

Ashburton District Council

AGENDA

Notice of Meeting:

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

Date: Wednesday 21 September 2022

Time: 1.00pm

Venue: Council Chamber

Membership

Mayor	Neil Brown
Deputy Mayor	Liz McMillan
Members	Leen Braam
	Carolyn Cameron
	John Falloon
	Rodger Letham
	Lynette Lovett
	Angus McKay
	Diane Rawlinson
	Stuart Wilson

Meeting Timetable

Time	Item
1.00pm	Meeting commences
2.50pm	New and long-serving staff
3.30pm	Ian Mackenzie (ACWT)

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.

Minutes

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Business Transacted with the Public Excluded

13	Council – 7/09/22		PE 1
	• Ashburton Contracting Ltd	Section 7(2)(h) Commercial activities	
14	Library & Civic Centre PCG – 13/09/22	Section 7(2)(h) Commercial activities	PE 2
15	Ashburton Community Water Trust	Section 7(2)(h) Commercial activities	PE 6
16	ACL Director Appointment	Section 7(2)(a) Protection of privacy of natural persons	PE 46

4. Council Minutes – 7 September 2022

Minutes of the Council meeting held on Wednesday 7 September 2022, commencing at 1.00pm in the Council Chamber, 137 Havelock Street, Ashburton.

Present

His Worship the Mayor, Neil Brown (Chair), Deputy Mayor Liz McMillan, Councillors Leen Braam, Carolyn Cameron, John Falloon, Rodger Letham, Lynette Lovett, Angus McKay, Diane Rawlinson and Stuart Wilson.

In attendance

Hamish Riach (Chief Executive), Jane Donaldson (GM Strategy & Compliance), Leanne Macdonald (GM Business Support), Steve Fabish (GM Community Services), Neil McCann (GM Infrastructure Services), Sarah Mosley (Manager People & Capability) and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Toni Durham (Strategy & Policy Manager), Mel Neumann (Policy Advisor), Tania Paddock (Legal Counsel), Janice McKay (Communications Manager), Mark Chamberlain (Roading Manager), Simon Worthington (Economic Development Manager), Erin Register (Finance Manager), Martin Low (Roading & Safety Engineer), Tayla Hampton (Applications Officer-Roading). Three members of public.

PUBLIC FORUM

Longbeach School Ambassadors accompanied by their teacher Harriet Sutton.

The Year 7/8 students - Holly Burrows (Head Girl), Edward Pottinger (Head Boy), Tayla Quaid (Reporter), Rose McKay (Historian), Addison Griffiths (Secretary) and Harry O'Connell (Treasurer) spoke about their roles, having been elected as a group to work collaboratively and positively influence their school.

The students are particularly concerned that the 100km/hr speed limit is still in place outside the school, noting that this issue was first raised with Council by the School Principal in 2009 and again in 2020. The 100km/hr speed limit on both roads near the school is a significant danger for children who have to regularly cross them. The students observed that some of the other rural schools in the district have had their speed limits reduced and asked when Council would do this for Longbeach.

The Mayor advised that Council will be considering a report today on a speed management plan which will include setting speed limits in areas surrounding schools. The plan will be consulted on with the community before any changes are made. Longbeach School, which is in the category for a reduction to 60km/hr, will have the opportunity to make comment too.

Council thanked the Ambassadors for their very well presented and informative update. Council will ensure the students are kept informed of the interim speed management plan consultation.

The presentation concluded at 1.12pm.

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Item 6 – Cr Cameron declared an interest and gave notice she would withdraw from debate and decision.

4 Confirmation of Minutes – 17/08/22

That the minutes of the Council meeting held on 17 August 2022, be taken as read and confirmed.

Cameron/Rawlinson

Carried

5 Biodiversity Advisory Group – 18/08/22

That Council receives the minutes of the Biodiversity Advisory Group meeting held on 18 August 2022.

Lovett/Rawlinson

Carried

• **Biodiversity Advisory Group Terms of Reference**

Council heard that the Biodiversity Advisory Group have asked that future applications for biodiversity grants be referred to the Group for comment, before Council considers and makes decisions on the funding allocations. The terms of reference will be amended to reflect this.

That Council adopts the Biodiversity Advisory Group Terms of Reference, as amended.

Wilson/Lovett

Carried

6 Road Closure – Ashburton Market Day

Cr Cameron left the meeting.

The Mayor asked whether officers have further comment, noting that the application and objections have been subject to full consideration in this morning's Hearing.

Council noted that in order for the event to proceed, officers would require acceptable traffic management and health and safety plans, and evidence of insurance payment in sufficient time for this to be reviewed and processed.

The Group Manager Infrastructure Services advised that approval for the road closure would also need to be subject to a number of conditions to address any potential damage to the roads, footpaths and surrounding grass and gardens. Maintaining access to shops and footpaths would be a requirement too.

That Council approves the closure of the following roads in the Ashburton CBD from 7.00am until 6.00pm on Monday 26 September 2022, for the Ashburton Market Day, on the condition that Council receives acceptable traffic management and health and safety plans, along with evidence of insurance payment, by Friday 16 September 2022

East Street, from Moore Street to Havelock Street

Tancred Street, from East Street to Cass Street

Burnett Street, from East Street to Cass Street.

Mayor/Letham

Carried

A show of hands gave 5 for and 3 against the motion (with one abstention)

Crs Braam and Falloon recorded their votes against the motion

The Hearing Panel's Determination is appended.

[\[Supplemental document\]](#)

7 Interim Speed Management Plan

The Roading Manager advised that Council was unable to reduce the speed limit near Longbeach School under the previous rules, but that ability now exists. The School will be invited to comment on the Plan and resubmit their request for a speed limit reduction.

Council was assured that the interim speed limit management plan consultation document will reflect the intention for any proposed changes to be reported back, and that Council, rather than officers, will be making the final speed management decisions.

- 1. That** Council receives the proposals for the interim speed management plan for local roads in the district.
- 2. That** Council proceeds to public consultation for the proposed interim speed management plan.

McMillan/Braam

Carried

8 Better Off Funding proposed projects

The application for funding will be made by 30 September, for all the projects listed. If approval from DIA is not received for a particular part, Council would then need to find agreement acceptable to DIA, or consider whether or not a project can proceed.

The Chief Executive advised that, separate to the funding application, officers will identify an internal process to determine the priorities of each project and seek Council's support for this.

- 1. That** Council approves the proposed project list in Appendix One for application to Better-Off Funding - Tranche 1.
- 2. That** Council amends the Better-Off Funding Agreement as contained in Appendix Three.
- 3. That** if required, Council delegates authority to the Mayor and Chief Executive to further negotiate and finalise the terms of the Funding Agreement with the Department of Internal Affairs.

Braam/Lovett

Carried

9 Dangerous & Insanitary Buildings Policy

That Council rolls over the current Dangerous & Insanitary Buildings Policy with minor updates and no consultation (as attached in appendix 1).

Falloon/Rawlinson

Carried

The Mayor left the meeting and the Deputy Mayor took the Chair at 2.38pm.

10 End-of-year Performance Report

That Council receives the end-of-year non-financial performance report.

Wilson/Lovett

Carried

11 Ashburton Welcome Signs

That Council considers the 'Ashburton Welcome Signs' project as part of the 2023/24 Annual Plan process.

Cameron/Rawlinson

Carried

12 Use of the Council Coat of Arms

That Council approves the use of the Ashburton District Council Coat of Arms by the No.24 (District of Ashburton) Squadron Air Training Corps.

McKay/Braam

Carried

13 Financial Reports

That Council receives the June 2022 Preliminary Variance report and the EA Networks Centre income and expenditure report.

Falloon/Braam

Carried

14 Mayor's Report

That Council receives the Mayor's report.

McMillan/Rawlinson

Carried

Council adjourned for afternoon tea from 3.17pm to 3.35pm.

Business transacted with the public excluded – 3.35pm

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

Item No	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
15	Council 17/08/22 <ul style="list-style-type: none">Ashburton Contracting LtdLand acquisitionOval pavilionGlasgow lease freeholdingCE Fixed term process & 6 month review [now in open meeting] <ul style="list-style-type: none">Award of 3Waters professional services contract 2022/25Ashburton Water Zone Committee Appointments	Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(a)	Commercial activities Commercial activities Commercial activities Commercial activities Protection of privacy of natural persons
16	Library & Civic Centre PCG 16/08/22	Section 7(2)(h)	Commercial activities

Lovett/Rawlinson

Carried

The meeting concluded at 4pm.

Confirmed 21 September 2022

MAYOR

5. Methven Community Board– 5 September 2022

Minutes of the Methven Community Board meeting held on Monday 5 September 2022, commencing at 10.30am, in the Mt Hutt Memorial Hall Board Room, 160 Main Street, Methven.

Present

Mayor Neil Brown, Dan McLaughlin (Chair), Kelvin Holmes, Ron Smith, Richie Owen and Sonia McAlpine; Crs Liz McMillan and Rodger Letham.

In attendance

Neil McCann (Group Manager Infrastructure Services) and Clare Harden (Community Liaison Officer).

1 Apologies

That an apology for lateness be recorded on behalf of Richie Owen.

McMillan/Smith

Carried

2 Extraordinary Business

Nil

3 Declarations of Interest

Nil

4 Confirmation of Minutes

That the minutes of the Methven Community Board meeting held on 22 July 2022, be taken as read and confirmed.

McAlpine/Smith

Carried

5 Town Lighting

- 18 months ago Council stated that they would pay to install the town lights and the Chair expressed his disappointment that nothing has happened in this area. He would like to see this project progressed.
- Richard Shepherd to be approached to prepare an action plan to present to the Board.

6 Activity Reports

That the reports be received.

Holmes/McAlpine

Carried

6 Community Services

6.1 Open Spaces

- The Board asked who authorised two cherry trees outside Jan Lane's property to be chopped down.
- Chambers Park tractor required maintenance, Ron to make contact with Lions Club/Methven Vintage Club to see if they would assist.

- Same person that did the bins around 6 years ago did a good job, can the same person do it again. Martin Nordqvist may know.

7 Strategy & Compliance

7.2 Stormwater

- Neil McCann will check the meter counts and see what it means. There will be communications released on this .
- Project still in process.

7.3 Waste Management

- 223 latches were installed on the household rubbish bins around Methven over the last month.

8 Infrastructure Services

8.1 Roothing

- The Board questioned why only half of the kerb on Holmes Road has been upgraded.
- Board would like the maintenance of Holmes Road to be included in the annual plan, going forward.
- ADC Roothing Manager has advised that is likely that the speed limit on SH72 outside Opuke Hot Pools will be reduced once the proposed footpath is installed. Waka Kotahi will be approached regarding funding for this project.

9 Business Support & Governance

9.6 Funding Requests

That the Methven Community Board approves funding of \$1500 from the Boards discretionary fund to the Methven Hockey Club for the summer tournament.

Holmes/Owen

Carried

Elected Member Retirements

At the conclusion of the meeting Cr Liz McMillan acknowledged the retiring Board Members, Dan McLaughlin, Sonia McAlpine and Ron Smith.

Dan McLaughlin completed four terms as a member for the Methven Community Board after being elected in October 2010. Dan served as Chair from October 2016 to October 2022.

Sonia McAlpine completed three terms as a member for the Methven Community Board after being elected in October 2013.

Ron Smith completed two terms as a member for the Methven Community Board after being elected in October 2016.

The final meeting of the term concluded at 12.10 pm.

Dated 21 September 2022

Chairman

Chief Executive

6. *Ashton Beach Enhancement Project*

Author	<i>Bert Hofmans, Open Spaces Planner</i>
Activity Manager	<i>Ian Soper, Open Spaces Manager</i>
GM responsible	<i>Steve Fabish, Group Manager Community Services</i> <i>Sarah Mosley, People & Capability Manager</i>

Summary

- The purpose of this report is seek Council direction on the Ashton Beach Enhancement Project following the decision of the Department of Conservation to decline the Wildlife Act Authority Application.
- The recommended option is to accept the decision of the Department of Conservation and not progress the motorcycle park any further.

Recommendation

1. **That** Council accepts the decision of the Department of Conservation and discontinues investigating the establishment of a motorcycle park at Ashton Beach.
2. **That** Council approves the re-purposing of the funds (\$8,000) granted to the Ashburton Motorcycle Club from the Community Infrastructure Fund for the construction of a motorbike park at Ashton Beach, to now be used for noise mitigation improvements at the Trevors Road Motorbike Park. These improvements are subject to approval by the Group Manager Community Services.

Attachments

Appendix 1 Department of Conservation Decision and Supporting Documentation

Appendix 2 Synopsis by Council's Consultant Herpetologist

Background

The current situation

1. In 2019, Council officers became aware of a health and safety issue on an unfenced portion of Council's Ocean Farm at Ashton Beach. A steep area of land was being used by motorbike and 4wd vehicle enthusiasts. These areas have since been fenced off.
2. A potential alternative area for motorbike riding on Ocean Farm was identified through community consultation in February 2020.
3. An ecological assessment in May 2020 concluded the proposed motorbike site contained important ecological values. While it is dominated by exotic grassland, it also contains important native plant species, some of which have a 'Threatened –Nationally Vulnerable' conservation status.
4. A skink survey was also conducted in May 2020. It confirmed the presence of southern grass skink (*Oligosoma* aff. *polychroma*) in the proposed motorbike park area. New Zealand currently has 126 species of lizards and new species are still being discovered. All of our lizard species are endemic which means they are not found elsewhere in the world. The conservation status of Southern Grass Skink is 'At Risk- Declining'. All native lizards are absolutely protected under the Wildlife Act (1953) meaning it is illegal to catch, collect, kill or cause habitat loss.
5. A report to Council 4 June 2020 was left to lie on the table until Councillors could undertake a site visit. A site visit was conducted 11 June 2020.
6. On 18 June 2020, Council resolved:
 - *That Council supports further work and consultation to enable the establishment of an alternative area for motorbike riding on Council owned land within the Ashton Beach area.*
 - *That Crs Leen Braam and Lynette Lovett be appointed to the Ashton Beach project stakeholder group.*
7. Preliminary consultation was undertaken with the Department of Conservation, Environment Canterbury and Royal Forest and Bird Society representatives. While acknowledging Council's desire to provide an alternative motorbike riding area away from the beach and rivermouth they also shared concerns that the proposed motorbike park could attract more motorcyclists to the beach area with the potential for adverse effects on biodiversity values. In summary, the parties had some concerns about the proposal but were not firmly opposed to the development of a motorcycle park in the area.
8. In June 2020, Council awarded the Ashburton Motorbike Club a grant of \$8,000 from the Community Infrastructure Fund as a contribution towards track formation. This was on the proviso the land is set aside for a motorbike park.

9. In September 2020, Council resolved:
- *That Council supports further work to enable the establishment of an alternative area for recreational motorbike riding on Council owned land within the Ashton Beach area.*
 - *That Council funds up to a maximum of \$27,000 for the biodiversity requirements of this project from the rural reserves beautification reserve should alternative funding sources not be successful.*
10. In November 2020, Ryder Environmental were commissioned to prepare the lizard management plan required to accompany the Wildlife Act Authority application. While the Lizard Management Plan acknowledged that the actual and potential effects of the proposed motorbike park include disturbance, death, injury and displacement of southern grass skink, it also proposed a range of avoidance, mitigation and restoration measures to offset the anticipated losses of lizard values across the project footprint.
11. The application was lodged December 2020 and in June 2021 the Department of Conservation advised that the proposed mitigation measures were insufficient and the Council should consider identifying and protecting in perpetuity (through a covenant) an area of grass skink habitat that is the equivalent or better in terms of skink abundance numbers than the proposed motorbike park area.
12. Fauna Finders were commissioned to undertake a survey to compare the relative abundance of southern grass skink at the proposed motorbike park site and a potential covenant area on Council land on the south western side of Lower Beach Road (see Figure 1). Following four days of trapping at both sites in November 2021, the survey concluded that skink capture numbers were higher in the proposed bike park area (8,672m²) than in the proposed covenant area (9,492m²).



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

13. Discussions between the Department and Council representatives confirmed the application was more likely to be approved if the proposed covenanted areas were enlarged to encompass an area of Council land (3,300m²) on the eastern side of the proposed motorbike park – refer smaller green area in Figure 1. Council expanded it further to encompass the whole donga by also including the triangular section (see orange area in Figure 1).
14. This is in addition to other measures already proposed i.e. habitat enhancements within the covenanted areas (adding rock piles, native plantings, and control of woody weeds), ongoing monitoring of skink numbers before and after enhancements, educational signage, and the involvement of a local restoration group/and or school.
15. On this basis, Council resolved 2 March 2022:

That Council supports the covenanting of land at Ashton Beach and proceeds with the Wildlife Act Authority.

16. On the 25 July 2022, the Department of Conservation formally declined Councils' application for a Wildlife Authority Application. Reasons cited in the decision and in the supporting documentation (Appendix 1) are:
 - the proposal does not provide an adequate level of protection for lizards;
 - there are alternative avoidance options;
 - there will likely be a net loss of lizards overall;
 - there is no net benefit to wildlife;
 - Arowhenua do not support the application; and
 - the application is inconsistent with the purpose of the Wildlife Act 1953.
17. The decision is discussed in the synopsis provided by Council's consultant herpetologist in Appendix 2.

Options analysis

Option one – Submit a revised Wildlife Act Authority application

18. This option involves submitting a fresh Wildlife Act Authority Application incorporating an additional range of mitigation measures, as recommended by Council's herpetologist in Appendix 2, in an effort to obtain Arowhenua support for the proposal and the Departments' approval of the application.

Advantages

19. This option provides an opportunity to improve the recreational opportunities at Ashton Beach and the wider District while using the increased visitation to the area to promote its biodiversity values to the wider community.
20. It could also potentially reduce the environmental impacts on the wider Ashton Beach area by providing a designated riding area away from the beach and river mouth.

Disadvantages

21. There is a reputational risk for Council insofar as sets a negative precedent in terms of Council's approach to biodiversity for the following reasons:
 - The proposed motorbike park is in a site with important native plant species some of which have a 'Threatened –Nationally Vulnerable' conservation status. Indigenous vegetation cover on the Ashburton Plains is now less than 1% (Walker et al 2008);
 - The site is an important habitat for Southern Grass Skink populations, and the park will cause injury and mortality to the Southern Grass Skink population, which has a conservation status of 'At Risk – Declining'.
 - The site is on relatively unmodified coastal landforms, and therefore any re-contouring would be detrimental to its ecological values.
 - The site is part of an important habitat corridor and linkage between the Hakatere River mouth ecosystem and the native vegetation found on the donga further inland. The proposed motorbike park would interrupt this corridor.
 - The site would likely qualify as a Significant Natural Area as it meets three of the four assessment criteria in the draft National Policy Statement for Indigenous Biodiversity.
 - It is also close to the Ashburton/Hakatere river mouth which is a national and regionally important wetland habitat that supports a diverse community of riverbed and coastal birds with several species numbering thousands of individuals (Crossland, 2022). For instance, the Ashburton River mouth supports the largest roost of Spotted Shags in New Zealand, a species which is now classed as 'Threatened–Nationally Vulnerable'.
22. Other risks include:
 - Potential increased risk of environmental degradation to the wider Ashton Beach area due to increased motorbike activity outside of the designated area.
 - There is a risk the additional mitigation measures are insufficient to gain Arowhenua support and ultimately the application is declined again by the Department of Conservation.
 - That the resource consent application requires either full or limited notification which would result in additional costs. Other risks associated with the resource consent process are that the application may not be granted or an approval might be appealed or otherwise challenged.

23. Should the Council wish to proceed with this option, the Lizard Management Plan will need to be amended to incorporate the additional measures prior to being submitted to the Department of Conservation as a fresh application.

Option two – Accept the Wildlife Authority Application decision (recommended)

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

Advantages

25. No negative effects on the biodiversity of the area from the proposal.
26. Council does not risk further expenditure on a process with an uncertain outcome.

Disadvantages

27. The associated risks are:
- Ongoing adverse effects on the wider Ashton Beach area as motorcyclists are not provided with a designated motorbike riding area nearby.
 - Some reputational damage as Council has previously indicated its support for establishing a motorbike park at this site. However, this risk is probably low given media articles have stated Council is only investigating the establishment of a motorbike park at Ashton Beach.
28. As part of this option, Council could investigate alternative riding options away from Ashton Beach, however this is not recommended given that Council will could encounter the same issues, a repeat of the process to date, with a chance of the same outcome. Even if an alternative site can be found that is devoid of wildlife, as recommend by Council's herpetologist, then it's still likely to require resource consent with its associated risks and challenges.

Option three – Appeal the Wildlife Authority Application decision

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

Advantages

30. There are no advantages.

Disadvantages

31. The associated risks are:

- Council expends considerable cost without achieving the desired outcome. That is, Council is either unsuccessful in its judicial review, or if it is successful, the likely outcome is that the High Court would send the application back to the Department of Conservation to be reconsidered. The Department may then come to the same conclusion, but on different grounds.
- Potential relationship damage with our partner agencies the Department of Conservation and Arowhenua.

32. The Council's consultant herpetologist has significant concerns about the Department's decision-making process that in her opinion justifies exploring this option. However, this option is not recommended because of the aforementioned reasons.

Legal/policy implications

Resource Management Act 1991

33. The Council has statutory obligations for biodiversity under the Resource Management Act. Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance (section 6).
34. The Act directs Councils (section 31) to control the actual or potential effects of land use and development to maintain indigenous biological diversity.
35. The proposal requires resource consent and as the landowner and applicant, Council will need to demonstrate that, amongst other things, the proposed motorbike park will not have an adverse effect on indigenous flora and fauna, or alternatively, the effects will be remedied or mitigated.

Ashburton District Plan

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

The National Policy Statement for Indigenous Biodiversity

38. The entire site is located within an acutely threatened land environment that has less than 10% indigenous cover left (Cierad *et al.* 2015). Under the draft National Policy Statement for Indigenous Biodiversity, the site would qualify as a Significant Natural Area because it supports an 'At Risk' lizard species.

39. Establishing a motorbike park in a potential Significant Natural Area sets a precedent in relation to Council's position on future Significant Natural Areas (should the policy statement be adopted in its current form).

Biodiversity Action Plan

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

Ashburton/Hakatere Rivermouth Management Strategy

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

Strategic alignment

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

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	We value our District's natural assets in supporting economic development
Environmental	✓	The project values our indigenous biodiversity
Cultural		
Social		

Financial implications

43. In the report to Council in September 2020, staff estimated the total project costs to be \$55,000 as follows:
- Phase 1 - Approvals (\$10,000)
 - Phase 2 – Habitat Construction (\$22,500)
 - Phase 3 - Motorbike Track Formation (\$10,000)
 - Project management (\$10,000)
 - Contingency (\$2,500)

44. To date Council has incurred a total of \$17,420 +GST on Phase 1-Approvals as follows:
- Ecological Assessment and Lizard Habitat Assessment (\$3,800+GST).
 - Lizard Management Plan preparation and advice (\$7,600+GST).
 - Skink survey (\$4,700 + GST).
 - Lizard Management Plan amendments and advice (\$1,320 + GST).
45. The Department of Conservation waived its fee for processing the application. Project management services were not able to be contracted out and instead this service had to be provided by Council staff (staff time).
46. If Council decides to accept the recommendation (Option Two - Recommended) then there are no further costs. The grant of \$8,000 made available to the Ashburton Motorcycle Club for track formation costs will either need to be returned to the Community Infrastructure Grant funding pool or as recommended, re-purposed for noise mitigation measures at the Trevors Road Motorbike Park.
47. If Council decides to proceed with the establishment of a motorbike park by lodging a fresh application (Option One), it will require an additional total of \$9,000 (estimate only) for amendments to the Lizard Management Plan, payment of the Wildlife Act Authority processing fees, and lodgement of the application for resource consent.
48. The original cost estimates for subsequent phases 2 and 3 (habitat construction, track formation) of the project remain unchanged, although a grant (\$8,000) has already been provided to the Ashburton Motorbike Club to offset most of the track formation costs. Council may also choose to provide further financial grant support to community groups associated with this project to assist with the development of the park, biodiversity enhancements and community education.

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

References

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

Crossland, A 2022. Ashburton Rivermouth Bird Monitoring : Report for Year April 2021-March 2022, Prepared for Environment Canterbury, Christchurch.

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

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

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	The project is likely to affect less than 100 people. While there will be some community interest at a local level, the proposal has a low impact on rates and levels of service.
Level of engagement selected	1. Inform – one way communication
Rationale for selecting level of engagement	Community engagement commenced in early 2020 and resulted in the project (creating an alternative motorbike track) being identified. This project will be of high interest to some members within our community. The community will be kept informed of progress on the project through usual communication channels.
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager



Department of Conservation
Te Papa Atawhai

Permission Decision Support Document

Application Details

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

Key Dates

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

Document Links

Application	DOC-6542948
Task Assignment	DOC-6542958

Resources

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

1. Purpose

To make a decision on the application.

2. Context

Initial context from Task Assignment:

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

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

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

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

Proposed term: December 2020-December 2026

The activity has been applied for at the following location:

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

3. Critical Issues

Critical Issues from the Context Meeting:

- 1) How to ensure iwi support the application?

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

Outcome: see iwi consultation section below.

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

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

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

Outcome: see contributions section below.

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

Task: Sanjay to investigate whether DOC can require this.

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

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

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

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

- 5) How to ensure appropriate term?

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

4. Consultation with Treaty Partners

Geraldine District Office – Chris Coulter Senior Ranger Community

SECTION A: Treaty Settlement implications

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

NO

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

N/A

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

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

NO

SECTION C: Whānau, hapū, and iwi consulted

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

SECTION D: Consultation with Arowhenua

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

YES

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

YES

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

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

- What are their views on the activity (taking place at the specified site)?
Full response from Arowhenua saved to [DOC-7084503](#), summary provided below.
- What sort of adverse effects do the whānau, hapū, or iwi believe the activity will have on their interests (at the specified site)?
Arowhenua and AEC are greatly concerned with the significant number of skinks that will be displaced, injured or killed as a result of the proposal. In addition to this, Arowhenua and AEC are concerned that the rehabilitation/enhancement plan for the covenanted area proposed involves the planting of grasses and plants that do not support a skink habitat. As a consequence of the number of skinks to be lost as a result of the proposal and the potential for a large, covenanted area to be planted in a manner that does not provide for skinks, Arowhenua and AEC cannot support the proposal in its current form.
- Have the whānau, hapū, or iwi identified any methods to avoid, remedy, or mitigate these effects?
Arowhenua through AEC are more than happy to work alongside DOC staff and lizard experts to assist ADC in amending the application to create a more favourable outcome if this is possible.
- Summarise any other information provided by the whānau, hapū, or iwi.
Full response from Arowhenua saved to [DOC-7084503](#)

5. Contributions

Lynn Adams, Technical Advisor ecology, 14 July 2022

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

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

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

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

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

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

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

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

Analysis of the Principles of the Treaty of Waitangi

Sanjay Thakur, Permissions Advisor

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

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

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

Discussion:

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

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

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

Statutory Analysis: Authorisation under the Wildlife Act 1953

Sanjay Thakur, Permissions Advisor

Consistency with conservation legislation

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

Conservation legislation assessed:

Wildlife Act 1953 (WA53)

Criteria for decision:

- Is the activity consistent with the relevant conservation legislation?

~~Yes~~ / No

Discussion:

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

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

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

6. Proposed Operating Conditions

Conditions

Standard conditions applicable to the proposed activity:

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

Special conditions relevant to this application:

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

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

7. Decision Making

Recommendations

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

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

Decision: Authorisation under the Wildlife Act 1953

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

~~Approve~~ / Decline



Signed by Duncan Toogood, Operations Manager, Geraldine District Office

Pursuant to the delegation dated 9 September 2015

Date: 14/07/2022

Decision Maker comments

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

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



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Bert Hofmans
Resource Management Planner
Ashburton District Council

5th September 2022

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

Dear Bert,

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

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

1. Department of Conservation Decision on 91865-FAU

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

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

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

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

Lack of Iwi (Arowhenua Support)

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

Proposal not consistent with the purpose of the WLA

Despite DOC providing ADC with precedents, Arowhenua and DOC themselves overlooked the long-term protective benefits to southern grass skinks of the proposed covenant areas, when assessing 'overall protective benefit' of the proposal (detailed in the revised Lizard Management Plan, dated March 2022). Covenanting Rural B zoned land¹ that supports southern grass skink populations would have provided permanent lizard protection not offered anywhere else in the Ashburton District. Furthermore, I note discrepancies and errors of fact throughout the technical assessment in Section 5 of the decision support document, a Section that I assume weighed heavily on the final decision.

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

Consideration of 'Alternate Avoidance Actions'

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

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

2. Alternative Actions that ADC could have taken

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

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

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

3. Likely success of reapplying for the Wildlife Act permit

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

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

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

4. Options from here

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Recommendation

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

Dr Mandy Tocher



Herpetologist, LizardExpertNZ



7. *Use of Footpaths for Alfresco Dining Policy Review*

Author	<i>Mel Neumann; Policy Advisor</i>
Activity Manager	<i>Toni Durham; Strategy & Policy Manager</i> <i>Colin Windleborn; Commercial Property Manager</i> <i>Mark Chamberlain; Roading Manager</i>
GM responsible	<i>Jane Donaldson; GM Strategy & Compliance</i> <i>Leanne Macdonald; GM Business Support</i> <i>Neil McCann; GM Infrastructure Services</i>

Summary

- Council's Use of Footpaths for Alfresco Dining Policy is due for review.
- Officers have undertaken a review of the policy and have determined that updates are required.
- The last review in 2017 resulted in the addition of smokefree clauses, and involved consultation.
- Council has the following options:
 - Adopt the draft policy for consultation (recommended), or
 - Adopt an amended version of the policy for consultation, or
 - Rollover the current policy without consultation (status quo).

Recommendation

1. **That** Council adopts the Draft Use of Footpaths for Alfresco Dining Policy as attached in Appendix 1, for consultation from 23 September to 23 October 2022.

Attachments

Appendix 1 Draft Use of Footpaths for Alfresco Dining Policy

Background

The current situation

1. Council's Use of Footpaths for Alfresco Dining Policy is now due for review. The policy was last adopted in 2017, and is due for review on a five yearly basis.
2. Some issues with the current policy were identified by officers during the review.

Previous Council direction

3. Council held a workshop on 24 August to determine the way forward with the issues that had been identified through the review of the policy.
4. Recommended changes to the policy that Council indicated support for include:
 - A new section outlining the ownership of structures and footpaths, and whose responsibility it is to remove a structure
 - The introduction of a tiered policy allowing for different requirements within different areas of the district
 - Updates to the section about smoking in alfresco areas
 - New clauses reflecting the law regarding alcohol licences for alfresco dining areas
 - New clause clarifying that a building consent or exemption is required for certain works such as wind/safety barriers.
5. There are further changes that have been made to the draft policy following the workshop, these include:
 - A new section outlining the right to request a review of a decision
 - Updated wording regarding the use of car parks
 - Increased clarity on which decisions are made by Council and which are made by council officers
 - Updated requirements regarding a wind/safety barrier (including the length of the barrier)
 - Further updates to the section about smoking in alfresco areas
 - A reference to fees and charges
 - Clause stating that Council may prescribe conditions to a licence to occupy
 - A minimum passage for alfresco dining areas in zone two of 1.5 metres.

Options analysis

Option one – Adopt the draft policy for consultation (recommended)

6. Council could decide to adopt the draft policy as attached in Appendix 1 of this report, for consultation with the community. Submissions will be invited between 23 September and 23 October 2022. This is the recommended option.

Advantages

- In line with direction given at workshop on 24 August
- Attempts to alleviate issues identified during officer review
- The community has an opportunity to provide feedback

Disadvantages

- Resourcing is required for consultation

Option two – Adopt an amended version of the policy for consultation

7. It is acknowledged that Council may feel that further changes to the policy are necessary. Therefore, Council could decide to adopt an amended version of the policy.
8. This is not the recommended option as further changes are likely to not be in line with the direction indicated at the workshop.

Advantages

- May still attempt to alleviate issues identified during officer review
- The community has an opportunity to provide feedback

Disadvantages

- Resourcing is required for consultation
- Not in line with what was indicated at the workshop on 24 August

Option three – Rollover the current policy without consultation (status quo)

9. Council could decide to rollover the current policy as it stands. Consultation would not be required if this was the preferred option.

Advantages

- Current policy conditions are retained
- No resourcing required

Disadvantages

- Not in line with what was indicated at the workshop on 24 August
- Does not attempt to alleviate issues identified during officer review

Legal/policy implications

10. The draft policy is consistent with the Building Act 2004 and the Sale and Supply of Alcohol Act 2012, as well as Council's documents such as the Ashburton District Plan, Local Alcohol Policy, Alcohol Control Bylaw, and Public Places Bylaw.

Licences to Occupy and the Property Law Act 2007

11. Council's Commercial Property team grant licences to occupy in accordance with Part 4 of the Property Law Act 2007.
12. The draft policy sets out the general parameters for the terms of a footpath licence to occupy, as well as authorising officers to grant licences to occupy for encroachments on Council footpaths.

Strategic alignment

13. The recommendation relates to Council's community outcomes of 'a district of great spaces and places' and 'a prosperous economy based on innovation and opportunity'.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	The policy allows businesses to operate alfresco dining areas in a pleasant and safe environment. Alfresco dining areas may lead to increased patronage.
Environmental	×	
Cultural	×	
Social	✓	The policy helps to ensure the health and safety of pedestrians, motorists and the community, while also allowing for a pleasant outdoor environment for patrons.

Financial implications

Requirement	Explanation
What is the cost?	There is a cost involved with consultation, and this will be met from existing budgets
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Strategy & Policy Cost Centre
Are there any future budget implications?	There may be future budget implications if the level of service increases as a result of the updated policy, however this is not anticipated with the draft as currently proposed.
Reviewed by Finance	Erin Register; Finance Manager

Significance and engagement assessment

14. The recommended option (draft policy as attached in Appendix 1) has been assessed against Council's Community Engagement Policy and does not trigger high significance.

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	The changes to the site requirements means that those who previously did not meet the requirements and don't have a current Licence to Occupy will now be required to have one
Level of engagement selected	3. Consult Formal two-way communication. Submissions will be invited from 23 September to 23 October 2022
Rationale for selecting level of engagement	The draft policy is not considered to be significant, however, we are proposing to consult with the public under section 82 of the LGA 2002
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

Next steps

Date	Action / milestone
21 September 2022	Council debates approval of the draft policy as a basis for consultation
23 September – 23 October 2022	Period for public submissions to be made
23 November 2022	Conduct hearings and deliberations on public submissions to the draft policy
21 December 2022	Adopt final policy

Draft Policy

USE OF FOOTPATH FOR ALFRESCO DINING

TEAM:	<u>Service Delivery</u> <u>Commercial Property</u>
RESPONSIBILITY:	<u>Roading Manager</u> <u>Property Manager, in consultation with Rooding</u> <u>Manager</u>
ADOPTED:	TBC
REVIEW:	5 years or as required
CONSULTATION:	Consultation undertaken as per s82, Local Government Act 2002
RELATED DOCUMENTS:	Building Act 2004, Ashburton District Council District Plan, Sale and Supply of Alcohol Act 2012, Ashburton District Council Local Alcohol Policy, Ashburton District Council Public Places Bylaw.

Policy Objective

This policy sets out the conditions that are to be met when a business within the Ashburton District wishes to make use of the footpath area in front of their premises to allow patrons to dine with or without alcohol.

This policy aims to ensure pedestrian and motorist safety, as well as providing a pleasant environment for businesses and the community.

Definitions

Council: means Ashburton District Council.

Licence to Occupy (the footpath): means a formal approval document that details terms and conditions under which a business is authorised to occupy an area of the footpath.

Occupied area: means the area approved for alfresco dining and identified on the Licence to Occupy the footpath.

PS1 Certificate: means a producer statement prepared by a Chartered Professional Engineer covering the design of a structure.

Policy Statement

1. Introduction

1.1 Council recognises the benefits of alfresco dining such as increased business opportunities, and a more vibrant commercial sector.

1.2 Council aims to provide a safe environment for people who move through the community by providing a clear path free from obstruction.

1.3 This policy applies to the entire Ashburton District.

2. Licence to occupy the footpath

2.1 Businesses owners seeking a licence to occupy the footpath must apply to Council, and submit the application accompanied by the relevant fee:-

Explanatory note

Council's fees and charges are updated annually, and are available to view on Council's website here: <https://www.ashburtondc.govt.nz/services/fees-and-charges>

2.12.2 The area applied for can only be the area fronting the applicant's premises.

2.3 **Additional consents** (such as resource consents)) may be required, depending on the location of the footpath. It is the responsibility of the applicant to contact Council to determine if additional consents are required (note: within the central business area of Ashburton, roads that are zoned for business allow for commercial activity (e.g. outdoor dining associated with a restaurant and bar) on the footpath as a permitted activity)).

2.22.4 Building consent or building consent exemption is required for certain works such as wind/safety barriers, awnings etc. as mentioned in section 6 of this policy.

2.32.5 Licence to occupy A applications will not be approved until the applicant has determined that no additional consents are required.

2.42.6 Applications shall include all relevant information on the nature of the proposal, including intended use, hours of operations, and table layout.

2.7 A licence to occupy the footpath will initially be issued for a threeone year period, with annual rent reviews.- Following this period, the licence to occupy the footpath may be extended at Council officer's discretion.

2.8 Council may, either upon the issue of any licence to occupy, or at any time by notice in writing:
2.8.1 Prescribe any condition or conditions that the licence holder must comply with.

2.52.9 It is the responsibility of the licence holder to apply for an extension for a licence to occupy the footpath.

2.62.10 A licence to occupy the footpath is non-transferable between business owners.

2.72.11 A licence to occupy the footpath will terminate with the sale of a business.

2.82.12 Where the licence to occupy has ended, the holder of the licence shall be solely responsible

for all costs associated with reinstatement of the area to its original form.

2.13 Repair of any damage to persons or ~~f~~ property (both private and public) arising from the licence to occupy the footpath shall be the responsibility of the licence holder.

3. Structures

3.1 Any structure that a business installs on the footpath subject to a licence to occupy remains the property of that business, licence to occupy holder or building owner.

3.2 Any footpath subject to a licence to occupy remains the property of the Council.

3.3 In the event that access to the footpath is required (e.g. for repairs), any structure may be required to be moved, at the cost of the business, licence to occupy holder or building owner.

4. Smoking in alfresco dining area

~~4.1-s~~

4.1 For the avoidance of doubt, smoking includes the use of e-cigarettes and vapes, and smoke-free means free from the smoking of tobacco and e-cigarettes and vapes.

4.2 Smoking is not permitted at any time in the area used for alfresco dining.

4.3 Signage requirements will be discussed with the licence holder and Council officers.

4.4 No ash trays, or other objects used for the collection of cigarettes, shall be displayed in alfresco dining areas.

~~4.4.5~~ Council acknowledges that policy 4.2 is 'self-policing', and that it is up to the licence to occupy holder to abide by the conditions as per the licence agreement.

~~3.1~~ Council acknowledges that policy 3.1 is 'self-policing'. This means that no regulatory enforcement will be provided by Council, or any other agency.

~~3.2~~ There will be no active enforcement of policy 3.1, but it is up to the licence to occupy the footpath holder to abide by the conditions as per the licence agreement.

3.5. Revocation of licence to occupy the footpath

5.1 Council may revoke a licence to occupy the footpath; ~~where:~~

~~5.1.1.1~~ ~~where t~~ The licensee continually breaches the conditions of the licence;

~~5.1.1~~

~~5.1.2~~ ~~where t~~ There is a public safety concern; ~~or~~

~~5.1.2~~

~~5.1.3~~ ~~where t~~ The use of the footpath becomes inappropriate for the location; ~~or~~

~~5.1.3~~

5.1.4 Council is authorised to revoke the licence to occupy for any other reason which is listed in the licence to occupy.

5.2 In such cases, a notice will be issued to the licence holder. The notice will include the reasons

for revocation and timeframe for vacating the area.

~~The licence holder will have the right to request a review of the decision to revoke a licence to occupy the footpath. Requests must be made within 7 calendar days of the date the revocation notice is issued. The notice will be suspended until the review request is considered by Council, or an appropriate delegated committee.~~

6. Minimum site requirements

Zone 1 requirements

6.1 The following requirements apply to businesses within Zone 1, as set out in Schedule 1 of this policy.

~~6.16.2~~A clear passage of ~~two~~ 2.4 metres wide ~~(2 metres for existing sites)~~ in a generally straight alignment must be available to allow movement of pedestrians:

- From the edge of the existing building to the proposed occupied area, or
- From the edge of the proposed occupied area to the kerb, or
- Between two occupied areas.

~~6.26.3~~A **wind/safety barrier** is required where an occupied area is situated adjacent to the carriageway or kerb. The form and construction must be suitable for functional requirements, including prevailing weather conditions. ~~Barrier design should normally include provision of a PS1 certificate for the design of the structure.~~ Barrier screens:

- Must be associated with the use of the footpath for an outdoor eating facility;
- May only be placed in the alfresco dining zone;
- Must include provision of a PS1 certificate for the design of the structure and be installed by a contractor approved for that barrier; Must be installed by an approved contractor;
- Must be approved by Council officers prior to installation;
- Must be transparent and of an appropriate type of material;
- Must not obstruct driver or pedestrian visibility of roading systems;
- ~~May only be in place during normal trading hours, unless approved by Council;~~
- Must be positioned to allow for pedestrian access;
- Should not exceed the ~~length~~width of the alfresco dining zone, or a maximum of 9 metres parallel to the road, whichever is the lesser; and
- Must comply with the Building Code.

Zone 2 requirements

6.4 The following requirements apply to businesses in Zone 2, as set out in Schedule 1 of this policy.

6.5 A clear passage of 2.4 metres is not required, provided that:

- It complies with the building code; and
- Allows for safe and convenient pedestrian movement with a passage of at least 1.5 metres.

6.6 Occupied areas are required to be directly against the building, therefore a wind/safety barrier is not required.

Other requirements (for Zones 1 and 2)

6.36.7 The following requirements apply to all businesses within the district.

6.46.8 Any **outdoor heater** used in alfresco dining zones:

- May only be placed in the alfresco dining zone
- Must comply with all relevant safety standards
- May not be placed beneath umbrellas.

6.56.9 Any **umbrellas** used in alfresco dining areas:

- Must be made of high quality material ~~such as canvas~~
- May only be placed in the alfresco dining zone.

6.10 The use of **car parks** directly in front of the applicant's business, for the use of alfresco dining during one-off events, will be considered by Council officers on the location and merit of each proposal.

6.66.11 Council officers may exercise discretion in regards to site requirements, on a case by case basis.

4.7. Site operation

7.1 The use of the occupied area shall be on the basis that a clear passage is maintained at all times in accordance with the minimum site requirements specified in policy ~~56.1-56.3~~.

5. Alcohol licensing

6.8.

8.1 If the occupied area is to be used to consume alcohol:

8.1.1 —, the applicant must comply with the Ashburton District Council Local Alcohol Policy and the Sale and Supply of Alcohol Act 2012. and—

8.1.1 —

8.1.2 —t

8.1.3 —The occupied area will require to be licensed and an application to extend the licensed area should be made to the Secretary of the Ashburton District Licensing Committee. and—

8.1.2 —

8.1.4 —

8.1.3 tThe occupied area is to be used in accordance with the liquor licence for the premises, and
8.1.4 a licence to occupy the footpath is required to be granted prior to applying for an extension to the premises liquor licence, and

8.1.5 should the licence to occupy the footpath expire, be revoked or suspended, the area will cease to be licenced under the liquor licence for the premises and may not be used until the licence to occupy the footpath is reinstated.-

9. Right to request a review of decision

9.1 The licence holder will have the right to request a review of the decision not to grant, or to revoke a licence to occupy the footpath.

Revocations

9.2 Requests for a review must be made within 7 calendar days of the date the revocation notice is issued.

9.3 The notice will be suspended until the review request is considered by Council, or an appropriate delegated committee.

Unsuccessful applications

9.4 Requests for a review must be made within 7 calendar days of the date the applicant was advised that the application was unsuccessful.

9.5 The area in relation to the application is still considered to be under the control of the Council while the decision is being reviewed.

Schedule 1

Zone 1

Zone 1 (as shown in the map) includes the area encompassed between:

- East Street, Cass Street, Havelock Street and Moore Street.
- West Street, Park Street, Tancred Street, and Burnett Street.



Zone 2

Zone 2 includes all other areas within the Ashburton District, that are outside Zone 1 and that Council has authority over.

8. Transwaste Dividend Update

Author *Leanne Macdonald; Group Manager Business Support*
GM Responsible *Hamish Riach; Chief Executive*

Summary

- The purpose of this report is to update the Council on Transwaste dividends for the year ended 30 June 2022.

Recommendation

- 1. That** Council receives the Transwaste dividends report.

Attachment

Appendix 1 Statement of Dividend Payment

Background

1. Council holds 600,000 shares in Transwaste Canterbury Ltd, which equates to 3% of the total shares (total shares being 20,000,000).
2. Transwaste Canterbury Ltd owns Tiromoana Station Ltd, which owns the land at Kate Valley and the landfill site, and the Burwood Resource Recovery Park (BRRP), which was set up to receive and process demolition material from the Christchurch earthquakes.
3. Council has budgeted \$900,000 of total dividends in the 2021/22 year, of which \$500,000 was budgeted to be received from Transwaste Canterbury Ltd and \$400,000 from Ashburton Contracting Limited.
4. The net dividend from Transwaste for the final dividend for the 2021/22 year is \$240,000, reflecting ADC's 3% share of the total \$8,000,000 dividend. This will be captured in the 2022/23 financial year due to the timing of the final dividend being declared.
5. In addition to receiving the dividend Council received payment of \$187,480.60, in accordance with the council's participation in the Transport Equalisation agreement, the Canterbury Regional Landfill Joint Committee has requested an adjustment to the dividend to reflect an equalisation from Christchurch City Council and Waimakariri District Council. This has resulted in an additional \$187,480.60, taking the total payment received to \$427,480.60 for the 2022/23 year thus far. The equalisation payment is recognised as sundry income in the 2021/22 financial year.
6. Council received \$492,000 in dividends from Transwaste in the 2021/22 year, which were made up of \$252,000 final dividend from the 2020/21 year, an interim dividend of \$201,000 received in February 2022, and a further \$39,000 special dividend from the operation of the Burwood Resource Recovery Park. This is against a budget of \$500,000.
7. As with bullet point four (4) above Council also received an equalisation payment of \$189,888.64, as part of the final 2020/21 payment, taking the total funds received to \$681,888.64 in the 2021/22 financial year.
8. In addition to receiving dividends from Transwaste, Council received dividends from Ashburton Contracting Limited. Ashburton Contracting Limited dividends in the 2021/22 year totalled \$900,000. This included the final payment from 2020/21 of \$700,000 and the interim dividend paid in March 2022 of \$200,000.
9. Council also received a one-off of dividend from Eastfield Investments Limited for \$16,040. This took the total dividends received for the 2021/22 year to \$1,408,040, a favourable variance of \$508,040.

Options analysis

Option 1 – Receive the Report

10. There are no options other than to receive the report, which is for information only.

Legal/policy implications

11. There are no legal /policy implications as a result of receiving this report.

Strategic alignment

12. The recommendation relates to Council's community outcome of Economic and Social because it benefits the rate payers (both commercial and residential) by reducing the reliance on rates to support the districts needs which in turn, supports Ashburton district in being an affordable place to connect, grow, live, work and play.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Dividends reduce reliance of rates, supporting businesses to prosper in Ashburton district.
Environmental		
Cultural		
Social	✓	Dividends offset the cost of rates keeping it an affordable to live for families.

Financial implications

13. Dividends from Transwaste Canterbury Ltd year are \$492,000, which is slightly less than budget; however, overall Council received \$508,040 favourable variance to the budget of \$500,000, due to the timing of dividends declared for ACL in the 2020/21 financial year.

Requirement	Explanation
What is the cost?	Not applicable
Is there budget available in LTP / AP?	Although total dividends from Transwaste are below the 2021/22 budget, due to the timing of the end of year declaration, the total dividends received across Council exceed the collective dividends budget.
Where is the funding coming from?	Not applicable
Are there any future budget implications?	The late declaration of the Transwaste dividend means final dividend of \$240,000 will be recognised in the 2022/23 financial year.
Finance review required?	No

Significance and engagement assessment

14. The report is for information only. There are no significance and engagement issues.

Requirement	Explanation
Is the matter considered <i>significant</i> ?	No
Level of significance	Low
Level of <i>engagement</i> selected	Inform –One-way communication
Rationale for selecting level of engagement	The report is information only.
Reviewed by Strategy & Policy	Toni Durham: Strategy and Policy Manager

Appendix 1



PO Box 20 166
Bishopdale
CHRISTCHURCH

Ashburton District Council
PO Box 94
ASHBURTON 7740

26-Aug-2022

Statement of Dividend Payment

Declared
Payable

26-Aug-2022

26-Aug-2022

Gross Dividend	333,333.33
Less Imputation Credits	<u>(93,333.33)</u>
Net Dividend	240,000.00
Less RWT	<u>-</u>
	240,000.00
Plus Equalisation per CRLJC advice	
CCC	162,812.45
Waimakariri DC	24,668.15
Net Payable	<u>\$ 427,480.60</u>

The payment represents your share of the fully imputed final dividend for the 2022 year totalling \$8,000,000

9. *Carry-over report from 2021-2022*

Author	<i>Erin Register; Finance Manager</i>
Activity Manager	<i>Leanne Macdonald: Group Manager Business Support</i>
GM responsible	<i>Hamish Riach; Chief Executive</i>

Summary

- The purpose of this report is to seek formal approval to carry over unspent budget provisions from the 2021-22 year into the 2022-2023 year.
- The majority of the carry-over requests are in relation to projects not completed in the 2021-2022 work programme. Carrying over the unspent portion into the 2022-23 year will allow the completion of these projects as part of the 2022-23 work programme.

Recommendation

1. **That** Council approves the request to carry over the unspent funds from the 2021-2022 year into the 2022-2023 year, as detailed in this report.
2. **That** these carry-overs be funded as per their original funding.

Background

The current situation

1. A number of projects programmed as part of the 2021-2022 budget were not completed by 30 June 2022. In order to complete the works in the 2022-2023 year, the associated funding has to be carried over to the 2022-2023 year.
2. The reasons for non-completion of the projects include:
 - To allow coordination of work with other works / developments in order to reduce overall project costs
 - Variations to project scope
 - Delays associated with securing consents
 - Delays due to storms during the year
 - Supply of key equipment and materials
 - Impacts of COVID-19 on resources
 - Staff resource availability
3. The requested carry-overs fall into two categories:
 - **Committed** projects are where work is committed under contract or somehow advanced and the carry-over is required to complete the works.
 - **Required** projects, are where no commitment exists, although some may be associated with legislative compliance. Council may have some discretion regarding the carry-over approval of some required projects.

Where a carryover falls into **both** committed and required categories, this means projects are aggregated with one or more projects contractually committed and the balance of projects being required.

Drinking Water

4. Group Supplies, new capital – the majority of the carry-over value relates to the Methven scheme: being the reservoir project. While this project started late due to design delays, it is now in progress, although further delays due to recent storm damage; universal metering pilot (now substantially complete), and the membrane treatment upgrade project.

5. Group Supplies, asset renewals – these are either the ongoing facility asset and pipeline renewal programme or part of Council’s ongoing response to the Havelock North enquiry and involved improving asset performance and system redundancy. The majority of delays due to service provider availability.
6. Methven Springfield, new capital – associated with the membrane treatment upgrade project (\$166,545). This is considered a committed carryover. There is also renewal expenditure for pressure reducing valves (PRV) (\$280,983). This is a required carry-over as the PRVs directly impact on levels of service and are now overdue for renewal. Delays due to service provider availability.
7. Group supplies, asset renewals – this is a required carry-over for additional work programmes as a result of legislation.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Group Supplies – New Capital [235.51004]	30 June 2023	Committed	\$ 601,808
Group Supplies – Asset Renewals [235.51019]	30 June 2023	Committed	\$ 929,988
Methven Springfield – New Capital [243-51003]	30 June 2023	Committed	\$ 166,545
Methven Springfield – Asset Renewals [243-51018]	30 June 2023	Required	\$ 280,953
Group Supplies – Asset renewals [235.51019]	30 June 2023	Required	\$ 1,059,891
Total			\$ 3,039,185

Wastewater

8. Group schemes, new capital – almost all of this carry-over relates to the NW Ashburton wastewater servicing project which is now underway. Project delayed due to land access negotiations and redirection of internal resources to other projects. This is a committed carryover and will be added to the additional funding provided in the current year.
9. Group schemes, asset renewals – The majority of this carry-over is the pipeline renewals programme. This includes construction phase which is currently underway, and detailed design phase which was delayed pending the appointment of a professional services

provider. It also includes facility asset renewal projects at Wilkins Rd and Ocean Farm that were unable to be completed due to redirection of internal resources to other activities

10. Group schemes, assets renewals – this is a required carry-over over for additional work programmes as a result of legislation.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Group Schemes – New Capital [253.51004]	30 June 2023	Committed /Required	\$ 1,644,827
Group Schemes – Asset Renewals [253.51019]	30 June 2023	Required	\$ 2,332,322
Group Schemes – Asset Renewals [253.51019]	30 June 2023	Required	\$ 403,896
Total			\$ 4,381,045

Stormwater

11. Ashburton, investigations – this is committed **operational** funding identified to support bylaw development, and the network-wide resource consent implementation work. This was delayed due to redirection of internal resources to other projects/activities but is underway at present.
12. Methven and Rakaia, investigations – are committed **operational** funding identified to support the preparation of the network-wide resource consents for the Methven and Rakaia urban areas. This work is well advanced but still in progress.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Ashburton Stormwater – Investigations [269-30534]	30 June 2023	Committed [Operational]	\$ 57,000
Methven Stormwater – Investigations [270-30534]	30 June 2023	Committed [Operational]	\$ 14,244
Rakaia Stormwater – Investigations [270-30534]	30 June 2023	Committed [Operational]	\$ 14,589
Total			\$ 85,833

Stockwater

13. Stockwater Management, new capital – this relates to the fish-screen project. It was originally allocated for construction, but in accordance with a report considered by Council on 17 August 2022, the budget will be used for detailed design of the fish screens for Brothers and Methven auxiliary intakes.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Stockwater Management – New Capital [248-51003]	30 June 2023	Committed	\$ 148,473

Water Resources

14. District water management, investigations – this is **operational** funding to support actions under the Ashburton Surface Water Strategy. The current commitments from the funding include the ongoing District-wide Flood Hazard Modelling project (Phase 1 nearing completion) and the Pudding Hill Intake closure investigations.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
District Water Mgmt – Investigations [275-30534]	30 June 2023	Committed / Required [Operational]	\$ 223,516

Waste Reduction and Recovery

15. The amount of \$50,000 for the strengthening of the South west Slope of the ARRP was allocated in the LTP for 2021/22 but will be used this year. Council staff is coordinating with ECAN on consent conditions that govern the strengthening works.
16. The return track asphalt work has been awarded and works have started. Remaining contract works amounting \$31,000 will be paid this financial year. The procurement and award of services was delayed.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
South west slope	30 June 2023	Required	\$ 50,000

[263.51003]			
Return Track Asphalt [263.51003]	30 June 2023	Committed	\$ 31,000
Total			\$ 81,000

Democracy - Methven Community Board Discretionary Fund

17. The Community Board has requested that the unspent portion of the discretionary funds for 2021-2022 be carried forward.
18. There has been minimal uptake of the Mayor's discretionary fund and the unspent balance is to be carried forward.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Carryover of discretionary funds and sundry expenditure in 20/21 budget [139.30525]	30 June 2022	Required [Operational]	\$5,315.30
Carryover of Mayor's discretionary fund [138.30411]	30 June 2022	Required [Operational]	\$ 19,806.99
Total			\$ 25,122.29

Commercial Property

19. Oval Pavilion completion of refurbishment work once building is in our ownership.
20. Art Gallery and Heritage Centre the progressive upgrade of air-conditioning and building work to stabilise the interior environment.
21. Rakaia Memorial Hall remediation work for earthquake strengthening of hall
22. Lake Clearwater continuance of lease and survey work
23. Te Pataka o ka Tuhituhi and Te Waharoa a Hine Paaka work for construction of building which wasn't completed in 2021/22
24. Rakaia Medical Centre additions onto the building

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Oval Pavilion refurbishment [150.51007.5027]	30 June 2023	Required	\$ 150,000
Art Gallery and Heritage Centre air conditioning upgrade [150.51007.5003]	30 June 2026?	Required	\$ 1,923,800
Rakaia Memorial Hall earthquake strengthening [162.51007]	30 June 2022	Required	\$ 100,000
Lake Clearwater lease and survey work [158.51021.5004]	30 June 2024	Required	\$ 90,000
Te Pataka o ka Tuhituhi and Te Waharoa a Hine Paaka [150.51007.5018]	30 June 2022	Required	\$1,571,000
Rakaia Medical Centre [150.51007.5008]	30 June 2024	Required	\$ 1,000,000
Total			\$ 4,834,800

Halls, Reserves and Camping

25. Ruapuna Reserve Board cc197 -replacement lawn mower carryover, due to staff and volunteer resources. This will need to be done in the next year.
26. Tinwald Reserve Board cc199 -bridges and walkway upgrades due to staff and volunteer resources. This will need to be done in the next year.
27. Mt Hutt Memorial Hall cc211 - kitchen upgrades due to staff and volunteer resources. This will need to be done in the next year.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Ruapuna Reserve Board Replacement Lawn Mover [197.51025]	30 June 2023	Required	\$ 12,000
Tinwald Reserve Board Bridges and Walkway upgrades [199.51025]	30 June 2023	Required	\$ 40,000

Mt Hutt Memorial Hall Kitchen upgrades [211.51018]	30 June 2023	Required	\$ 4,402
Total			\$ 56,402

Community Grants and Funding

28. Natural and Built Environments Heritage funding for listed Heritage buildings in the Ashburton district (**Operational**).

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Natural and Built Environments Heritage funding [207.30410]	30 June 2023	Required [Operational]	\$ 10,000

Public Conveniences

29. Mayfield, Awa Awa Rata and Taylors Stream - Carry forward funds for site works yet to be completed when new facilities arrive.
30. Mayfield Domain Asset Replacement – LTP budget for year one of \$260,000. Replacement facility ordered. Approval granted by Building Control to reuse existing septic system subject to inspection. \$22,604 has been expended already leaving \$237,396 to be carried over.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Mayfield, Awa Awa Rata and Taylors Reserve – Asset replacement siteworks, [154.51019]	30 June 2023	Committed	\$ 45,921
Mayfield Domain – Asset replacement. [154.51018]	30 June 2023	Committed	\$ 237,396
Total			\$ 283,317

Parks and Open Spaces

31. Other Asset Purchases – cc176 Neighbourhood Parks Beautification. Park amenities with delayed delivery. Supply line delays with contractors and materials.
32. Other Asset Purchases – cc173 Rural Reserves Beautification. Playground assets in the process of being installed with some park furniture. Supply line delays with contractors' availability.
33. Other Asset Purchases – cc172 Urban Reserves Beautification. Archibald Street furniture and pedestrian bridge. Supply line delays with contractors and materials.
34. Other Asset Purchases – cc177 Sports Ground Beautification. George Glassey Park reconfiguration around playground. Supply line delays with contractors and materials.
35. Domain New Capital – cc166 Domain Gardens Beautification. Pond edging carry over to add to 2022-23 budget for economy of scale in delivery.
36. Domain New Capital – cc166 Domain Gardens Beautification. New entrance from Walnut Avenue. Carry over until next LTP discussion on its future.
37. Other Asset Purchases – cc166 Domain Gardens Beautification. Walnut Avenue Promenade project. Carry over to until next LTP discussion on its future.
38. Other Asset Purchases – cc166 Domain Gardens Beautification. Pathway extensions and rebuilding. To be added to current year budget for economy of scale. Also Supply line delays with contractors and materials.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Neighbourhood Parks Beautification. [176.51009]	30 September 2023	Committed	\$ 116,737
Rural Reserves Beautification. [173.51009]	30 October 2022	Committed	\$ 119,910
Urban Reserves Beautification. [172.51009]	30 September 2022	Committed	\$ 95,560
Sports Ground Beautification. [177.51009]	30 September 2022	Committed	\$ 19,999
Domain Gardens Pond Edging. [166.51009]	30 June 2023	Required	\$ 185,010
Domain Gardens Pathway extensions and rebuilding [166.51009]	30 September 2022	Committed	\$ 70,000
Total			\$607,216

39. Biodiversity Operations Grant from ECAN not fully expended – cc 294. This is **operational** funding for Wilding Pine removals and mulching at Lake Camp. As well as additional revegetation planting scheduled to occur later this year.

Biodiversity Operations Grant from ECAN. [294.30525]	30 December 2022	Committed [Operational]	\$ 22,404
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Recreation Facilities

40. The amount of \$33,000 for the delayed continual development and expansion of the Envibe Software solution. These developments were delayed by the vendor in the 2021/2022 FY and will offer significant improvements to our level of service.
41. The amount of \$10,000 remains unspent for the pool area sound system upgrades – delayed due to availability of parts and labour to complete works

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Envibe Software Developments [282.51019]	30 June 2023	Required	\$ 33,000
Pool Area Sound System Upgrades [282.51007.8500]	30 June 2023	Required	\$ 10,000
Total			\$ 43,000

42. This **operational** funding of \$28,603 is for the district Sport, Aquatics and Recreation Utilisation Study.

Utilisation consultancy [282.30308.8534]	30 June 2023	Required [Operational]	\$ 28,603
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Arts and Culture

43. Library Electronic Books – unspent due to suitable resources being unavailable.
44. Museum Cyclic Renewals -\$30,000 to update and refresh the interpretative signage of the permanent display was delayed due to unsatisfactory design options. Carry-over would allow for more accessible and visitor-friendly options to be sought.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Library Electronic Books	30 June 2023	Required	\$ 4,000

[163.51026]			
Interpretative exhibition signage [206.51018]	30 June 2023	Required	\$ 30,000
Total			\$ 34,000

Information Systems

45. Network – committed expenditure for the supply and commissioning of core network switch and associated hardware (equipment ordered 21/22 for 22/23 delivery)
46. Network – committed expenditure for the supply and commissioning of a Wi-Fi network (completion of project from 21/22)
47. Rural Imagery – a current project which is out for tender. It has been indicated that costs will be higher than that initially estimated and budgeted (\$65,000).
48. Hardware equipment renewals for desktop devices, CCTV viewing, telephone handsets for call centre, reception and meeting spaces across council facility.
49. Lower costs related to renewal of network and desktop infrastructure were realised once final scope and charges were confirmed. This amounted to \$92,000, and we would request that this is transferred to support ICT fit in the new Library and Civic Centre (Te Pataka o ka Tuhituhi and Te Waharoa a Hine Paaka)

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Network - supply and commissioning of core network switch and associated hardware. [135 51008]	30 June 2023	Committed	\$ 238,000
Network - supply and commissioning of Wi-Fi network [135.51018]	30 June 2023	Committed	\$ 11,000
Rural Imagery Capture – asset renewal [135.51024]	30 June 2023	Required	\$ 25,000
Hardware Renewal – Desktop services [135.51009]	30 June 2023	Required	\$ 61,000

Library and Civic Centre ICT fit out reserve cc106	30 June 2023	Required	\$ 92,000
Total			\$ 427,000

Strategy and Compliance

50. Request for implementation of new National Policy Statements (indigenous biodiversity and highly productive land) and possible Plan Changes (Lake Clearwater and parking provisions) of \$50,000.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Salary and Wages –District Planning unspent [226.30101 to 226 30308]	June 2023	Required [Operational]	\$ 50,000

People and Capability

51. People and Capability contribution of \$130,000 to fund market pressures within organisation.
52. Contribution of \$50,000 from Treasury to People and Capability to fund market pressures within organisation.
53. Staff training for leadership development of \$8,500.
54. Occupational Health and Safety- \$19,000 for adverse event training and equipment.
55. Consultancy of \$15,000 for delayed organisational development work

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Salary and Wages [283.30101]	June 2023	Required [Operational]	\$ 130,000
Salary and Wages [132.301011 to 283.30101]	June 2023	Required [Operational]	\$ 50,000
Staff Training [283.30104]	June 2023	Required [Operational]	\$ 8,500
Occupational Health and Safety [283.30111]	November 2022	Committed [Operational]	\$ 19,000
Consultancy [283.30308]	June 2023	Required [Operational]	\$ 15,000
Total			\$ 222,500

Treasury

56. Treasury request to carry over \$40,000 for salary and wage requirements.

Project	Expected Completion Date	Committed / Required	Carry-Over Request
Salary and Wages [132.30101]	June 2023	Required [Operational]	\$ 40,000

Summary of carry-overs

Activity	Capital Expenditure	Operating Expenditure
Drinking Water	\$ 3,039,185	
Wastewater	\$ 4,381,045	
Stormwater		\$ 85,833
Stockwater	\$ 148,473	
Water Resources		\$ 223,516
Waste Reduction and Recovery	\$ 81,000	
Democracy		\$ 25,122.29
Commercial Property	\$ 4,834,800	
Halls, Reserves and Camping	\$ 56,402	
Community Grants and Funding		\$ 10,000
Public Conveniences	\$ 283,317	
Parks and Open Spaces	\$ 607,216	\$ 22,404
Recreation Facilities	\$ 43,000	\$ 28,603
Arts and Culture	\$ 34,000	
Information Services	\$ 427,000	
Strategy and Compliance		\$ 50,000
People and Capability		\$ 222,500

Treasury		\$ 40,000
Total Carry-overs	\$ 13,935,438	\$ 707,978

Option 1 – Approve all carry-overs as detailed (recommended option)

57. Advantages of option 1 include ensuring all programmed projects are completed and provides the opportunity to undertake forward design of projects that are related to the 2022/23 programmes.

58. Disadvantages identified with option 1 include the ability of carryovers to be completed during the year on top of 2022/23 projects budgeted in the Annual Plan.

Option 2 – Approve carry-overs relating to committed projects only

59. Advantages of this include ensuring all projects either in progress or contractually committed in some way are completed in the 2022/23 programmes.

60. The disadvantages identified with this option are:

- Forward design of future programmed works and other works may not be progressed.
- Increased rate requirements in the future if operating cost carry-overs are not available to meet future expenditure.
- Projects already agreed with the community would not be undertaken

Legal/policy implications

61. There are no statutory implications relating to the approval of these carry-overs.

Strategic alignment

62. Approval of the recommendations contained in this report is consistent with the Community Outcomes and Strategic Objectives outlined in the LTP in particular:

- **Outcome 1: A thriving and diverse local economy**

Strategic Objective. Our district's infrastructure and services meet our correct and foreseeable future needs.

Strategic Objective. Our water resources are developed and managed in ways that support our environment, economy and lifestyle now and into the future.

- **Outcome 2: Sustainable natural and built environments**

Strategic Objective. We have safe and attractive environments that meet our community's needs

63. The recommendation relates to all of Council's community outcomes and support the vision of *Ashburton: The district of choice for lifestyle and opportunity*.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	The carry-over funding will enable Council to complete a range of capital and operational projects which contribute across all four wellbeings.
Environmental	✓	
Cultural	✓	
Social	✓	

Financial implications

64. There are financial implications arising from the approval of the recommendations in this report, being the additional cashflow requirements moving to the 2022/23 year when initially budgeted in the prior year.
65. Individual projects may be subject of separate requests for additional funding once final pricing of those projects has been received, but if this is the case Council will again have the opportunity to confirm or otherwise for those projects.

Requirement	Explanation
What is the cost?	Carry-over of unspent budget from 2021-2022, no additional cost.
Is there budget available in LTP / AP?	Carry-over of unspent budget from 2021-2022, no additional budget required.
Where is the funding coming from?	Carry-over of unspent budget from 2021-2022, no additional funding required.
Are there any future budget implications?	No
Finance review required?	No

Significance and engagement assessment

66. No significant consultation with the wider community has taken place on this matter.
67. Consultation on the projects has been carried out as part of the 2021-31 Long Term Plan.

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The community will be informed of the carry-over decision via the usual communication channels
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

10. District Licensing Committee Annual Report: 1 July 2021 to 30 June 2022

Author *Rick Catchpowle; Environmental Monitoring Manager*
Activity Manager *Rick Catchpowle; Environmental Monitoring Manager*
GM Responsible *Jane Donaldson; Strategy & Compliance*

Summary

- The Sale and Supply of Alcohol Act 2012 (the Act) requires each Territorial Authority to submit its annual report on the proceedings and operations of its District Licensing Committee (DLC) to the Alcohol Regulatory and Licensing Authority (ARLA). This report is for the period **1 July 2021 to 30 June 2022**.
- The Act further requires that reports are submitted within three months of the end of every financial year.

Recommendation

1. **That** the report be received.
2. **That** the report be posted on the Ashburton District Council website.
3. **That** the report be sent to the Secretary for the Alcohol Regulatory and Licensing Authority within one month of adoption.

Attachments

Appendix 1 List of current On, Off and Club liquor licences in District

Background

1. Section 199 of the Act requires every territorial authority to prepare and send to the licensing authority a report of the proceedings and operations of its licensing committee in the set format below.
2. A copy of the report must be made available by the territorial authority for inspection free of charge for a period of not less than 5 years.
3. Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 also requires Territorial Authorities to prepare a report detailing income from fees and licensing costs under the Act. This includes costs relating to DLC functioning, licensing inspectors and enforcement activities relating to the year commencing 1 July 2021. While this additional information is not required to be in the report to ARLA, it must be made publicly available and is therefore included in the overall report.

District Licensing Committee Structure and Personnel

4. During the reporting period Mr Gary Lee resigned as a member of the DLC. However, due to current numbers and the positions filled, a replacement DLC member is not considered necessary.

Commissioners:

Robin Kilworth

Simon McDonnell

Gregory Clapp

Suzanne Griffin

Members:

Tanya Surrey

Debra Hasson

Tracy McIlraith

Secretariat and Support Staff:

Jane Donaldson Secretary

Rick Catchpowle Secretary

Julie Clements

Licensing Inspector

Cara Badger

Administration Support/Registrar

Alcohol Licensing and the Fees System

5. Under previous legislation all fees were the same across licensed premises, regardless of the costs and risks the operation might create. Whereas Regulations under the current Act has set default fees for each type of licence.
6. This fee system allows alcohol licensing staff to apply a cost/risk rating based on the style of licence, trading hours and any enforcement that may have occurred in the previous 18 months.

7. In effect, low risk outlets such as winery cellar door sales, and small clubs pay lower fees, while higher risk outlets that typically create higher costs, such as bottle stores and taverns, pay more. The same cost/risk approach is also used when assessing special licences for events.

Workflow 2021/22

8. In the reporting period the Ashburton DLC received and processed a total of 352 licensing applications, which is broken down as follows:.

Applications by Category:

Month	On/Off/Club new applications	On/Off/Club renewal applications	Special Licence applications	Managers Certificates (new and renewal)	Temporary Authority
July	2	5	5	19	0
August	0	4	4	12	0
September	1	1	4	19	1
October	0	6	3	18	0
November	2	2	3	27	0
December	1	8	2	20	1
January	1	1	1	9	2
February	1	1	2	11	0
March	0	3	2	11	1
April	2	1	4	27	1
May	0	3	5	7	0
June	5	1	6	17	0

Risk Category of On, Off and Club licence applications processed:

Application type	Number received in Fee Category: Very Low	Number received in Fee Category: Low	Number received in Fee Category: Medium	Number received in Fee Category: High	Number received in Fee Category: Very High
On-licence new		3	7		
On-licence variation		1	1		
On-licence renewal		3	10		
Off-licence new		2	3		
Off-licence variation					
Off-licence renewal	1	1	10		
Club licence new					
Club licence variation	1				
Club licence renewal	4	7			
Total Number	6	17	31	0	0
Total fee paid to ARLA (GST inc)	\$103.50	\$586.50	\$1604.25		

Annual fees for existing licences received during reporting period:

Licence type	Number received in Fee Category: Very Low	Number received in Fee Category: Low	Number received in Fee Category: Medium	Number received in Fee Category: High	Number received in Fee Category: Very High
On-licence	1	8	16		
Off-licence	1	10	20		

Club licence	14	14	2		
Total Number	16	32	38	0	0
Total fee paid to ARLA (GST inc)	\$276.00	\$1104.00	\$1966.50	0	0

Managers' certificate applications received during reporting period:

	Number received
Managers' certificate new	81
Managers' certificate renewal	116
Total Number	197
Total fee paid to ARLA (GST inc)	\$6037.50

Special licence applications received during reporting period:

	Class 1	Class 2	Class 3
Special licence	16	20	5

Temporary authority applications received during reporting period:

	Number received
Temporary authority	6

Permanent club charter payments received during reporting period:

	Number received
Permanent club charter payments	1

Current Liquor Licences

9. A list of all On, Off and Club liquor licences in the District is attached.

Conferences and Training

10. Commissioners and members of the combined Ashburton/Selwyn DLC conducted on-line training during the reporting period.

DLC Hearings

11. During the reporting period the DLC convened for two publicly held hearings concerning an opposed application for a managers certificate and an opposed application for a new On-Licence.

Publication of DLC Decisions

12. All decisions made by the DLC are published on the Council's website at:
<http://ashburtondc.govt.nz>.

Notable Trends or Issues

13. DLC members are satisfied with the current procedures and processes associated with liquor licensing activities.

DLC Initiatives

14. No new initiatives were adopted or trialled during the reporting period.

Local Alcohol Policy

15. In accordance with Part 2 subpart 2 of the Act, Ashburton District Council has developed a Local Alcohol Policy (LAP) which was adopted on 5 April 2017 with an effective date of 28 August 2017.

Current Legislation

16. The DLC and the Ashburton District Council would welcome further coordinated guidance on best practice in the operation of the Act and its Regulations.

Options analysis

Option 1

17. Council could decide not to publicly report on annual DLC activities. This would be in breach of the Sale and Supply Act 2012 and is therefore not the recommended option.

Option 2

18. This is the recommended option. This would see Council publicly report on the DLC activities for 2021/22.

Legal/policy implications

The Sale and Supply of Alcohol Act 2012

19. It is a statutory requirement for the Council to publicly report on the proceedings and operations of its District Licensing Committee.

Financial implications

Requirement	Explanation
What is the cost?	The cost of monitoring the activity is included in the Liquor Licensing budget
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Alcohol licensing cost centre
Are there any future budget implications?	No
Reviewed by Finance	Not required

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low; not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2021/22. The report will be made publicly available.
Reviewed by Strategy & Policy	Toni Durham, Strategy & Policy Manager

Current Liquor Licences (ON/OFF/CLUB)

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
ClubLic	28							
62/CL/02/16	Club Licence - Variation / Renewal	Methven Squash Rackets Club Incorporated	Methven Chertsey Road ASHBURTON	PO Box 71 METHVEN 7745	Received	05/05/2022	2	VL
62/CL/04/16	CL Licence	Ashburton Celtic Rugby Football Club Incorporated	46 Keenans Road ASHBURTON	PO Box 79 ASHBURTON 7740	Received	25/07/2022	5	L
62/CL/03/14	Club Licence	Collegiate South Sports Club	1 Chalmers Avenue ASHBURTON	Attention John Hetrick 75 Middle	Received	06/08/2022	2	VL
62/CL/05/16	CL Licence	Ashburton Collegiate Rugby Football Club Incorporated	17 Smithfield Road ASHBURTON	PO Box 201 ASHBURTON 7740	Received	06/08/2022	5	L
62/CL/15/16	Club Licence	Hinds Squash Rackets Club Incorporated	20 Rogers Street HINDS	PO Box 4 HINDS 7747	#APPROVED	08/09/2022	2	VL
62/CL/17/16	Club Licence	Hampstead Bowling Club Incorporated	77 A Cambridge Street ASHBURTON	125 McMurdo Street ASHBURTON 7700	#APPROVED	05/10/2022	5	L
62/CL/05/18	Club Licence - Mt Somers Rugby Football Club	Mt Somers Rugby Football Club Incorporated	67 Hoods Road MT SOMERS	PO Box 8 Mount Somers	#APPROVED	08/10/2022	5	L
62/CL/18/16	Club Licence - RSA	Ashburton Returned Services Association Incorporated	12 Cox Street ASHBURTON	PO Box 341 ASHBURTON 7740	#APPROVED	15/11/2022	10	M
62/CL/15/15	Club Licence - Allenton Sports Club Incorporated	Allenton Sports Club Incorporated	16 Cavendish Street ASHBURTON	14 Cavendish Street ASHBURTON 7700	#APPROVED	03/12/2022	5	L
62/CL/06/14	Club Licence	Southern Rugby Club (Mid-Canterbury) Incorporated	3 Isleworth Road ASHBURTON	PO Box 378 ASHBURTON 7740	#APPROVED	28/06/2023	15	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/CL/08/14	Club Licence	Americar Rod & Custom Club Incorporated	62 Maronan Road ASHBURTON	PO Box 5005 Tinwald	Processing	11/10/2023	2	VL
62/CL/01/20	Club Licence - Ashburton Club and MSA bowling club	Ashburton Club And Mutual School Of Arts Bowling Club	115 Racecourse Road ASHBURTON	231 Burnett Street ASHBURTON 7700	#APPROVED	01/11/2023	2	VL
62/CL/01/15	CL Licence	Rakaia Bowling Club (Incorporated)	24 Rakaia Barrhill Methven Road	34 Cridland Street RAKAIA 7710	#APPROVED	15/02/2024	2	VL
62/CL/02/21	Club Licence - Rakaia Squash Club - Replacement	Rakaia Squash Club Incorporated	24 Rakaia Barrhill Methven Road	PO Box 23 RAKAIA 7743	#APPROVED	14/04/2024	2	VL
62/CL/01/18	Club Licence	Hampstead Rugby & All Sports Club Incorporated	44 Bridge Street ASHBURTON	13 Thomson Street ASHBURTON 7700	#APPROVED	30/04/2024	5	L
62/CL/05/15	CL Licence	Tinwald Golf Club Incorporated	27 Frasers Road TINWALD,	PO Box 375 ASHBURTON 7740	#APPROVED	25/07/2024	5	L
62/CL/06/15	Club-Licence	Allenton Rugby Football Club Incorporated	21 Melrose Road ASHBURTON	PO Box 250 ASHBURTON 7740	#APPROVED	25/07/2024	5	L
62/CL/09/15	Club Licence	Rakaia Golf Club Incorporated	481 Acton Road ASHBURTON	153 Kyle Road RD 2 ASHBURTON 7772	#APPROVED	25/07/2024	5	L
62/CL/11/15	Club Licence - Methven Golf Club - Replacement	Methven Golf Club Incorporated	84 Hobbs Road METHVEN	PO Box 20 METHVEN 7745	#APPROVED	13/08/2024	5	L
62/CL/07/15	CL Licence	Ashburton Golf Club Incorporated	37 Golf Links Drive ASHBURTON	PO Box 208 ASHBURTON 7740	#APPROVED	13/08/2024	5	L
62/CL/03/18	CL Licence	The Tinwald Family Sport And Recreation Association	1 Shearman Street TINWALD,	PO Box 5048 TINWALD,	#APPROVED	22/08/2024	2	VL
62/CL/03/21	Replacement Club Licence due to redefinition	Mid Canterbury Aero Club Inc	387 Seafield Road ASHBURTON	PO Box 173 ASHBURTON 7740	#APPROVED	22/08/2024	2	VL

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/CL/13/15	Club Licence - Ashburton Squash Club - Replacement	Ashburton Squash Rackets Club Incorporated	26 Harrison Street ASHBURTON	C/- K J Palmer 165 Methven Highway	#APPROVED	22/08/2024	2	VL
62/CL/04/18	CL Licence	Ashburton Bowling Club Incorporated	337 West Street ASHBURTON	PO Box 376 ASHBURTON 7740	#APPROVED	02/09/2024	2	VL
62/CL/16/15	CL Licence	Mayfield Golf Club Incorporated	30 Bulls Road ASHBURTON	Attention JJ Clucas 1221 Lismore	#APPROVED	19/12/2024	5	L
62/CL/01/16	Club Licence - Replacement Licence - Mid Canterbury	Tennis Mid Canterbury Sub Association Incorporated	337 West Street ASHBURTON	PO Box 490 ASHBURTON 7740	#APPROVED	20/12/2024	2	VL
62/CL/01/19	Club Licence - Variation on Renewal	Methven United Club Incorporated	Methven Chertsey Road ASHBURTON	PO Box 2 METHVEN 7745	#APPROVED	18/06/2025	5	L
62/CL/02/19	Club Licence - Methven Bowling Club	The Methven Bowling Club Incorporated	Methven Chertsey Road ASHBURTON	3 Cameron Street METHVEN 7730	#APPROVED	17/07/2025	2	VL
OffLicence 28								
62/OFF/06/17	Winemakers Off-Licence - Siricco Wines	Sirocco Wines	111 Rakaia Barrhill Methven Road		Received	18/06/2022	2	VL
62/OFF/01/21	General Off-Licence - The Bottle-O Ashburton	The Bottle-O Ashburton	160 Tancred Street ASHBURTON	Suite 2 668 East Street ASHBURTON	#APPROVED	24/09/2022	15	M
62/OFF/10/15	Grocery/Supermarket Off-Licence - Methven	Methven Supervalue	30 Mcmillan Street METHVEN	30 Mcmillan Street METHVEN 7730	#APPROVED	02/10/2022	15	M
62/OFF/02/21	General Off-Licence - Ri Ra Events Limited	The Sheebeen	21 Dolma Street METHVEN	47 South Belt METHVEN 7730	#APPROVED	21/10/2022	5	L
62/OFF/09/16	Off-Licence - RSA	Ashburton Returned Services Association Incorporated	12 Cox Street ASHBURTON	PO Box 341 ASHBURTON 7740	#APPROVED	15/11/2022	10	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/OFF/12/16	General Off-Licence - The Station Farm Shop Limited	The Staveley Store	2 Burgess Road ASHBURTON		#APPROVED	07/12/2022	5	L
62/OFF/01/22	General off licence for Romatic qestures	Romantic Gestures Limited	63 Tancred Street RAKAIA	63 Tancred Street RAKAIA 7710	#APPROVED	07/04/2023	5	L
62/OFF/02/20	Off-Licence	The Brown Pub Limited	137 Main Street METHVEN	PO Box 4 METHVEN 7745	#APPROVED	08/04/2023	15	M
62/OFF/03/19	General Off-Licence - South Rakaia Hotel	South Rakaia Hotel	41 Railway Terrace East RAKAIA	41 Railway Terrace East RAKAIA 7710	#APPROVED	19/06/2023	10	M
62/OFF/07/19	General Off-Licence - Hinds Wayside Inn	Sunwins Enterprises Limited	99 Peters Street HINDS	99 Peters Street RD 3 ASHBURTON	#APPROVED	23/09/2023	15	M
62/OFF/06/19	Grocery/Supermarket Off-Licence - Allenton Fresh	Allenton Fresh	98 Harrison Street ASHBURTON	98 Harrison Street ASHBURTON 7700	#APPROVED	29/11/2023	15	M
62/OFF/01/18	OFF Licence	Tinwald Supervalue	113 Archibald Street TINWALD.		#APPROVED	07/01/2024	15	M
62/OFF/04/17	OFF Licence	Countdown Ashburton	474 East Street ASHBURTON	General Distributors Limited C/- Paige	#APPROVED	20/01/2024	15	M
62/OFF/01/15	OFF Licence	Ashburton MSA Liquor Centre Limited	231 Burnett Street ASHBURTON	231 Burnett Street ASHBURTON 7700	#APPROVED	28/02/2024	15	M
62/OFF/05/19	General Off-Licence - Thirsty Liquor	Thirsty Liquor Rakaia	114 Railway Terrace West RAKAIA	109 Lower Camside Road KAIAPOI 7630	#APPROVED	13/03/2024	15	M
62/OFF/08/16	Grocery/Supermarket Off-Licence - Countdown	Countdown Ashburton South	2 East Street ASHBURTON	Vero Centre PO Box 8 AUCKLAND 1140	#APPROVED	30/05/2024	15	M
62/OFF/01/20	General Off-Licence - B W CARTER Holding Ltd	Mt Somers Tavern	70 Hoods Road MT SOMERS		#APPROVED	13/07/2024	10	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/OFF/07/15	Off-Licence	Methven Four Square Supermarket	33 Mcmillan Street METHVEN	33 Mcmillan street METHVEN 7730	#APPROVED	19/07/2024	15	M
62/OFF/06/15	OFF Licence	Devon Tavern	116 Victoria Street ASHBURTON	116 Victoria Street ASHBURTON 7700	#APPROVED	23/07/2024	10	M
62/OFF/06/18	Off-Licence	Ashburton New World	2 Tancred Street ASHBURTON	75 Moore Street ASHBURTON 7700	#APPROVED	27/08/2024	15	M
62/OFF/03/20	General Off-Licence - Ozone Liquor Limited	Super Liquor Methven	93 Main Street METHVEN		#APPROVED	18/09/2024	15	M
62/OFF/05/20	General Off-Licence - SJTP Ltd (Liquorland)	Liquorland Racecourse Road	11 Racecourse Road ASHBURTON	11 Racecourse Road ASHBURTON	#APPROVED	27/10/2024	15	M
62/OFF/05/17	General Off-Licence - Tinwald Liquorland and Bottlestore	Tinwald Liquorland and Bottlestore	103 Archibald Street TINWALD,	4 Ayers Green ASHBURTON 7700	#APPROVED	27/11/2024	15	M
62/OFF/07/20	General Off-Licence - The Bottle O East Street	The Bottle O East Street	660 East Street ASHBURTON	Suite 2 668 East Street ASHBURTON	#APPROVED	11/12/2024	15	M
62/OFF/06/20	General Off-Licence - Singh Brothers Trading Limited	Allenton Liquor Store	75 Harrison Street ASHBURTON		#APPROVED	18/12/2024	15	M
62/OFF/08/20	Grocery/Supermarket Off-Licence - Woods	Netherby Four Square Supermarket 2008	2 Bridge Street ASHBURTON		Approved	18/01/2025	15	M
62/OFF/01/19	Grocery/Supermarket Off-Licence - Rakaia	Rakaia Foodstore Four Square	60 Elizabeth Avenue RAKAIA	60 Elizabeth Avenue RAKAIA 7710	#APPROVED	27/02/2025	15	M
62/OFF/04/18	General Off-Licence - Railway Hotel	Railway Hotel	120 Railway Terrace West RAKAIA	124 Railway Terrace West RAKAIA 7710	#APPROVED	12/03/2025	10	M

OnLicence 54

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/ON/14/16	On-Licence - Dom`s (2009) Ltd	Dom's (2009) Limited	17 Forest Drive METHVEN	16 Lampard Street METHVEN 7730	#APPROVED	27/08/2022	5	L
62/ON/07/19	On license - Farmers Corner	Highway One Restaurant Ltd	12 Longbeach Road ASHBURTON	PO Box 497 ASHBURTON 7740	#APPROVED	08/09/2022	10	M
62/ON/07/21	Restaurant - Miyabi Top in Town	Miyabi Top in Town	660 East Street ASHBURTON	Suite 4 668 East Street ASHBURTON	#APPROVED	10/09/2022	5	L
62/ON/08/21	General - Methven Resort Limited	Methven Resort	51 Main Street METHVEN		Received	17/09/2022	10	M
62/ON/10/18	Restaurant - Salmon Tales	Salmon Tales Cafe	9 Railway Terrace East RAKAIA	1138 Mitcham Road RD 2 ASHBURTON	#APPROVED	26/10/2022	5	L
62/ON/20/16	Restaurant - The Lake House	The Lake House Restaurant	Torbay Avenue ASHBURTON	10 Huntingdon Avenue RD 4	#APPROVED	02/11/2022	15	M
62/ON/20/16	Restaurant - The Lake House	The Lake House Restaurant	Torbay Avenue ASHBURTON	PO Box 314 ASHBURTON 7740	#APPROVED	02/11/2022	15	M
62/ON/21/16	On-Licence	Taste Cafe	149 Wills Street ASHBURTON	Suite 1 149 Wills Street ASHBURTON	#APPROVED	03/11/2022	2	VL
62/ON/24/15	Tavern - The Dubliner	The Dubliner Bar and Restaurant	116 Main Street METHVEN	116 Main Street METHVEN 7730	#APPROVED	03/11/2022	15	M
62/ON/02/21	Night Club - Ultra Infinity Lounge	Ultra Infinity Lounge	78 Tancred Street ASHBURTON	15 Woodville Street CHRISTCHURCH	#APPROVED	11/11/2022	15	M
62/ON/11/18	Hotel - Hotel Ashburton	Hotel Ashburton	11 Racecourse Road ASHBURTON		#APPROVED	19/11/2022	15	M
62/ON/13/18	General - Red Cottages Staveley & Woolshed	Red Cottages Staveley & Woolshed	4323 Arundel Rakaia Gorge Road	4323 Arundel Rakaia Gorge Road	#APPROVED	20/11/2022	5	L

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/ON/09/21	General - Opuke Thermal Pools and Spa	Opuke Thermal Pools and Spa	35 Mount Hutt Station Road ASHBURTON	47 Mount Hutt Station Road RD 12	#APPROVED	26/11/2022	10	M
62/ON/11/21	Tavern - Kelly's Bar and Cafe	Kelly's Bar And Cafe	234 East Street ASHBURTON	234 East Street ASHBURTON 7700	#APPROVED	10/12/2022	15	M
62/ON/02/18	On-Licence	The Phat Duck	360 West Street ASHBURTON	360 West Street ASHBURTON 7700	#APPROVED	15/12/2022	15	M
62/ON/01/17	Restaurant - Crossroads in the Square	Crossroads in the Square	1 Methven Chertsey Road ASHBURTON		#APPROVED	22/01/2023	15	M
62/ON/01/22	Restaurant	Noble 600	231 Burnett Street ASHBURTON	231 Burnett Street ASHBURTON 7700	#APPROVED	18/02/2023	10	M
62/ON/03/20	General - Eat Cafe	Eat Cafe	20 River Terrace ASHBURTON	236 Dobson Street ASHBURTON 7700	#APPROVED	03/04/2023	5	L
62/ON/03/14	On-Licence	The Blue Pub Methven Limited	2 Barkers Road METHVEN	PO Box 7 METHVEN 7745	#APPROVED	05/04/2023	15	M
62/ON/02/14	On-Licence	The Brown Pub Limited	137 Main Street METHVEN	PO Box 4 METHVEN 7745	#APPROVED	08/04/2023	15	M
62/ON/02/22	General for Tanglez Hair Studio	Tanglez Hair Studio	161 Tancred Street ASHBURTON	664 Boltons Road RD 5 ASHBURTON	#APPROVED	13/04/2023	5	L
62/ON/08/20	Restaurant - Somerset Grocer (2016) Limited	The Somerset Grocer	161 Burnett Street ASHBURTON	161 Burnett Street ASHBURTON 7700	#APPROVED	13/06/2023	15	M
62/ON/02/19	Hotel - South Rakaia Hotel	South Rakaia Hotel	41 Railway Terrace East RAKAIA	41 Railway Terrace East RAKAIA 7710	#APPROVED	19/06/2023	10	M
62/ON/17/14	ON Licence	Ski Time Square Limited	43 Racecourse Avenue METHVEN	PO Box 84 METHVEN 7745	#APPROVED	22/06/2023	15	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/ON/03/19	Restaurant - Taj Spice	Taj Spice Restaurant Bar & Takeaway	110 Tancred Street ASHBURTON	110 Tancred Street ASHBURTON 7700	Processing	15/07/2023	5	L
62/ON/06/21	On-Licence (BYO) - Ton's Thai Restaurant	Ton's Thai Restaurant	162 East Street ASHBURTON	148 East Street ASHBURTON 7700	#APPROVED	29/07/2023	5	L
62/ON/03/21	Tavern - Hinds Wayside Inn	Sunwins Enterprises Limited	99 Peters Street HINDS	99 Peters Street RD 3 ASHBURTON	#APPROVED	25/09/2023	15	M
62/ON/19/16	Restaurant - Nedloh Investments	Speight's Ale House	245 Burnett Street ASHBURTON	144 Bremners Road RD 2 ASHBURTON	#APPROVED	25/11/2023	15	M
62/ON/03/17	General - JRK Limited	Cinema Paradiso	112 Main Street METHVEN	39 Morgan Street METHVEN 7730	#APPROVED	16/02/2024	2	VL
62/ON/01/20	Restaurant Docks	Docks	90 Harrison Street ASHBURTON	17 Harrison Street ASHBURTON 7700	#APPROVED	09/03/2024	10	M
62/ON/04/17	Restaurant - Krishna Food Limited	Indian Minar	300 East Street ASHBURTON		#APPROVED	08/05/2024	5	L
62/ON/05/20	Tavern (ON licence) - B W Carter Holdings Ltd	Mt Somers Tavern	70 Hoods Road MT SOMERS		#APPROVED	14/05/2024	15	M
62/ON/06/20	Restaurant (ON) - Aqua Japanese Restaurant	Aqua Japanese Restaurant	112 Main Street METHVEN		#APPROVED	29/06/2024	5	L
62/ON/06/18	On-Licence - Thai Chilli	Thai Chilli	17 Forest Drive METHVEN	15 Jackson Street METHVEN 7730	#APPROVED	30/06/2024	5	L
62/ON/02/20	On-Licence - Alluvial Restaurant and Tinwald	Tinwald Function Centre Limited	103 Archibald Street TINWALD,	4 Ayers Green ASHBURTON 7700	#APPROVED	01/07/2024	10	M
62/ON/18/15	On-Licence	Devon Tavern	116 Victoria Street ASHBURTON	116 Victoria Street ASHBURTON 7700	#APPROVED	23/07/2024	15	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/ON/07/17	Restaurant - Cleavers Corner Gastro Pub	Cleavers Corner Gastro Pub	159 West Street ASHBURTON	159 West Street ASHBURTON 7700	#APPROVED	02/08/2024	15	M
62/ON/09/20	Restaurant - Millhouse Kitchen	Millhouse Kitchen	415 West Street ASHBURTON	415 West Street ASHBURTON 7700	#APPROVED	20/08/2024	5	L
62/ON/12/14	On-Licence	Mt Potts Lodge Limited	2131 Hakatere Potts Road ASHBURTON	PO Box 12 Mount Somers	#APPROVED	12/09/2024	10	M
62/ON/21/15	On-Licence	Stronechrubie Restaurant & Accommodation	8 Hoods Road MT SOMERS	8 Hoods Road RD 1 ASHBURTON 7771	#APPROVED	28/09/2024	5	L
62/ON/12/18	Restaurant - Formosa Restaurant	Formosa Restaurant	163 West Street ASHBURTON	173 West Street ASHBURTON 7700	#APPROVED	07/11/2024	10	M
62/ON/11/20	Restaurant - The Fine Lion	The Fine Lion	152 Burnett Street ASHBURTON	35 Douglas Drive ASHBURTON 7700	RepPending	12/11/2024	15	M
62/ON/26/15	On-Licence	Barkers Lodge	21 Barkers Road METHVEN		#APPROVED	20/11/2024	10	M
62/ON/04/20	Tavern - Tinwald Tavern	Tinwald Tavern	103 Archibald Street TINWALD,	4 Ayers Green ASHBURTON 7700	#APPROVED	27/11/2024	15	M
62/ON/29/14	Hotel	Brinkley Village Resort	43 Barkers Road METHVEN		#APPROVED	01/12/2024	10	M
62/ON/12/20	Restaurant - Armadillo's at the Braided	Armadillo's at the Braided	246 Burnett Street ASHBURTON	PO Box 2414 Stoke NELSON 7041	#APPROVED	25/01/2025	15	M
62/ON/01/18	Hotel - Railway Hotel	Railway Hotel	120 Railway Terrace West RAKAIA	124 Railway Terrace West RAKAIA 7710	#APPROVED	12/03/2025	15	M
62/ON/03/18	Tavern - The Print Room	The Print Room	199 Burnett Street ASHBURTON	85 Thomson Street ASHBURTON 7700	#APPROVED	03/04/2025	15	M

<u>ApplicationNo</u>	<u>Description</u>	<u>TraderName</u>	<u>PrimaryProperty</u>	<u>PluServiceAddress</u>	<u>Decision</u>	<u>RenewalExpiry</u>	<u>Risk</u>	<u>RiskCategory</u>
62/ON/13/17	Restaurant - Nawab Eatery	Nawab Eatery	121 Main Street METHVEN	121 Main Street METHVEN 7730	#APPROVED	16/04/2025	5	L
62/ON/04/21	Restaurant - Koji Ashburton	Koji Japanese Restaurant and Sushi Bar	47 Creek Road ASHBURTON		#APPROVED	14/05/2025	10	M
62/ON/07/15	General	Arabica Licensed Cafe	36 Mcmillan Street METHVEN		#APPROVED	02/06/2025	5	L
62/ON/02/16	On-Licence - Mt Hutt Ski Area / Hubers Hut	Mt Hutt Ski Area	Mclennans Bush Road ASHBURTON		#APPROVED	18/06/2025	10	M
62/ON/01/21	General - Southern Cross Lodge	Southern Cross Lodge Limited	17 Racecourse Avenue METHVEN	17 Racecourse Avenue METHVEN	#APPROVED	25/06/2025	10	M
62/ON/11/16	On-Licence	Ashburton Performing Arts Theatre Trust	211 Wills Street ASHBURTON		#APPROVED	04/07/2025	10	M

11. Dog control policy and practices report 2021/22

Author *Rick Catchpowle; Environmental Monitoring Manager*
GM Responsible *Jane Donaldson; Strategy & Compliance*

Summary

- The purpose of this report relates to the activities undertaken regarding dog control within Ashburton District for the period **1 July 2021 to 30 June 2022**. The Dog Control Act 1996 (the Act) requires that such a report be produced annually and made publicly available once adopted by Council.

Recommendation

- 1. That** the report be received.
- 2. That** Council gives public notice of the Dog Control Policy & Practices Report 2021/22 and makes it publicly available.

Background

1. The Act requires territorial authorities to publicly report each financial year on:
 - The administration of their dog control policy and their dog control practices (Section 10A (1)); and
 - A variety of dog control related statistics listed at Section 10A (2).

Additionally:

- In accordance with Section 10A (3) the Territorial Authority must give public notice of the report in one (1) or more daily newspapers circulating in the Territorial Authority District.
- In accordance with Section 10A (4) the Council must send a copy of the report to the Secretary for Local Government within one month of adoption.
- This report contains information and statistics on the Council's dog control activity for the year **1 July 2021 to 30 June 2022**.

Dog Control in Ashburton

2. Dog control in Ashburton is carried out using Council staff and an approved Contractor.
3. The contract for animal control services reached the end of its term during the reporting period and was successfully tendered for by Talbot Security Group Limited (TSG), who took over the animal control services contract on 1 February 2022. TSG currently employs ten staff specifically trained for animal control, with suitably trained security officers acting in support where necessary. The service provided covers all dog control callouts 24 hours per day, seven days per week.
4. Within Council we employ a warranted Animal Control and Enforcement Officer who is responsible for all administration relating to dog and stock control as well as leading on enforcement issues.
5. Council's approach to enforcement of the Act follows the "exacerbator pays" principle i.e. dog owners who fail to control their animals effectively are fined and the funds channelled back into the animal control activity.
6. The reporting period saw a publicly consulted review of the Ashburton District Council Dog Control Policy and Bylaw (2016), culminating in the adoption of a new Dog Control Policy and Bylaw (2021). The new Policy and Bylaw provide greater clarity for dog owners of their obligations under the Act, as well as providing a new off-lead exercise area at North East Ashburton and a link between the existing off-lead exercise areas at Argyle Park where dogs can continue to be exercised off-lead.

Dog Pound Activity

7. The dog pound facility on Council owned land in Range Street continues to be operated by the appointed animal control contractor.

8. The reporting period saw 79 dogs impounded, 1 euthanised and 11 re-homed. There were no incidents of repeat impoundings of the same dog.

Dog Exercise Facilities

9. Ashburton Dog Park
The fenced dog park by the Ashburton River suffered severe damage during the flood incident of May/June 2021. Work to re-establish this facility and provide separate areas for small and large dogs has again been impacted heavily by weather conditions and is ongoing.
10. Methven Dog Park
The fenced dog park at Methven on Dolma Street has a piped water supply with outlet for dogs to use and a bag dispenser with waste receptacle.
11. Range St Land Fill – Exercise Area
The fenced landfill area at the end of Range St continues to be available for dog owners to exercise their dogs off the leash. This area is not an official dog park/exercise area due to the land status and access may be restricted from time to time due to the maintenance needs of the land. However, suitable receptacles are provided for the collection of dog waste plus dog bag dispensers to assist owners in cleaning up after their dogs.
12. Rakaia Community Dog Park
A community funded fenced dog park is now also available for use at Rakaia. The park has separate areas for large and small dogs and Council has provided a bag dispenser and waste receptacle.

Dog Registration

13. The reporting period saw the number of registered dogs increase by 191 of which 118 were previously undeclared dogs.

Dog Education and Obedience Courses

14. Ashburton District Council has not required any owners to undergo dog education or obedience courses.

Disqualified and Probationary Dog Owners

15. No persons were disqualified or classified as probationary dog owners during the reporting period.

Menacing and Dangerous Dogs

16. Ashburton District Council has 49 dogs classified as menacing and 9 dogs classified as dangerous.

Dog Control Act 1996 Section 10A

17. The following is a breakdown of the statistics required under Section 10A of the Act for the registration year 2021/22.

Table 1: Statistical information:

Category	2020/21	2021/22
1) Total # Registered Dogs	6728	6919
2) Total # Probationary Owners	0	0
3) Total # Disqualified Owners	0	0
4) Total # Dangerous Dogs	7	9
➤ Dangerous by Owner Conviction Under s31(1)(a)	0	0
➤ Dangerous by Sworn Evidence s31(1)(b)	6	7
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	1	2
5) Total # Menacing Dogs	59	49
➤ Menacing s33A(1)(b)(i) - i.e. by Behaviour	36	33
➤ Menacing s33A(1)(b)(ii)- by Breed character	5	5
➤ Menacing under s33C(1) by Schedule 4 Breed.	18	11
6) Total # Infringement Notices.	55	82
7) Total # Complaints Received	591	602
Wandering	282	145
Barking	111	159
Lost	117	90
Welfare	2	1
Attack	27	28
Rushing	11	13

Other (signage issues/dog waste issues/Bylaw clarification)	41	126
8) Prosecutions	0	0

Dog Control Enforcement Practices

18. During the reporting period staff issued the following notices under the Dog Control Act.

Table 2: List of Infringement Offences

Serial	Offence	Fine Level	2020/21 Issued	2021/22 Issued
1	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	23	73
2	Failure to Advise Change of Address (s.49(4))	\$100	0	0
3	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	31	8
4	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	1	0
5	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	0	0
6	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	0	0
7	Failure to Comply with menacing classification (s.33EC(1))	\$300	0	0
8	False statement relating to registration (s.41)	\$750	0	0
9	Failure to provide proper care and attention (s.54 (2))	\$300	0	0
10	Falsely notifying the death of dog (s.41 (A))	\$750	0	0
11	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	0	1
12	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	0	0

13	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	0	0
14	Releasing dog from custody (s. 72 (2))	\$750	0	0

Options analysis

Option 1 - Do not provide a public report on activities

19. Council could decide not to publicly report on annual dog activities. This would be in breach of the Dog Control Act 1996 and is not the recommended option.

Option 2 – Provide a public report on activities

20. This is the recommended option. This would see Council publicly report on the dog activities for 2021/22.

Legal/policy implications

21. It is a statutory requirement of the Dog Control Act 1996 for the Council to publicly report on the dog control activities referred to in this report.

Financial implications

Requirement	Explanation
What is the cost?	The cost of monitoring the activity is included in the Animal Control budget.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Fees & charges 95% General rate 5%
Are there any future budget implications?	No
Reviewed by Finance	Not required

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low; not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2021/22. The report will be made publicly available.
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

12. Mayor's Report

12.1 Her Majesty Queen Elizabeth II

We woke on the morning of Friday 9 September to the sad news that Her Majesty Queen Elizabeth II had passed away.

On the death of the Queen, Prince Charles immediately became His Majesty King Charles III. The death of the Queen has the effect of transferring all the functions, duties, powers to the new King but otherwise has no effect in law for any purpose.

New Zealand will mark the passing of Queen Elizabeth II with a State Memorial Service and one-off public holiday on Monday 26 September. The Memorial Service will take place at the Wellington Cathedral of St Paul and as all Mayors and Regional Council Chairs are expected to be invited, I plan to attend.

I attended and spoke at a commemoration service at St Stephen's Church which was well attended.

Locally, we have flags being flown at half-mast on the two poles in Baring Square West (the southern flagpole has been designated as the area for people to leave flowers, should they choose). We also have a condolence book at the Ashburton Library for people to write messages.

12.2 LGNZ

At this year's AGM members overwhelmingly voted that LGNZ calls for an independent review of transport funding, to commence within the next 12 months. A written request has been forwarded to the Minister of Transport, Hon. Michael Wood.

Appendix 1

12.3 Meetings

- **Mayoral calendar**

- **September 2022**

- 8 September: Parking Standards workshop
- 8 September: Economic Development strategy workshop
- 8 September: Rakaia Community facilities workshop
- 9 September: Library and Civic Centre site visit with media and CE Hamish Riach
- 9 September: Canterbury Mayoral Forum with Crown Research Institutes
This was an interesting and informative meeting looking at the next stages of food production on how to feed the world in the next 50 years. Gene editing was mentioned as the way to do this. New Zealand is way behind on using this technology compared to the rest of the world and a discussion on this subject needs to be held soon.
- 12 September: Murray Anderson and Shirley Falloon with CE Hamish Riach

- 12 September: Robin Kilworth
- 13 September: Library and Civic Centre PCG meeting
- 14 September: Ashburton College Alumni Launch
- 14 September: Council Agencies
- 14 September: Airport Development Plan hearings and deliberations
- 15 September: Audit NZ with CE Hamish Riach
- 15 September: Memorial Church Service for Queen Elizabeth II
- 15 September: Hakatere Multi Cultural Council AGM
- 16 September: Hekeao Hinds Water Enhancement Trust
- 17 September: Ashburton NZ Motor Caravan Association Park official opening
- 19 September: Advance Ashburton
- 20 September: Braided Rivers/Lion Foundation
- 21 September: Council meeting

Recommendation

<p>That Council receives the Mayor's report.</p>

Neil Brown

Mayor



7 September 2022

Hon Michael Wood
Minister of Transport
By email: m.wood@ministers.govt.nz

E te Minita, tēnā koe

Our members want an independent review of Government transport funding

- **Councils are calling for an independent review of transport funding**
- **This review should consider appropriate level of funding and prioritisation of investments**
- **LGNZ is seeking advice from an independent economist to understand current levels of investment across priority areas**
- **We would like to meet to discuss next steps**

At Local Government New Zealand's (LGNZ's) 2022 AGM, our councils overwhelmingly voted that we call for an independent review of transport funding, to commence in the next 12 months. Ninety-six percent of councils supported this remit, which specifically concerns the way in which central government, through Waka Kotahi, funds transport investments in Aotearoa. The remit asks for the review to consider the funding of new developments and maintenance programmes.

While we recognise that this Government has invested significantly in transport, councils are concerned that the investment may not be being directed to the areas where it is needed most, and that more investment is needed to support councils to maintain the existing network. LGNZ is in the process of better understanding current levels of funding and where funding is being directed, and will share this information with you once it's available. This information will help us to work together to find constructive and sustainable solutions.

Collectively, councils consider that the current approach to funding and financing transport investments through Waka Kotahi is no longer fit for purpose, sustainable nor reflective of the significant climate change and resilience challenges facing Aotearoa. An independent review to determine appropriate levels of and approaches to funding is urgently required if we're to ensure our communities are safe, resilient to shocks, connected and prosperous – now and in the future.

Over \$4 billion of New Zealanders' money is spent through the national land transport fund each year, supplemented by co-investment from local government and additional funding and financing. Transport is a critical issue for local government. Despite this, councils are left relying on uncertain Waka Kotahi funding and are regularly required to advocate for investment in their regions. This doesn't provide councils or communities with the certainty that they need to set their own budgets.

We are also concerned that the current Waka Kotahi funding model fails to fully recognise the maintenance of roads and related infrastructure. This appears to be due to funding constraints and

competing priorities. In terms of funding, Waka Kotahi's funding is heavily reliant on the annual budget of the government of the day and on income that varies significantly from year-to-year. Current competing priorities include mode shift and investment in safety. We support these priorities. However, sufficient reliable investment in maintenance programmes as well as in new developments, particularly in the rural and provincial parts of New Zealand, remains critical.

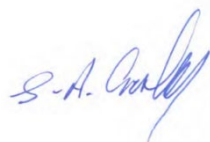
We also understand that in a recent briefing to you, Waka Kotahi officials indicated that the allocation for local road emergency works funding in the National Land Transport Programme is likely to be exceeded only one year into that programme. Consequently, Waka Kotahi is unlikely to be able to provide the level of funding that is needed for proactive resilience improvements. This is unsustainable given the increasing number of extreme weather events taking a toll on councils and their communities, such as the recent flood events in Nelson/Tasman and Marlborough.

We know that the sustainability of transport funding in Aotearoa is a priority for the Government. We strongly encourage you to commence an independent review of transport investment funding as a matter of urgency. This should include looking at how best to fund new developments and maintenance programmes in a realistic, efficient and equitable manner alongside local government. While we understand that the Government has commenced a Long Term Revenue Review and Future of Revenue Project (which we welcome), the independent review we're calling for goes broader than these pieces of work. It would be a review that looks at how funding decisions are made and competing priorities are managed by Waka Kotahi. And we need to better understand the level of investment in transport that will ensure critical maintenance of local roads and the highway network can happen.

Councils know the challenges facing New Zealand's communities and what they need from a resilient, safe, high-quality and efficient transport network. We are well-placed to work with you and your officials on scoping up an independent review of transport funding and stand ready to help.

We would appreciate the opportunity to meet with you and your officials to discuss these concerns and the need for an urgent independent review in more detail.

Ngā mihi nui



Stuart Crosby
President
Local Government New Zealand

Mayor XX
XXX