Area.
- 3.1.2. That indigenous vegetation, (except for invasive weeds and exotic trees), within the Covenant Area shall not be cut down or destroyed.
- 3.1.3. To not build any buildings or structures on the Covenant Area.
- 3.1.4. **Add anything else specific to the Covenant Area.**

- 3.2. The Owner must: **[Note – these are examples only – to be drafted on a case by case basis]**

- 3.2.1. Manage the Covenant Area, including the addition and removal of plants and fauna, consistent with the objectives of the covenant.
- 3.2.2. Fence the boundaries of the Covenant Area, with such fences to be constructed and maintained for the life of the covenant to a stock proof standard.
- 3.2.3. Keep the Covenant Area free of rubbish, and other unsightly or offensive material.
- 3.2.4. Keep the Covenant Area clear of invasive weeds and pests and exotic tree species.
- 3.2.5. **Add anything else specific to the Covenant Area.**

4. COUNCIL'S ACCEPTANCE

- 4.1. The Council accepts the terms of this covenant, but without limiting any other rights or powers which the Council may have under any statute, bylaw or regulation, except as expressly provided in this Deed.

- 4.2. The Owner's liability under this Deed will not be affected by any delay, extension of time or waiver by the Council, or by the Council failing to enforce any of the covenants.

5. BINDING ON SUCCESSORS

- 5.1. This covenant has effect in perpetuity and binds the Owner's successor in title as registered owners of the Land, but not so as to make the Owner personally liable for

SCHEDULE 1 – LAND SUBJECT TO COVENANT

Record of Title	Legal Description	Covenant Area
CBAA/1234	Lot 1 DP 12345	'A'

10. Proposed Private District Plan Change 7 (Coniston Park Limited, Corner Farm Road and Racecourse Road)

Author	<i>Rachel Hickling; Planner</i>
Activity Manager	<i>Brad Thomson; District Planning Manager</i>
Executive Team Member	<i>Ian Hyde; Group Manager Compliance & Development</i>

Summary

- The purpose of this report is to consider the recommendations of Independent Commissioner Dean Chrystal who has been appointed to consider submissions and make a recommendation on a proposed alteration (PC7) to the Ashburton District Plan.
- The proposed Plan Change seeks to rezone 16.32Ha of Residential D land (low density residential) at the corner of Farm Road and Racecourse Road (Lot 4 DP 320165 and Lot 8 DP 311232) to Residential C and to adopt the operative provisions of the Residential C Zone onsite in order to facilitate medium-density residential development.
- Having considered the application, the s42A recommendation report from Liz White acting as processing officer, the submissions and evidence received, Commissioner Chrystal has recommended that the Plan Change be adopted. A copy of the Commissioner's recommendations is attached.

Recommendation

- **That** Council adopts the Commissioner's recommendations attached to this report in respect of Plan Change 7 to the Ashburton District Plan comprising the rezoning of Lot 4 DP 320165 and Lot 8 DP 311232 from Residential D to Residential C and the addition of the following new rules, standards and assessment matters (additions underlined):

Section 4: Residential Zones

- Site Standard 4.9.20 (Residential Chapter): Coniston Park Outline Development Plan

(a) Any subdivision and/or development within the Coniston Park Outline Development Plan shall be undertaken in general accordance with that Outline Development Plan included within Appendix 4.8 of the Residential Zone

- Assessment Matter 4.11.16 Coniston Park Outline Development Plan
- a) The nature of the non-compliance with the Outline Development Plan in terms of activity and /or layout.
- b) The effect of any altered layout on amenity values of the locality considering the site density of the development, the compatibility of adjoining activities and the extent to which adverse effects such as traffic movements, noise, loss of privacy and open space may affect adjoining sites.
- c) Where relevant, the assessment matters for the zone relating to density, building coverage, landscaping including fencing type, building setbacks, height, and outdoor living space.

Section 9: Subdivision

- 9.6.5 Outline Development Plans (reasons for rules)

Outline Development Plans are intended to manage development within certain defined areas.

The Aquatic Park zone provides for a specific form of development as set out in the Outline Development Plan and coordinated around the lake and canals. The Racecourse Avenue and Lochhead developments were specifically designed according to site constraints and these are set out in the applicable Outline Development Plans. The Trevors Road development provides for residential development with a range of densities whereas the Redmond development provides for low density housing around a central area of open space. The Village Green development provides for an area of residential cluster development.

The Coniston Park development provides for residential development, complemented by enhancements to the Wakanui Creek through indigenous plantings. Where this development adjoins Rural A zoned land, consideration should also be given to how any potential for conflict to arise between residential development and adjoining rural activities are addressed. This may include consideration of lot sizes, building setbacks, and any screening or landscape mitigation along the boundary, while also taking into account the nature of adjoining land uses, and existing separation achieved through the irrigation race, Wakanui Creek and driveways.

Compliance with the Outline Development Plans is necessary to ensure that the form and layout of development is consistent with that intended for the land.

- Rule 9.7.4 (Subdivision Chapter) Plan
- a) Any subdivision in the Residential Zones, Rural A and B Zones, and Aquatic Park Zone. Council shall restrict its discretion to those matters listed under Controlled Activities above and those listed below:
- Overall subdivision design and layout including connectivity and linkages (both within and beyond the subdivision)
 - Land and/or Facilities for Open Space and Recreation
 - Vegetation protection, landscape treatment, and effects on landscape and visual amenity values
 - All new allotments created by subdivision in Open Space Zones and Business Zones or for utilities, other than allotments for access, roads and utilities, that cannot prove an ability to provide firefighting water supply in accordance with New Zealand Fire Service Code of Practice for Firefighting Water Supplies, SNZ PAS 4509:2008 or obtain approval from the New Zealand Fire Service.
 - *Within the Coniston Park Outline Development Plan:*
 - *whether any mitigation measures are required to avoid reverse sensitivity effects arising in relation to adjoining rural zones; and*
 - *the effectiveness of native planting in the riparian margins of Wakanui Creek at filtering stormwater run-off and enhancing ecological function and mahika kai.*
- Standard 9.8.13 Coniston Park Outline Development Plan
 - (a) Any subdivision and/or development within the Coniston Park Outline Development Plan shall be in accordance with the Outline Development Plan in Appendix 4-8
 - Inclusion of a new Outline Development Plan as Appendix 4-8 showing the proposed roading layout, indicative stormwater management areas, and esplanade reserve.

Attachments

- Appendix 1** Commissioner's Recommendation Report
Appendix 2 Outline Development Plan

Background

Background of Plan Change 7

1. Plan Change 7 was lodged with Council by David Harford Consulting Ltd. on behalf of Coniston Park Ltd. on 19 December 2023 and accepted by Council under Clause 25(2)(b) RMA on 1 September 2025.
2. The Applicant has outlined the purpose of rezoning 16.32 Ha of Residential D to Residential C land as to provide for greater intensity of land use for residential development. Through PC7, the Applicant is seeking the ability to create higher density residential development than what is currently provided for by the Residential D zoning. The proposed plan change would require the future vesting of road parcels and stormwater infrastructure with Council at the time of subdivision in the future.
3. Seven (7) submissions were received as a result of the notification process, noting that two submissions received by the same submitter (Judith Kingsbury) have been treated as one submission. Three (3) submissions opposed in full, two opposed in part, one was neutral and one supported in part. No further submissions were received. A late submission was received after the closing period and was rejected by Commissioner Chrystal due to its lateness.
4. Matters contained within the submissions were addressed in a hearing on 16 December 2025 with a memorandum being provided post hearing by councils consultant planner on residential capacity.
5. Commissioner Chrystal submitted his recommendation on 17 February 2026, which is attached at Appendix 1 to this report. The Outline Development Plan is attached in Appendix 2.

Options analysis

Option One – Confirm the Commissioner’s Recommendation (Recommended)

6. The Council, as decision maker under Sections 10 and 29 of Schedule 1, is not bound by the Commissioner’s recommendation. However, the principles of natural justice require the Council’s decision to reflect an assessment of the information provided in the Commissioner’s report and recommendations, including the summary of submissions made and evidence given. Council cannot abrogate from its duty to make its decision based on the Section 10 and Section 29 considerations. Where it has delegated the task to undertake that consideration to expert commissioners, it would be a rare and exceptional case for it to reject or fundamentally depart from the recommendations in circumstances where the Council itself has not heard the evidence.

<p>Advantages:</p> <ul style="list-style-type: none"> • Enables the recommendations of the Commissioner to be given effect to and for medium density residential development to occur onsite in the future. This will likely result in an increase in residential accommodation within the township relative to the status quo (Operative District Plan). • Supports the decision being seen as reasonable, and limits exposure to legal challenge via appeal or judicial review. 	<p>Disadvantages:</p> <p>None identified</p>
<p>Risks:</p> <p>None identified beyond the statutory right for submitters to appeal the decision to the Environment Court.</p>	

Option two – Reject the Commissioner’s recommendations

7. The quasi-judicial requirements of Sections 10 and 29 of Schedule 1 and the decision to delegate the power to hear submissions and evidence and make a recommendation establishes a formal process. This in turn establishes a legitimate expectation of those involved in the process that the Council when receiving the recommendation will give it full and proper regard. The Council itself hasn’t heard the evidence and must rely instead on the Commissioner’s report. Where the Commissioner’s recommendation is to approve with or without modification, a subsequent decision of Council to reject the proposed Plan Change is effectively a decision to reject the Commissioner’s recommendation. If Council rejects the Commissioner’s recommendation, the plan change will not proceed, and the applicant will be able to appeal Council’s decision to the Environment Court.
8. A decision to reject the recommendation and to instead decide that the Plan Change application should be declined must be based on the information provided in the Commissioner’s report and must be reasonable. Any decision that fails to satisfy these requirements will be in breach of legitimate expectations that the process will be fairly and properly followed and consequently may be vulnerable to judicial review.
9. If the Council decided to reject the Plan Change and that decision was appealed, experts would have to be found who could support the Council’s decision in the Environment Court. The experts the Council has engaged to date could be subpoenaed by an appellant.

<p>Advantages:</p> <ul style="list-style-type: none"> • None identified 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • There may be additional costs to Council if the applicant was to lodge a legal challenge to the decision.
<p>Risks:</p> <p>Moderate risk of legal challenge by participants in the process. Moderate reputational risk due to the decision being seen as unreasonable or unsound.</p>	

Moderate risk of potential applicants may be discouraged from investing in development due to lack of confidence.

Legal/policy implications

Resource Management Act

10. This proposed Plan Change has been undertaken through the process enshrined within the First Schedule of the Resource Management Act. Section 10 of this Schedule states that in making a decision on provisions and decisions made in submissions, a local authority must:

(1)... give a decision on the provisions and matters raised in submissions, whether or not a hearing is held on the proposed policy statement or plan concerned.

(2) The decision—

(a) must include the reasons for accepting or rejecting the submissions and, for that purpose, may address the submissions by grouping them according to—

(i) the provisions of the proposed statement or plan to which they relate; or

(ii) the matters to which they relate; and

(ab) must include a further evaluation of the proposed policy statement or plan undertaken in accordance with section 32AA; and

(b) may include—

(i) matters relating to any consequential alterations necessary to the proposed statement or plan arising from the submissions; and

(ii) any other matter relevant to the proposed statement or plan arising from the submissions.

(3) To avoid doubt, the local authority is not required to give a decision that addresses each submission individually.

(4) The local authority must—

(aaa) have particular regard to the further evaluation undertaken in accordance with subclause (2)(ab) when making its decision; and

(a) give its decision no later than 2 years after notifying the proposed policy statement or plan under clause 5; and

(b) publicly notify the decision within the same time.

(5) On and from the date the decision is publicly notified, the proposed policy statement or plan is amended in accordance with the decision.

11. Section 29 of Schedule 1 also applies to privately initiated plan changes such as PC7. Section 29 states:

(4) After considering a plan or change, undertaking a further evaluation of the plan or change in accordance with [section 32AA](#), and having particular regard to that evaluation, the local authority—

(a) may decline, approve, or approve with modifications the plan or change; and

(b) must give reasons for its decision.

12. Section 31 of the Resource Management Act sets out the functions of territorial authorities under the Act:

(1) Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:

(a) the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district

13. The proposed additions to Residential Zones and Subdivision Chapters of the District Plan align with the National Policy Statement on Urban Development by enabling medium density development. which will in turn, increase housing supply in an appropriate location with access to services and infrastructure.

Climate change

The Plan Change has addressed natural hazard risk but how this is managed will be finalised at the subdivision stage. Strategic alignment

14. The recommendation relates to Council's community outcomes of 'Residents are well represented, included and have a voice' as well as 'a balanced and sustainable environment'. The process of a Private Plan Change includes public consultation ensuring residents have an opportunity to express any concerns they have and through the process the impacts of the Plan Change on the environment are considered.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	The addition of residential allotments in this location will support housing supply and affordability in Ashburton.
Environmental	✓	The housing will be supplied in a location that maximises efficient use of infrastructure.
Cultural	×	
Social	✓	The supply of housing will support the social wellbeing of the residents.

Financial implications

Requirement	Explanation
What is the cost?	User pays – costs associated with privately requested plan changes such as this are recovered through Councils adopted fees and charges.
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	User pays
Are there any future budget implications?	Ongoing maintenance costs will be incurred by Council upon the vesting of land and roads shown in the outline development plan at subdivision stage, however these will be offset by development contributions and ongoing rates.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

15. The public notification engagement process as prescribed by Schedule 1 of the Resource Management Act 1991 has been followed for this plan change.

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	N/A
Level of engagement selected	3. Consult – Formal two-way communication.

Rationale for selecting level of engagement	The public notification process prescribed by Schedule 1 of the Resource Management Act has been followed. Changes to District Plans are administered through a statutory process under the Resource Management Act 1991 which includes a statutory consultation component. This stage of the process is for Council to make a final decision on the Commissioners recommendations which will conclude this process.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

RESOURCE MANAGEMENT ACT 1991

ASHBURTON DISTRICT COUNCIL

ASHBURTON DISTRICT PLAN

PROPOSED DISTRICT PLAN CHANGE NUMBER 7:

**TO REZONE LOT 4 DP 320165 AND LOT 8 DP 311232 ON FARM AND
RACECOURSE ROADS, ASHBURTON FROM RESIDENTIAL D TO
RESIDENTIAL C.**

REPORT AND RECOMMENDATION TO THE COUNCIL BY

Commissioner - Dean Chrystal

Hearings held on 16th December 2025

Appearances:

Applicant

Mr Stuart Tarbotton (Applicant)

Mr Kieran Breakwell (Applicant)

Mr Clark McLeod (Applicant)

Mr Harford (Planning Consultant)

Mr Chang (Infrastructure Engineer)

Mr McLaughlin (Infrastructure Engineer)

Council:

Liz White (Consultant Planner)

Mr Tisch (Consultant Engineer)

Mr Chamberlain (Council Road Manager)

Submitters:

Mrs Kingsbury

Mrs Ward

Mrs Tait

Mr Williamson

1.0 Introduction and Background

- 1.1 Pursuant to instruction from the Ashburton District Council (the Council) I was appointed to hear and make a decision on Proposed Plan Change 7 (PC7) to the Operative Ashburton District Plan (District Plan) together with submissions thereon. The hearing was held at the Council Building in Ashburton on the 16th of December 2025.
- 1.2 PC7 is a privately requested plan change which seeks to rezone some 16.32 ha on the north-west corner of Farm Road and Racecourse Road, Ashburton, from Residential D zoned land to Residential C.
- 1.3 PC7 seeks to allow for a higher density of residential development in accordance with the Residential C Zone provisions. It includes an Outline Development Plan (ODP) which is to be added to the Residential Zones Chapter and is secured through new site standards which require that any future subdivision or development of the site adheres to the ODP, along with new assessment matters. PC7, as notified, also included one additional site standard (and accompanying reasons for the rule), in relation to fencing for residential buildings that would adjoin the Rural A zone.
- 1.4 The site is situated on the corner of, and has frontage to, both Farm Road and Racecourse Road. It is located at the rural-urban fringe with the surrounding zoning being a mixture of Rural (to the north), Residential (to the south, west and east) and Open Space (to the south-west).
- 1.5 Whilst the site is zoned for residential use, it has not been developed and is currently vacant land, used for farming. The site shares internal boundaries with rural lifestyle developments to its north and north-west, while a recently established residential subdivision (Coniston) is located to the west. A higher level of detail of the site and its surrounds is contained in the application which I adopt.
- 1.6 The site is currently zoned Residential D (a low-density zone) in the Operative Ashburton District Plan (ADP) and is not subject to any additional planning overlays. It is however noted that an irrigation designation (D85), runs along part of the site's northern boundary and the Wakanui Creek runs through the centre of the site.
- 1.7 PC7 was publicly notified on 4 September 2025, with submissions closing on 1 October 2025. Further submissions were invited from 17 October 2025 and closed on 3 November 2025. In total, seven submissions were received, noting that two submissions received by the same submitter (Judith Kingsbury) have been treated as one submission. Three submissions oppose in full, two opposed in part, one is neutral and one supports in part. No further submissions were received. A late submission was received on 24 October 2025, which I rejected due to its lateness.
- 1.8 Submitters raised the following main issues:
 - Construction effects, including noise and dust;
 - Location of site access;
 - Flooding and stormwater management;
 - Visual and amenity impacts;

- Infrastructure servicing;
- Connectivity to wider network;

2. Section 42A Report

2.1. A s42A (of the RMA) report and accompanying documentation was prepared prior to the hearing by Ms Liz White and circulated on the 24th November 2025. The s42 report included a review of the ecology report by Dr Chukwuka Councils Ecologist/Biodiversity, a review of the Integrated Transport Assessment (ITA) by Council's Roading Manager Mr Chamberlain and a review of the servicing issues by the Council's Consultant Engineer Mr Tisch.

2.2 Ms White discussed the matters raised in submissions and despite no submissions on the following matters, she stated that they were relevant considerations and therefore undertook an assessment in her s42A report;

- Traffic effects
- Cultural and ecological effects
- Reverse sensitivity

2.3 Due to the limited number of submissions and the agreed positions between the Council and the Applicant I have focussed the following discussions on the key issues raised in submissions and at the hearing.

Construction effects

2.4 G & R Tait expressed concern about the increase in noise levels arising from site works, hours of work, heavy machinery, workers on site and increase in traffic generation associated with the proposed increase in density. They sought to impose working hour restrictions, proposing to limit construction hours to weekdays and Saturday mornings with no work permitted on Saturday afternoons or Sundays.

2.5 D & H Ward also expressed concern about the effects of noise, seeking that construction hours were restricted to between 7.30am and 5.30pm weekdays only. G Barrett also mentioned the effects of noise in their overall opposition to the proposal.

2.6 The nuisance effects of dust were also raised in submissions by both G & R Tait, who questioned what dust mitigation measures were in place, and D & H Ward who sought work restrictions during periods of high wind.

2.7 G & R Tait also expressed concern about construction vehicles damaging the grass verge adjoining their property. They sought assurances that the verge would not be damaged during construction.

2.8 Ms White responded to the above submissions. With respect to noise, Ms White stated that the existing noise standards were appropriate for the area, and that there were no grounds to deviate from the existing standards.

- 2.9 In addressing dust generation, Ms White stated that mitigation measures were best determined during the subdivision process under the District Plan framework. Similarly, Ms White determined that the District Plan framework was also the appropriate means to mitigate any damage to the grass verge.

Access

- 2.10 G & R Tait sought to alleviate their concerns about dust, noise, and impacts on views by not permitting the site access to be located between Wakanui Creek and the northern side of their dwelling at 102 Farm Road.
- 2.11 The ODP identifies two proposed intersections along Farm Road serving the plan change site. Ms White noted that any deviation from these potential locations, would be subject to increased scrutiny as a Discretionary Activity, as opposed to a default Restricted Discretionary Activity status.
- 2.12 The ITA confirmed that the proposed intersections are appropriate. Council's Roading assessment also considered the proposed locations as appropriate, however did not discount alternative locations subject to meeting District Plan requirements.
- 2.13 Given the ITA and Mr Chamberlain's assessment, Ms White stated there were insufficient reasons to impose the moving of the proposed access locations. She therefore recommended that this submission point was rejected.

Flooding and Stormwater Management

- 2.14 Flooding and stormwater management matters were prominent in submissions, and throughout the hearing.
- 2.15 In their submission, G & R Tait were concerned that the filling of a ditch running along the northern side of Farm Road to Wakanui Creek from the Racecourse Road end would exacerbate flooding to neighbouring properties. They questioned what mitigation measures were to be imposed.
- 2.16 Both G Barrett and J Kingsbury identified that the proposed rezoning site was subject to flooding and stormwater flows, suggesting that the site was unsuitable for housing.
- 2.17 C Crozier also noted periods of flooding within the subject site, proposing that more housing was not necessary in the area. They too questioned the suitability of the land for housing requesting that the land remained as farmland.
- 2.18 In response to the above submissions, Ms White confirmed that the PC7 site was not located in or near an identified flood risk area, further stating that in that context, flood risk was not sufficient grounds to refuse the rezoning.
- 2.19 Ms White had sought a detailed assessment of stormwater effects arising from the proposed increase in density, including the downstream effects of stormwater discharges, and the capacity of the wider network to accommodate the discharges.

- 2.20 Further information requests and the responses to those requests addressed such matters in detail. Subsequently, Council officers provided written approval (in principle) to the Applicants revised approach to storm water management in terms of technical feasibility and the impacts of increased density on stormwater quality and quantity.
- 2.21 Ms White agreed with Mr Tisch, in his assessment that the concept design for stormwater attenuation will mitigate additional run-off from the development, but that further mitigation detail will need to be addressed during the detailed design phase.
- 2.22 Based on Mr Tisch's advice, Ms White agreed that overall mitigation measures for management of stormwater were technically feasible, but the detail would need further consideration during the detailed design phase of the subdivision process.
- 2.23 Therefore, Ms White recommended that the relief sought by the submitters was rejected.

Visual and amenity impacts

- 2.24 G & R Tait expressed their concerns about the impact of the development on their views. They sought to limit dwelling and fencing heights along Farm Road from the Wakanui Creek to the east.
- 2.25 D & H Ward also sought to ensure that their current mountain views to the north and west were not compromised. They further sought to protect open space areas that would remain under the Residential D density. Their submission sought to restrict development in areas to single storey dwellings; to limit fencing with road frontage to no higher than 1.0m; and to retain larger section sizes on Farm Road and Racecourse Road frontages.
- 2.26 G Barrett expressed concern about the rezoning having an impact on the value of their home, destruction of the rural outlook, and lighting impacts.
- 2.27 J Kingsbury suggested that prior discussions with Council had excluded high density development within the subject site. They also expressed concern that the rural views of adjoining landowners would be impacted.
- 2.28 In response to submissions on the impact on views, Ms White acknowledged the proposed increase in densification, but noted that there were no RMA, or District Plan provisions that protects viewshafts and views through the site.
- 2.29 Ms White also confirmed that the proposed increase in density is consistent with intent of the National Policy Statement on Urban Development (NPS-UD), and that the site is already zoned for residential development under the Residential D zoning. Overall, Ms White did not consider there were sufficient grounds to decline the rezoning due to changes to the outlook of the site.
- 2.30 Regarding the submissions to limit the height of housing in parts of the site, Ms White noted that the rezoning would result in an actual reduction of the existing height limit, from 10m (under Residential D) to 8m under the proposed Residential C zone. Ms White did not consider there was a statutory basis to further limit house heights in particular areas of the site.

- 2.31 Ms White adopted a similar view in respect of the request to limit fence heights. She suggested that there was no justification for a reduced fencing height in this instance.
- 2.32 Regarding the submissions that sought larger sections sizes on Farm and Racecourse Roads, Ms White suggested that the original concept plan provided with the application was not relevant to the plan change but rather the ODP was the main plan in terms of the planning framework. She went on to state that lot sizes would best be considered during the subdivision process and that it would be inappropriate to specify bespoke lot sizes for integration within the ODP during the plan change process.
- 2.33 In respect of the submission on lighting, Ms White stated that the District Plan framework already includes appropriate lighting standards, and that such standards would apply to both the current Residential D zone and the proposed Residential C zone.

Connectivity

- 2.34 DG & CM Williamson Settlement Trust sought that the proposed ODP included a full legal road width /vehicle and services connection to the Residential D land to the north-west of the plan change site. They suggested that this connection would facilitate future development options and is consistent with Council requirements for integrated urban form, efficient movement corridors and District Plan requirements for sustainable and coordinated growth.
- 2.35 In response, Ms White noted that any such connection could equally be considered during the subdivision process. However, in the interests of greater integration between development of the plan change site and the adjoining land, Ms White considered it appropriate to amend the ODP to explicitly include a vehicle connection.
- 2.36 Ms White discussed the s32 implications of requiring the vehicular connection to be identified. She stated that the amended ODP would better align with Policy 9.1H, relating to a consolidated urban form for managing growth, and the effective and efficient provision and use of infrastructure, including transportation links. Similarly, identification of a vehicular connection would align with Policy 10.3D, which seeks integration of land use and transport by ensuring that all substantial developments provide access and linkages in accordance with an outline development plan.

Reverse sensitivity

- 2.37 In her s42A report, Ms White noted that no submissions had raised matters related to reverse sensitivity. However, she stated that reverse sensitivity was a relevant matter in considering the appropriateness of the plan change request under s32 of the RMA.
- 2.38 Ms White identified that there were 'very few' areas of Residential C zoned land adjoining rural zoned land in Ashburton. Instead, it was more common for Residential D zoned land, which provides for larger lots sizes, to act as a buffer/transition area between rural and residential land use functions. In this instance changing the zone to allow for higher density residential activities would increase the number of sensitive activities located near existing rural activities.

2.39 To mitigate potential reverse sensitivity effects, such as noise, odour and other rural activities, the Applicant proposed a minimum 1.8m high fencing standard along the residential-rural boundary interface. The Applicant also argued that the nature of the adjoining rural activities and current use of the adjoining land further mitigated reverse sensitivity issues. However, Ms White considered that such measures would not completely avoid the potential for reverse sensitivity issues to arise.

2.40 Ms White stated that the potential for reverse sensitivity effects to arise, required further consideration in this instance, with such consideration best being applied during the subdivision process. She identified potential matters of consideration being lot numbers and sizes along the rural-residential boundary; consent conditions requiring planting to contribute to a buffer; and, identification of building platforms, or minimum setbacks along the rural boundary. As such, Ms White recommended that an additional matter of discretion be added to assessment matters, as follows:

Within the Coniston Park Outline Development Plan, any mitigation measures proposed or required to avoid reverse sensitivity effects arising in relation to adjoining rural zones.

2.41 In terms of s32 analysis, Ms White considered the additional matter of discretion would align with Objective 9.1, which seeks to enable the effective and efficient use of land including facilitating further urban development while ensuring the efficient and effective use of the adjoining rural land. Policy 9.1H would also be met, which seeks the management of urban growth in a manner that protects the productive potential and operational requirements of uses of the District's rural areas.

2.42 The s32 analysis also requires consideration of the costs and benefits of any additional measure. Ms White considered that there would be limited costs arising from the additional measure, and that any benefits would outweigh any costs. Overall, Ms White considered that the proposed assessment matter was an efficient and effective way to implement Policy 9.1H and achieve Objective 9.1

Traffic

2.43 While no submissions were received regarding traffic effects, Ms White considered that traffic effects were a relevant consideration in the context of s32 of the RMA.

2.44 The submitted ITA was subject to a peer review which necessitated a response from the Applicant. Upon subsequent assessment and advice from Mr Chamberlain, Ms White considered that there were no traffic effects arising from the increased density proposed in the rezoning application.

Open space

2.45 No submissions were received in relation to the provision of open space, however, Ms White considered that open space provisions were a relevant consideration in the context of s32 of the RMA.

2.46 The Council requested cross-section details of Wakanui Creek and the esplanade reserve, to determine whether the ODP made sufficient allowance for the reserve. Upon supply of the revised ODP, and incorporation of other requested changes, Ms White confirmed that the provision of open space was

sufficient to meet the recreational needs of the residents (Policy 9.1J) and provided certainty about open space connections in accordance with Policy 9.2J.

Ecological and Cultural effects

- 2.47 No submissions on ecological and cultural effects were received, however, Ms White again considered that such matters were a relevant consideration in the context of s32 of the RMA. She considered such effects to be relevant due to Wakanui Creek running through the site, the proximity of higher density development to the water body and the potential for adverse ecological and cultural effects.
- 2.48 In response to a Council request for further information relating to such effects, the Applicant provided an Ecology Report and a response on cultural matters from Aoraki Environmental Consultancy Ltd (AEC). The report addressed several potential impacts of increased residential density on Wakanui Creek, including, impacts on fish passage; the effects of stormwater discharge on surface water levels and flow rates; the filtering effects of the proposed native riparian planting; and the likely effects of discharge from stormwater retention basins on water clarity and aquatic ecology.
- 2.49 A peer review of the Ecology Report by Dr Chukwuka from the Council accepted the recommended mitigation measures, although noted several other matters for integration into the development process. Ms White considered these matters were best addressed during the subdivision process, and that no further changes to the plan provisions were required at this stage.
- 2.50 In terms of cultural effects, AEC noted that the Wakanui Creek was of cultural significance to them and that practices such as mahinga kai (cultural harvest) were important. They stated that the proposed solutions contained in the Ecology Report were culturally appropriate and were supported by AEC.
- 2.51 Ms White considered that more explicit consideration needed to be given to the planting of the riparian area. In this regard, she recommended an additional matter of discretion for subdivision be added:
- Within the Coniston Park Outline Development Plan, the effectiveness of native planting in the riparian margins of Wakanui at filtering stormwater run-off and enhancing ecological function and Mahika kai.*
- 2.52 An alternative measure raised by Ms White was the potential for the ODP to be amended to include reference to native planting in the proposed esplanade reserve area.
- 2.53 In terms of s32 assessment, Ms White considered the additional matter to be necessary to reflect the ecological and cultural advice, to ensure that subdivision and site development enhances the natural qualities of the environment, while enabling the use of land outside the esplanade reserve area for residential development.

Infrastructure Services

- 2.54 J Kinsbury raised concerns about the capacity of the sewerage system to accommodate the proposed increase in density.

2.55 Council's review of the infrastructure assessment provided by the Applicant did not identify any impediments to potable water and wastewater servicing for the proposed rezoning of the site. Based on this review, Ms White considered that the site could be adequately serviced and recommended that the submission point be rejected.

Education Facilities

2.56 With respect to the generation of traffic and noise effects, G & R Tait sought that any proposed education centre was located within the site rather than having frontage to Farm Road.

2.57 The Ministry of Education (MoE) stated that they were neutral to the proposal but sought clarity on timeframes and scale of the development. They stated that an increase in the residential capacity could potentially cause pressure on the school network within Ashburton. More clarity on the timing of the development would inform the MoE investment decisions. They sought a consent condition requiring consultation with the MoE on the development staging and timing.

2.58 Ms White noted that the proposed rezoning did not seek an education facility within the site, and that any future facility will require resource consent. However, she noted that the ITA had been prepared to accommodate any such facility to address 'worse case scenario' traffic volumes.

2.59 Ms White did not consider it appropriate to exclude the possibility of an educational facility on the site, as part of the proposed rezoning, as there were currently insufficient grounds to do so.

2.60 In terms of the proposed consultation requirement proposed by MoE, Ms White suggested that consultation would be best addressed outside of the regulatory framework, and that it would be inappropriate to place a requirement to consult on the applicant/developer. She therefore recommended rejecting the relief sought by the MoE.

Other matters

2.61 J Kinsbury expressed concern that the application did not refer to the existence of services situated within an easement running from Farm Road along the boundary of the block of land adjoining stage two of Coniston Waters. They expressed further concern that the application made no mention of the existence of a high voltage cable that provides power to the Coniston Farms irrigation system running along the southern boundary of the plan change site.

2.62 In response, Ms White noted that such matters would be addressed during the subdivision process. In any case she stated that she did not consider those matters to preclude the rezoning of the development of lots in the areas at the density proposed.

2.63 Both J Kinsbury and C Crozier raised that the previous landowner had intended to retain the subject land as farmland.

2.64 Ms White did not consider any weight could be given to this matter, as no legal mechanism secured that intent. She further noted that in any case the land was already zoned for residential development. Therefore, Ms White recommended rejected the relief sought by these submissions.

Statutory assessment

- 2.65 Ms White outlined the relevant statutory framework which included section 32 of the RMA, and statutory documents such as the NPS-UD; the Canterbury Regional Policy Statement (CRPS); the Canterbury Land and Water Regional Plan (LWRP), the Canterbury Air Regional Plan (CARP); the Mahaanui Iwi Management Plan and the Kati Huirapa 1992 Iwi Management Plan (IMP).
- 2.66 Ms White assessed the proposal against the provisions of the NPS-UD. She considered that the proposed change to a Residential C zone will contribute to a well-functioning urban environment, support competitive land and development markets. She also noted that despite the subject land being undeveloped, the Residential D zoning anticipates a built environment and amenity values consistent with residential densification. As such, Ms White considered that the proposed change would provide for a level of amenity consistent with the surrounding residential areas.
- 2.67 Overall, Ms White stated that the proposal is consistent with and will assist in giving effect to the provisions of the NPS-UD.
- 2.68 The National Policy Statement for Highly Productive Land was not deemed to be a relevant factor by Ms White as the subject land is not rurally zoned.
- 2.69 Ms White considered PC7 as proposed would be consistent with the relevant regional objectives and policies of the CRPS, and not inconsistent with the LWRP and the CARP.
- 2.70 PC7 was considered by Ms White against the provisions of the Mahaanui and the Kati Huirapa 1992 IMP's. She considered that alongside proposed riparian planting, further discussed below, that the proposal appropriately addressed the relevant provisions of the IMPs.

Conclusion

- 2.71 Having considered all the submissions and expert evidence, and having reviewed all relevant instruments and statutory matters, Ms White considered that PC7 should be approved.

3.0 Hearing

- 3.1 I was provided with statements of evidence from the various expert witnesses for the Applicant, including Mark Taylor (Ecology), Ann Wilkins (Landscape), David Harford (Planning), Lisa Williams (Transport), and Selwyn Chang (Engineering and Infrastructure). I acknowledge that I had read all the witness statements prior to the hearing and that I indicated that I did not need to hear further from Mr Taylor, Ms Wilkins and Ms Williams.
- 3.2 Key issues that were addressed at the hearing included development stormwater, flooding, connectivity, amenity and planning matters. Each of the discussion points are further detailed below.
- 3.3 Mr Chang, assisted by Mr Glen McLaughlan, indicated that there were no issues in supplying water and making provision for wastewater to the proposed development and that inter-connected road linkages within the site connecting to Farm Road and Racecourse Road could be accommodated within the capacity of the existing and planned transport network.

- 3.4 In terms of stormwater a worst case 1% AEP had been provided for. However, he said this was not accepted as being necessary by the Applicant and that such requirement was not supported by Council policy which recommended a 2% AEP.
- 3.5 On this particular latter matter I indicated to the parties at the hearing that an assessment of the relevant AEP event percentage to be used, was not a matter which I was tasked with deciding upon.
- 3.6 Mr Chang said that the ODP showed stormwater management areas (SMAs) to demonstrate the land potentially required for full stormwater attenuation without a discharge to ground option. He also indicated that there was a need for flexibility in the ODP to allow further detailed design or refinement to the SMA's and/or road layout to be able to achieve both developer's and Council acceptable requirements.
- 3.7 In response to my questioning, Mr Chang said that infiltration in the SMA's shown on the ODP was possible, although it may necessitate consent from Environment Canterbury. He also confirmed that the Council guidelines took into account climate change and higher rainfall events.
- 3.8 Mr Chang said the post-development stormwater flows would be no different from pre-development and that the proposed SMAs were sufficiently designed to deal with the change from Residential D to Residential C. In response to my question, he indicated that the water depth in the SMAs would be approximately 700mm deep.
- 3.9 Mr Chang responded to the flooding photos provided by Mrs Kingsbury and suggested this was related to a 500-year rain event and related to Council's own floodwater issues beyond the site. He reiterated the proposal was designed to meet pre-development stormwater flows.
- 3.10 In addressing submitters concerns about amenity Mr Harford was of the view that the Residential C zoned framework provided the necessary controls to ensure there was not an impact on the quality of life and he noted that part of the Farm Road frontage would include the indicative stormwater soakage areas and riparian plantings along the Wakanui Creek so that there was a level of amenity where not all of the frontage would be developed in housing. However, he acknowledged that a 3m setback from road boundary under Residential C was somewhat less than the 10m under Residential D.
- 3.11 Mr Harford did not agree that a further restriction on building height was required given that the Residential C limit of 8m was 2m below the existing Residential D limit. Nor did he consider fences along Farm Road should be restricted in size but noted that the Applicant could apply covenants on titles if they chose to.
- 3.12 Mr Harford was of the view that there was not a significant amount of Residential C zoned land available longer term for development in the District and that the Real Estate Report provided with the application provided some insight into the Ashburton market in that regard.
- 3.13 Mr Harford went onto say that a lot of work had gone into the ODP design. In response to submitters, he noted that construction effects could occur under the existing Residential D zone.

- 3.14 I queried Mr Harford about the fence on the north boundary and the associated reverse sensitivity issue. He accepted that this could end up being a hard edge if closed boarded fences were constructed all along this boundary. In response to my question regarding the potential for intensive farming on the adjoining land he indicated that the setback for such activity from the boundary was 80m and if a dwelling was present, it was 400m.
- 3.15 Mr Harford considered the Residential C zone was a better and more efficient utilisation of the land concerned. He also reiterated the point made in his evidence, that the land had been residentially zoned since the District Plan became operative and that there was no proposal for any sort of education facility, which in any event would need resource consent if it were to occur.
- 3.16 Mrs Kingbury said her property was located on the boundary of the proposal site off Country Place. She was concerned about the density enabled by the rezoning and the existing drainage through the Coniston subdivision and that the proposed densification of the proposal site might exacerbate this. Mrs Kingsbury also considered that there were natural springs on the subject site and raised the issue of an easement and its width alongside their boundary.
- 3.17 Mrs Ward said she wasn't against development and was comfortable with low density development on the site but not the higher density proposed. She wanted assurances about the type of development that would occur.
- 3.18 Mrs Tait also had concerns about flooding having witnessed flooding down Farm Road in the past. She said their property was on the low side of Farm Road. She also expressed concern about dust during construction and the positioning of a road access on the ODP opposite a house on their property.
- 3.19 Mr Williamson indicated he was comfortable with the location of the revised link connection on the ODP into his property on the north-west boundary of the site.
- 3.20 For the Council, Mr Tisch, a consultant engineer, said the proposal had been through several iterations and he was comfortable that the development of the site at Residential C density was feasible. He said while a 2% AEP was usually utilised, the Council had in this instance required a 1% AEP be modelled due to the increase in density. He said the site clearly had high ground water and that careful design was going to be needed at the subdivision stage. In this regard he considered that the big picture with regard the wider Wakanui Stream catchment would be required so that it can be pegged against the stormwater basins and the ability for the water to get out of the basins.
- 3.21 In response to my questioning, Mr Tisch said he was satisfied with the information and indicative design of the stormwater basins. He stated that the only caveat was that the basins were supposed to empty within 48 hours. He said subject to detailed design, there were no identified showstoppers.
- 3.22 Ms White said that based on the technical information provided, stormwater associated with the fully developed site can be appropriately managed.
- 3.23 In terms of reverse sensitivity, Ms White said the Residential D zone was the usual zone abutting rural areas and typically, Residential D was intended to act as a buffer. As a result of the higher density provided

by the Residential C zone, the fencing rule had been proposed as a response to mitigate reverse sensitivity issues. She said there were a range of measures which could be looked at but putting them in place was a matter of detail. She considered the key was to enable some flexibility. As a result, Ms White was now proposing a matter of discretion including consideration of reverse sensitivity as part of the subdivision consent rather than a specific rule on fencing.

- 3.24 Mr Chamberlian addressed the two links to adjoining properties now shown on the ODP. He considered the link to the adjoining Residential D land was appropriate although the exact location needed to be finalised at subdivision stage to ensure traffic safety. Mr Chamberlian did not consider the proposed link to the rural area to the north was necessary as a vested road link.

Site Visit

- 3.25 After the hearing I undertook a site visit to view the site and the surrounding environment. I looked at the site from the Kingsbury's property, and from in front of the Tait and Ward properties. I was able to view the whole site including the Wakanui Stream, the bridge across Farm Road and the swale along the northern side of Farm Road, I also viewed the site from the Racecourse Road frontage and looked down the driveway adjoining the sides northern boundary.

Post Hearing

Response from Ms White

- 3.26 At the hearing, I asked Ms White if the Council had undertaken a residential capacity assessment, and how any such assessment might relate to the plan change request. I also asked Ms White and Mr Harford to confer and provide their finalised version of the draft provisions associated with the plan change.
- 3.27 A response memorandum was received from Ms White on the 18th of December 2025 addressing residential capacity and revised provisions.
- i. Residential Capacity
- 3.28 Ms White appended to her memorandum the Ashburton Residential and Business Land Economic Assessment prepared for the Council by Property Economics in December 2024. She said that in terms of residential capacity, the assessment identifies the vacant zoned capacity based on a ground truthing visit and desktop assessment of existing building footprints. The estimated capacity for dwellings within Residential C zoned land (noting this is across the District as a whole) was 3,372; and 823 for Residential D. In terms of sufficiency, this was considered (along with other residential zones) to provide sufficient capacity in the short and medium term (up until 2033), but result in a shortfall of approximately 1,660 dwelling in the long term (to 2053). Ms White said this is reduced slightly when also taking into account the residential capacity provided in the Aquatic Park Zone, but that a shortfall remains.
- 3.29 Ms White considered that the rezoning proposed in PC7 would provide for an increase in capacity, because it would enable a higher density of development, and therefore a greater number of dwellings to be established across the site. She said this was consistent with the findings in the Economic

Assessment that a significant portion of the anticipated household growth will occur, and should be focused around Ashburton Township; and that consideration for where future residential capacity is provided should be in areas that can 'plug into' existing infrastructure, as is the case here.

ii. Revised Provisions

- 3.30 Ms White indicated that she had conferred with Mr Harford on the drafting of the proposed provisions forming part of PC7 which she attached to the memorandum. She said they were both comfortable with removing the proposed rule requiring fencing at the boundary with the Rural A Zone (along with related reasoning and assessment matters). Instead, they suggested additions to the Reasons for Rules in the Subdivision Section (in 9.6.5) to complement the recommended additional matters of discretion, along with minor edits to the drafting of those matters.

Applicants right of reply

- 3.31 I received the Right of Reply from the Applicant on the 15th of January 2026 which included responses to questions I raised during the hearing, as well as addressing several other matters including:
- a. The updating of the Outline Development Plan
 - b. The position of the future road connections and infrastructure corridor
 - c. Reverse sensitivity in the form of a fence along the Rural A/Residential C interface
 - d. Easement for the right to drain water in gross
 - e. Location of road connections to Farm Road, and
 - f. Updating of the provisions for the Ashburton District Plan
- 3.32 An updated ODP was provided to include provision for an indicative 15m wide corridor for a road connection to the adjoining Williamson property. Subject to detailed design during the subdivision process, Mr Harford confirmed that the Applicants traffic engineer considered there to be no safety or visibility concerns with the proposed location.
- 3.33 The ODP also identified a 'potential infrastructure corridor' link to the adjoining rural property at 273 Racecourse Road.
- 3.34 Mr Harford confirmed the reason for the proposed 1.8m high fence along the Rural A/Plan Change site boundary was to provide a solid screen to protect amenity values and to contribute as an acoustic layer. Upon further consideration, he accepted that the provision could be removed and agreed with Ms Whites proposed assessment matter regarding reverse sensitivity with additions to the 'reasons for rules' section in the Subdivision chapter.
- 3.35 Mr Harford confirmed, in response to questions raised by both Mrs Kingsbury and myself, that there are existing easements along the western boundary to convey water within the subject site and that design matters related to those easements would be addressed during the subdivision phase.

- 3.36 Mr Harford addressed the question from Mrs Tait, regarding the potential to move the location of the site access to opposite the Carters Road intersection with Farm Road. He stated that upon advice from the Applicant's roading engineer, Ms Williams, there was a preference to avoid a four-way intersection, and that from a safety perspective Councils preference would be for a T intersection.
- 3.37 In relation to the discussions during the hearing on stormwater, Mr Harford confirmed that the proposed stormwater ponds are conceptually adequate, technically feasible, and that detailed design of that infrastructure would be further assessed during any subsequent subdivision process.

Hearing Closure

- 3.38 Upon reading the right of reply I then determined that no further information was required from any parties to the hearing and so as of the 16th of January 2026, the hearing on Plan change 7 was closed.

4.0 Decision

Statutory Tests and Relevant Planning Documents

- 4.1 The general approach for the consideration of changes to district plans is set out below:
- (a) whether the plan change is designed to accord with, and assists the Council to carry out its functions for the purpose of giving effect to the RMA; and whether it accords with Part 2 of the RMA (s74(1)(a) and (b));
 - (b) whether the plan change gives effect to relevant national policy statements, a national planning standard and the operative regional policy statement (s75(3)(a), (ba) and(c));
 - (c) whether the plan change has regard to relevant strategies prepared under another Act (s74(2)(b)(i)); and takes into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority (s74(2A)); and
 - (d) whether the plan change is inconsistent with any regional plan (s75(4)(b)).
 - (e) whether the rules proposed have regard to the actual or potential effects on the environment including, in particular, any adverse effects (s76(3)).
- 4.2 Section 32 of the RMA requires that rules are to implement the policies and are to be examined, having regard to their efficiency and effectiveness, as to whether they are the most appropriate method for achieving the objectives of the District Plan taking into account:
- (i) the benefits and costs of the proposed policies and methods (including rules); and
 - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - (iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.

- 4.3 Overall, the s32 test is one of appropriateness (i.e., not necessity) and the requirement is to achieve the objectives of the District Plan.

Actual or Potential Effect on the Environment

- 4.4 I consider the key effects associated with the PC7 can be broken down into four areas, being stormwater management, loss of amenity, the potential for reverse sensitivity to arise and construction related effects. These have been dealt with in turn below. For sake of clarity, I confirm that I consider effects associated with transport (including access), landscape, open space and ecology have been adequately addressed in the application and through the evidence of the relevant witnesses and I agree with their conclusions.

1. Stormwater

- 4.5 Stormwater was a major concern of submitters who provided statements and photographic examples of where flooding in the area and occurred in the in past. The Applicant did respond to some of those examples at the hearing.

- 4.6 The evidence from the Applicant was that all stormwater emanating from the increased level of development that would be enabled by the plan change could be contained within the SMAs identified on the ODP, providing for full stormwater attenuation without a discharge to ground option. I was also informed that the site was not within an area identified in the District Plan as being at risk of flooding.

- 4.7 The Council's position was that the proposed stormwater management as now proposed in the revised design was technically feasible subject to detailed design work which would need to include consideration of the Wakanui Creek catchment. I also note that Ms White advised that the Council had provided its written approval in principle to the present design.

- 4.8 For the purposes of the proposed rezoning and based on the technical information before me I do not consider the potential for flood hazard to be a constraint preventing rezoning or development. I am also satisfied that the impacts of increased density on stormwater quality and quantity have been adequately addressed.

2. Loss of Amenity

- 4.9 Some submitters were concerned about loss of views across the site and a loss of amenity values as a result of the development that would be enabled by a Residential C zone.

- 4.10 While I understand their concerns and acknowledge the impact development of the site will have on those who currently have views across and beyond what is currently bare land, and derive a certain level of amenity from this, the reality is the site is already zoned for residential purposes, and a level of development is therefore inevitable. Further, even under a low denser Residential D zone there would no certainty as to where future dwellings (potentially up to 10m high) might be placed and therefore current views and amenity would likely still be lost to a reasonable degree.

- 4.11 I agree with Ms White that the District Plan does not require protection of the amenity derived from the current use of the site by surrounding property owners. There are no protected view shafts or other mechanisms in the District Plan to that effect.
- 4.12 I accept however that an increase in density beyond what the current zoning enables could reduce the level of amenity and openness that might have been anticipated by a Residential D zone and this is a valid concern in terms of assessing effects. In my view that amenity concern needs to be balanced in this case against the directions of the higher order NPS-UD (addressed below), and the efficient use of resources and sustainable management requirements of the RMA.
- 4.13 On balance, and as further reasoned below, I consider that any adverse effects or costs that might arise from the increase density enabled by the plan change are not of such significance so as to preclude the upzoning of the site when considered against the benefits that would be derived and the more efficient and effective use of the land resource itself.
- 4.14 I also note, as highlighted by Mr Harford, that part of the Farm Road frontage, as detailed on the ODP, includes the stormwater soakage areas and riparian plantings along the Wakanui Creek and therefore there would be a level of amenity to be derived from that part of the frontage not developed for housing.
- 4.15 Finally, I do not consider there is a need for any specific rules to reduce height limits, increase setbacks or reduce fence height through the District Plan provisions. I accept however Mr Harford's point that the developer could do some of this via covenants if they chose to.

3. Reverse Sensitivity

- 4.16 The potential for reverse sensitivity effects was addressed by Ms White in her s42A report, and I agree that with the proposed zoning allowing for a density level of development greater than currently provided for this is a relevant consideration.
- 4.17 In this case it would seem that the potential for such effects is relatively low given the existing adjoining environment and the District Plan requirements, which Mr Harford outlined, in relation to intensive farming activities and buildings housing animals. Nevertheless, I consider the approach now proposed by Ms White, and accepted by Mr Harford, to include an assessment matter as part of the restricted discretionary activity status of subdivision to consider any mitigation measures proposed or required to avoid reverse sensitivity effects arising in relation to adjoining rural zones is appropriate. In my view this mechanism provides greater flexibility than the initial proposal of a fencing rule and has the potential to achieve an improved level of amenity.

4. Construction Effects

- 4.18 Construction related effects were another concern raised by submitters. Key issues related to dust, noise and vehicle movements
- 4.19 I note that these are effects that would potentially occur whether the zoning remained as Residential D or as proposed as Residential C. They are also effects that will need to be addressed through a future subdivision consent.

- 4.20 In that regard I acknowledge as detailed by Ms White that construction noise is already regulated under the District Plan and is required to comply with the New Zealand Standard (NZS 6803:1999 Construction Noise) that specifically addresses that issue and that this is generally a condition of any subdivision consent. I agree with Ms White that there is nothing particular about the site itself, or the neighbouring sites, that warrants a different regime being applied in this instance.
- 4.21 In terms of dust the District Plan has rules around earthworks which would apply to development of the site, where amongst other things, conditions can be included to ensure dust mitigation is addressed where such earthworks are above a certain level.
- 4.22 Construction related traffic movements are also able to be addressed through the subdivision process. In terms of the issue of construction vehicles damaging grass verges, I accept as Ms White pointed out, that the Council has the ability to place conditions on any future subdivision consent in regard to this.

Other matters

- 4.23 Having reviewed the ODP I am comfortable that the connectivity with Mr Williamson's residential zoned property to the north-west has been appropriately addressed. I also acknowledge the infrastructure corridor connection shown to the rural land to the north as being sensible at this point in time. The roading layout and connections to existing roads, the location of the stormwater management areas and width of esplanade reserve and associated planting are all acceptable and appropriately addressed in my opinion.
- 4.24 I accept that other services including water and wastewater can be appropriately addressed and the Council is satisfied that there are no fundamental impediments to their provision. I am also satisfied that the corridor of services alongside the existing Coniston Waters development is covered by an easement as detailed by Mr Harford.
- 4.25 Finally, in terms of the education facilities, the proposal does not include provisions for such facilities and therefore I do not need to take this matter further. In terms of the MoE's request to have some form of condition regarding the timing and staging of the development, I agree with Ms White that such a request is unusual in respect to other district plans around the country and is not required in relation to the development of other areas within the district. It is also unclear to me just how such a condition would be met in terms of compliance with it, because it is more in the nature of a request. In my opinion what the MoE are seeking is more akin to an advice note on a resource consent. For these reasons, I do not consider MoE's request is appropriate in the context of a plan change.

Relevant Planning Documents

- 4.26 I accept that the documents of relevance identified in this case include the NPS-UD, the CRPS, the LWRP and the CARP, the Mahaanui Iwi Management Plan and the Kati Huirapa Plan (IMPs) and the District Plan.
- 4.27 I address the documents relevant to the proposed plan change below:

[National Policy Statement on Urban Development 2020 \(NPS-UD\)](#)

4.28 The NPS-UD requires councils to plan for growth and focus on creating well-functioning urban environments. As a tier 3 Authority, Ashburton District Council must consider these requirements, in particular policies 1, 2, 5 and 8, which support enabling housing supply and urban development. Objectives 1 and 2 seeks a well-functioning urban environment, allowing for people and communities to provide for their social, cultural, and economic wellbeing, and for their health and safety, and objective 2, seeks to support competitive land and development markets.

4.29 I consider that PC7 aligns with these policies, and objectives. It provides for an increased level of housing supply on land which is already identified for residential development and based on the evidence before me is able to be developed without creating impacts on the environment which are not manageable. Overall, I consider that the proposed plan change is consistent with, and will give effect to, the NPS-UD.

Canterbury Regional Policy Statement (CRPS)

4.30 The CRPS provides the framework for integrated management of natural and physical resources in the region. The relevant chapters address land use, infrastructure and urban development matters. The key policies support consolidated urban growth and efficient use of infrastructure. I consider that the proposed plan change is generally consistent with, and will give effect to, these provisions of the CRPS.

Canterbury Land and Water Regional Plan (LWRP) and Canterbury Air Regional Plan (CARP)

4.31 I agree with the assessments of the Applicant and reporting officer in their consideration of the relevant provisions of the LWRP and the CARP. I accept that the proposed plan change is not inconsistent with the provisions of both policy frameworks.

Mahaanui Iwi Management Plan (IMP)

4.32 I consider that the relevant provisions of the Mahaanui Iwi Management Plan, and the Kati Huirapa Iwi Management Plan have been sufficiently addressed within the scope of the PC7 proposal.

Assessment of the Statutory Tests

Sections 31 and 32

4.33 The following assesses PC7 against the statutory tests identified in paragraphs 4.1 - 4.3 above. In addition, Section 32AA requires a further evaluation for any changes that have been made to PC7 since the original evaluation was completed.

4.34 I consider PC7 and its associated provisions have been designed such that they will achieve the integrated management of the effects of the use and development of the plan change area whilst controlling any actual or potential effects. PC7 will also ensure that there is sufficient development capacity in terms of residential land to meet the expected demands of the district. Accordingly, I find that PC7 is appropriately designed to accord with and assist the Council to carry out its s31 (of the RMA) functions.

4.35 In terms of s32 (and 32AA) of the RMA, I consider that the proposal will assist in implementing the policies of the District Plan while the subsequent provision of the link to the adjoining Residential D land and the additional

matters of discretion are in my view the most appropriate means to achieve the Act's sustainable management purpose.

- 4.36 In terms of costs, I consider the benefits of PC7 are inherent benefits from the proposal in terms of efficiency of land use, greater connectivity and sense of community, increased housing choice and greater support for community facilities and business services in delivering additional residential capacity and that these outweigh any potential costs, which I consider to be relatively limited. I also consider there is minimal uncertainty and no missing information in relation to PC7 so the risk of acting and recommending the plan change be approved are minimal.
- 4.37 Overall, I consider, for the reasons set out above, that PC7 meets the section 32 requirements and promotes sustainable management. I consider PC7 is an appropriate response to the longer-term capacity shortfall of Residential C land provision in the Ashburton District and that it provides the potential to meet the demonstrated residential growth demands in the district. Further, it will enable the people of the Ashburton District to provide for their social and economic well-being.
- 4.38 I therefore consider PC7 is efficient and effective in achieving the existing objectives and policies of the District Plan. In particular, it contains benefits in terms of providing for denser development, integration, connectivity and increased housing capacity which is achieved without encroaching on rural land.

Part 2 of the RMA

- 5.1 Overall, I consider the objectives of the District Plan will be achieved as a result of the changes proposed as part of PC7. I have evaluated the rezoning as being the most appropriate, in terms of its effectiveness and efficiency, and the benefits that it achieves versus the costs imposed. I have therefore gone onto consider the matters contained in Part 2 of the Act.

Section 6

- 5.2 Section 6 of the Act relates to matters of national importance. I accept that there are no section 6 matters at play in this case.

Section 7

- 5.3 Section 7 of the Act sets out other matters I am to have particular regard to. Of particular relevance are section 7(b) concerning the efficient use and development of natural and physical resources; section 7(c) relating to the maintenance and enhancement of amenity values and section 7(f) in terms of the maintenance and enhancement of the quality of the environment.
- 5.4 The PC7 site has already been identified for urban development. What is being considered here is whether a denser form of development is more appropriate for this site. In this context there is a distinction to be made between rezoning urban land to enable a higher density and rezoning rural land. In this case the former represents in my opinion a more efficient use of the land resource given its current zoning and its proximity to the existing urban area. Furthermore, of the competing potential land uses i.e. residential development at Residential D or Residential C densities, I again consider the latter is the more efficient use.

5.5 In terms of the maintenance and enhancement of amenity values and the quality of the environment I consider PC7 would achieve these.

Section 8

5.6 Section 8 of the Act requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) be taken into account. I accept that there are no specific section 8 matters at play in this case.

Section 5

5.7 The ultimate purpose of the plan change is to achieve the purpose of the RMA as defined in section 5. In the case of a plan change that purpose is usually subsumed in the greater detail and breadth of the operative objectives and policies which are not sought to be changed. That is the situation in these proceedings.

5.8 I therefore considered for the reasons set out above that PC7 is appropriate in terms of the s32 tests and meets the purpose and principles set out in Part 2 in promoting sustainable management. Specifically, it will enable people and communities to provide for their economic and cultural wellbeing by providing greater flexibility in residential development in a location which will help in consolidating the urban form of the Ashburton and where the effects of development can be acceptably mitigated. Overall, I consider PC7 promotes sustainable management in meeting the purpose of the RMA.

5.0 Recommendations

5.1 For all the foregoing reasons I have made the following recommendation on Plan Change 7 to the Ashburton District Plan:

1. **That pursuant to clause 10 of Schedule 1 to the Resource Management Act 1991 that Plan Change 7 to the Ashburton District Plan be approved as set out in Appendix 1 to this decision.**
2. **That for the reasons set out in the above report I either accept, accept in part or reject the submissions and further submissions as recommended and listed in Appendix 2 to this report.**



Commissioner Dean Chrystal

16 February 2026

Changes to the District Plan

Add the following to **Section 4: Residential Zones**

4.9 Site Standards

4.9.20 Coniston Park Outline Development Plan

- a) Any subdivision and/or development within the Coniston Park Outline Development Plan shall be undertaken in general accordance with that Outline Development Plan included within Appendix 4.8 of the Residential Zone Chapter of the District Plan.*

4.11 Assessment Matters

4.11.16 Coniston Park Outline Development Plan

- a) The nature of the non-compliance with the Outline Development Plan in terms of activity and /or layout.*
- b) The effect of any altered layout on amenity values of the locality considering the site density of the development, the compatibility of adjoining activities and the extent to which adverse effects such as traffic movements, noise, loss of privacy and open space may affect adjoining sites.*
- c) Where relevant, the assessment matters for the zone relating to density, building coverage, landscaping including fencing type, building setbacks, height, and outdoor living space.*

Section 4 Appendices

Appendix 4-8: Coniston Park Outline Development Plan (Residential C Zone)



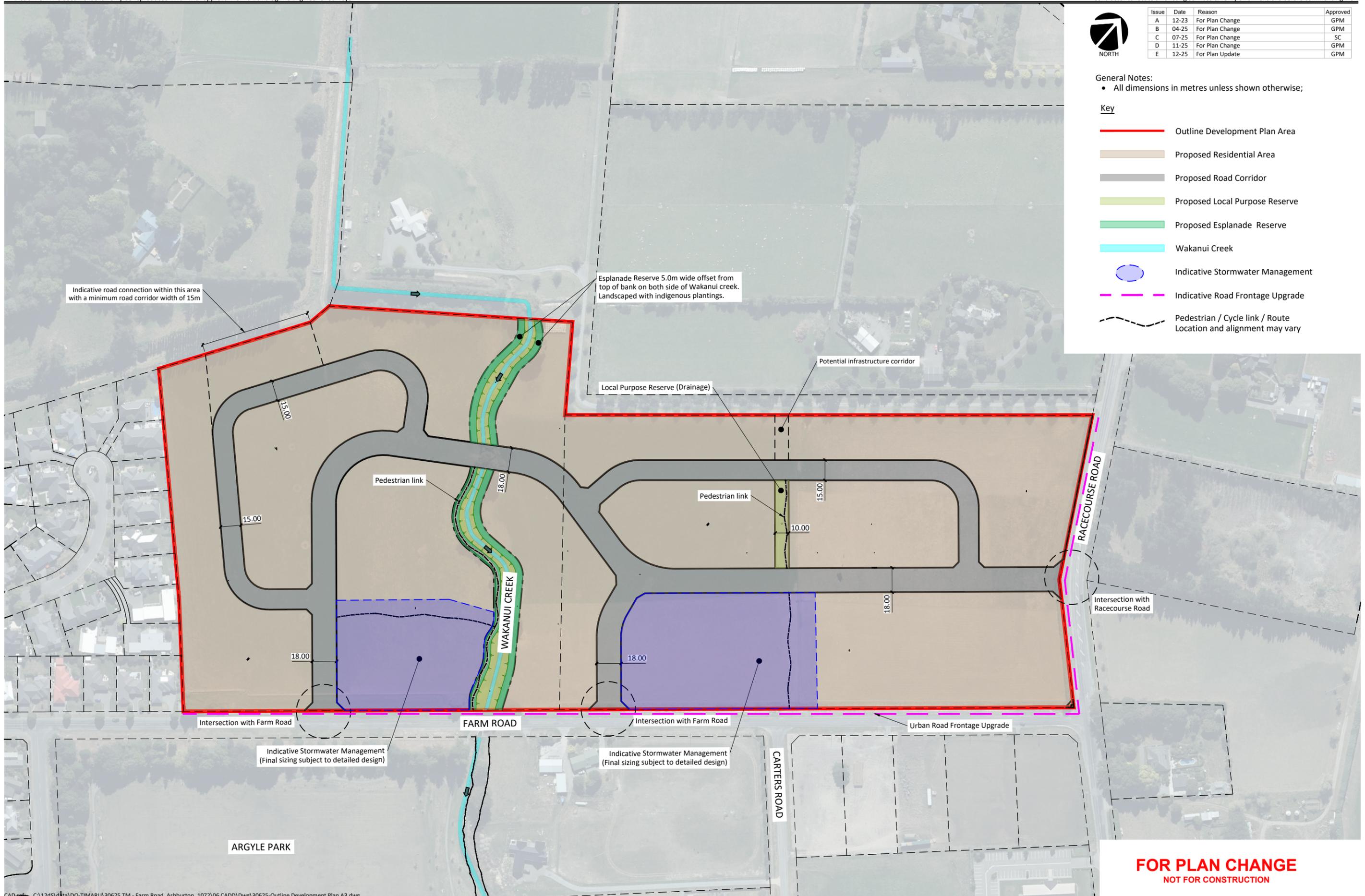
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B	04-25	For Plan Change	GPM
C	07-25	For Plan Change	SC
D	11-25	For Plan Change	GPM
E	12-25	For Plan Update	GPM

General Notes:

- All dimensions in metres unless shown otherwise;

Key

- Outline Development Plan Area
- Proposed Residential Area
- Proposed Road Corridor
- Proposed Local Purpose Reserve
- Proposed Esplanade Reserve
- Wakanui Creek
- Indicative Stormwater Management
- Indicative Road Frontage Upgrade
- Pedestrian / Cycle link / Route
Location and alignment may vary



FOR PLAN CHANGE
NOT FOR CONSTRUCTION

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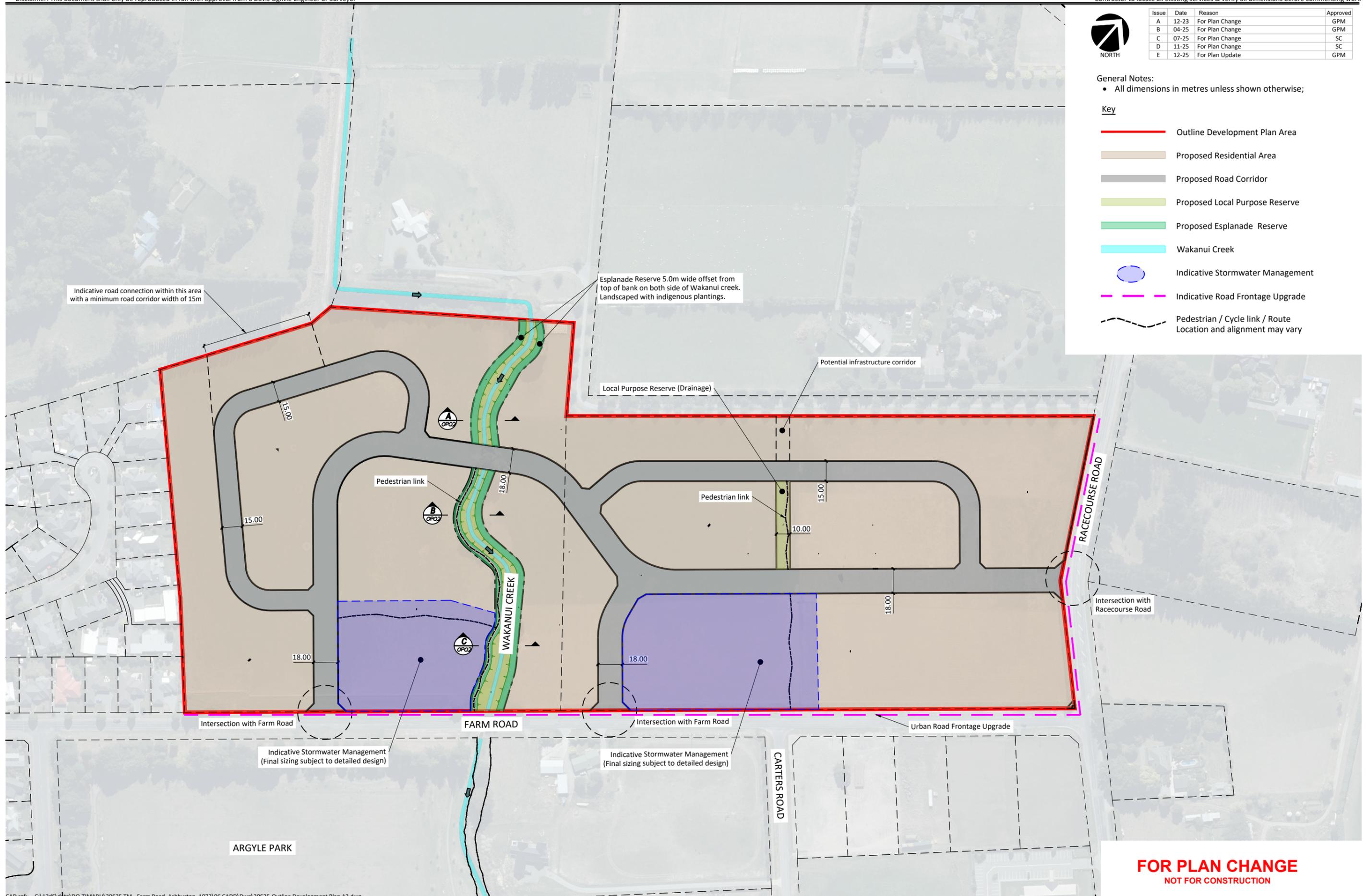
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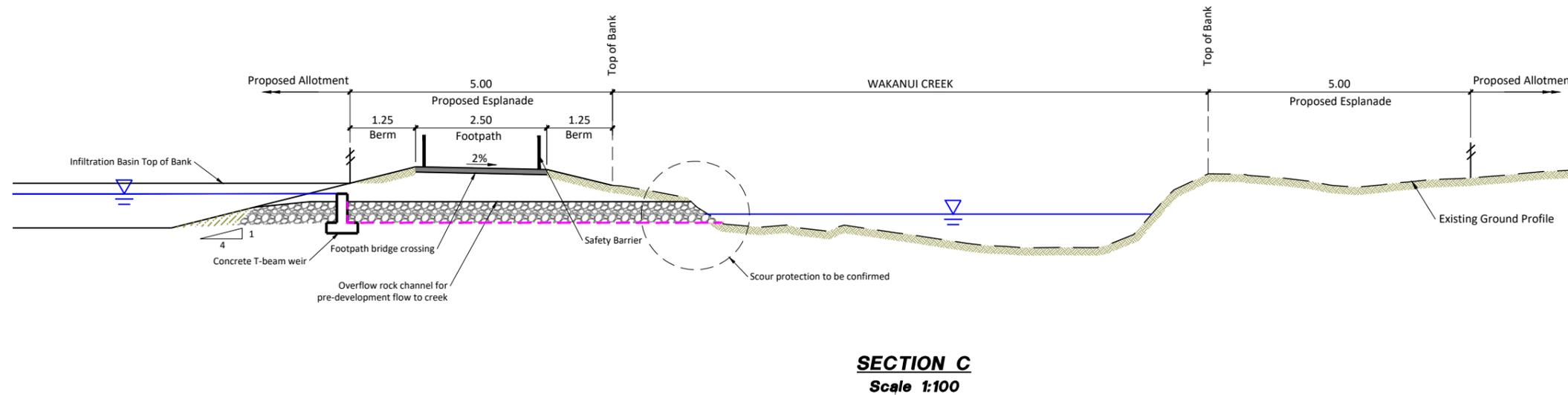
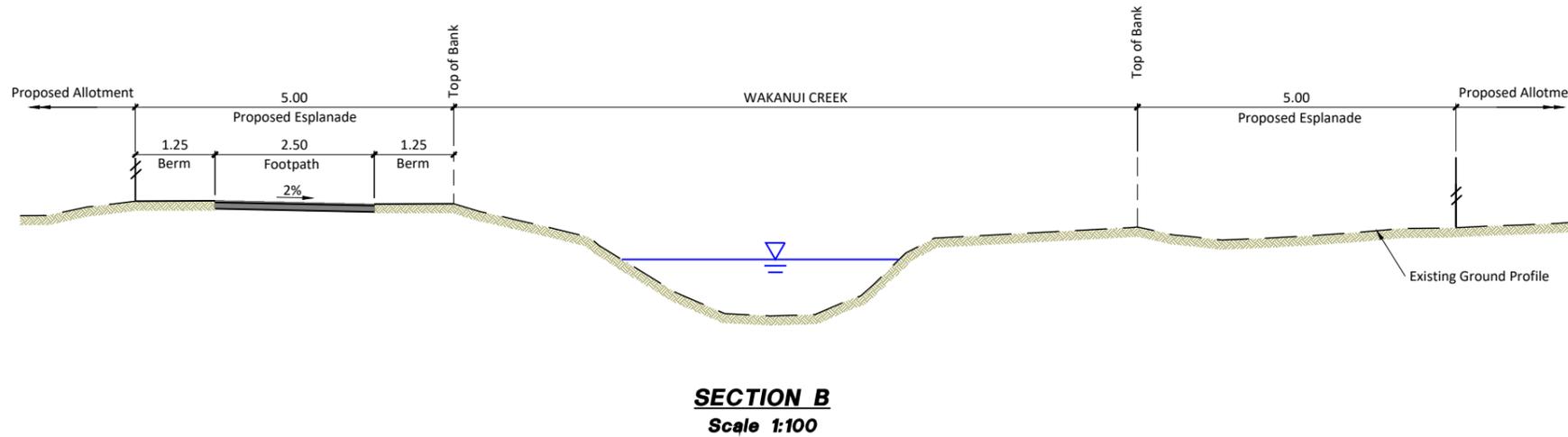
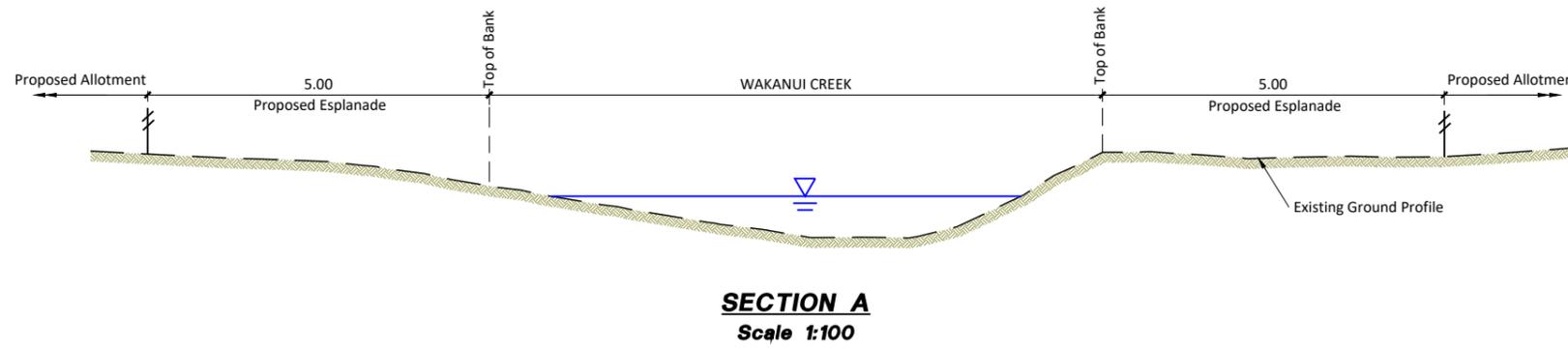
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- General Notes:
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 - Water level shown in plan are indicative only
 - Proposed Esplanade Reserve (Rapararian Margins) to be planted with indigenous plantings.

Key

— — — Existing Ground Profile

————— Finished Ground Profile



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Add the following to **Section 9: Subdivision**

9.6.5 Outline Development Plans

Outline Development Plans are intended to manage development within certain defined areas.

The Aquatic Park zone provides for a specific form of development as set out in the Outline Development Plan and coordinated around the lake and canals. The Racecourse Avenue and Lochhead developments were specifically designed according to site constraints and these are set out in the applicable Outline Development Plans. The Trevors Road development provides for residential development with a range of densities whereas the Redmond development provides for low density housing around a central area of open space. The Village Green development provides for an area of residential cluster development.

The Coniston Park development provides for residential development, complemented by enhancements to the Wakanui Creek through indigenous plantings. Where this development adjoins Rural A zoned land, consideration should also be given to how any potential for conflict to arise between residential development and adjoining rural activities are addressed. This may include consideration of lot sizes, building setbacks, and any screening or landscape mitigation along the boundary, while also taking into account the nature of adjoining land uses, and existing separation achieved through the irrigation race, Wakanui Creek and driveways.

Compliance with the Outline Development Plans is necessary to ensure that the form and layout of development is consistent with that intended for the land.

9.7 Rules – Subdivision

9.7.4 Restricted Discretionary Activities

- a) *Any subdivision in the Residential Zones, Rural A and B Zones, and Aquatic Park Zone. Council shall restrict its discretion to those matters listed under Controlled Activities above and those listed below:*
- *Overall subdivision design and layout including connectivity and linkages (both within and beyond the subdivision)*
 - *Land and/or Facilities for Open Space and Recreation*
 - *Vegetation protection, landscape treatment, and effects on landscape and visual amenity values*
 - *All new allotments created by subdivision in Open Space Zones and Business Zones or for utilities, other than allotments for access, roads and utilities, that cannot prove an ability to provide firefighting water supply in accordance with New Zealand Fire Service Code of Practise for Firefighting Water Supplies, SNZ PAS 4509:2008 or obtain approval from the New Zealand Fire Service.*
 - *Within the Coniston Park Outline Development Plan:*
 - *whether any mitigation measures are required to avoid reverse sensitivity effects arising in relation to adjoining rural zones; and*
 - *the effectiveness of native planting in the riparian margins of Wakanui Creek at filtering stormwater run-off and enhancing ecological function and mahika kai.*

9.8 General Standards

9.8.13 Coniston Park Outline Development Plan

- a) *Any subdivision and/or development within the Coniston Park Outline Development Plan shall be in accordance with the Outline Development Plan in Appendix 4-8.*

PLANNING MAPS

PC7– CONISTON PARK LTD – FARM AND RACECOURSE ROADS, ASHBURTON

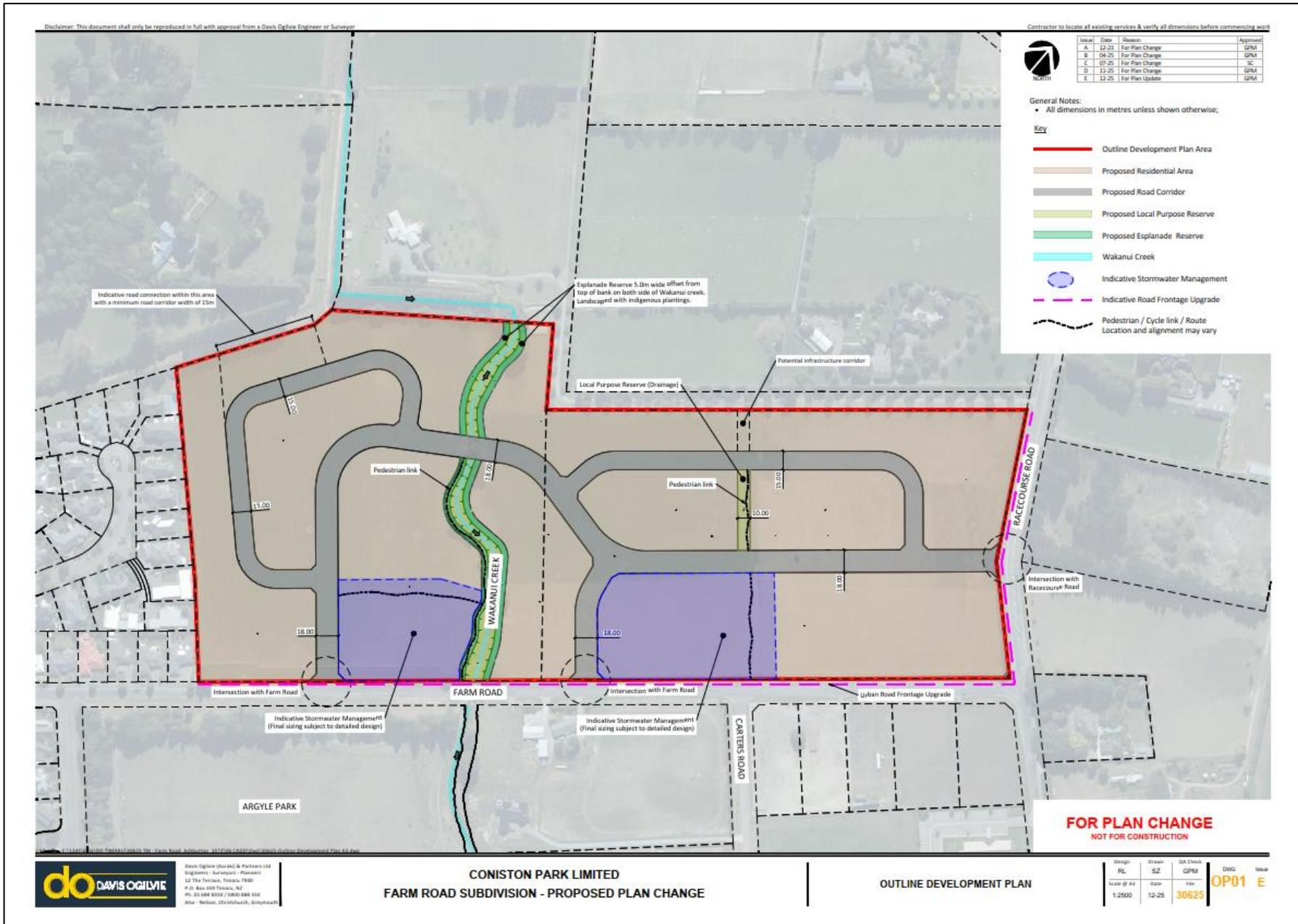
APPENDIX 2

Decisions on Submissions

Submitter	Submission number	Decision number	Submitter position	Summary	Decision
Greg & Rachel Tait	S1	S1.1	Oppose in Part	If the rezoning is granted, address the issues raised in the submission within the rules that apply to the zoning. (Note: Issues raised relate to noise; dust and dirt; hours of construction; site access; flood water ditch; pre-school; two-storey houses and fencing; roadside use.)	Reject
		S1.2	Oppose in Part	That the developers does not dismiss the impact that this proposed rezoning and sub-division will have on existing neighbours and their quality of life.	Reject
David and Hilary Ward	S2	S2.1	Oppose in Part	Restrict work hours to 7:30am to 5:30pm on weekdays only.	Reject
		S2.2	Oppose in Part	Do not allow work to be carried out in winds which would carry dust/dirt to neighbouring properties.	Reject
		S2.3	Oppose in Part	Apply height restrictions on sites 147-164 to be single storey dwellings only.	Reject
		S2.4	Oppose in Part	Do not allow roadside fencing over 1m.	Reject
		S2.5	Oppose in Part	Adhere to larger section sizes on Farm and Racecourse Roads.	Reject
DG & CM Williamson Settlement Trust	S3	S3.1	Support in part	Require the Applicant to amend the proposed outline development plan to include a full width legal road / vehicle connection and services connection to the existing undeveloped Residential D land to the west of the rezoning proposal site. (Note: Diagram included in submission.)	Accept
Gloria Barrett	S4	S4.1	Oppose in full	Give full consideration against the rezoning.	Reject

Judith Kingsbury	S5	S5.1	Oppose in full	Keep the present status of the land as Rural D which was the decision of the 2007-2010 Council.	Reject
		S5.2	Oppose in full	Keep it as farm land.	Reject
Ministry of Education	S6	S6.1	Not stated	Should the plan change be approved, require the Applicant to commit to ongoing communication with the Ministry and nearby schools regarding timing of development. This could form part of a condition of the plan change as follows: "Consult with the Ministry on the development, staging and timing"	Reject
Cherry Crozier	S7	S7.1	Oppose in full	That the area remain as farmland.	Reject

Appendix 2 – Outline Development Plan



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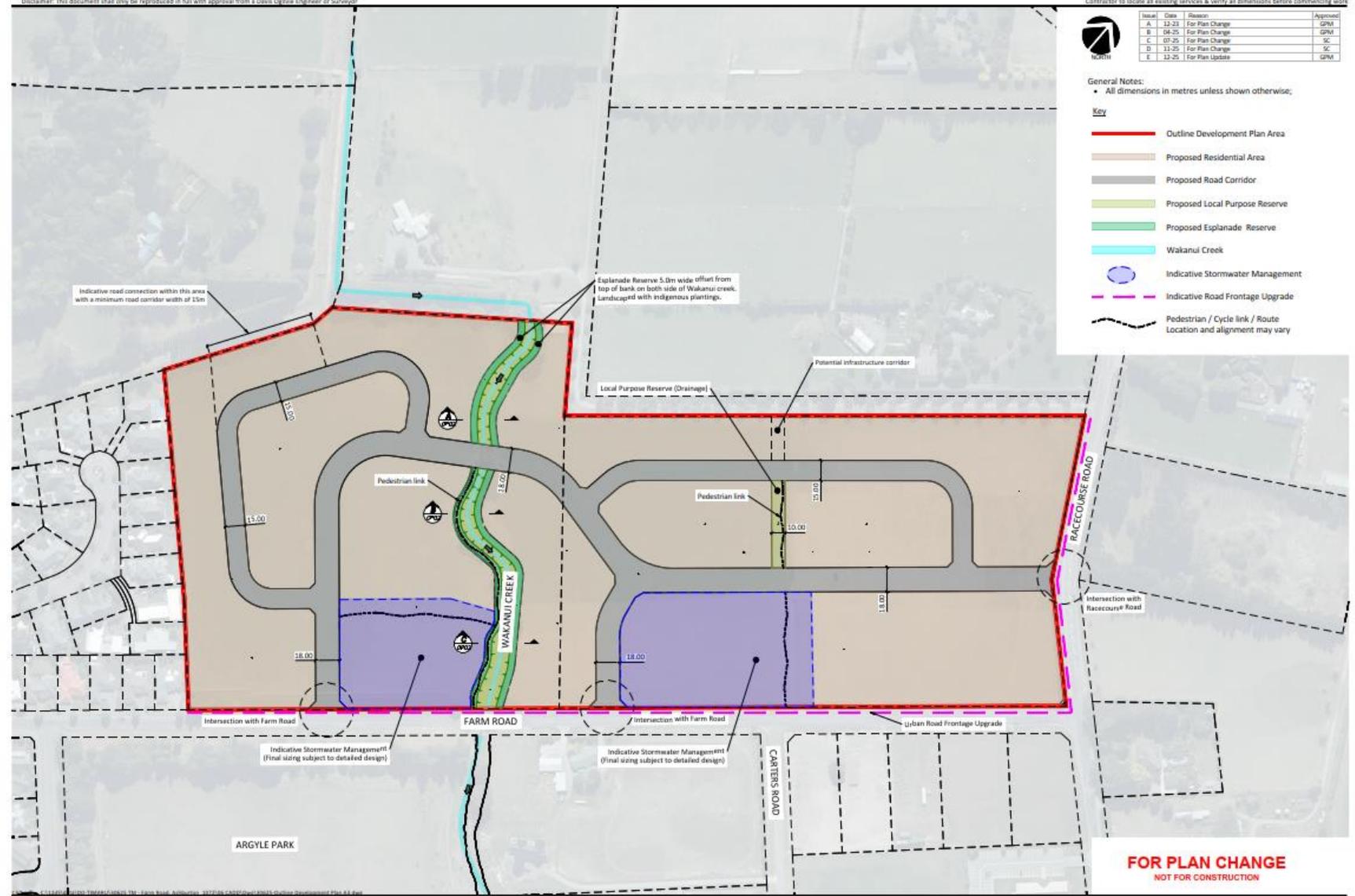
Contractor to locate all existing services & verify all dimensions before commencing work



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 - Pedestrian / Cycle link / Route
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do DAVIS OGILVIE
 Davis Ogilvie (Australia) & Partners Ltd
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CONISTON PARK LIMITED
FARM ROAD SUBDIVISION - PROPOSED PLAN CHANGE

OUTLINE DEVELOPMENT PLAN
CROSS SECTION LOCATIONS

Design	Drawn	ISA Check	DWG
RL	SZ	GPM	
Scale @ A4	Date	File	
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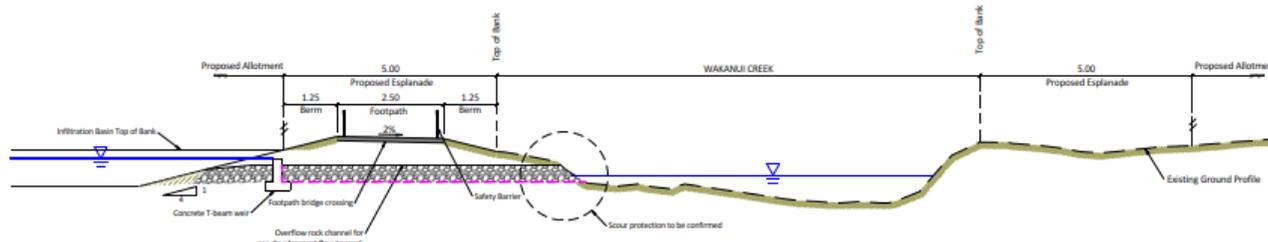
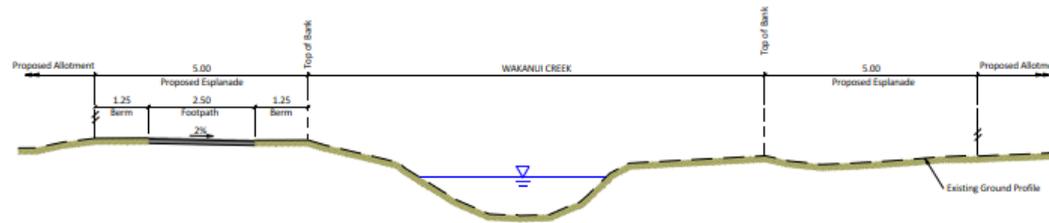
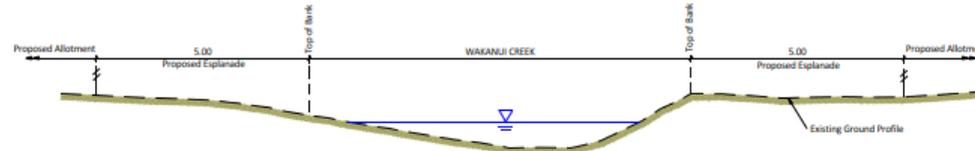
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 - Proposed Esplanade Reserve (Rapararian Margins) to be planted with indigenous plantings.

Key

--- Existing Ground Profile

— Finished Ground Profile



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CONISTON PARK LIMITED
FARM ROAD SUBDIVISION - PROPOSED PLAN CHANGE

CROSS SECTION - OUTLINE DEVELOPMENT PLAN

Design	Drawn	QA Check	DWG	Issue
RL	SZ	GPM	OP03	E
Scale @ A3	Date	File		
1:100	12-25	30623		

11. *Limestone Creek Intake & Race Network, Proposed Closure – Recommendation from Stockwater Transition Working Group*

Author	<i>Andrew Guthrie, Assets Manager</i>
Activity Manager	<i>Crissie Drummond; Infrastructure Services Support Lead</i>
Executive Team Member	<i>Neil McCann, Group Manager Infrastructure</i>

Summary

- The purpose of this report is to seek Council approval of a recommendation from the Stockwater Transition Working Group for closure of the Limestone Creek intake and associated race network.
- The scope of the proposed closure involves 9.2km of open race network, comprising 3.2km of main race and 6km of local race. This network discharges into another stockwater main (outside the scope of this closure). A plan of the proposed closure accompanied the original report in Appendix 1.
- There are five rateable properties supplied by the Limestone Creek intake.

Recommendation to Council

That Council approves:

1. The closure of the Limestone Creek intake and race network from the intake on Limestone Creek, to its terminal discharge points into the Montalto Hinds stockwater main.
2. The date of the closure to be affected on 30 June 2026.

Attachments

Appendix 1 Limestone Creek Intake & Race Closure Report to STWG – 4 March 2026

Background

The current situation

1. Stockwater for this system is sourced from the Limestone Creek, via an intake weir situated within the waterway where it passes through Gawler Downs Station located on Hinds Gorge Road. No records exist of the current intake, but an intake has operated on Limestone Creek for over 125 years, as there are references to maintenance being undertaken on headworks as early as the 1900s. A newspaper report mentioning the intake can be found [here](#)¹.
2. The Limestone Creek intake normally abstracts ~50 litres/second.
3. Key statistics of the race network supplied by the Limestone Creek intake are as follows:
 - Total race network supplied 9.2 km comprising:
 - 3.2 km main race
 - 6.0 km local race
 - 5 rateable properties
 - 1 flume² (~50m long, over the South Branch Hekeao / Hinds River)
 - 1 siphon under the Rangitata Diversion Race
 - 1 supplementary offtake from RDR (emergency)
 - 2 road culverts



Figure 1 - Limestone Creek Intake (and Weir)



Figure 2 – Flume over Sth Br. Hekeao / Hinds River

Previous Council Decisions

4. Councils' withdrawal from the provision of stockwater became a key decision as part of its consultation on the 2024-34 Long Term Plan. Ultimately, following strong support for Council's proposal to exit the stockwater activity by 30 June 2027, Council resolved to proceed with the exit and form a working group to monitor progress.

¹ Ashburton Guardian, Volume XXI, Issue 5202, 7 September 1900, Page 2

² Very poor condition.

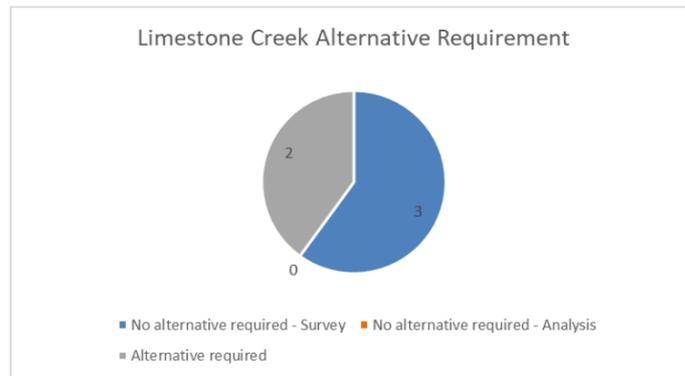
5. The Stockwater Transition Working Group (STWG) was duly formed.
6. The STWG reviewed the draft Stockwater Exit Transition Plan at its 31 October 2024 meeting with a final plan considered at the 5 December meeting. The SETP was subsequently adopted by Council on 18 December 2024. The SETP is available [here](#).
7. On 18 December 2025, following a similar process and recommendation from the STWG, Council resolved to close part of the Pudding Hill Intake race network from Mt Harding Creek to the network's terminal discharge points.

Māori and tangata whenua participation – Cultural and Ecological

8. Te Rūnaka O Arowhenua is part of the core membership of the STWG and has maintained a representative present at all meetings of the group.
9. Arowhenua's consultancy, Aoraki Environmental Consultancy Ltd, have been providing support for the SETP through the preparation of Cultural Assessments for each intake investigation.
10. Given the short length of this race and low number of affected properties, AEC undertook both ecological and cultural assessments for the Limestone Creek investigations during a site visit to the network. This visit was undertaken on 29 January 2026. The assessment accompanied the original report in Appendix 1.
11. A general summary is provided below:
 - It was noted the overall fish habitat score, for the diversion at the intake, indicated good quality habitat for tuna (eel) and other fish.
 - Arowhenua recommends fish salvage and relocation is carried out immediately following the intake gate being closed off.
 - They recommend an eDNA sample to be taken at two specified sites along the race one month prior to closure to assist with the salvage strategy development.
 - Arowhenua seeks to have the race termination points into the Montalto Hinds main closed in a way that there is not risk of fish getting into the closed raceway.
 - Arowhenua's preference is that where races are no longer required, that these are filled in.

Affected Parties

12. The investigations for the Limestone Creek system commenced in June 2025 and were completed in July 2025 with all five affected property owners being surveyed.
13. The results from the survey showed there was more support for closure than retaining the network.



14. Melius Ltd (John Wright) undertook follow-up discussions with the two landowners who had indicated a need for an alternative stockwater supply.

Alternate Providers

15. The work completed by Melius Ltd, showed that Barrhill Chertsey Irrigation Ltd (BCIL) has existing piped infrastructure in relatively close proximity to both properties that require a stockwater alternative.
16. One property is already a BCIL irrigation customer and is in the process of installing a stockwater piped network on the property which is planned to be completed by 30 June 2026.
17. The other property was adjacent to BCI infrastructure and could connect with minimal additional infrastructure. Via Melius, the landowner was introduced to BCI to make their own arrangements and is likely to be able to do so by 30 June 2026.

Stormwater Assessment

18. Due to the nature of the network involved, no specific modelling has been undertaken on the race closure, however, district-wide modelling completed circa 2023 has been used to inform this assessment.
19. The stormwater / drainage in this vicinity is dominated by the influence of the RDR and the South Branch of the Hekeao / Hinds River. For this reason, it is anticipated the closure of this network will not have any detrimental impact on local drainage function.

Stockwater Transition Working Group

20. The STWG considered this matter at their meeting held 4 March 2026 and was supported by a report titled *Limestone Creek Intake & Race Network, Proposed Closure*. This report is attached in full as Appendix 1.
21. During the consideration, there were questions on the alternatives available for the two properties that were identified as needing an alternative. These were addressed by the project consultant member of the group (John Wright, Melius Ltd).

22. The STWG subsequently approved the officer recommendation to Council unchanged.

Options analysis

23. The following options have been identified.

Option one – Approve the Recommendation.

24. Under this option, Council will close the Limestone Creek stockwater intake and race on **30 June 2026**.

25. The two landowners that require a stockwater service, will need to ensure they have access to a water supply from an alternate provider. The alternate provider identified for this area is Barrhill Chertsey Irrigation Ltd.

26. The cost and management of providing the alternative will be the sole responsibility of the landowners requiring the service and the alternate provider.

27. A fish salvage and relocation plan will be developed, and the necessary permits sought for this work. The salvage plan will then be implemented as close as practicable to the operational date of closure, focusing on the intake diversion flume initially and then working downstream.

28. Officers will liaise with Environment Canterbury in regard to the weir structure and the flume and their possible future removal. It is anticipated that the flume will have to be removed, but due to the flood control benefits accruing from the weir, it is likely to remain in place.

29. The supplementary offtake from the RDR will be scheduled for decommissioning as part of the next RDR shutdown (scheduled for May 2028).

<p>Advantages:</p> <ul style="list-style-type: none">• Consistent with Council stated intention to exit the stockwater activity.• Provides clarity to affected landowners.• Confirms Council's commitment to exit the service.	<p>Disadvantages:</p> <ul style="list-style-type: none">• None identified.
<p>Risks:</p> <ul style="list-style-type: none">• Water from the alternate provider may not be available at time of closure.	

Option two – Approve Intake & Race Closure through a Modified Recommendation.

30. Under this option the intake and race closure is still approved subject to minor modifications to the STWG recommendation.

<p>Advantages:</p> <ul style="list-style-type: none"> • May address issues identified by Council during their consideration of the matter. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Inconsistent with direction from the STWG.
<p>Risks:</p> <ul style="list-style-type: none"> • May be perceived as weakening the role of the Stockwater Transition Working Group. 	

Option three – Do not proceed with the intake and race closure at this time.

31. Under this option, the intake and race closure will not proceed at this time.

<p>Advantages:</p> <ul style="list-style-type: none"> • Provides more time for alternate providers to progress alternatives. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Opportunity to demonstrate progress towards the exit is lost. • Affected landowners may continue to ignore implications. • Programme tasks will start to overlap and overload internal resources.
<p>Risks:</p> <ul style="list-style-type: none"> • Landowners may doubt Council’s commitment and delay considering and committing to alternatives. 	

Legal/policy implications

Legislation

Resource Management Act 1991

32. The stockwater activity has consents issued under the RMA. These consents cover the various activities required to operate the network including water abstraction consents.

33. The Limestone Creek Intake abstraction consent is [CRC169499](#) Condition 8 states: “*The use of water shall be only for stock drinking water, treated domestic and community drinking water, and essential domestic and community use*”.

Plans / Policies

Canterbury Land & Water Regional Plan

34. The purpose of the Canterbury Land and Water Regional Plan (CLWRP) is to “identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.”
35. The CLWRP contains a policy directly targeted at the ADC stockwater activity. Policy 13.4.1. reads as follows: *“In order to increase the amount of water in the river that is available to meet the proposed increased minimum flows, the taking of water for community stock water supplies from the Ashburton River/Hakatere will progressively decrease so that as soon as possible, but by no later than 1 July 2023, that taking will not exceed 2,900 L/s in total.”*
36. Council has already achieved the reduction required by this policy.

Stockwater Exit Transition Plan

37. The Stockwater Exit Transition Plan was adopted by Council on the 18 December 2024. The Limestone Creek intake was envisaged to be the fifth intake to be progressed in the SETP, with this closure being implemented by February 2026.
38. The original timeframes for the individual project phases have proven to be quite ambitious and some of the complexities with the investigation work is adding unforeseen delays to the programme.

Agreements

39. Council has confirmed a Heads of Agreement (HOA) between Ashburton District Council and Barrhill Chertsey Irrigation Limited.

Climate change

40. The proposed closure of this portion of the stockwater network must be considered in the context of climate change and the council’s Climate Change & Sustainability Strategy.
41. Climate projections indicate increasing variability in rainfall and more frequent extreme weather events, which will influence water availability and management practices.
42. The stockwater system relies on water availability in key river resources, which come under pressure during prolonged droughts. While it offers some seasonal flexibility, its ability to support resilience under future climate extremes is limited.
43. Although closing the stockwater network could create challenges, such as farmers being required to transition to new reticulated supplies, it also presents opportunities.

Closure aligns with Goal 1: Sustainable Water Management, which seeks to ensure resilient water systems, promote efficient use, and improve water quality.

44. It is also noted, the decommissioning of open races may reduce contamination risks and nutrient runoff, contributing to improved water quality outcomes.

Strategic alignment

45. The recommendation relates to Council’s community outcome of **a balanced & sustainable environment** because the progressive closure of open race networks and replacement with individual onsite supply or reticulated supplies (where needed) reduces the overall usage of water for stock purposes.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Management of the open race network is labour intensive. Stockwater can be delivered much more efficiently within reticulated networks.
Environmental	✓	Open race systems are very inefficient with in excess of 90% of the water conveyed being lost as leakage to groundwater and evaporation.
Cultural	✓	Due to the significant reduction in water required to provide stockwater, the unused water is not taken and remains in the source rivers. It is noted that Arowhenua support water remaining in the rivers.
Social	✘	

Financial implications

Requirement	Explanation
What is the cost?	\$10,000 plus GST.
Is there budget available in LTP / AP?	Yes.
Where is the funding coming from?	Provided for under District Water Management Investigations. 275 30534
Are there any future budget implications?	Yes, costs associated with asset decommissioning. This is estimated to be in the range of \$2,500 - \$5,000 (assuming no consents are required). The removal of the flume will be programmed as soon as possible following closure. Decommissioning of the supplementary intake on the RDR will need to be undertaken during the next RDR shutdown (May 2028)

46. The costs associated with the stockwater exit programme is being met from budgets in the District Water Management and Stockwater areas.

47. The cost of preparing and implementing a fish salvage and relocation plan is expected to be in the range of \$5,000 to \$10,000. There is also future cost associated with asset decommissioning of ~\$5,000.
48. From a rating standpoint, it is desirable to cease rating at the end of the rating year as it is not possible to remove rates (in part) during the year.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes
Level of significance	Medium.
Rationale for selecting level of significance	N/A
Level of engagement selected	Inform – One-way communication
Rationale for selecting level of engagement	The investigation into closure of this system has been the subject of extensive consultation. Including one to one communication with Council's project consultant with directly affected landowners.

4. Limestone Creek Intake & Race Network – Proposed Closure

Author	<i>Andrew Guthrie, Assets Manager</i>
Activity Manager	<i>Crissie Drummond; Infrastructure Services Support Lead</i>
Executive Team Member	<i>Neil McCann, Group Manager Infrastructure</i>

Summary

- The purpose of this report is to seek working group approval of a recommendation to Council for closure of the Limestone Creek intake and associated race network.
- The scope of the proposed closure involves 9.2km of open race network, comprising 3.2km of main race and 6km of local race. This network discharges into a another stockwater main (outside the scope of this closure). Refer to plan in Appendix 1.
- There are five rateable properties supplied by the Limestone Creek.

Recommendation to Council

That Council approves:

1. The closure of the Limestone Creek intake and race network from the intake on Limestone Creek, to its terminal discharge points into the Montalto Hinds stockwater main.
2. The date of the closure to be affected on 30 June 2026.

Attachments

Appendix 1	Plan 3029 - Proposed Limestone Creek Intake & Race Closure
Appendix 2	Manawhenua Assessment of the Limestone Creek Intake Stockwater Race

Background

The current situation

1. Stockwater for this system is sourced from the Limestone Creek, via an intake weir situated within the waterway where it passes through Gawler Downs Station located on Hinds Gorge Road. No records exist of the current intake, but an intake has operated on Limestone Creek for over 125 years, as there are references to maintenance being undertaken on headworks as early as the 1900s. A newspaper report mentioning the intake can be found [here](#)¹.
2. The Limestone Creek intake normally abstracts ~50 litres/second.
3. Key statistics of the race network supplied by the Limestone Creek intake are as follows:
 - Total race network supplied 9.2 km comprising:
 - 3.2 km main race
 - 6.0 km local race
 - 5 rateable properties
 - 1 flume² (~50m long, over the South Branch Hekeao / Hinds River)
 - 1 siphon under the Rangitata Diversion Race
 - 1 supplementary offtake from RDR (emergency)
 - 2 road culverts



Figure 1 - Limestone Creek Intake (and Weir)



Figure 2 – Flume over Sth Br. Hekeao / Hinds River

Previous Council Decisions

4. Councils' withdrawal from the provision of stockwater became a key decision as part of its consultation on the 2024-34 Long Term Plan. Ultimately, following strong support for Council's proposal to exit the stockwater activity by 30 June 2027, Council resolved to proceed with the exit and form a working group to monitor progress.

¹ Ashburton Guardian, Volume XXI, Issue 5202, 7 September 1900, Page 2

² Very poor condition.

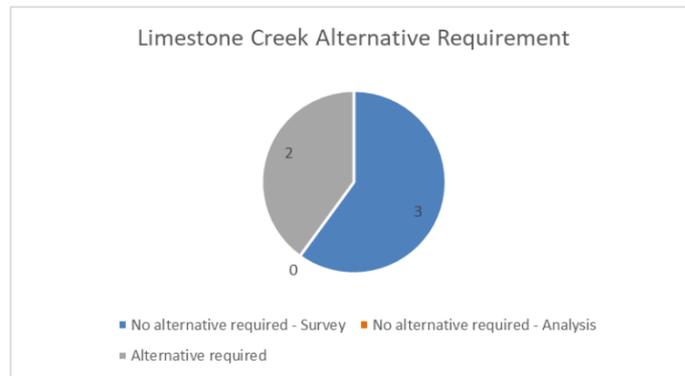
5. The Stockwater Transition Working Group (STWG) was duly formed.
6. The STWG reviewed the draft Stockwater Exit Transition Plan at its 31 October meeting with a final plan considered at the 5 December meeting. The SETP was subsequently adopted by Council on 18 December 2024. The SETP is available [here](#).

Māori and tangata whenua participation – Cultural and Ecological

7. Te Rūnaka O Arowhenua is part of the core membership of the STWG and has maintained a representative present at all meetings of the group.
8. Arowhenua's consultancy, Aoraki Environmental Consultancy Ltd, have been providing support for the SETP through the preparation of Cultural Assessments for each intake investigation.
9. Given the short length of this race and low number of affected properties, AEC undertook both ecological and cultural assessments for the Limestone Creek investigations during a site visit to the network. This visit was undertaken on 29 January 2026. The assessment report is provided in **Appendix 2**.
10. A general summary is provided below:
 - It was noted the overall fish habitat score, for the diversion at the intake, indicated good quality habitat for tuna (eel) and other fish.
 - Arowhenua recommends fish salvage and relocation is carried out immediately following the intake gate being closed off.
 - They recommend an eDNA sample to be taken at two specified sites along the race one month prior to closure to assist with the salvage strategy development.
 - Arowhenua seeks to have the race termination points into the Montalto Hinds main closed in a way that there is not risk of fish getting into the closed raceway.
 - Arowhenua's preference is that where races are no longer required, that these are filled in.

Affected Parties

11. The investigations for the Limestone Creek system commenced in June 2025 and were completed in July 2025 with all five affected property owners being surveyed.
12. The results from the survey showed there was more support for closure than retaining the network.



13. Melius Ltd (John Wright) undertook follow-up discussions with the two landowners who had indicated a need for an alternative stockwater supply.

Alternate Providers

14. The work completed by Melius Ltd, showed that Barrhill Chertsey Irrigation Ltd (BCIL) has existing piped infrastructure in relatively close proximity to both properties that require a stockwater alternative.
15. One property is already a BCIL irrigation customer and is in the process of installing a stockwater piped network on the property which they planned to have completed by 30 June 2026.
16. The other property was adjacent to BCI infrastructure and could connect with minimal additional infrastructure. Via Melius, they were introduced to BCI to make their own arrangements and is likely to be able to do so by 30 June 2026.

Stormwater Assessment

17. Due to the nature of the network involved, no specific modelling has been undertaken on the race closure, however, district-wide modelling completed circa 2023 has been used to inform this assessment.
18. The stormwater / drainage in this vicinity is dominated by the influence of the RDR and the South Branch of the Hekeao / Hinds River. For this reason, it is anticipated the closure of this network will not have any detrimental impact on local drainage function.

Options analysis

19. The following options have been identified.

Option one – Proceed with proposed race closure.

20. Under this option, Council will close the Limestone Creek stockwater race on **30 June 2026**.

21. The two landowners that require a stockwater service, will need to ensure they have access to a water supply from an alternate provider. The alternate provider identified for this area is Barrhill Chertsey Irrigation Ltd.
22. The cost and management of providing the alternative will be the sole responsibility of the landowners requiring the service and the alternate provider.
23. A fish salvage and relocation plan will be developed, and the necessary permits sought for this work. The salvage plan will then be implemented as close as practicable to the operational date of closure, focusing on the intake diversion flume initially and then working downstream.
24. Officers will liaise with Environment Canterbury in regard to the weir structure and the flume and their possible future removal. It is anticipated that the flume will have to be removed, but due to the flood control benefits accruing from the weir, it is likely to remain in place.
25. The supplementary offtake from the RDR will be scheduled for decommissioning as part of the next RDR shutdown (scheduled for May 2028).

<p>Advantages:</p> <ul style="list-style-type: none"> • Consistent with Council stated intention to exit the stockwater activity. • Provides clarity to affected landowners. • Confirms Council's commitment to exit the service. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • None identified.
<p>Risks:</p> <ul style="list-style-type: none"> • Water from the alternate provider may not be available at time of closure. 	

Option two – Do not proceed with race closure at this time.

26. Under this option, the race closure will not proceed at this time.

<p>Advantages:</p> <ul style="list-style-type: none"> • Provides more time for alternate providers to progress alternatives. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Opportunity to demonstrate progress towards the exit is lost. • Affected landowners may continue to ignore implications. • Programme tasks will start to overlap and overload internal resources.
<p>Risks:</p>	

- Landowners may doubt Council’s commitment and delay considering and committing to alternatives.

Legal/policy implications

Legislation

Resource Management Act 1991

27. The stockwater activity has consents issued under the RMA. These consents cover the various activities required to operate the network including water abstraction consents.
28. The Limestone Creek Intake abstraction consent is [CRC169499](#) Condition 8 states: “*The use of water shall be only for stock drinking water, treated domestic and community drinking water, and essential domestic and community use*”.

Plans / Policies

Canterbury Land & Water Regional Plan

29. The purpose of the Canterbury Land and Water Regional Plan (CLWRP) is to “identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.”
30. The CLWRP contains a policy directly targeted at the ADC stockwater activity. Policy 13.4.1. reads as follows: “*In order to increase the amount of water in the river that is available to meet the proposed increased minimum flows, the taking of water for community stock water supplies from the Ashburton River/Hakatere will progressively decrease so that as soon as possible, but by no later than 1 July 2023, that taking will not exceed 2,900 L/s in total.*”
31. Council has already achieved the reduction required by this policy.

Stockwater Exit Transition Plan

32. The Stockwater Exit Transition Plan was adopted by Council on the 18 December 2024. The Limestone Creek intake was envisaged to be the fifth intake to be progressed in the SETP, with this closure being implemented by February 2026.
33. The original timeframes for the individual project phases have proven to be quite ambitious and some of the complexities with the investigation work is adding unforeseen delays to the programme.

Agreements

34. Council has confirmed a Heads of Agreement (HOA) between Ashburton District Council and Barrhill Chertsey Irrigation Limited.

Climate change

35. The proposed closure of this portion of the stockwater network must be considered in the context of climate change and the council's Climate Change & Sustainability Strategy.
36. Climate projections indicate increasing variability in rainfall and more frequent extreme weather events, which will influence water availability and management practices.
37. The stockwater system relies on water availability in key river resources, which come under pressure during prolonged droughts. While it offers some seasonal flexibility, its ability to support resilience under future climate extremes is limited.
38. Although closing the stockwater network could create challenges, such as farmers being required to transition to new reticulated supplies, it also presents opportunities. Closure aligns with Goal 1: Sustainable Water Management, which seeks to ensure resilient water systems, promote efficient use, and improve water quality.
39. It is also noted, the decommissioning of open races may reduce contamination risks and nutrient runoff, contributing to improved water quality outcomes.

Strategic alignment

40. The recommendation relates to Council's community outcome of **a balanced & sustainable environment** because the progressive closure of open race networks and replacement with individual onsite supply or reticulated supplies (where needed) reduces the overall usage of water for stock purposes.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Management of the open race network is labour intensive. Stockwater can be delivered much more efficiently within reticulated networks.
Environmental	✓	Open race systems are very inefficient with in excess of 90% of the water conveyed being lost as leakage to groundwater and evaporation.
Cultural	✓	Due to the significant reduction in water required to provide stockwater, the unused water is not taken and remains in the source rivers. It is noted that Arowhenua support water remaining in the rivers.
Social	✗	

Financial implications

Requirement	Explanation
What is the cost?	\$10,000 plus GST.
Is there budget available in LTP / AP?	Yes.
Where is the funding coming from?	Provided for under District Water Management Investigations. 275 30534
Are there any future budget implications?	Yes, costs associated with asset decommissioning. This is estimated to be in the range of \$2,500 - \$5,000 (assuming no consents are required). The removal of the flume will be programmed as soon as possible following closure. Decommissioning of the supplementary intake on the RDR will need to be undertaken during the next RDR shutdown (May 2028)

41. The costs associated with the stockwater exit programme is being met from budgets in the District Water Management and Stockwater areas.
42. The cost of preparing and implementing a fish salvage and relocation plan is expected to be in the range of \$5,000 to \$10,000. There is also future cost associated with asset decommissioning of ~\$5,000.
43. From a rating standpoint, it is desirable to cease rating at the end of the rating year as it is not possible to remove rates (in part) during the year.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes
Level of significance	Medium.
Rationale for selecting level of significance	N/A
Level of engagement selected	Inform – One-way communication

Rationale for selecting level of engagement	The investigation into closure of this system has been the subject of extensive consultation. Including one to one communication with Council's project consultant with directly affected landowners.
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Next steps

44. This report will be refreshed and reoriented as a report to Council for the 18 March 2026 meeting agenda.

Date	Action / milestone	Comments
18 March 2026	Report to Council	To support STWG Recommendation.

Copy of Report from Stockwater
Transition Working Group meeting
4 March 2026



PROJECT NAME:	Stockwater_Transition_2025
PREPARED BY:	A R Guthrie
SCALE:	1:25,000 (at A3)

Disclaimer Note:
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Due to differences in data registration techniques any aerial photography in the map relative to cadastral boundaries should be considered as indicative only and MUST NOT be used for legal purposes.
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Proposed Limestone Creek Intake & Race Closure

Extent of Race Closures [Total Length ~9.2km]

Path: O:\Projects\Andy\Stockwater\Stockwater_Transition_2025.aprx



Plan No: 3029

Sheet 1 of 1 sheets



MANAWHENUA ASSESSMENT OF THE LIMESTONE CREEK INTAKE STOCKWATER RACE

Prepared by	Aoraki Environmental Consultancy Limited
Authorised by	Ally Crane General Manager Aoraki Environmental Consultancy Limited (on behalf of Te Rūnanga o Arowhenua)
Date	5 February 2026
Reference	Limestone Creek Intake Stockwater Race Investigation Version: Final
Address for service	Aoraki Environmental Consultancy Limited 1/8A Washdyke Flat Road PO Box 885 Washdyke Timaru 7940
Prepared for	Ashburton District Council 2 Baring Square East Ashburton 770

Use and Reliance

This report has been prepared by Aoraki Environmental Consultancy Limited on behalf of Te Rūnanga o Arowhenua under the specific instruction of our Client (Ashburton District Council). It is solely for our client's use and for the purpose for which it is intended in accordance with the agreed scope of work.

This report provides input and feedback on the cultural impacts of the Limestone Creek Intake stockwater race transition. Aoraki Consultancy Limited does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Aoraki Environmental Consultancy Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



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Copy of Report from Stockwater
Transition Working Group meeting
4 March 2026

1. Who is Arowhenua

Kāi Tahu are Takata¹ Whenua of the Canterbury Region. Kāi Tahu means “people of Tahu”. Kāi Tahu is the iwi comprised of Kāi Tahu Whānui; that is the collective of the individuals who descend from the five primary hapū; Ngāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki. The Charter of Te Rūnanga o Ngāi Tahu established under the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act) constitutes Kāi Tahu as kaitiaki of the tribal interests.

Papatipu Rūnaka are defined in Section 9 of the TRoNT Act. This includes Te Rūnanga o Arowhenua (Arowhenua). Aoraki Environmental Consultancy Limited (AECL) is a legal entity that has been given the mandate by Arowhenua to represent their interests in all environmental matters.

Arowhenua is the representative body of the takata whenua and who hold manawhenua in the traditional takiwā that includes the area between the Rakaia River and the Waitaki River which includes the Ashburton District Council.

Arowhenua also share the area with Ngāi Tūāhuriri and Te Taumutu Rūnanga who have a common interest in the area to the Hakatere (Ashburton River). The Rūnaka have agreed Arowhenua will respond on behalf of all three Rūnaka on Ashburton District Council (the Council) transitioning away from stockwater delivery.

2. Purpose of this Report

The purpose of this report is to provide a manawhenua assessment of the Limestone Creek Intake stockwater race. This report further provides considerations for the Stockwater Transition Working Group in making recommendations to Ashburton District Council as they seek to exit a system that provides stockwater through a stockwater network.

This report has been informed by the following information sources:

- Knowledge and information from Arowhenua Rūnaka.
- A site visit by AECL along with the Ashburton District Council Infrastructure Services Support Lead on 29 January 2026;
- Information provided by Ashburton District Council including photos and annotated maps; and
- Stockwater Exit Transition Plan – Exit of stockwater service 2024-2027; adopted by Ashburton District Council 18 December 2024.

3. Background

On 26 June 2024, the Council adopted its 2024-2034 Long Term Plan (LTP) which included the decision to divest itself from the delivery of the stockwater services by 30 June 2027. To inform the effects of the closures the Council established a working group and prepared a plan on how to investigate each of the closures. The Council further determined that alongside seeking feedback from the community of the assessments that would be initiated to look at ecological, archaeological, stormwater and cultural reports. With a formal assessment being prepared by AECL on behalf of Te Rūnanga o Arowhenua being a part of this.

This report relates to the Limestone Creek Intake stockwater race – refer to Figure 1.

¹ Note on dialect: In Ngai Tahu/Kai Tahu dialect, 'k' is used interchangeably with 'ng'.

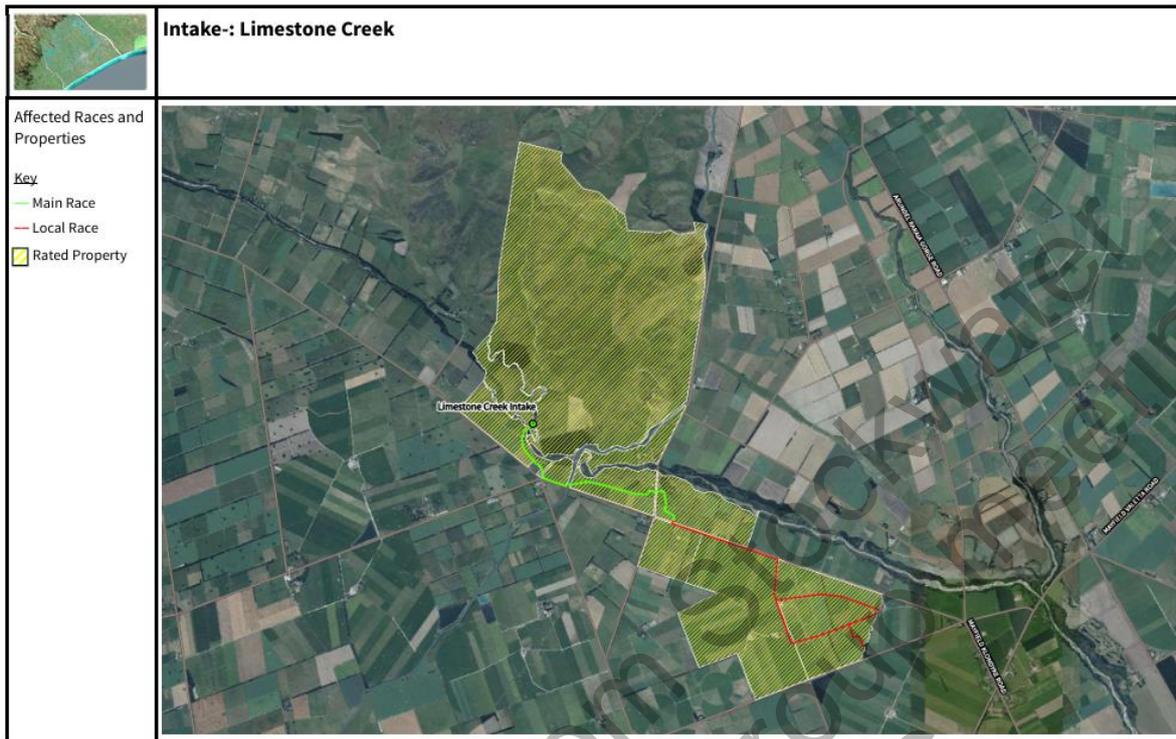


Figure 1: Limestone Creek Intake area – taken from ADC Stockwater Exit Transition Plan

4. Manawhenua description of Area

For Kāti Huirapa there has been considerable loss of the environment that their ancestors knew and alongside that the species of plants and animals that used to live in the habitat. The following describes the landscape as it was to the tupuna (ancestors) of Arowhenua.

The Limestone Creek intake is taken from a tributary that flows into the Hekeao (Hinds) River. Like other rivers in the area the Hekeao, its tributaries and wetlands have long been an important landscape and mahika kai. The Hekeao being known for its tuna. Mahika kai was harvested from the area supported by the Limestone Creek Intake stockwater race including kiore (Polynesian rat), and plant species including ti-kōuka (cabbage tree), āruhe (fernroot), tutu, and pūrau.

Part of the Limestone Creek Intake stockwater race terminates at Brothers Creek which is also a small tributary of the Hekeao.

5. Assessment of Effects on Values of Arowhenua

5.1 Site Descriptions



Figure 2. Locations of sites visited on 29 January 2026.

Site 1

Water is diverted from Limestone Creek via an artificial weir that diverts a small proportion of the flow from a backwater, created at the true right of the creek just before it falls over an artificial dam (Figures 3 - 6). During low flow periods, this backwater reduces and the diversion ceases.

Lowering the weir plate (Figure 6) would cease the diversion and water would return to Limestone Creek. Limestone Creek then joins the Hekeao South Branch (Figure 7). The lowering of the plate should be made permanent to prevent future diversions from the creek in the future.

At the diversion, the flume is bank-to-bank with cress (Figure 8). The overall fish habitat score was 59, indicating a 'good' quality habitat for tuna and other fish. Fish cover, shading, and bank stability all scored high for suitable habitat. Habitat survey of Limestone Creek was not able to be assessed due to lack of access.

Site 2

Site 2 consisted of a narrow channel of shallow water flowing through pasture. Habitat quality decreased slightly compared to Site 1, due to decreased riparian protection (width) but did improve in terms of both flow and macroinvertebrate habitat heterogeneity. Duckweed, and periphyton were present on the margins, while grasses dominated much of the wetted habitat (Figure 9).

Site 3

Site 3 crosses under the RDR canal. Flow at Site 3 is augmented by a small take from the canal, controlled by a valve (Figure 10). At the time of the site visit, the valve was open. As with the previous site, Site 3 is an open channel flowing through pasture. Duckweed and periphyton are present on the margins and grasses in the main channel (Figure 11). Habitat quality is 'fair'.

Sites 4 - 7

The channel narrows as it moves downslope through the catchment. High sedimentation and pastoral ingress into the channel further degrades the aquatic habitat, with a resulting habitat quality score of 'fair' to 'poor' (Figure 11 - 12). At Site 6, the stock water channel terminates into the Brothers Stream.

Site 7 was not visited on the day.



Figure 3 - Limestone Creek, just upstream of the dam and weir



Figure 4 (left). Dam on Limestone Creek

Figure 5 (Right). Dam on Limestone Creek (left) and weir (right). Flow diversion can be altered by raising and lowering the weir.



Figure 6 (Right). Weir plate that allows flow diversion to be adjusted. Permanently lowering the plate would stop the diversion but would need to be made permanent to prevent future unauthorised takes from Limestone Creek.

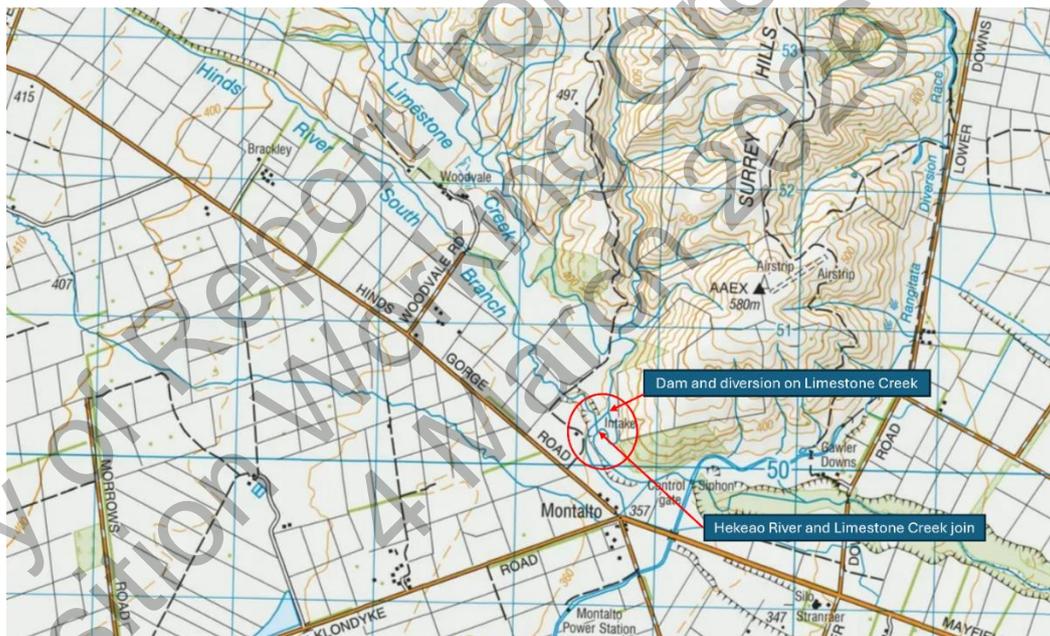


Figure 7. Topomap showing location of dam and water diversion on Limestone Creek and junction of Limestone and Hekeao.



Figure 8 (left). Bypass flume covered with puha (watercress)

Figure 9 (right). Site 2 of the Limestone Creek stockwater race.



Figure 10 (Left). Site 3, just downstream of the RDR channel. Flow is augmented with a small flow from the RDR, via a valve (wooden grey box)

Figure 11 (Right). Stockwater race channel reduced in width due to riparian ingress.



Figure 12. High sedimentation in the stockwater race, representing poor aquatic habitat quality.

5.2 Fish Salvage and survey work needed

Fish salvage must be carried out immediately after the weir has been closed. Due to the high plant biomass, high sediment and low water volume, there is a risk of deoxygenation of the water column during fish salvage, which could stress and / or kill the fish. The following protocols can minimise risk to fish:

- Where practical, fish salvage should be carried out when daytime air temperatures are moderate and overnight temperatures are low. Springtime is ideal
- Hīnaki and gee-minnow nets should be set in areas away from the cress. Nets should be checked and cleared before dusk and again early morning.
- The use of a scoop bucket on a digger can assist with fish salvage. The scoop should be slowly removed from the flume onto the bank where spotters can quickly salvage any tuna, or other fish, as they move out of the scoop. Scooping of the flume should be carried out no earlier than late morning, when dissolved oxygen levels in the flume have increased from the overnight low.

An eDNA sample is required from Site 2 and Site 6 within a month prior to the planned closure. This will assist with designing the fish salvage strategy for this stretch of the channel.

5.3 Water Returned to the Rivers

Arowhenua has consistently raised concerns about the irrigation network mixing water with water in the system coming from as far away as the Rakitata River. Arowhenua considers that water has its own mauri (lifeforce). Water is known for what it supports with each waterway supporting different species within it as water flows through different habitats. The tūpuna of Arowhenua also put water to different uses depending on where it come from and what was needed of that waterbody, or what that waterbody provided. Arowhenua respected the waterbody for the uses and resources that waterbody provided to Arowhenua – whether for food, drinking water or spiritual uses. For Arowhenua there are also the unknowns and the effects that can be had, for example to tuna who can track to a specific river across the ocean.

Arowhenua seeks that the water that was taken from Limestone Creek at the Limestone Creek Intake is closed off at the dam and weir area and the water is retained in the river.

Closing the intake would result in the raceways being permanently closed.

The augmentation from RDR Canal at Site 3 also needs to be permanently stopped / capped.

5.4 Stopping Raceways

Where raceways are closed, there is a preference by Arowhenua that these are filled in. Where this is not practical, for example because of land drainage functions, then they are closed so there is no flow of water into the closed portion from a river or drain.

The closed raceway at Site 6 terminates at Brothers Creek. This portion of the stockwater race should be closed or managed in such a way that there is no risk of fish getting into the closed raceway, for example when land drainage water drains through the raceway. Where this section remains open to convey drainage / stormwater then it is managed to ensure sediments and contaminants cannot directly enter the river. Stormwater detention ponds, or stormwater filtration devices should be implemented.

Copy of Report from Stockwater
Transition Working Group meeting
4 March 2026

12. *Alford Forest Intake & Race Network, Proposed Closure – Recommendation from Stockwater Transition Working Group*

Author	<i>Andrew Guthrie, Assets Manager</i>
Activity Manager	<i>Crissie Drummond; Infrastructure Services Support Lead</i>
Executive Team Member	<i>Neil McCann, Group Manager Infrastructure</i>

Summary

- The purpose of this report is to seek Council approval of a recommendation from the Stockwater Transition Working Group for closure of the Alford Forest intake and associated race network.
- The scope of the proposed closure comprises 16.7km of local race supplied by the Alford Forest intake and passing through (or adjacent to) 14 properties to a discharge point located on PN: 26512, 2535 Ashburton Staveley Road. A plan of the proposed closure accompanies the original report in Appendix 1.
- No properties on this system pay stockwater rates.

Recommendation to Council

That Council approves:

1. The exit of the management of the Alford Forest intake and race network from the intake on Alford Forest Settlement Road, to its terminal discharge points on PN:26512 – 2535 Ashburton Staveley Road by 30 June 2026.
2. Working with interested parties to investigate the potential alternative management pathways of the water up until 30 June 2027.

Attachments

Appendix 1 Alford Forest Intake & Race Closure Report to STWG – 4 March 2026

Background

The current situation

1. Stockwater for this system is sourced from a hill fed unnamed forest stream, via an intake weir situated off Alford Forest Settlement Rd Extn.
2. The Alford Forest intake normally abstracts ~10 litres/second.
3. Key statistics of the race network supplied by the Alford Forest intake are as follows:
 - Total race network supplied 16.7 km comprising:
 - 16.7 km local race
 - The race network passes through 14 properties, but no properties on this system pay stockwater rates. It is unclear how long this has been in place.
 - There are eight road culverts
4. A plan of the proposed closure accompanies the original report in **Appendix 1**.

Previous Council Decisions

5. Councils' withdrawal from the provision of stockwater became a key decision as part of its consultation on the 2024-34 Long Term Plan. Ultimately, following strong support for Council's proposal to exit the stockwater activity by 30 June 2027, Council resolved to proceed with the exit and form a working group to monitor progress.
6. The Stockwater Transition Working Group (STWG) was duly formed.
7. The STWG reviewed the draft Stockwater Exit Transition Plan at its 31 October meeting with a final plan considered at the 5 December meeting. The SETP was subsequently adopted by Council on 18 December 2024. The SETP is available [here](#).
8. On 18 December 2025, following a similar process and recommendation from the STWG, Council resolved to close part of the Pudding Hill Intake race network from Mt Harding Creek to the network's terminal discharge points.

Māori and tangata whenua participation – Cultural and Ecological

9. Te Rūnaka O Arowhenua is part of the core membership of the STWG and has maintained a representative present at all meetings of the group.
10. Arowhenua's consultancy, Aoraki Environmental Consultancy Ltd, have been providing support for the SETP through the preparation of Cultural Assessments for each intake investigation.
11. Given the short length of this race and a lower number of affected properties, AEC undertook both ecological and cultural assessments for the Alford Forest investigations

during a site visit to the network. This visit was undertaken on 29 January 2026. The assessment accompanied the original report in **Appendix 1**.

12. A general summary is provided below:

- It was noted in the upper reaches that the overall fish habitat quality score indicated a good quality habitat with diverse hydrological features, riffles and runs, and silt-free gravel.
- In the mid reaches of the race there is little flow with the water terminating in a small pool in a paddock. The water generally does not flow to the end of the race.
- Arowhenua recommends fish salvage and relocation is carried out as soon as possible once the water has been shut off.
- It is recommended an eDNA sample to be taken at two specified sites along the race one month prior to closure to assist with the salvage strategy development.
- Arowhenua seek to have no flow of water getting into the closed portion of the race from the stream.
- Arowhenua’s preference is that where races are no longer required, that these are filled in.

Affected Parties

13. The investigations for the Alford Forest system commenced in August 2025 when a letter was sent all properties that the race runs through or adjacent to advising that Council was seeking feedback from property owners and the wider public on the future of the intake.
14. No properties pay stockwater rates for this race system.
15. The water has only been travelling on average 7-8kms downstream, unless there is a major rain event.
16. Five submissions were received from landowners of four properties. Four have been reproduced (in part below).

Question	Response
“What is your interest in the Alford Forest Intake?”	<i>Stockwater</i>
If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.	<i>I am on the understanding that the waterway running adjacent to my property is NOT a stockwater race but an OVERflow waterway, and as such I have no requirement to take water from it.</i>

Question	Response
<p>Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network</p>	<p><i>I purchased this property for the Rural outlook, the friendly farming Community and the peaceful tranquility...the gentle, asthetically flowing waterway was an added bonus, as was the view, and this has also added to my staying here.</i></p> <p><i>Since I've been here, I have kept the waterway generally clear of weed and obstruction.</i></p> <p><i>I fail to understand the reasons why now the Ashburton DC is contemplating closing the waterway down when the cost (if any) would have been minimal, compared to the cost of closing it down or diverting the water elsewhere.</i></p> <p><i>Yes, I've had flooding across my property from the waterway, but the opening up of the previous channel along the continuation of Alford Forest Settlement Rd above me has alleviated the bulk of it.</i></p> <p><i>To finish, I see no reason for you to continue your plans, thereby reducing any further unnecessary costing.”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Stockwater Environmental Amenity value</i></p>
<p>If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.</p>	<p><i>Good to have a back up if the main supplied cut us off</i></p> <p><i>As stated in an article from the North Wester this water races host many nativ animals. In my case they support a couple hearons that live in my trees</i></p> <p><i>Running water is always a good and southing to have near you.”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Stockwater Amenity value</i></p>
<p>If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.</p>	<p><i>Currently we get water from the Alford Forest Station, however if they choose to cut us off then the Alford Forest intake is the only water we have available for stock garden and household water</i></p>
<p>Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network</p>	<p><i>Outside of supplied water at the generosity of the Alford forest Station we have no other water”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Amenity value</i></p>

Question	Response
Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network	<i>Currently, supply of water to our home in the Alford Forest Settlement is from a spring on Alford Forest Station. This is purely a goodwill arrangement, and should this change in the future for whatever reason, the Alford Forest intake and associated race network would be our sole immediate domestic water supply.”</i>

17. One property wished to retain the water race/water way for the development of a wetland. The submission/proposal accompanied the original report in **Appendix 1**.

Alternate Providers

18. No alternative supply work has been undertaken by Melius given there are no paying customers on this race.

Stormwater Assessment

19. Due to the nature of the network involved, no specific modelling has been undertaken on the race closure, however, district-wide modelling completed circa 2023 has been used to inform this assessment.
20. On review of district modelling, there appears to be very limited coincidence between the existing race alignment and anticipated overland flowpaths. For this reason, there is unlikely to be any significant issues arising from the closure of the race system.
21. Water that previously directed into the system would continue into existing informal (and unnamed) drainage channels and ultimately discharge to Taylors Stream.

Options analysis

22. The following options have been identified.

Option one – Approve the Recommendation.

23. Under this option, Council will cease management of the Alford Forest intake and stockwater race from **30 June 2026**.
24. No work will be done to facilitate the passage of water into existing nearby drainage channels. Water will continue to flow into the system following this date, but it will no longer be controlled or managed by ADC.
25. Officers will work with “...interested parties to investigate the potential alternative management pathways of the water up until 30 June 2027”.

<p>Advantages:</p> <ul style="list-style-type: none"> • Consistent with direction provided by STWG. • Provides time for interested parties to develop an alternate management proposal. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Less clear what liability exists for Council post 30 June 2026. • No direction provided in event that an alternate management proposal is unsuccessful. • May impact workload on limited in-house resources.
<p>Risks:</p> <ul style="list-style-type: none"> • Council may be implicated in any flooding that occurs in system post-30 June 2026. 	

Option two – Revert to Original Report Recommendation.

- 26. Under this option, Council will close the Alford Forest stockwater race on 30 June 2026. This will be affected by ceasing the diversion of water down Alford Settlement Rd and allowing water into existing drainage flow-paths.
- 27. A fish salvage plan will be developed and implemented prior to the closure.

<p>Advantages:</p> <ul style="list-style-type: none"> • Consistent with Council stated intention to exit the stockwater activity. • Provides clarity to affected landowners. • Confirms Council’s commitment to exit the service. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Inconsistent with recommendation from STWG.
<p>Risks:</p> <ul style="list-style-type: none"> • Adverse publicity arising from decision to close intake and race network. • May be perceived as weakening the role of the Stockwater Transition Working Group. 	

Option three – Do not proceed with intake and race closure at this time.

Under this option, the intake and race closure will not proceed at this time.

<p>Advantages:</p> <ul style="list-style-type: none"> • Provides more time for interested parties to develop options for future management. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Opportunity to demonstrate progress towards the exit is lost. • Programme tasks will start to overlap and overload internal resources.
<p>Risks:</p> <ul style="list-style-type: none"> • May be perceived as weakening the role of the Stockwater Transition Working Group. • Landowners on other intake networks may doubt Council’s commitment and delay considering and committing to alternatives. 	

Legal/policy implications

Legislation

Resource Management Act 1991

28. The stockwater activity has consents issued under the RMA. These consents cover the various activities required to operate the network including water abstraction consents.
29. The Alford Forest Intake abstraction consent is [CRC213528](#) Condition 9 states: “*The use of water shall be only for stock drinking water, treated domestic and community drinking water, and essential domestic and community use*”.

Plans / Policies

Canterbury Land & Water Regional Plan

30. The purpose of the Canterbury Land and Water Regional Plan (CLWRP) is to “identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.”
31. The CLWRP contains a policy directly targeted at the ADC stockwater activity. Policy 13.4.1. reads as follows: “In order to increase the amount of water in the river that is available to meet the proposed increased minimum flows, the taking of water for community stock water supplies from the Ashburton River/Hakatere will progressively decrease so that as soon as possible, but by no later than 1 July 2023, that taking will not exceed 2,900 L/s in total.”
32. Council has already achieved the reduction required by this policy.

Stockwater Exit Transition Plan

33. The Stockwater Exit Transition Plan was adopted by Council on the 18 December 2024. The Alford Forest intake was envisaged to be the sixth intake to be progressed in the SETP, with this closure being implemented by September 2025.
34. The original timeframes for the individual project phases have proven to be quite ambitious and some of the complexities with the investigation work is adding unforeseen delays to the programme.

Climate change

35. The proposed closure of this portion of the stockwater network must be considered in the context of climate change and the council's Climate Change & Sustainability Strategy.
36. Climate projections indicate increasing variability in rainfall and more frequent extreme weather events, which will influence water availability and management practices.
37. The stockwater system relies on water availability in key river resources, which come under pressure during prolonged droughts. While it offers some seasonal flexibility, its ability to support resilience under future climate extremes is limited.
38. Although closing the stockwater network could create challenges, such as farmers being required to transition to new reticulated supplies, it also presents opportunities. Closure aligns with Goal 1: Sustainable Water Management, which seeks to ensure resilient water systems, promote efficient use, and improve water quality.
39. It is also noted, the decommissioning of open races may reduce contamination risks and nutrient runoff, contributing to improved water quality outcomes.

Strategic alignment

40. The recommendation relates to Council's community outcome of **a balanced & sustainable environment** because the progressive closure of open race networks and replacement with individual onsite supply or reticulated supplies (where needed) reduces the overall usage of water for stock purposes.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Management of the open race network is labour intensive. Stockwater can be delivered much more efficiently within reticulated networks.
Environmental	✓	Open race systems are very inefficient with in excess of 90% of the water conveyed being lost as leakage to groundwater and evaporation.
Cultural	✓	Due to the significant reduction in water required to provide stockwater, the unused water is not taken and remains in the source rivers. It is noted that Arowhenua support water remaining in the rivers.
Social	✗	

Financial implications

Requirement	Explanation
What is the cost?	\$10,000 plus GST.
Is there budget available in LTP / AP?	Yes.
Where is the funding coming from?	Provided for under District Water Management Investigations. 275 30534
Are there any future budget implications?	No. This network is not rated for stockwater.

41. The costs associated with the stockwater exit programme is being met from budgets in the District Water Management and Stockwater areas. The cost of preparing and implementing a fish salvage and relocation plan is expected to be in the range of \$5,000 to \$10,000.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes
Level of significance	Medium.
Rationale for selecting level of significance	N/A

Level of engagement selected	Inform – One-way communication
Rationale for selecting level of engagement	The investigation into closure of this system has been the subject of extensive consultation.

5. Alford Forest Intake & Race Network – Proposed Closure

Author	<i>Andrew Guthrie, Assets Manager</i>
Activity Manager	<i>Crissie Drummond; Infrastructure Services Support Lead</i>
Executive Team Member	<i>Neil McCann, Group Manager Infrastructure</i>

Summary

- The purpose of this report is to seek working group approval of a recommendation to Council for closure of the Alford Forest intake and associated race network.
- The scope of the proposed closure comprises 16.7km of local race supplied by the Alford Forest intake and passing through (or adjacent to) 14 properties to a discharge point located on PN: 26512, 2535 Ashburton Staveley Road. Refer to plan in Appendix 1.
- No properties on this system pay stockwater rates.

Recommendation to Council

That Council approves:

1. The closure of the Alford Forest intake and race network from the intake on Alford Forest Settlement Road, to its terminal discharge points on PN: 26512 - 2535 Ashburton Staveley Road.
2. The date of the closure to be affected on 30 June 2026.

Attachments

Appendix 1	Plan 3028 - Proposed Alford Forest Intake & Race Closure
Appendix 2	Manawhenua Assessment of the Alford Forest Intake Stockwater Race
Appendix 3	Submission from Daniel Symons

Background

The current situation

1. Stockwater for this system is sourced from a hill fed unnamed forest stream, via an intake weir situated on Mt Alford Road, Alford Forest.
2. The Alford Forest intake normally abstracts ~10 litres/second.
3. Key statistics of the race network supplied by the Alford Forest intake are as follows:
 - Total race network supplied 16.7 km comprising:
 - 16.7 km local race
 - The race network passes through 14 properties, but no properties on this system pay stockwater rates. It is unclear how long this has been in place.
 - There are eight road culverts
4. A map of the proposed closure is provided in **Appendix 1**.

Previous Council Decisions

5. Councils' withdrawal from the provision of stockwater became a key decision as part of its consultation on the 2024-34 Long Term Plan. Ultimately, following strong support for Council's proposal to exit the stockwater activity by 30 June 2027, Council resolved to proceed with the exit and form a working group to monitor progress.
6. The Stockwater Transition Working Group (STWG) was duly formed.
7. The STWG reviewed the draft Stockwater Exit Transition Plan at its 31 October meeting with a final plan considered at the 5 December meeting. The SETP was subsequently adopted by Council on 18 December 2024. The SETP is available [here](#).

Māori and tangata whenua participation – Cultural and Ecological

8. Te Rūnaka O Arowhenua is part of the core membership of the STWG and has maintained a representative present at all meetings of the group.
9. Arowhenua's consultancy, Aoraki Environmental Consultancy Ltd, have been providing support for the SETP through the preparation of Cultural Assessments for each intake investigation.
10. Given the short length of this race and a lower number of affected properties, AEC undertook both ecological and cultural assessments for the Alford Forest investigations during a site visit to the network. This visit was undertaken on 29 January 2026. The assessment report is provided in **Appendix 2**.
11. A general summary is provided below:

- It was noted in the upper reaches that the overall fish habitat quality score indicated a good quality habitat with diverse hydrological features, riffles and runs, and silt-free gravel.
- In the mid reaches of the race there is little flow with the water terminating in a small pool in a paddock. The water generally does not flow to the end of the race.
- Arowhenua recommends fish salvage and relocation is carried out as soon as possible once the water has been shut off.
- It is recommended an eDNA sample to be taken at two specified sites along the race one month prior to closure to assist with the salvage strategy development.
- Arowhenua seek to have no flow of water getting into the closed portion of the race from the stream.
- Arowhenua's preference is that where races are no longer required, that these are filled in.

Affected Parties

12. The investigations for the Alford Forest system commenced in August 2025 when a letter was sent all properties that the race runs through or adjacent to advising that Council was seeking feedback from property owners and the wider public on the future of the intake.
13. No properties pay stockwater rates for this race system.
14. The water has only been travelling on average 7-8kms downstream, unless there is a major rain event.
15. Five submissions were received from landowners of four properties. Four have been reproduced (in part below).

Question	Response
“What is your interest in the Alford Forest Intake?”	<i>Stockwater</i>
If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.	<i>I am on the understanding that the waterway running adjacent to my property is NOT a stockwater race but an OVERflow waterway, and as such I have no requirement to take water from it.</i>
Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network	<i>I purchased this property for the Rural outlook, the friendly farming Community and the peaceful tranquility...the gentle, aesthetically flowing waterway was an added bonus, as was the view, and this has also added to my staying here. Since I've been here, I have kept the waterway generally clear of weed and obstruction.</i>

Question	Response
	<p><i>I fail to understand the reasons why now the Ashburton DC is contemplating closing the waterway down when the cost (if any) would have been minimal, compared to the cost of closing it down or diverting the water elsewhere.</i></p> <p><i>Yes, I've had flooding across my property from the waterway, but the opening up of the previous channel along the continuation of Alford Forest Settlement Rd above me has alleviated the bulk of it.</i></p> <p><i>To finish, I see no reason for you to continue your plans, thereby reducing any further unnecessary costing.”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Stockwater</i> <i>Environmental</i> <i>Amenity value</i></p>
<p>If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.</p>	<p><i>Good to have a back up if the main supplied cut us off</i></p> <p><i>As stated in an article from the North Wester this water races host many nativ animals. In my case they support a couple hearons that live in my trees</i></p> <p><i>Running water is always a good and southing to have near you.”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Stockwater</i> <i>Amenity value</i></p>
<p>If you indicated above you have an interest in stockwater from this intake, please provide feedback on your stockwater requirements going forward.</p>	<p><i>Currently we get water from the Alford Forest Station, however if they choose to cut us off then the Alford Forest intake is the only water we have available for stock garden and household water</i></p>
<p>Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network</p>	<p><i>Outside of supplied water at the generosity of the Alford forest Station we have no other water”</i></p>
<p>“What is your interest in the Alford Forest Intake?</p>	<p><i>Amenity value</i></p>
<p>Please outline any thoughts, concerns or feedback you may have on the Alford Forest Intake and its associated race network</p>	<p><i>Currently, supply of water to our home in the Alford Forest Settlement is from a spring on Alford Forest Station. This is purely a goodwill arrangement, and should this change in the future for whatever reason, the Alford Forest intake and associated race network would be our sole immediate domestic water supply.”</i></p>

16. One property wished to retain the water race/water way for the development of a wetland. This submission/proposal is provided in **Appendix 3**.

Alternate Providers

17. No alternative supply work has been undertaken by Melius given there are no paying customers on this race.

Stormwater Assessment

18. Due to the nature of the network involved, no specific modelling has been undertaken on the race closure, however, district-wide modelling completed circa 2023 has been used to inform this assessment.
19. On review of district modelling, there appears to be very limited coincidence between the existing race alignment and anticipated overland flowpaths. For this reason, there is unlikely to be any significant issues arising from the closure of the race system.
20. Water that previously entered the system would be directed into existing informal (and unnamed) drainage channels and ultimately discharge to Taylors Stream.

Options analysis

21. The following options have been identified.

Option one – Proceed with proposed race closure.

22. Under this option, Council will close the Alford Forest stockwater race on **30 June 2026**.
23. A fish salvage and relocation plan will be developed, and the necessary permits sought for this work. The salvage plan will then be implemented as close as practicable to the operational date of closure, focusing on the intake diversion flume initially and then working downstream.

<p>Advantages:</p> <ul style="list-style-type: none"> • Consistent with Council stated intention to exit the stockwater activity. • Provides clarity to affected landowners. • Confirms Council's commitment to exit the service. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • None identified.
<p>Risks:</p> <ul style="list-style-type: none"> • Adverse publicity arising from decision to close intake and race network. 	

Option two – Do not proceed with race closure at this time.

24. Under this option, the race closure will not proceed at this time.

<p>Advantages:</p> <ul style="list-style-type: none"> • None identified. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Opportunity to demonstrate ongoing progress towards the exit is lost. • Affected landowners may continue to ignore implications. • Programme tasks will start to overlap and overload internal resources.
<p>Risks:</p> <ul style="list-style-type: none"> • Council's commitment to the stockwater activity withdrawal may be questioned. 	

Option three – Facilitate transfer of race system to D. Symons.

25. Under this option, officers will explore the feasibility of transferring the intake and race network Mr D Symons southern corner of Arundel Rakaia Gorge Road & Forks Road.

26. The network below Mr Symons property would still be closed.

27. No work has been done on the feasibility of this option, but it is unlikely to be straight-forward.

<p>Advantages:</p> <ul style="list-style-type: none"> • Addresses concerns raised by D. Symons. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Complex ownership / liability arrangement especially for the medium to long term. • Facilitation is likely to be a distraction for officers trying to advance the wider SETP. • Programme tasks will start to overlap and overload internal resources.
<p>Risks:</p> <ul style="list-style-type: none"> • May set precedent for future closures. • Even if a “transfer” can be accomplished, Council will continue to be implicated if the new owner / operator does not meet their obligations. 	

Legal/policy implications

Legislation

Resource Management Act 1991

28. The stockwater activity has consents issued under the RMA. These consents cover the various activities required to operate the network including water abstraction consents.
29. The Alford Forest Intake abstraction consent is [CRC213528](#) Condition 9 states: “*The use of water shall be only for stock drinking water, treated domestic and community drinking water, and essential domestic and community use*”.

Plans / Policies

Canterbury Land & Water Regional Plan

30. The purpose of the Canterbury Land and Water Regional Plan (CLWRP) is to “identify the resource management outcomes or goals (objectives in this Plan) for managing land and water resources in Canterbury to achieve the purpose of the Resource Management Act 1991 (“RMA”). It identifies the policies and rules needed to achieve the objectives and provides direction in terms of the processing of resource consent applications.”
31. The CLWRP contains a policy directly targeted at the ADC stockwater activity. Policy 13.4.1. reads as follows: “In order to increase the amount of water in the river that is available to meet the proposed increased minimum flows, the taking of water for community stock water supplies from the Ashburton River/Hakatere will progressively decrease so that as soon as possible, but by no later than 1 July 2023, that taking will not exceed 2,900 L/s in total.”

32. Council has already achieved the reduction required by this policy.

Stockwater Exit Transition Plan

33. The Stockwater Exit Transition Plan was adopted by Council on the 18 December 2024. The Alford Forest intake was envisaged to be the sixth intake to be progressed in the SETP, with this closure being implemented by September 2025.

34. The original timeframes for the individual project phases have proven to be quite ambitious and some of the complexities with the investigation work is adding unforeseen delays to the programme.

Climate change

35. The proposed closure of this portion of the stockwater network must be considered in the context of climate change and the council's Climate Change & Sustainability Strategy.

36. Climate projections indicate increasing variability in rainfall and more frequent extreme weather events, which will influence water availability and management practices.

37. The stockwater system relies on water availability in key river resources, which come under pressure during prolonged droughts. While it offers some seasonal flexibility, its ability to support resilience under future climate extremes is limited.

38. Although closing the stockwater network could create challenges, such as farmers being required to transition to new reticulated supplies, it also presents opportunities. Closure aligns with Goal 1: Sustainable Water Management, which seeks to ensure resilient water systems, promote efficient use, and improve water quality.

39. It is also noted, the decommissioning of open races may reduce contamination risks and nutrient runoff, contributing to improved water quality outcomes.

Strategic alignment

40. The recommendation relates to Council's community outcome of **a balanced & sustainable environment** because the progressive closure of open race networks and replacement with individual onsite supply or reticulated supplies (where needed) reduces the overall usage of water for stock purposes.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Management of the open race network is labour intensive. Stockwater can be delivered much more efficiently within reticulated networks.
Environmental	✓	Open race systems are very inefficient with in excess of 90% of the water conveyed being lost as leakage to groundwater and evaporation.
Cultural	✓	Due to the significant reduction in water required to provide stockwater, the unused water is not taken and remains in the source rivers. It is noted that Arowhenua support water remaining in the rivers.
Social	✗	

Financial implications

Requirement	Explanation
What is the cost?	\$10,000 plus GST.
Is there budget available in LTP / AP?	Yes.
Where is the funding coming from?	Provided for under District Water Management Investigations. 275 30534
Are there any future budget implications?	No. This network is not rated for stockwater.

41. The costs associated with the stockwater exit programme is being met from budgets in the District Water Management and Stockwater areas. The cost of preparing and implementing a fish salvage and relocation plan is expected to be in the range of \$5,000 to \$10,000.
42. From a rating standpoint, it is desirable to cease rating at the end of the rating year as it is not possible to remove rates (in part) during the year.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes
Level of significance	Medium.
Rationale for selecting level of significance	N/A

Level of engagement selected	Inform – One-way communication
Rationale for selecting level of engagement	The investigation into closure of this system has been the subject of extensive consultation.

Next steps

43. This report will be refreshed and reoriented as a report to Council for the 18 March 2026 meeting agenda.

Date	Action / milestone	Comments
18/03/2026	Report to Council	To support STWG Recommendation.



PROJECT NAME:	Stockwater_Transition_2025
PREPARED BY:	A R Guthrie
SCALE:	1:60,000 (at A3)

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

Proposed Alford Forest Intake & Race Closure

Extent of Race Closures [Total Length ~16.7km]

Path: O:\Projects\Andy\Stockwater\Stockwater_Transition_2025.aprx



Plan No: 3028

Sheet 1 of 1 sheets



MANAWHENUA ASSESSMENT OF THE ALFORD FOREST INTAKE STOCKWATER RACE

Prepared by	Aoraki Environmental Consultancy Limited
Authorised by	Ally Crane General Manager Aoraki Environmental Consultancy Limited (on behalf of Te Rūnanga o Arowhenua)
Date	5 February 2026
Reference	Alford Forest Intake Stockwater Race Investigation Version: Final
Address for service	Aoraki Environmental Consultancy Limited 1/8A Washdyke Flat Road PO Box 885 Washdyke Timaru 7940
Prepared for	Ashburton District Council 2 Baring Square East Ashburton 770

Use and Reliance

This report has been prepared by Aoraki Environmental Consultancy Limited on behalf of Te Rūnanga o Arowhenua under the specific instruction of our Client (Ashburton District Council). It is solely for our client's use and for the purpose for which it is intended in accordance with the agreed scope of work.

This report provides input and feedback on the cultural impacts of the Limestone Creek Intake stockwater race transition. Aoraki Consultancy Limited does not accept any liability or responsibility in relation to the use of this report contrary to the above, or to any person other than the Client. Any use or reliance by a third party is at that party's own risk. Where information has been supplied by the Client or obtained from other external sources, it has been assumed that it is accurate, without independent verification, unless otherwise indicated. No liability or responsibility is accepted by Aoraki Environmental Consultancy Limited for any errors or omissions to the extent that they arise from inaccurate information provided by the Client or any external source.



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Copy of Report
from Stockwater
Worling Group
4 Mar 25

1. Who is Arowhenua

Kāi Tahu are Takata¹ Whenua of the Canterbury Region. Kāi Tahu means “people of Tahu”. Kāi Tahu is the iwi comprised of Kāi Tahu Whānui; that is the collective of the individuals who descend from the five primary hapū; Ngāti Kurī, Ngāti Irakehu, Kāti Huirapa, Ngāi Tūāhuriri and Ngāi Te Ruahikihiki. The Charter of Te Rūnanga o Ngāi Tahu established under the Te Rūnanga o Ngāi Tahu Act 1996 (TRoNT Act) constitutes Kāi Tahu as kaitiaki of the tribal interests.

Papatipu Rūnaka are defined in Section 9 of the TRoNT Act. This includes Te Rūnanga o Arowhenua (Arowhenua). Aoraki Environmental Consultancy Limited (AECL) is a legal entity that has been given the mandate by Arowhenua to represent their interests in all environmental matters.

Arowhenua is the representative body of the takata whenua and who hold manawhenua in the traditional takiwā that includes the area between the Rakaia River and the Waitaki River which includes the Ashburton District Council.

Arowhenua also share the area with Ngāi Tūāhuriri and Te Taumutu Rūnanga who have a common interest in the area to the Hakatere (Ashburton River). The Rūnaka have agreed Arowhenua will respond on behalf of all three Rūnaka on Ashburton District Council (the Council) transitioning away from stockwater delivery.

2. Purpose of this Report

The purpose of this report is to provide a manawhenua assessment of the Alford Forest Intake stockwater race. This report further provides considerations for the Stockwater Transition Working Group in making recommendations to Ashburton District Council as they seek to exit a system that provides stockwater through a stockwater network.

This report has been informed by the following information sources:

- Knowledge and information from Arowhenua Rūnaka.
- A site visit by AECL along with the Ashburton District Council Infrastructure Services Support Lead on 29 January 2026;
- Information provided by Ashburton District Council including photos and annotated maps; and
- Stockwater Exit Transition Plan – Exit of stockwater service 2024-2027; adopted by Ashburton District Council 18 December 2024.

3. Background

On 26 June 2024, the Council adopted its 2024-2034 Long Term Plan (LTP) which included the decision to divest itself from the delivery of the stockwater services by 30 June 2027. To inform the effects of the closures the Council established a working group and prepared a plan on how to investigate each of the closures. The Council further determined that alongside seeking feedback from the community of the assessments that would be initiated to look at ecological, archaeological, stormwater and cultural reports. With a formal assessment being prepared by AECL on behalf of Te Rūnaka o Arowhenua being a part of this.

This report relates to the Alford Forest Intake stockwater race – refer to Figure 1.

¹ Note on dialect: In Ngai Tahu/Kai Tahu dialect, 'k' is used interchangeably with 'ng'.

5. Assessment of Effects on Values of Arowhenua

5.1 Site Descriptions

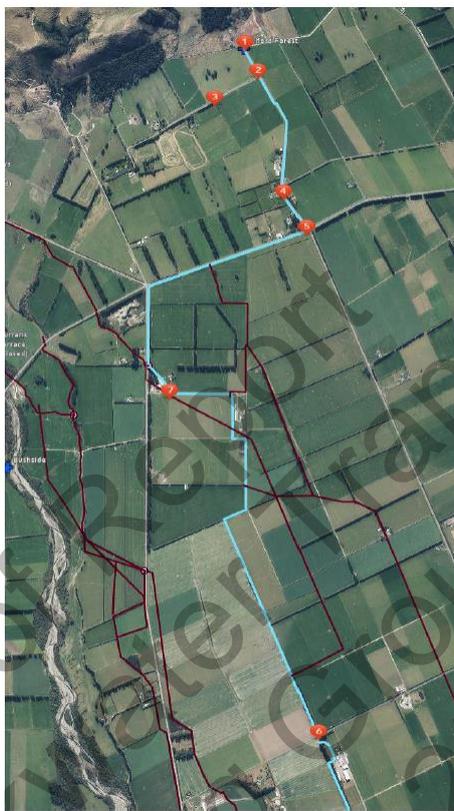


Figure 2. Location of sites visited on 29 January 2026

Intake

Access to the intake was not possible. However, it appears that the source water is a small hill-fed unnamed stream (Figure 3).

Sites 2 and 4

Site 2 scored 'good' on the fish habitat quality, with diverse hydrological features, silt-free cobbles and gravel substrate, diverse and abundant macroinvertebrate habitats.

Site 4 had similar habitat quality, with gravel sediment, with occasional cobbles, riffles and runs, no macrophyte biomass instream. Periphyton cover was low with a thin film of diatoms, consistent with high water quality in the upper catchment and low impact from land-use intensification (Figure 4). Some slumping along the roadside reflects unprotected riparian zone (Figure 5).

Site 6

By the time the water reaches Site 6, little flow remains and it terminates in a small pool in the paddock (Figure 6). During the site visit, no water was flowing out of the culvert pipe. The pooled water at Site 6 will either evaporate, or soak into the ground, over time. With source water originating from a hill-fed stream, flows would be highly responsive to rainfall events. Under drier summer conditions that this year, flow would most likely have terminated before reaching Site 6.

5.2 Water diversion

Manawhenua have been advised by Ashburton District Council (ADC) are still considering where to divert the water, once the channel is closed. One proposed route is to divert into existing channels along Alford Forest Settlement Road, down to Rakaia Gorge Road then push up Carneys Road to then drop into an unnamed creek (Figure 1, red lines).

At the time of the site visit, water was flowing in the channel along Rakaia Gorge Road but had ceased flowing by the time it reached Carneys Road. The channel at Carneys Road was infilled with terrestrial grasses and sediment. This would need cleaning out and re-grading, to ensure water could be pushed up-catchment to join the creek (Figure 5). Based on the topomap, the unnamed creek where the diversion is proposed to terminate, appears to be a branch of the original source water creek (Figure 7). This appears to divert around the base of Alford Hill, with channel diversions marked at two sites (Figure 3). This may provide an alternative route for the water diversion, allowing the source water to remain in its original creek. This was not investigated during the site visit.

The farmer at property Site 7 has proposed retaining the diversion and creating wetlands at the top of his property and continuing on the channel through his property. The proposed wetlands would be along the line of pine trees. No information on the design of the wetland, proposed planting, or hydraulic regime has been provided and this proposal has not been formally put to the council in writing by the farmer.

Manawhenua request continued involvement in determining how best to manage the intake.

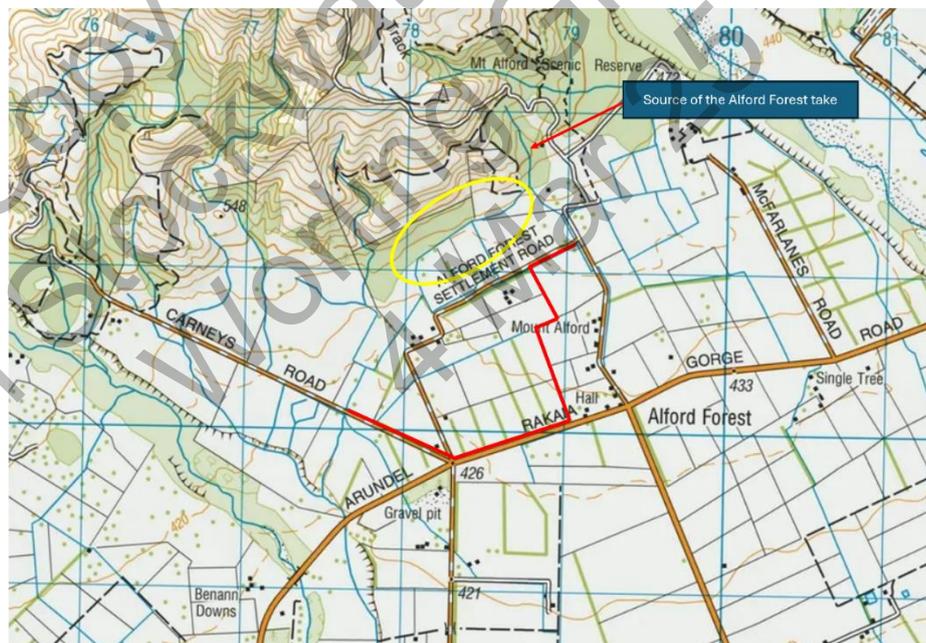


Figure 3. Red arrow indicates the unnamed stream where water is diverted into the Alford Forest stock water race. Red lines indicates the alternate diversion route for the stream water once the channel is closed. Yellow circle indicates area to invest



Figure 4. Alford Forest stockwater race at Site 4.



Figure 5. Alford Forest stock water channel entering culvert as it crosses the road at Site 4. Exposed banks indicate damage from unprotected riparian margins.



Figure 6. Termination of stock race water flow at Site 6. Water was not flowing from the pipe on the day of the visit and pooled water will either evaporate or soak into the ground.



Figure 7. A) Unnamed creek which appears to be a partial diversion of the creek for the source water of the Alford Forest stock water. B) Downstream of the proposed diversion. The unnamed creek appears to be the confluence of two creeks.

5.3 Survey work and if fish salvage needed

If termination of the channel was to occur, eDNA samples should be collected from sites 2 and 7, to determine best course of action for the fish salvage strategy. These samples should be undertaken one month prior to the closure.

If fish salvage is necessary, the following protocols can minimise risk to fish:

- Where practical, fish salvage should be carried out when daytime air temperatures are moderate and overnight temperatures are low. Springtime is ideal
- Hīnaki and gee-minnow nets should be set in areas away from macrophyte beds. Nets should be checked and cleared before dusk and again early morning.
- The use of a scoop bucket on a digger can assist with fish salvage. The scoop should be slowly removed from the flume onto the bank where spotters can quickly salvage any tuna, or other fish, as they move out of the scoop. Scooping of the flume should be carried out no earlier than late morning, when dissolved oxygen levels in the flume have increased from the overnight low.

5.4 Stopping Raceways

Where raceways are closed, there is a preference by Arowhenua that these are filled in. Where this is not practical, for example because of land drainage functions, then they are closed so there is no flow of water into the closed portion from a river, or drain.

**SUBMISSIONS ON PROPOSED CLOSURE OF
ALFORD FOREST STOCKRACE
("Race")**

From: Daniel Symons, 171 McFarlanes Road, R D 1, Ashburton

Date: 19 February 2026

1. Background

- 1.1. I have lived in Alford Forest all my life and have a very good knowledge of the Race, it's uses, flows, and effects.
- 1.2. The race has been adapted over the years to suit farm layouts for stock and domestic use. In 1946 water in the race was augmented with water from Carneys Creek (since closed).
- 1.3. I own farms both above and below SH72 one of which has benefited from the race over the years (Bunya).
- 1.4. The Race has been an important back-up water source. As stock farmers we need to be concerned about the wellbeing of our animals, including in exceptional situations.
- 1.5. The race is also from my experience a superb habitat for native fish, with trout being apparently absent from the race.

2. My Interest in Alford Forest Environment

- 2.1. My farm at Alford Forest, Glenarne, has high environmental values, including native forest, creeks, and wetlands.
- 2.2. I have covenanted portions of Glenarne to preserve these unique and important environmental features of my property.

3. Objective for Race

- 3.1. I would like the race to remain flowing according to my suggest route – (see below) - for the following reasons:
 - (a) It will continue to provide a back-up source of emergency stock water in critical situations.
 - (b) I understand that the households on Alford Settlement Road would like retain the race on their boundary as it is a point of pleasure to them.
 - (c) I have set aside about 1.9ha of land on my farm below SH72 (Bunya) for the creation of a fenced off pond / wetland, through which the race / stream would flow, further enhancing the environment value of this waterway.

4. Specific proposal

4.1. I'd like the Council to agree for the race to flow:

- (a) down Alford Forest Settlement Road;
- (b) under SH72;
- (c) into the 1.9ha wetland on Bunya;
- (d) then on down SH72;
- (e) left down Alford Forest Cemetery Road;
- (f) then right and into a natural creek below the terrace, from where the water will flow into Taylors Stream.

4.2. **Attached** is a plan of my proposed route.

4.3. The water ultimately ends up in Taylors Stream, which I understand is the Council's proposal, although the entry point I propose would be a little further down Taylors Stream.

4.4. I would be happy to obtain any necessary Resource Consents for the creation of the pond / wetland on Bunya.

I would appreciate it if the Council could give serious consideration to the foregoing which I believe represents an opportunity for the Council to work collaboratively with farm owns in the interest of community and environment.



Daniel Symons

13. *Mayors Report*

13.1 **Rokowhiria Capital Works Project**

Following the granting of the resource consent for the upgrading to the Rokowhiria HVAC system, planning has commenced to deliver the physical work. Shaun Pont from the Logic Group has been engaged to guide the complex work, and it has been agreed internally that a small Project Control Group (**PCG**) of relevant staff and external consultants will assist the project given the complexities and public sensitivities. It is felt the addition of one elected member to the PCG will ensure connectivity and oversight of a Governance perspective on the work, and to this end I have recommended the appointment of Cr Russell Ellis to the group.

It is envisaged the PCG will meet three or four times between now and June 2026, and then as required during the construction period.

Recommendation

<p>That Cr Russell Ellis is appointed to the Project Control Group for the Rokowhiria Capital Work Project.</p>
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14. Councillor Reports

Cr Carolyn Cameron

14.1 Ashburton Business Estate

Due to the recent low number of section sales at the Ashburton Business Estate and the resulting impact on Council's budget, the purpose of this report is to seek a resolution from Council to direct officers to investigate forecast sales and likely revenue projection, and identify opportunities to enhance sales through altering Council's marketing and sales strategy or methods.

Once this investigation is complete, my recommendation is for officers to bring a report to Council outlining the results of this investigation and the options to increase section sales.

Recommendation

That Council directs officers to:

- a.** Investigate forecast sales and revenue projection at the Ashburton Business Estate and explore options to change the sales and marketing strategy to increase sales; and
- b.** Report back to Council on the results of this investigation.

15. *Councillor Reports*

Cr Richard Wilson

15.1 LGNZ Conference

LGNZ's All of Local Government and Rural and Provincial Sector meetings were held in Wellington, 26/27 February 2026. These meetings bring together Mayors, Councillors and CEO from Councils across the country.

LGNZ has had a reset and has set four priorities.

1. Financially sustainable and cost-effective local government.
2. a responsive and accountable local government system
3. resilient communities, economies, and environment
4. Meeting current and future infrastructure needs.

Their aim is to advocate for these priorities.

Over the two days we heard from variety of speakers.

Deputy Prime Minister David Seymour spoke about the Regulatory Standards Bill. His challenge to us was 'what does good regulation look like?'. Words like productivity, affordability tied in with what problems are we trying to fix and at what cost.

Hon. Mark Mitchell, Minister for Emergency Management described on how New Zealand has had 31 emergency events and 61% of the country is in recovery. This is placing a huge strain on Councils' people and resources. We can be thankful ADC is not one of those districts.

A panel discussion on regulatory relief for landowners demonstrates the change in the Resource Management Act is coming and how all Councils need to be ready.

Commerce Commission Chair Dr John Small reminded us that Councils are required to work with the Commerce Commission as the regulator in the Three Waters space. Performance and disclosure are key areas Councils will now need to report on.

Change is coming to Local Government. Rates capping, simplifying Local Government and the impending national election were also areas discussed.

Overall the conference was a good opportunity to understand future issues we face and how your Council can navigate them to improve our district as a great place to live, work and play.