

Ashburton District Council

AGENDA

Notice of Meeting:

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

Date: Wednesday 20 October 2021

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
1pm	Meeting commences
2.30pm	Christchurch NZ quarterly report – Loren Heaphy & Bruce Moffat
2.50pm	Ashburton Youth Council Chair – Michael Baker

1 Apologies

2 Extraordinary Business

3 Declarations of Interest

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

Minutes

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Reports

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Business Transacted with the Public Excluded

16	Council – 6/10/21		PE 1
	• Ashburton Business Estate	Section 7(2)(h) Commercial activities	
	• Library & Civic Centre PCG 14/09/21	Section 7(2)(h) Commercial activities	
	• Economic Recovery Advisory Group	Section 7(2)(h) Commercial activities	
17	Freeholding Glasgow Lease	Section 7(2)(h) Commercial activities	PE 3
18	Fairfield Rail Hub	Section 7(2)(h) Commercial activities	PE 23
19	ACL Director Remuneration	Section 7(2)(a) Protection privacy natural persons	PE 31
20	Eastfield Investments AGM	Section 7(2)(h) Commercial activities	PE 43
21	Library & Civic Centre PCG	Section 7(2)(h) Commercial activities	PE 46
22	Caring for Communities Group	Section 7(2)(a) Protection privacy natural persons	PE 50
23	Economic Recovery Advisory Group	Section 7(2)(h) Commercial activities	PE 52

4. Council Minutes – 6 October 2021

Minutes of the Council meeting held on Wednesday 6 October 2021, commencing at 10.10am in Bradford Room, Ashburton Trust Event Centre, 211 Wills Street, Ashburton.

Present

His Worship the Mayor Neil Brown; 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), Paul Brake (GM Business Support), Jane Donaldson (GM Strategy & Compliance), Steve Fabish (GM Community Services), Neil McCann (GM Infrastructure Services), Sarah Mosley (Manager People & Capability), Ruben Garcia (Communications Manager) and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Richard Mabon (Senior Policy Advisor), Ian Hyde (District Planning Manager), Rick Catchpole (Environmental Monitoring Manager), Erin Register (Finance Manager), Colin Windleborn (Commercial Manager), Terry O'Neill (District Forester), Brian Fauth (Roading Manager) and Crissie Drummond (Support Officer – Infrastructure Services).

9 members of the public (from 1pm to 2.55pm).

Presentations

Stantec & Waka Kotahi 1pm-2.55pm

Hekeao-Hinds Water Enhancement Trust 3.18pm-4.05pm

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

Acknowledgement of former District Councillor Neville Truman

Council observed a moment's silence for former Councillor Neville Truman who served two terms as a District Councillor from 1998 until his retirement in 2004.

4 Confirmation of Minutes – 15/09/21

That the minutes of the Council meeting held on 15 September 2021, be taken as read and confirmed.

McMillan/Braam

Carried

5 Confirmation of Minutes – 29/09/21

That the minutes of the extraordinary Council meeting held on 29 September 2021, be taken as read and confirmed.

Cameron/Wilson

Carried

6 Audit & Risk Committee – 22/09/21

That Council receives the minutes of the Audit & Risk Committee meeting held on 22 September 2021.

Braam/Falloon

Carried

- **Waka Kotahi / NZTA Technical Audit Report**

That Council receives the Waka Kotahi NZTA Technical Audit Group report and that staff report back regularly on the progress being made on the areas that are suggested for improvements.

Falloon/Cameron

Carried

7 Methven Community Board

The GM Business Support agreed to report back on the budget for the Methven Strategic Plan. Clarification was sought on whether it will be funded through a mix of general and targeted rates.

That Council receives the minutes of the Methven Community Board meeting held on 20 September 2021.

McMillan/Letham

Carried

8 Creative Communities grants – Round 1

That Council receives the minutes of the Creative Community Fund Assessment Committee meeting held on 17 September 2021.

Braam/Lovett

Carried

9 Youth Council

That Council receives the minutes of the Youth Council meeting held on 8 September 2021.

Rawlinson/Lovett

Carried

The GM Community Services was asked to check when the Youth Councillor-designed labels will be put onto the skatepark bins.

10 Deliberations on future of Grove Street

The Senior Policy Advisor advised against making the subdivision contingent on the position of the playground and reminded Council that there are two separate issues – the location of the playground, and the decision on the subdivision made under the RMA and District Plan.

The District Planning Manager advised that reserve contribution will be assessed through the subdivision consent.

Council generally supported the proposal to dispose of the Park on the proviso that officers will negotiate fair compensation for the land and ensure that the future playground meets required standards.

That Council agrees to the disposal of Grove Street Park and negotiates fair compensation for the land.

Mayor/Cameron

Carried

9 Dog Control Policy and Practices Report

1. **That** the report be received.
2. **That** the Council give public notice of the report and make it publicly available.

Braam/Falloon

Carried

12 District Licensing Committee Annual Report

Council noted that the DLC considers greater resourcing of police in the licensing area would be very effective. The Environmental Monitoring Manager will provide local Police with a copy of the DLC report.

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.

McKay/Braam

Carried

13 Forestry Wind Damage

That Council receives the forestry wind damage report.

McKay/Braam

Carried

Welcome to staff – 11.14am

Sarah Mosley, Manager People & Capability, acknowledged the long service of Kate Green (Building Systems Administrator) – 5 years, and Bryn Brockhurst (Quality Assurance Documents Officer) – 5 years.

New staff introduced – Shirin Khosraviani (Art Gallery & Museum Director), Simone Barnsdale (Education & Programmes Coordinator), Hannah Crichton (Collections & Exhibitions Assistant), Martine Tait (Visitor Engagement Co-ordinator), Nicholas Law (Senior Planner), Bernard Batarao (Utilities Contracts Engineer), Simone Hopwood (Senior People & Capability Advisor) and Aliesha Esker (Consents Compliance Officer).

Council adjourned for morning tea from 11.20am to 11.45am.

14 Carry-over Funds from 2020/21 to 2021/22

1. **That** Council approves the request to carry over the unspent funds from the 2020-2021 year into the 2021-2022 year, as detailed in this report.
2. **That** these carry-overs be funded as per their original funding.

McKay/McMillan

Carried

15 Financial variance reports

Council received the draft variance report for June 2021 and the July variance report.

The GM Business Support was asked to check the amount of loan repayments made for the 2020-21 financial year, after taking account of the internal / external loan swapping).

Council also asked for a balance sheet to be shown in future reports. The August variance report will have an estimated balance sheet.

17 Mayor's Report

That the Mayor's report be received

Mayor/Cameron

Carried

Business transacted with the public excluded – 12.09pm

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:	
18	Council 15/09/21 <ul style="list-style-type: none">Freeholding Glasgow leaseAshburton Business EstateAshburton DomainPeople & Capability annual reportCE annual review [Now in open meeting] <ul style="list-style-type: none">Ashburton Airport funding future developmentACL Director appointment process	Section 7(2)(h) Section 7(2)(h) Section 7(2)(h) Section 7(2)(a) Section 7(2)(a)	Commercial activities Commercial activities Commercial activities Protection of privacy of natural persons Protection of privacy of natural persons
19	Ashburton Business Estate	Section 7(2)(h)	Commercial activities
20	Library & Civic Centre PCG	Section 7(2)(h)	Commercial activities
21	Audit & Risk Committee	Section 7(2)(h)	Commercial activities
22	Economic Recovery Advisory Group	Section 7(2)(h)	Commercial activities

Braam/Lovett

Carried

Council resumed in open meeting at 12.35pm and adjourned until 1.00pm.

16 Ashburton-Tinwald Connectivity – Indicative Business Case, Strategic Case and Options Assessment

The Mayor welcomed representatives from Stantec (Chris Rossiter and Dave Hunter) and Waka Kotahi (James Caygill, Andrew Washington, Ben Wong and Richard Osborne).

Chris Rossiter presented the Stantec report:

Key points:

- In the long term, and for connectivity, Chalmers Ave ultimately takes sufficient traffic away from the state highway to allow the highway to operate efficiently.
- Chalmers Ave is better aligned with the project's objectives, provides benefits in terms of reducing congestion and should provide less severance between Ashburton and Tinwald.
- Ability to build the bridge on Chalmers Ave with minimum impact on the rest of the town (as opposed to if constructing within the state highway corridor).
- Preliminary analysis shows limited ability to improve the existing bridge with clip-ons but have identified a potential opportunity in the future to have an active mode bridge for pedestrians / cyclists upstream (Tarbottons Rd). This is not part of the immediate strategy but would be a low cost construction option to provide connectivity for recreation and access to schools / town centre.
- The May floods haven't been a big part of the weighting towards Chalmers Ave – part of the focus was looking more closely at severance issues (diversions and disruption).

- There are capacity constraints along the highway and it's about trying to get effective distribution across the network.
- Traffic data (confirmed through Google travel time and Tom data) determined that 80% of vehicle movements across the bridge are local. There is high reliability around the data.
- Land use information used for modelling has been provided by Council. There has been some change to the forecast compared with earlier modelling estimates that formed the basis of work in 2013 – in respect to household numbers and future growth.
- No expectations that regional / SH traffic will be using the Chalmers Ave bridge – it will serve as a location connection.
- Unlikely to be a benefit/cost ratio that would justify construction of bridges if eastern and western bypasses were created.
- Chalmers Ave stands out as being best aligned with the existing road network and the hierarchy being promoted in district roads.
- Initial thoughts (without detailed design) on a new bridge being constructed between the existing SH and railway bridges showed that it would be technically possible, but challenging – and consequently more expensive.
- Critical capacity issue for the SH network as a whole is not the bridge – it's the signalised intersections along the state highway.

Following Cr Wilson's comments that he was disgusted with the report and the idiocy of the report writers, who have been "got at" by NZTA, the Mayor raised a point of order on the basis that the comments were disrespectful and offensive. The point of order was upheld.

The Mayor spoke about the importance of connectivity across the river for emergency services response – highlighted by Civil Defence during the May flood event.

James Caygill advised that the analysis shows that Chalmers Ave is the best option and on that basis Waka Kotahi would not support a new bridge on the highway. He commented that if traffic volume was the only consideration then a new bridge won't be needed on the highway for some time. Fundamental to the decision (supporting Chalmers Ave) is the series of floods which have shown the risk around connectivity and severance.

Chris Rossiter explained the weighting aspects that will be applied in stage 3 of the business case, noting the different weighting applied for week-day and weekend traffic. It's not expected the modelling will change the location of the proposed new bridge, but it may change the weighting on timeframes

James Caygill confirmed that a detailed business case is required to determine funding and to ensure the project stacks up against other projects throughout the country competing for Waka Kotahi funding.

That Council approves the Ashburton-Tinwald Connectivity Indicative Business Case, Strategic Case and Options Assessment and supports it being forwarded for review and approval by Waka Kotahi / NZ Transport Agency to advance to the next phase of the business case. This phase to focus on progressing the design for the Chalmers Avenue bridge.

Braam/Lovett

Carried

Cr Rawlinson recorded her vote against the motion.

National Land Transport Programme

James Caygill provided an overview, noting that the NLTP received a \$2b top-up from Cabinet two weeks before the programme was launched. The additional funding has allowed the transport agency to move off the baseline of minimum funding activity classes (with some exceptions such as walking and cycling activities and maintenance of local roads).

For ADC this means a change in maintenance operations and renewals for local road maintenance – while it moves Council closer to the request than initially put forward, there's around \$600k still required. If Council is of the view that more needs to be spent in an activity class, then it should work with the Mayoral Forum and Regional Land Transport Committee to put forward projects to the Ministry where funding settings will be adjusted.

Another area where there is substantial movement is in the low cost / low risk projects. This category will move from \$1m to \$2m projects, requiring more scrutiny and evidence.

Waka Kotahi acknowledge that ADC hasn't received the funding they asked for in the Low Cost Low Risk category, but got 50%. It was noted that the Board took the decision to top councils up to a floor of 50% and will work with them to tag projects that haven't met the threshold.

Mr Caygill gave assurance that Waka Kotahi will work with Council to find the best way to achieve the required standards within available funding and will work with the Crown to find a longer-term, more sustainable system.

The presenters were thanked for their attendance and left the meeting at 2.55pm.

Council adjourned from 2.55pm to 3.18pm.

Hekeao-Hinds Water Enhancement Trust

Peter Lowe and Brett Painter were welcomed to the meeting.

The powerpoint presentation provided an update on the Hekeao-Hinds Managed Aquifer Recharge project which is now in its fifth year.

- Two further concepts being developed – wetlands and bio-reactor (in planning stage in the Lower Hinds catchment).
- Nitrate-N concentrations in 2021 – at lowest level since 2010.
- The trial was shut down over last 4 months due to high groundwater levels – monitoring using ECan data.
- Targets are achievable – focusing on 3.8 at the moment. Good for the river.
- Tinwald plume – 3 MAR sites now operating in this area. Analysis is underway to assist groundwater users – a big win-win for irrigators is being able to utilise free nutrients and trace elements that are in the Tinwald plume.
- Looking to get long-term consents and access to site.
- Targeted rate funding has commenced from July 2021 and changes to the operational structure. The Trust is grateful to the Hinds ratepayers who have signed up for the targeted rate to keep the project going.
- Continuing to pursue government funding (which concludes in June 2022).
- The Trust acknowledges Council's assistance with ongoing work which is helping Council achieve its Surface Water Strategy goals.

The Mayor commented on the success of the MAR project and the work that the Trust has undertaken to overcome hurdles and achieve rate funding. It was agreed that Council will arrange a visit to the MAR site next month to coincide with a site visit to the RDR fishscreen.

The presenters were thanked and left the meeting at 4.04pm.

Business transacted with the public excluded – 4.04pm

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:	
19	Ashburton Business Estate	Section 7(2)(h)	Commercial activities

McMillan/Braam

Carried

The meeting concluded at 4.13pm.

Confirmed 6 October 2021

MAYOR

5. *Resilient Business Programme - Update*

Author	<i>Richard Fitzgerald, Agricultural Portfolio Advisor</i>
Activity manager	<i>Simon Worthington, Economic Development Manager</i>
Group manager	<i>Steve Fabish, Group Manager Community Services</i>

Summary

- The purpose of this report is to provide Council with an update on the proposed Resilient Business Programme.
- The Resilient Business Programme aims to develop the district's economy to be more diverse, resilient and sustainable. This will be achieved by supporting farmers to explore and implement land uses that deliver good environmental, cultural, social and financial outcomes.
- Structured farmer learning and peer to peer support will enable farmers to move from ideas to implementing practical, evidence based and supported action on farm.
- A formal evaluation will 'wrap around' the Programme design and the delivery. It will examine the effectiveness of the Programme and offer improvements to create a tested and well proven model for supporting land use change that can be utilised in other districts and regions.
- Arowhenua will be a key partner in the project providing cultural advice and practical guidance on the design and delivery of the project.
- The programme is estimated to cost \$5M over three years and funding will be sought through the Sustainable Farming Futures Fund (SFFF) and co-funding from industry organisations.

Recommendation

1. **That** Council receives the Resilient Business Programme update report.

Background

Current situation

1. The current environmental regulations have defined a range of outcomes including freshwater quality, wetlands protection, soil health and other environmental targets.
2. In order to achieve these targets it is generally considered that significant farm system as well as land use change must occur.
3. Large scale land use change will be challenging because under current farm systems and technology, the majority of farms must de-intensify to achieve the environmental outcomes. It is generally believed by farmers that de-intensification is likely to erode the economic viability of their businesses and is something that is of great concern.
4. Freshwater reforms are legislated through the National Policy Statement for Freshwater Management and so, must be enacted. The timeframe for delivering to the regulations have been defined as 'within a generation', existing interpretation of 'a generation' is 40 years.
5. Many farmers are disenfranchised with the process and report that they have no idea how to achieve the freshwater regulations.
6. Arowhenua report that substantive discussions with stakeholders in the land and water area can be challenging at times, and there are currently limited forum to have these discussions.
7. There is a significant risk to the farmers and the broader Ashburton District community who are inextricably linked to the primary sector through their employment and social connections. Impacts to community wellbeing and the local and regional economy are significant, and helping support the process is important for good community outcomes and the economic vitality of the district.
8. Ashburton District is a versatile farming area and new options for future land uses may emerge through a changing climate.

Previous Council direction

9. The Ashburton District Council have received two reports (December 2020 and October 2021) which assess the economic impact on the Ashburton District of the freshwater reforms – *Land and Water Management in Ashburton District – Economic Impact Report (2020)*, and *Freshwater Nitrate – 2.4mg and Economic Impact for Ashburton (2021)*.
10. These reports highlight the risk of a significant decline in the economic performance of farming which flows through to the wider Ashburton District.
11. The reports points to the need to develop new technology and science, significant on-farm investment and the adoption of alternative land uses, in order to achieve the legislated freshwater nitrate levels.
12. The Council presented the original Nitrate report (December 2020) to the Mayoral forum for discussion and plans are in place to present the follow up nitrate report (October 2021) to the Mayoral Forum for further discussion.

Tangata Whenua participation

13. Arowhenua, through AEC, are key partners to the programme and will provide cultural guidance and input into the design and development of the programme.
14. There is strong alignment with the programme and the aspirations of tangata whenua - healthy ecosystems and sustainable land use.
15. Arowhenua have been consulted in the development of the concept and programme approach to date.
16. Arowhenua will have a formal role in the programme as cultural advisors and the programme will draw on the expertise of AEC throughout the programme.
17. The Resilient Business programme will provide a platform for Arowhenua and all parties in the land and water area (irrigation companies, regional council, farmers etc), that will enable constructive dialogue and planning together for the future.

Community Stakeholders

18. The Programme will benefit a wide cross section of stakeholders in the Ashburton District including farmers, business owners, tangata whenua, and community members. The programme will:
19. Help clarify future land use options that will reduce anxiety amongst farmers and rural communities. This will enable them to plan for land use that supports good environmental and economic outcomes.
20. Open up new business opportunities as the district diversifies its range of land use activities leading to:
 - I. Land owners who are confident that their businesses are meeting environmental regulations,
 - II. Farmers who are able to plan ahead for future changes,
 - III. A more diverse and more resilient rural economy,
 - IV. Increased employment with different job opportunities,
 - V. Increased skills and knowledge development in the workforce,
 - VI. Reduced uncertainty and the unknown about the future, aiding mental health and
 - VII. Better wellbeing in rural and urban communities.

The Programme approach

21. To identify the scope of the Resilient Business Programme a discrete research project has been developed and is approved for funding - Changing Land Use and Climate Change project.

22. This project will be a desktop assessment of climate change research, decision support tools and farmer behavioural research to help identify any gaps and constraints for farmers, as well as identifying how information might enhance farmer's knowledge, engagement, and confidence about land use change in a changing climate.
23. This project is approved for funding through the Rural Professionals Fund with Our Land and Water (Agresearch).
24. The Resilient Business Programme will be comprised of four work streams that will build on the learnings of the Changing Land Use and Climate Change project. These workstream include:
 - I. **Climate Change Impact assessment:** This will identify the impact of climate change on the growing conditions in Ashburton District and identify new potential growing conditions that will support alternative farm products and land uses.
 - II. **Land Use Options analysis:** This will explore a range of factors such as agronomy, regulations, value chain and market returns and identify possible products that could be grown in the future because of climate change to provide farmers with new ideas around diversification, new or alternative land use options for their businesses.
 - III. **Extension, farmer learning and climate change adoption:** Farmers will be supported to explore their land use options in response to climate change and test their learnings amongst their peers in farmer groups.
 - IV. **Evaluation:** A formal evaluation will assess the effectiveness of the Programme design for achieving land use change which will summarise learnings for other districts and regions to utilise.

Districtwide collaboration

25. By working with others collaboratively, the Programme will compliment, leverage off and help align existing activities currently being delivered by different organisations across the district.
26. A wide range of industry organisations and stakeholders will be included in the design, development and delivery of the Programme, including the extension approach and adoption by farmers.
27. This will ensure alignment of the Programme to those organisation's existing strategies. With all organisations in the district working together, all farmers in the district will be able to access the knowledge that relates directly to them and their business.
28. To date, the programme has been developed by a working group including several well respected farmers, MPI, DairyNZ, Foundation for Arable Research, Beef and Lamb NZ, Federated Farmers, Ashburton District Council, Barrhill Chertsey Irrigation Limited, Mayfield Valetta Hinds Irrigation and Ashburton Lyndhurst Irrigation limited companies, and ECan. Arowhenua have consulted regularly during this process.

Programme oversight and structure

29. The Programme will be overseen by a Steering Group who will be comprised of individuals who have appropriate senior sector experience. The Steering Groups role will be to oversee the strategic approach of the Programme, monitor the budget, and the overall effectiveness of the Programme.
30. Council might like to consider having representation on the Steering Group.
31. The Working Group will be comprised of individuals with expertise in areas such as farmer extension and engagement, practice change, climate change, social sciences and farm systems. The group will include farmers, industry-body personnel, researchers and farm system experts and membership will change as the needs of the workstream evolve.
32. The Working Group will report to the Steering Group and they will refine the design and delivery of the Programme by:
 - I. Contributing their expertise to the design and planning of workstream activities.
 - II. Providing expert insight for the design of the evaluation process to ensure that the Programme will benefit farmer facing organisations and external organisation.
 - III. Utilising their networks at a local level and nationally to enable effective communication and engagement across the district.
 - IV. Helping co-ordinate and align their organisation's resources to maximise reach
33. Programme operational and administrative support will be provided by the ADC who will hold the Programme contracts and administer the Programme funds.
34. Both the Steering and the Working groups will be guided by a terms of reference with reporting to the respective funders through the ADC.
35. ADC will coordinate the Programme activities with the stakeholders and farming community to maximise the effectiveness and impact of the Programme, and the learnings of the evaluation process.

Legal/policy implications

36. The programme will deliver to the ADC Economic Development Strategy and Action plan through the pillars Natural Resource Management (action points 'water and the local economy' and 'Implications of Freshwater NPS'), and Agriculture and Technology (action points 'engagement with industry bodies to understand technology needs' and 'understanding service industry opportunities').
37. The programme will enable farmers to deliver to The National Policy Statement for Freshwater Management (NPS FWM) <https://environment.govt.nz/acts-and-regulations/national-policy-statements/national-policy-statement-freshwater-management/>

38. The programme will be aligned with climate change action and lead to better environmental outcomes and contribute towards building community resilience and climate change adaption of agricultural businesses.
39. The programme is strongly aligned with regional council policies which will give effect to NPS FWM and other specific plan changes underway for example 'Plan Change 7'.
40. Mayoral Plan for Canterbury: [Plan for Canterbury - Canterbury Mayoral Forum \(canterburymayors.org.nz\)](https://canterburymayors.org.nz)
41. Local Government Act: [Local Government Act 2002 No 84 \(as at 13 July 2021\), Public Act Contents – New Zealand Legislation](#)

Financial implications

42. The 'Changing Land Use and Climate Change project' is approved for funding.
43. The remaining Resilient Business workstreams will be presented as a proposal to Sustainable Farming Futures Fund (SFFF).
44. Initial discussions have been held with SFFF to confirm alignment of the Programme to SFFF funding priorities and there appears to be good alignment.
45. The Programme approval process is estimated to take up to 12 months with approval requiring co-funding of 30 – 40% of the total Programme budget.
46. Initial exploratory discussions are underway with potential co-funders to ensure there is good strategic alignment between the programme and these parties.
47. The decision as to whether SFFF will invest in the programme is not certain, and there is risk that they chose not to proceed.
48. The budget for the Resilient Business Programme is yet to be fully scoped, and is estimated at around \$5M over a three year Programme term.
49. The current Economic Development approach to support a strong and vibrant agricultural economy has four stages.
 - I. Stage 1 (Nitrate reports) was Council funded and stage 2 (land use and climate change research) is grant funded which also leverages off existing Provincial Growth Fund (Agricultural Portfolio Advisor role).
 - II. Stage 3 (Resilient Business Programme) and stage 4 (ongoing economic development support of agriculture) are yet to be fully scoped and may have future budget implications.
 - III. Participation by Council in projects which deliver on government policies such as freshwater quality, greenhouse gasses and land use change, are likely to unlock future funding that will be leveraged through co-investment.
 - IV. Co-investment by Council may be a condition for other local and government investment in the future.

Requirement	Explanation
What is the cost?	Estimate \$5M
Is there budget available in LTP / AP?	No provision has been made in LTP or AP
Where is the funding coming from?	Primary source of funding will be SFFF funding with 30-40% of the budget derived from co-funding (cash and in-kind) from industry organisations.
Are there any future budget implications?	There may be future budget implications which are unknown at this stage. Council will be kept informed as a clarity emerges.
Reviewed by Finance	Erin Register, Finance Manager

Significance and engagement assessment

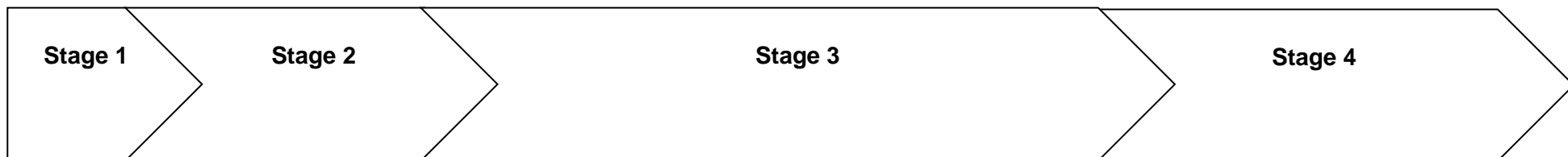
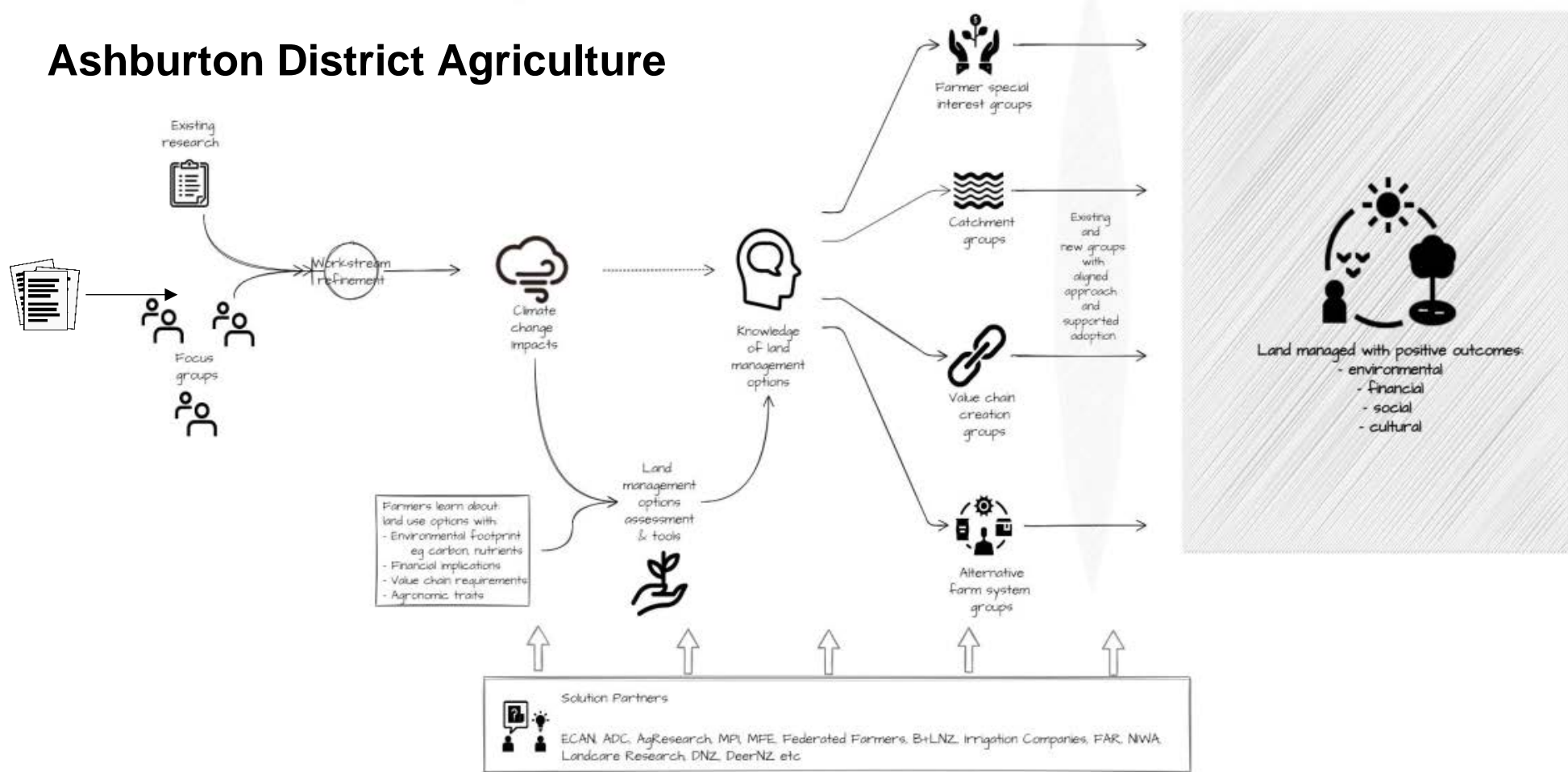
49. Council is not required to make a decision at this point, so no assessment of significance is required.

Next steps

50. The Resilient Business project will be funded by external co-funding as well SFFF.
51. Before SFFF will confirm the project, commitment to co-funding must be in-place.
52. Officers will progress discussion with co-funders to establish sufficient co-funding before seeking confirmation from SFFF.
53. Officers will seek agreement from co-funders subject to council approval of the programme.
54. Officers will seek approval from council through an approval paper to council in the second quarter of 2022, prior to seeking confirmation from SFFF.
55. Officers will need to engage with SFFF prior to council approval of the programme in order to refine the programme approach ready for approval by council and confirmation by SFFF and co-funders.

Date	Action / milestone	Comments
30 April 2022	An approval paper is submitted to council for consideration.	Decision is prior to seeking confirmation for SFFF funding

Ashburton District Agriculture



6. Freshwater Nitrate – 2.4mg and Economic Impact for Ashburton District

Author	<i>Richard Fitzgerald, Agricultural Portfolio Advisor</i>
Activity manager	<i>Simon Worthington, Economic Development Manager</i>
General manager	Steve Fabish, GM Community Services

Summary

- The purpose of this report is to introduce research on the likely economic impact of land and water legislation across the Ashburton District. The new rules will affect all types of farming, with a greater impact on more intensive land uses such as those in the Ashburton District.
- This paper contains the final report that has previously been reviewed by Council in a workshop on 1 September 2021. The report is attached in Appendix 2.
- The report has been reviewed by Arowhenua who are comfortable with the contents. Changes have been made to the report that address concerns raised in a letter received from Arowhenua on the 17/09/2021 which can be seen in Appendix 3.

Recommendation(s)

- 1. That** Council receives the report and refers it to the Canterbury Mayoral Forum and other relevant stakeholders (both political and industry organisations) for consideration and comment.

and

- 2. That** Council directs Council staff to work with stakeholders to promote the report and work through the implications of its contents.

Attachments

Appendix 1	Significance and engagement assessment
Appendix 2	Arowhenua feedback letter
Appendix 3	Report - Freshwater Nitrate – 2.4mg and Economic Impact for Ashburton District (Refer separate document)

Background

The current situation

1. The National Policy Statement for Fresh Water Management (NPS-FWM), the National environmental standards for Fresh Water Regulations, and Stock Exclusion Regulations were passed into law in 2020.
2. This policy statement sets out a target of achieving a freshwater soluble nitrate level of 2.4mg N/L.
3. This report builds on a previous report that was commissioned by Council titled 'Land and Water Reforms and Economic Impact for the Ashburton District'.
4. This report is in response to the Council resolution dated 17 December 2020, as below, and that directs Council staff to explore a broader analysis of the freshwater reforms and their impact across the wider district.

That Council undertakes further economic analysis of the effects of the National Policy Statement for Freshwater Management and associated legislation on the Ashburton District, and potentially the wider Canterbury region, after considering the estimated cost of a range of options for the breadth of that analysis. (Wilson/Falloon Carried)

5. The implications of achieving a freshwater soluble nitrate level of 2.4mg N/L, are not well understood at a farm level nor are the effects on a district's economy, this report fills gaps in knowledge based on our current understanding of the science and technology currently available to farmers.
6. The report outlines the changes that would need to occur within the Ashburton District to achieve a nitrate level of 2.4 and the impacts on the economy of achieving this level.
7. Macfarlane Rural Business (MRB) undertook the analysis of farm system improvements, land use change and the use of managed aquifer recharge systems as part of the reporting system.
8. Infometrics was engaged to calculate on-farm impact, farm expenditure changes and the effect on employment across the Ashburton District, specifically quantifying direct, indirect and induced effects of the changes needed to achieve the mandated freshwater standards.

Legal/policy implications

4. The National Policy Statement for Fresh Water Management, the National Environmental Standards for Fresh Water Regulations and Stock Exclusion Regulations were adopted in August 2020 and must be complied with.

Financial implications

5. There are no financial implications arising from receipt of this report.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered <i>significant</i> ?	Yes
Level of significance	High significance
Level of <i>engagement</i> selected	1. Inform – one way communication
Rationale for selecting level of engagement	While the report itself is not significant, the implementation of the NPS Freshwater Management is a significant issue for our community and is inextricably linked to this report. Level one engagement has been selected due to the purpose of this report being solely an introduction of information, rather than a proposal or decision for Council.
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

Next steps

9. Following Council adoption of the report, Council staff will work with key stakeholders to promote and progress the findings contained in the report. Key stakeholders will include:
- I. Arowhenua
 - II. Environment Canterbury
 - III. Mayoral Forum for Canterbury
 - IV. Other territorial authorities
 - V. Central government agencies
 - VI. Industry and industry lead bodies
 - VII. Local communities

Appendix one: Significance and engagement assessment tool

To be attached to reports that have triggered 'high' significance. Otherwise, delete.

Criteria	Explanation		Assessment Rating (L, M or H)
1. Strategic asset?	LOW	No	L
	MEDIUM	No	
	HIGH	Yes	
2. Number of people affected	LOW	Less than 100	H
	MEDIUM	Less than 500	
	HIGH	Greater than 500	
3. Level of impact on people affected	<p>Criteria 3-9 require qualitative assessment. Refer to 'Suggested thresholds for determining significance' (Appendix 2).</p> <p>Remember:</p> <ul style="list-style-type: none"> - Front page newspaper test - Impact on individuals and group - Potential benefits versus risks - Financial cost of the outcome - Potential precedent set - Related to land or water? - Of political interest? 		H
4. Level of current community interest			H
5. Level of potential community interest			H
6. Of political interest to Te Runanga o Arowhenua as mana whenua?			H
7. Cost of proposal			L
8. Impact on rates			L
9. Impact on levels of service			L
10. Overall assessment of risk	Risk level to be determined by Risk Management Policy as L, M or H		L
11. Overall assessment of health and safety considerations	Assessment to be determined by considering health and safety implications		L
TOTAL	LOW		6
	MEDIUM		0
	HIGH		5
Significant issue?	If the score for 'HIGH' is one or more then the issue is 'significant'		Yes
Level of significance	LOW	Score of 33% or below	70% - High
	MEDIUM	Score between 34% and 67%	
	HIGH	Score of 68% or above	



Te Runanga o Arowhenua Society Inc.



AORAKI
ENVIRONMENTAL
CONSULTANCY LTD

17 September 2021

Simon Worthington

By email: simon.worthington@adc.govt.nz

Kia ora Simon,

FEEDBACK ON FRESHWATER NITRATE – 2.4MG AND ECONOMIC IMPACT FOR ASHBURTON

Thank you for providing Aoraki Environmental Consultancy (AEC) the opportunity to consider and advise on the views of Te Rūnanga o Arowhenua (Arowhenua) on the *Freshwater Nitrate – 2.4mg and Economic Impact for Ashburton* [2021] report (Report).

As with the previous economic report on the implications of reaching 6.9mg N/L, the concern AEC have is that it appears no work has yet been done to ascertain the benefits gained from reducing nitrates. Arowhenua is very aware that reaching lower levels of nitrates will have an effect on farming and in turn the wider community. Arowhenua also recognises that without change the natural environment, in particular freshwater, will continue to degrade or remain in a degraded state. The report acknowledges that there will be environmental gains but has not calculated them [Appendix 2, Page 7].

AEC further appreciates the complexity of the issues and the necessity to understand what the implications could be, but there is a need to have all the facts in front of us to enable informed decisions to be made. Arowhenua consider that the discussion is limited by focusing on thinking and considering current practices, current markets etc and that these will remain static for the next 40 years. The most recent round of redundancies at Synlait would suggest the strength of dairy farming as a resource may not be as robust as one would like to think; therefore, farming markets will continue to adapt and change as they have done so historically.

Specific comments and queries on report

AEC would like to discuss the following matters with ADC to clarify aspects of the report and also to understand its intended use for the following reasons:

- It is very difficult to read the document without assuming there is a degree of “scaremongering” occurring and intentional polarisation of outcomes – i.e. implying that dairying needs to be replaced by forestry and the removal of dairying from the District will lead to the financial collapse of Ashburton District’s economy. AEC would like to clarify who the intended audience will be when the report is finalised and published. Is the report only for the Council’s own use or will the report be made public to the agricultural sector and the general public? AEC would be concerned if this document was used, for example, to continue lobbying Central Government or Environment Canterbury with regard to trying to have the relevant rules relaxed and demonstrate how the district will meet its obligations under the National Policy Statement for Freshwater Management 2020 (NPSFM 2020).
- The statements made on pages 10 and 11 of the report imply the report has been prepared so ADC can get an understanding of how the nitrate limit of 2.4mg will impact the farming sector and what ADC need to consider so that as a Council it can lead its district in adapting to the change. These statements should be brought to the front of the report and outlined in the executive

summary and introduction. Currently, neither the executive summary or the introduction outline the purpose of the report or make it clear that the report is a tool to help ADC understand the issues.

- The report does not discuss that this is only part of the research ADC is undertaking to understand the issues facing the district and what could be changed in the district to improve natural environmental outcomes.
- The report calculates economic loss; however, the report fails to outline that such losses could occur over a 5 – 40-year timeframe and this is seriously misleading. There is a considerable difference in the economic loss in a short (five year) and longer term (40 year) timeframe – including the ability for the community and the land use to adapt. Not clarifying such an important factor contributes to the degree of “scaremongering”, which creates contention in the community.
- AEC seeks clarity as to how ADC derived the nitrogen baselines from which the report is based. It appears the information has been sourced from various places and alternates between limits set for surface and groundwater. Clarity is sought as to what is being achieved for what purpose, otherwise the report will perpetuate, if made public, the misinformation already circulating:
 - The report uses a calculation of 2.4mg N/L. This appears to be as a direct response to the limit set in Appendix 2A Table 6 of the NPSFM 2020. The figure of 2.4mg N/L is the National Bottom Line for rivers – not groundwater. For groundwater, the NPSFM 2020 does not currently prescribe a National Bottom Line.
 - The previous report prepared by ADC, which informs this report, states the 6.9mg N/L appeared to be derived from Section 13 of the Canterbury Land and Water Regional Plan (CLWRP). The CLWRP set 6.9mg N/L as the limit to be achieved by 2035 for the Lower Hinds Hekeao Plains Area for both surface and groundwater levels [Policy 13.4.14]¹. It is noted that the 6.9mg N/L was agreed in Plan Change 2 to the Canterbury Land and Water Regional Plan, which involved considerable community consultation. The limit was also discussed at great length as part of the Ashburton Zone Committee process; therefore, the 6.9 mg N/L limit is not a new phenomenon. Therefore, the report should make it clear the reductions to 2.4mg N/L theoretically should commence from 6.9mg N/L, which have been agreed to already by the community.
 - The 11.3mg N/L appears to be derived from the level at which water can be safely ingested (even by bottle fed infants). For surface water, 11.3mg N/L is well below the National Bottom Line and having a noted high impact on freshwater species in the NPSFM 2014 and the NPSFM 2020. It is also noted that 11.3mg N/L is not safe water quality, rather the maximum allowable before health effects in humans have been recorded.
 - The report seems to falsely assume that 11.3mg N/L is current Good Management Practice, this is not GMP. GMP are practices described in the document entitled “Industry-agreed Good Management Practices relating to water quality” (18 September 2015). Specific to nitrates, Good Management Practice Loss Rate is the average nitrogen loss rate below the root zone, as estimated by the Farm Portal, for the farming activity carried out over the most recent four-year period, if operated at Good Management Practice. Therefore, GMP and any specific nitrate reductions are farm specific, not a general reduction across all farms.
 - 11.3mg N/L was used in the Plan Change 2 for the Hinds Hekeao as the Maximum Acceptable Value for drinking water but recognised that in some areas the actual levels were considerably higher and others well below. There is concern that using a broad (average)

¹ Though this may also have been derived from Table 6 of Appendix 2 the NPSFM 2014 where it was the National Bottom Line for rivers.

nitrate calculation fails to recognise that there are differences across the district and across land uses. It does not factor in matters such as soil type or land use and other variables.

- Arowhenua have consistently sought nitrate levels to be as low as possible for both surface and groundwater, having requested limits of no more than 1mg N/L as this means there is no effect on sensitive taonga species.
- By aggregating all farm types and assuming they all require significant reductions appears to hide that some practices are less suitable to the land on which they are on in the district than others. Utilising this approach suggests more work needs to be done to gain a better understanding around the nature of the risk and how to resolve these matters first.
- The report has adopted broad sweeping generalisations. The report, for example on page 9, refers to wintering cattle indoors, implying this *"would move New Zealand away from internationally respected all-natural farm systems for which New Zealand is renowned"*; however, no scientific evidence has been provided to back such claims. Similarly, the report states that *"on-farm mitigations will be very difficult to implement, and they will reduce the viability of the remaining businesses"*. If such statements are to be made, particularly in support of a particular economic outcome, published research and articles should be detailed in the report.
- It is noted that this economic report makes generalised statements such as: *"attempting to meet a water quality target 2.4ppm N would be extremely financially, physically and psychologically challenging for most Ashburton farmers and could have material sociological impacts on the wider community"* [Appendix 1, Page 6]. Such statements are considerably misleading without evidential information to support such claims. AEC are also mindful of the fact that the ongoing decline of the environment and loss of culturally significant sites and values has a considerable physical and psychological effects on mana whenua and other members of the community; however, the report has not attempted to address this issue.
- AEC does not support the messaging around the use of managed aquifer recharge. The report appears to suggest MAR is critical in achieving the reductions needed. It assumes the current MAR trial has been successful, but also that MAR must be significantly expanded across the district to achieve any sort of outcome without considering where the water resource needed will come from. Arowhenua has considerable concerns with the MAR scheme and would be concerned if the information and calculations from these economic reports are used to justify the expansion of MAR.

If you would like clarity on any of the matters in this email, please contact Treena Davidson on 027 242 3798 or Treenadavidson@aecltd.co.nz. Otherwise please contact the undersigned.

We look forward to discussing this document and progressing matters further with you.

Ngā mihi



Ally Crane
General Manager

7. *Interpretation panels – Street Plaques Working Group*

Author	<i>Connor Lysaght; Archives Officer</i>
Activity Manager	<i>Shirin Khosraviani; Art Gallery & Museum Director</i>
GM Responsible	<i>Steve Fabish; GM Community Services</i>

Summary

- The purpose of this report is to inform Council on the activities and progress of the Street Plaque Working Group's primary project.
- The Working Group was formed on 19 May 2021 as a result of a decision by Council following a pre-scoping report, proposed at the 4 February 2020 Town Centre Subcommittee meeting.
- The Working Group is recommending that it be re-named as the Heritage Mid Canterbury Working Group to better reflect the scope of work.
- This primary project is to promote the history of Ashburton's CBD via a series of interpretation panels, or history panels, to be erected at key points in the CBD to pair with the current revitalisation project.
- This initiative is seen as important due to timing (coincides with CBD revitalisation and the library and civic centre project) and because of an identified need – to increase awareness, and raise the profile of the history of the Ashburton town and district.
- The Working Group have identified several options for Council to consider including status quo, continuation of the project and other future promotional projects, and the same with alterations and more Council control.

Recommendation

1. **That** Council renames the Working Group as the 'Heritage Mid Canterbury Working Group'.
2. **That** Council supports Option 2: Continue with panels, as outlined in the report.
3. **That** the Working Group update Council on further developments by March 2022.

Attachments

Appendix 1 Examples of granite plaque, blue plaque and draft interpretation panel

Background

Formation of the Heritage Mid Canterbury Working Group

1. At the 4 February 2020 Town Centre Subcommittee meeting, the concept of street plaques to highlight Ashburton's history was raised. This prompted the Subcommittee to recommend that staff prepare a pre-scoping report on the feasibility of such an undertaking. This recommendation was adopted by Council at their 28 February 2020 meeting.
2. This item was not progressed until early 2021, due to the onset of COVID-19 and the establishment of the new Community Services Group Manager role.
3. The Heritage Mid Canterbury Working Group was formed following a decision by Council to adopt a recommendation in a report by staff, at the 19 May 2021 Council meeting.
4. It was decided that Council, Historic Places Mid Canterbury, and the Ashburton Museum & Historical Society Inc. would work together jointly to identify methods promote the history of Ashburton in the town centre and to report back to Council on their recommendations.
5. The first meeting of the Street Plaques Working Group was held on Wednesday, 23 June 2021. The working party felt that a name change to Heritage Mid Canterbury Working Group, would better reflected the role they were undertaking.

Historic interpretation panels project

6. During its first June meeting, the Heritage Mid Canterbury Working Group developed boundaries and explored ideas for themes, imagery, and locations for history panels in and around the broad Ashburton CBD area.
7. The Working Group decided that the proposed history panels would feature in a prominent location, showcasing Museum photographs of parts of Ashburton and text explaining the historical significance of buildings, businesses, and the CBD area.
8. It was decided that ideally a number of these proposed historic interpretation panels would be erected by the time of the completion of the Ashburton CBD revitalisation works. This is the Working Group's deadline for this project.
9. Through a shared interest in making Ashburton's history more well-known, the Working Group carefully considered ideas such as which aspects of history to cover, and how to construct these history panels.
10. During the Group's second meeting on 21 July it was agreed that an initial number of four interpretation panels would be produced, and their proposed locations were chosen. The Working Group feels as though more historic interpretation panels could be on the cards for other places around the town and district.
11. It was agreed that a prime location for these four interpretation panels would be in the vicinity of walking access points to East Street, via the West Street parking strip, on the East Street green.

12. A commitment has been made by the group to produce four interpretation panels to be erected along East Street, which will outline the history of the buildings on:
 - Tancred Street
 - Burnett Street
 - Moore Street
 - Baring Square East (historic post office + clock tower)
13. Draft panels have been jointly produced by G Vallender and C Lysaght, guided by the group and its decisions.
14. These panels aim to present the history of Ashburton not in terms of significant people or figures, but the purpose is to showcase Ashburton 'as it was' in times past, without placing any historical person on a pedestal.
15. The group has moved to engage in consultation with Arowhenua regarding panel content, for those currently in production or future history panels.
16. The third meeting of the Working Group was postponed due to COVID-19 and was held on 22 September, during which an engraved granite plaque was presented as proof-of-concept for future projects of the Working Group.
17. The inclusion of QR codes on the proposed interpretation panels was emphasised as an important point – these could link back to the Museum website for example, with additional information.
18. The Working Group decided that the proposed interpretation panels would be interchangeable – they would be intended to be removed and swapped out on their metal frames periodically so that different content could be displayed.
19. The Working Group has expressed interest in continuing to work on projects in stages, which are:
 - Development of another 4 interpretation panels to be installed on the same frames, and beyond this, a changeover cycle of 6 months for interpretation panels.
 - A project to highlight the existing Historic Places Mid Canterbury blue plaques at existing heritage sites/on existing heritage buildings.
 - Laser-cut granite plaques sponsored by businesses/building owners to highlight the history of buildings and businesses around Ashburton.
 - The development of a heritage walk in the long-term, incorporating all of the above in some shape or form. The scope of this walk would extend beyond the CBD and across the town to cover sites and areas of historical significance.
20. Council's Open Spaces team have given a commitment to undertaking ongoing maintenance of the proposed interpretation panels.

Options analysis

21. The Working Group have identified several options for Council to consider.

Option 1: Status Quo.

- The interpretation panels project of the Working Group is not supported and the Working Group asked to continue to meet and discuss other potential avenues and report back to Council.
- Pros- Extra time and effort taken will ensure that we get this right.
- Cons- The delay will result in any initiative highlighting Ashburton's history, not being implemented until 2022.

Option 2: Continue with panels

- Council agrees with the Working Group's interpretation panels project concept and is encouraged to continue with design and installation.
- Council agrees that the Working Group should continue to identify future projects to promote the history and heritage of the Ashburton District and report these back to Council
- Pros- The Working Group feel supported and that their ideas are implemented.
- Cons- Nil identified

Option 3: Continue with Council alterations

- Council agrees with the Working Group's interpretation panels project concept, but wishes to see changes made to either design or location of signs.
- Pros- Extra time and effort taken will ensure that we get this right.
- Cons- The delay may result in any initiative highlighting Ashburton's history, not being implemented until 2022, if the changes are significant.

Legal/policy implications

Council strategies, plans, policies, bylaws

22. The interpretation panels project of the Heritage Mid Canterbury Working Group will aim to align with, current plans and ongoing works for the revitalised Ashburton CBD area.
23. Any potential use, access of the archival collections of the Ashburton Museum & Historical Society Inc. (AM&HS), which are held on the premises of the Ashburton Museum, for this project is permitted by the AM&HS and activities align with the current Memorandum of Understanding between the AM&HS and the Ashburton District Council.

Legislation

24. Any potential use, access of the archival collections of the Ashburton District Council, which are held on the premises of the Ashburton Museum, for this project is generally governed by the Public Records Act 2005.

25. Any and all imagery/text used will be moderated so as to not breach the Copyright Act 1994 (by strict use of only materials owned by the Ashburton District Council and the AM&HS.)

Strategic alignment

26. The recommendation relates to Council's community outcome of 'a district of great spaces and places' because the proposed historic interpretation panels will strengthen a feeling of connection to Ashburton's past, and enhance the CBD's atmosphere.

Climate change

27. In recognition of the Local Government Leaders' Climate Change Declaration 2017, the proposed decision should not have any significant environmental impact.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	The proposed interpretation panels will be an eye-catcher, and will encourage locals and visitors to further explore the CBD and thereby encounter businesses in the sector.
Environmental		
Cultural	✓	The current proposed interpretation panels will promote aspects of Ashburton's history in such a way that aims not to raise any historical figure on a pedestal, instead focusing on the history of buildings & business. This aims to foster a better general understanding of Ashburton's history, and foster curiosity which can be further satisfied at the Ashburton Museum, or via exploration.
Social	✓	The proposed interpretation panels have the potential to increase a sense of place, or belonging, by highlighting the longevity of Ashburton and its past.

Financial implications

28. Much of the funding for the Working Group's proposed interpretation panels project can be covered by external funding.

Requirement	Explanation
What is the cost?	Estimated costs per interpretation panel - \$950 frames ,for \$250 panel
Is there budget available in LTP / AP?	Yes, Open Spaces will cover concrete surrounds and install from existing budgets. \$1000 will be contributed by the Museum from existing budgets.
Where is the funding coming from?	The Working Group has committed to finding the additional external funding as required.
Are there any future budget implications?	No, Open Spaces will keep the signs clean. Existing budgets can cover this.
Finance review required?	Yes – reviewed by Erin Register, Finance Manager

Significance and engagement assessment

29. Feedback has been sought from Aoraki Environmental Consultancy and is expected soon.

Requirement	Explanation
Is the matter considered significant?	No.
Level of significance	Overall significance assessed as Low.
Rationale for selecting level of significance	Not applicable.
Level of engagement selected	1. Inform – one way communication
Rationale for selecting level of engagement	The decision involves a Council-appointed Subcommittee seeking Council guidance to confirm that they are meeting Council's expectations. Given the overall significance, this is appropriate.
Reviewed by Strategy & Policy	Richard Mabon, Senior Policy Advisor

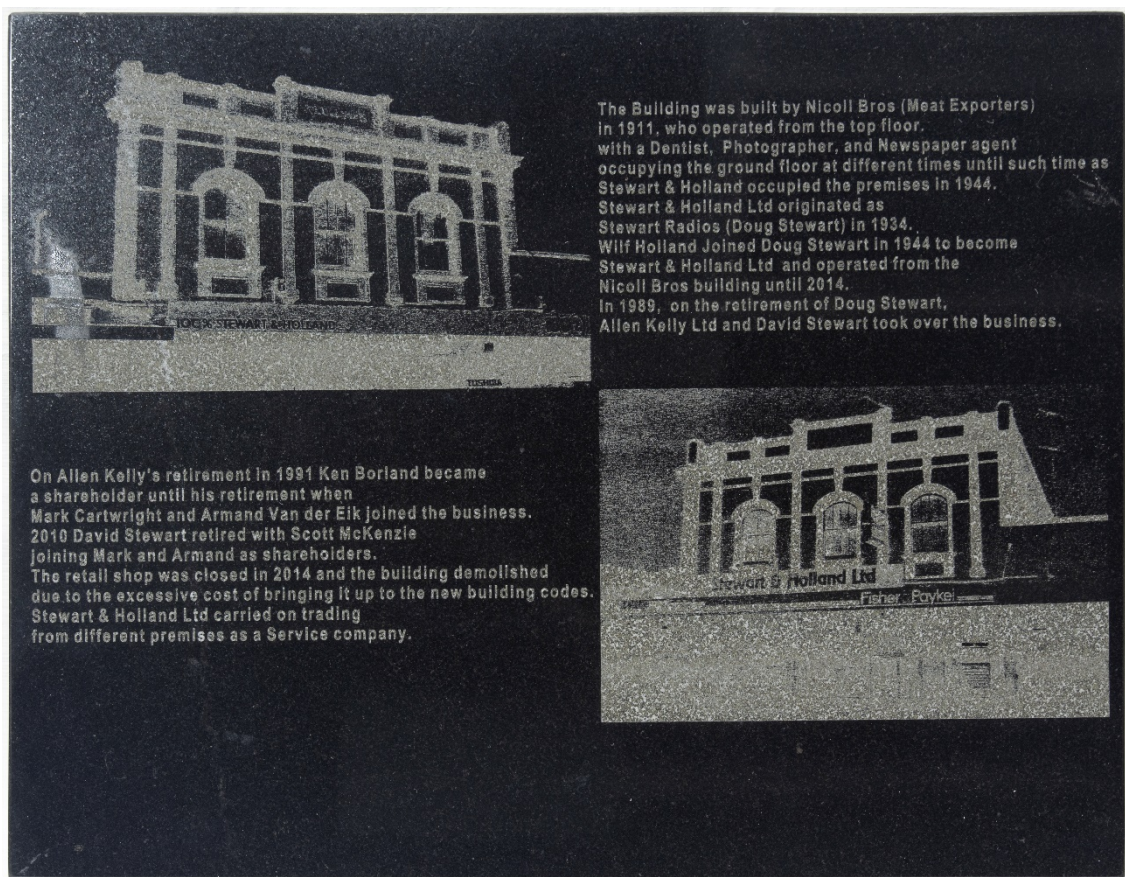
Next steps

30. Future Actions

Date	Action / milestone	Comments
20 October 2021	Council consider report and recommendations	
March 2022	Working party report back to Council on further updates	

Appendix 1 - Examples of granite plaque, blue plaque, and draft interpretation panel

Granite Plaque



Historic Places Mid Canterbury blue plaque



One of many hotels

By 1878, there were five hotels dotted around town, which in total could accommodate hundreds of guests altogether. One of Ashburton's more obscure historic hotels was on Moore Street — the Royal Hotel.

The Royal was popular enough, as evidenced by its renovation that year, which brought the number of bedrooms up to 36.

In the early days, if a death occurred it was common that an inquest was held at the nearest or most convenient hotel. The Royal seemed to have this happen with unusual frequency, as there were at least three inquests held there in 1879 alone.

As with many other hotels in the early days, there was plenty of fighting, swearing, horse-thievery, disappearances of personal belongings — you name it, it happened!

The Royal eventually declined and the premises was taken over by a grocer, eventually falling into disrepair before it was demolished. Its legacy as a rowdy hotel lingered on however, as a police raid occurred there in 1905 on suspicion of sly-grogging, or supplying alcohol during prohibition!



More than meets the eye

Aside from being a popular spot for garages and other businesses, including long-standing institutions, such as Sparrows, Moore Street was also politically important for Ashburton.

Moore Street's history ties in with early local government, as the office of the Wakanui Road Board were once situated on the corner of Moore and Cass Streets. The building also housed the Magistrate's Court, and the Ashburton Road Board — the first local body in Ashburton.

Road Boards were an early form of local government — they developed the roads within their jurisdiction, funded by rates and other means.

The office was erected in 1873, and was used constantly until the Wakanui Road Board was absorbed by the County Council in 1938. The building, which was affectionately called "the cradle of public administration in Ashburton," was pulled down in 1938.



8. Naming of Building – Ashburton Library & Civic Centre

Author *Chief Executive's office*
GM Responsible *Hamish Riach; Chief Executive*

Summary

- The purpose of this report is to inform Council of the names that have been gifted for the new Library and Civic Centre building.
- At the request of Council, Te Arowhenua Runanga have gifted two names reflecting the purpose of the two buildings – the library and the civic centre.

Recommendation

- 1. That** Council accepts the names gifted by Te Runanga Arowhenua for the Ashburton Library and Civic centre building which is currently under construction:
 - a) Te Pātaka o Ngā Tuhituhi (Library)and
 - b) Te Waharoa a Hine Paaka (Civic Centre).

Background

1. It has become common practice for public buildings to have both an English and a te reo Maori name.
2. The te reo name is generally given as a gift from the local Maori runanga who have mana whenua for the area. In our case, it is widely accepted that Arowhenua runanga have mana whenua for the bulk of the Ashburton District.
3. In relation to the new Library and Civic Centre currently under construction, staff were asked to approach Arowhenua to enquire whether Arowhenua would consider gifting a te reo name for the building.
4. In response to that request, Arowhenua have gifted the following names:
 - a. Te Pātaka o kā Tuhituhi for the Library; and
 - b. Te Waharoa a Hine Paaka for the Civic Centre portion of the building
5. Arowhenua have gifted two separate names on the basis that one name alone could not encapsulate all that the building offered the community.
6. Arowhenua have advised that a translation of the names is:
 - a. Te Pātaka o kā Tuhituhi is *“The Storehouse of Written Publications”*; and
 - b. Te Waharoa a Hine Paaka is *“The Gateway of (belonging to) Hine Paaka”*

Concept explanation of Te Pātaka o kā Tuhituhi:

7. This name is based around the concept of a pātaka or a raised storehouse. Traditionally, Pātaka were storehouses raised above the ground on posts, used to store preserved and dried foods (but not for crops such as kūmara), tools, implements, vessels and garments.
8. Pātaka kai (food storehouses) played an essential role in community life by ensuring that the yearly harvest could be safely stored for the harder, leaner months of the year.
9. Often, pātaka belonging to rakatira (chiefs), were intricately carved and seen as both a prized possession and a symbol of the owner’s chiefly status. An example of a carved pātaka can be seen below.

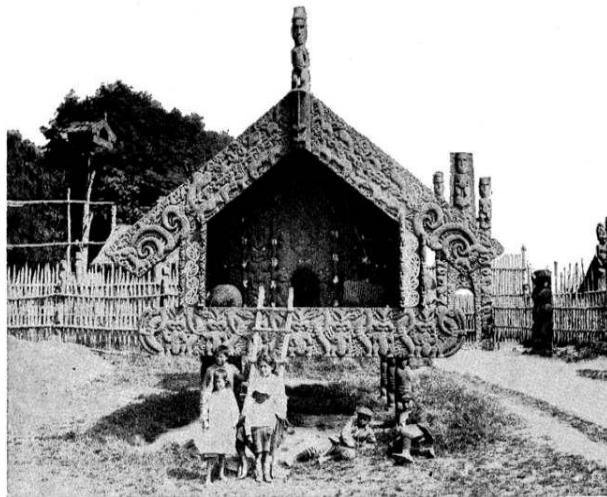


FIG. 14. *Pataka at the New Zealand Exhibition, Christchurch, 1906.*

(Source: Māori Storehouses and Kindred Structures. Elsdon Best
<https://nzetc.victoria.ac.nz/>)

10. The term pātaka can be applied in a broader sense. This is seen in the name ‘Te Pātaka o Rākaihautū’ (the food storehouse of the ancestor Rākaihautū), a name used to describe the traditional bounty of the Banks Peninsula area. In a contemporary context its seen in the term ‘He Pātaka Kupu’ (A Word Repository’), a name given to a Māori language dictionary published by Te Taura Whiri i te Reo Māori, The Māori Language Commission.
11. The term ‘pātaka’ has been used previously in relation to libraries throughout New Zealand e.g., Te Pātaka Maramatanga (Te Wānanga o Aotearoa Library), Ngā Pātaka Kōrero o Tamaki Makaurau (Auckland Libraries) and Te Pātaka Collection and Distribution Centre (Wellington Libraries).
12. Please note that the word ‘ngā’ in the original name ‘Te Pātaka o ngā Tuhituhi’ has been amended to ‘kā’ to reflect the southern Kāi Tahu dialect use of the ‘k’ instead of ‘ng’. The change has been approved by Te Wera King, Upoko Rūnaka – Te Rūnanga o Arowhenua.

Concept explanation of Te Waharoa a Hine Paaka:

13. The name ‘Te Waharoa a Hine Paaka’ or ‘The Gateway of Hine Paaka’ derives from the ancient mātai (beech) tree that once stood near the Alford Forest in the Ashburton district.
14. Known as Hine Paaka, this tree was a significant landmark to Māori travelling through the district as it could be seen from a great distance away. The tree was also seen as a territory marker and as the place where the appropriate ceremonial rites to ensure safe passage should be undertaken by those entering into the lands of the local takata whenua.



The Mātai (Beech) Hine Paaka
(source: Ashburton Museum Blog)

15. The importance and ‘sacred’ nature of this tree was also acknowledged by early European settlers in the region, and it was given the name ‘Single Tree’. Estimated to be anything between 300 and 1000 years old the tree finally blew over in a storm in 1945 and is now commemorated in a roadside memorial on SH72.
16. The bestowing of this name upon the Ashburton Civic Centre acknowledges that the township of Ashburton plays a similar role today as a significant gateway to the takiwā (traditional lands) of the takata whenua Kāti Huirapa.
17. We have not yet asked the Building Architects to give consideration as to how the names might be incorporated on or in association with the Library and Civic Centre – this step will follow from the decision of Council in relation to the recommended option in this report.

Options analysis

Option 1 – Accept Arowhenua’s gift (recommended)

Advantages

- Shows respect to mana whenua;
- Acknowledges the place that Arowhenua as mana whenua have in our District;
- Celebrates Te reo in a prominent and obvious way;
- Links the Civic Centre and Library to the history and heritage that mana whenua have in this part of New Zealand

Disadvantages

- Other than needing time for the names to resonate and become known and used, there are no disadvantages to accepting the gift.

Option 2 – Do not accept Arowhenua’s gift

- The advantages and disadvantages of not accepting the gift are essentially the reverse of those for the option to accept.

Advantages

- The need for time for the names to resonate and become known and used would be done away with.

Disadvantages

- Shows no respect to mana whenua;
- Does not acknowledge the place that Arowhenua as mana whenua have in our District;
- Does not celebrate Te reo in a prominent and obvious way;
- Does not link the Civic Centre and Library to the history and heritage that mana whenua have in this part of New Zealand.

Financial implications

18. There are no financial implications if the preferred option is approved.

Requirement	Explanation
What is the cost?	There is no additional cost. The incorporation of the gifted names will be met from the existing building budget
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	The total project costs includes provision for incorporating the gifted names.
Are there any future budget implications?	No
Finance review required?	Paul Brake: Group Manager Business Support

Significance and engagement assessment

19. Appropriately, engagement with mana whenua has ensured that the names gifted by Te Runanga Arowhenua reflect the particular characteristics and purpose of the new building and the history of this district.

Requirement	Explanation
Is the matter considered <i>significant</i> ?	Yes.
Level of significance	Medium. Impact on Te Rūnanga O Arowhenua is assessed as High, community impact and community interest are assessed as Medium.
Level of <i>engagement</i> selected	4. Comment – informal two-way communication.
Rationale for selecting level of engagement	Council has engaged directly with Te Runanga Arowhenua recognising the place that Arowhenua, as mana whenua, have in the Ashburton District and acknowledging the protocols associated with the Te Reo gifting of names. The level of engagement selected also aligns with the overall level of significance.
Reviewed by Strategy & Policy	Richard Mabon, Senior Policy Advisor

9. *Delegations Manual Amendment*

Activity Manager	<i>Paul Brake: GM Business Support</i>
GM Responsible	<i>Hamish Riach; Chief Executive</i>

Summary

- The Chief Executive is currently delegated to enter into contracts within budgeted levels in the Long Term Plan / Annual Plan up to \$1,500,000. The purpose of this report is to clarify how the delegated approval is applied against contract progress payments.

Recommendation

1. **That** Council delegates to the Chief Executive the power to approve contract progress payments greater than \$1,500,000 that are within approved budgeted levels.
2. **That** the amendment to the Delegations Manual be approved.

Attachment

Appendix 1 Excerpts from Council's Delegations Manual

Background

1. The Chief Executive currently has the following financial delegation under clause 7.9.1
2. Council delegates to its officers the power to incur expenditure and enter into contracts as per the following table, subject to Council's approval:
 - Procurement Policy
 - Sensitive Expenditure Policy
 - Long Term Plan / Annual Plan

Position	Contractual authority within budgeted levels in the Long Term Plan/Annual Plan	Purpose
Chief Executive Officer	\$1,500,000	All activities

3. Council has some large contracts such as the Library and Civic Centre and the CBD upgrade. These projects complied with the procurement policy and have been put in place as per the current delegations. Council has approved the budgets for these projects.
4. The size of these projects results in progress claims greater than \$1,500,000 and it is unclear whether the Chief Executive currently has the authority to approve these claims.
5. The Council has contractual payment terms to comply with, often with terms that require payment to be made within a stipulated number of days from the date of the progress claim. Referring these large progress claims to Council for approval runs the risk that these payment terms will not be adhered to.
6. The recommendation aims to clarify that the Chief Executive has delegated authority to approve any contract progress claim with no financial limit, where that claim is correct and within the agreed scope of a contract. The delegation only applies once a contract has been through the procurement process, has an approved budget and approved under the appropriate delegation. The ability for the Chief Executive to enter into new contracts remains at the current \$1,500,000.

Options analysis

Option 1 – Amend the delegation as recommended

Advantages

7. This will allow progress payments to be approved and paid within the contractual terms.

Disadvantages

8. There are no disadvantages. The contracts comply with Council's procurement policy, and the Council has approved the works and the budget.

Option 2 - Make no amendment to the delegations

Advantages

9. No advantages are identified .

Disadvantages

10. This will mean that progress claims greater than \$1,500,000 will need to go to Council for approval, likely to lead to delays in making payment and result in possible breaches to contractual payment terms.

Legal/policy implications

11. The amendment is to the December 2020 Delegation Manual.

Financial implications

Requirement	Explanation
What is the cost?	No cost
Is there budget available in LTP / AP?	Contracts are subject to their approved budgets
Where is the funding coming from?	Budgeted expenditure
Are there any future budget implications?	No
Finance review required?	No

Significance and engagement assessment

Requirement	Explanation
Is the matter considered <i>significant</i> ?	No
Level of significance	Low significance
Level of <i>engagement</i> selected	1. Inform – one-way communication
Rationale for selecting level of engagement	The contract is approved, and the budget is available. The approval of a progress payment is seen as a routine step in administering the contract
Reviewed by Strategy & Policy	Toni Durham: Strategy and Policy Manager

Appendix 1 Excerpts from Council's Delegations Manual

7.1 The Chief Executive's role in financial management

The responsibility of the Chief Executive in financial management includes:

- overall responsibility of Council for sound financial management;
- delivery of the financial outcomes of Council's Long-Term Plan;
- responsibility for the performance of managers with delegated financial powers;
- arbitrating any conflict relating to finance which may arise from time to time, in which the Chief Executive's decision is final; and
- compliance with the Local Government Act 2002, the Local Government (Rating) Act 2002, Rates Rebate Act 1973, Financial Reporting Act 1993 and other statutory provisions.

7.2 General delegations from Council to the Chief Executive

For the purpose of implementing decisions made by Council and its committees, the Chief Executive has delegated authority for:

- all arrangements and contracts for the supply of goods, services, plant and labour
- the management of operations and maintenance
- capital expenditure to the limit approved in the Annual Plan and/or Long-Term Plan.

7.2.1 Emergency delegations

During a declared state of emergency, the Chief Executive may enter into any contract on behalf of Council of up to \$1,500,000 in excess of budgeted amounts.

In the time between the last Council meeting of the term, and the inaugural Council meeting, the Chief Executive may enter into any contract on behalf of Council, subject to the budgeted limits approved in the Long-Term Plan/ Annual Plan.

7.3 Expenditure delegations

7.3.1 Contract and expenditure authorisation

Council delegates to its officers the power to incur expenditure and enter into contracts as per the following table, subject to Council's approved:

- Procurement Policy
- Sensitive Expenditure Policy
- Long-Term Plan/Annual Plan budget.

Position	Contractual authority within budgeted levels in the Long-Term Plan / Annual Plan	Purpose
Chief Executive Officer	\$1,500,000	All activities
GM Business Support	\$500,000	All activities
GM Community Services	\$500,000	Areas of responsibility
GM Infrastructure Services	\$500,000	Areas of responsibility
GM Strategy and Compliance	\$500,000	Areas of responsibility
Manager People and Capability	\$500,000	Areas of responsibility
Activity managers	\$100,000	Areas of responsibility
All other employees	\$10,000	Area of responsibility

10. Wastewater Drainage Bylaw

Author	<i>Rachel Thomas; Policy Advisor</i>
Activity manager	<i>Toni Durham; Strategy and Policy Manager</i> <i>Andy Guthrie; Assets Manager</i>
Group manager	<i>Jane Donaldson; Group Manager Strategy and Compliance</i>

Summary

- The purpose of this report is to recommend that Council rolls over the current Wastewater Drainage Bylaw with minor amendments.

Recommendation

- 1. That** Council rolls over the current Wastewater Drainage Bylaw with minor amendments.

Attachment

Appendix 1 Wastewater Drainage Bylaw

Background

Current situation

1. Council's current Wastewater Drainage Bylaw is due for review in September 2021.
2. Council has a Wastewater Drainage Bylaw to manage and protect Council's wastewater systems from unauthorized connection or use; and to protect and maintain public health and safety.
3. The bylaw was first adopted in 2008, and then reviewed in 2016 but was due for review in 2013. The review timeframe was set at five years as the bylaw had technically lapsed. The 2016 bylaw was treated as a new bylaw (s.158, Local Government Act 2002) which meant it had to be reviewed within five years instead of ten. Officers recommend a ten year review timeframe going forward.
4. Officers have reviewed the current bylaw and have determined that only a minor update is required (a change to a reference).

Options Analysis

Option one – rollover the bylaw with a minor amendment (*recommended*)

5. This is the recommended option. It would see Council rolling over the current bylaw, with a minor amendment to a reference being made and a rearrange of clause for readability. This can be done via publicly notified resolution.

Option two – revoke the bylaw

6. This option is not recommended. This would mean that Council would have no enforcement or regulatory control over connection to and activities associated with Council's wastewater system.
7. Council has had a bylaw in place now for a number of years, and therefore it is difficult to quantify what the extent of the problem might be should Council not have a bylaw. It is reasonable to assume that if the bylaw were to be removed, Council might expect to see increased incidences of misuse or unauthorised access causing damage to the wastewater system or jeopardising public health.
8. It is also reasonable to expect residents would view protection of their wastewater drainage system as a high priority for Council. Failing to have all practical measures in place prohibiting unauthorised access or use is likely to be considered unfavourable by the community.
9. However, if the preferred option is to revoke the bylaw, then Council could:

- **Rely on existing legislation**

Council could choose not to adopt a bylaw and rely on existing legislation to regulate the use of Council's wastewater network. Relevant statutes include:

- Local Government Act 2002
- Local Government Act 1974
- Health Act 1956
- Resource Management Act 1991

This is not the preferred option because the majority of the issues addressed by the proposed bylaw are not adequately covered by legislation.

- **Introduce non-regulatory measures**

Council could choose to leave the matters in the proposed bylaw unaddressed in a formal way and instead implement alternative, non-regulatory measures. Such measures could include general information and education (e.g. signs, website, Facebook); and/or develop a policy in place of a bylaw. This approach would rely on voluntary compliance.

10. The alternative options considered are not recommended because they would be less effective as enforcement mechanisms and they do not provide enough certainty or rigour to ensure that unauthorised connections, use or activity can be appropriately dealt with.

Legal/policy implications

Local Government Act 2002, Health Act 1956, Bill of Rights Act 1990

11. The Wastewater Drainage Bylaw and this report meet the requirements of the Local Government Act 2002.
12. Section 64 of the Health Act 1956 enables Council to make a bylaw for the purposes of that Act for "regulating drainage and the collection and disposal of sewage, and prescribing conditions observed in the construction of approved drains".
13. Council has the power to make a bylaw under s.145 and 146(a)(i) of the Local Government Act 2002. The general bylaw-making power in s.145 is supported by a specific bylaw-making power in s.146 which provides, amongst other things, that bylaws can be made for wastewater, drainage and sanitation (s.146(b)(iii)).
14. Section 155 requires Council to make the following determinations:

<i>Required determination</i>	<i>Council consideration</i>
Whether a bylaw is the most appropriate way of addressing a perceived problem	Officers have determined that a bylaw is the most appropriate way of addressing the perceived problem. It is not a legal requirement to have a Wastewater Drainage Bylaw, however there is a need for a bylaw to maintain regulatory control over Council's waste water system.

Whether the bylaw is the most appropriate form of bylaw	<p>Council's Wastewater Drainage Bylaw is the most appropriate form of bylaw because it meets the following tests:</p> <p>The bylaw is</p> <ul style="list-style-type: none"> • Authorised by statute under section 146(b)(iii) of the LGA • Not repugnant of the general laws of New Zealand • Certain and clear • Reasonable • Not overly restrictive, onerous on any person, or impractical.
Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990	The proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, nor does it impose any restrictions on any of the rights listed in the Act.

Financial implications

Requirement	Explanation
What is the cost?	Rolling over the bylaw has no cost.
Is there budget available in LTP / AP?	Not required
Where is the funding coming from?	Not required
Are there any future budget implications?	No, it is not expected that Council will incur extra costs as a result of this bylaw. Legal review is not required as this was obtained in 2016 and there are no recommended changes to the bylaw
Reviewed by Finance	Not required

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No, no changes are made to the bylaw itself.
Level of significance	Low
Level of engagement selected	Level 1 - Inform
Rationale for selecting level of engagement	Section 156(2)(a) of the Local Government Act 2002 states that Council can make minor changes to a bylaw via publicly notified resolution if, the changes do not affect an existing right, interest, title, immunity, duty, status or capacity of any person to whom the bylaw applies.
Reviewed by Strategy & Policy	Toni Durham, Strategy & Policy Manager

Next steps

Date	Action / milestone	Comments
20 October 2021	Adopt bylaw	Public notification of minor change to bylaw
2031	Review bylaw	

Draft Bylaw

WASTEWATER DRAINAGE

TITLE:	Ashburton District Council Wastewater Drainage Bylaw 2021
DEPARTMENT:	Assets
RESPONSIBILITY:	Assets Manager
DATE ADOPTED:	20 October 2021
COMMENCEMENT:	21 October 2021
NEXT REVIEW DUE:	21 October 2031

1. Title

The title of this Bylaw is the Ashburton District Council Wastewater Drainage Bylaw 2021.

2. Purpose

The purpose of this bylaw is to:

- a) manage and protect Ashburton District Council's wastewater, drainage and sanitation systems from misuse or damage and;
- b) protect the public from nuisance and;
- c) protect, promote and maintain public health and safety.

3. Related Documents

- Ashburton District Council Introduction and Miscellaneous Bylaw
- Building Act 2004
- Dog Control Act 1996
- Hazardous Substances and New Organisms Act 1996
- Health Act 1956
- Local Government (Rating) Act 2002
- Local Government Act 2002
- New Zealand Building Code
- NZS4404:2010 Land Development and Subdivision Engineering
- Resource Management Act 1991
- Plumbers, Gasfitters and Drainlayers Act 2006
- Resource Management Act 1991.

4. Application

- 4.1.1 This bylaw is made under the authority of the Local Government Act 2002 for wastewater drainage in Ashburton District.
- 4.1.2 The provision of wastewater drainage services by the Ashburton District Council is subject to:
- (a) Statutory Acts and Regulations
 - (i) Building Act 2004
 - (ii) Hazardous Substances and New Organisms Act 1996
 - (iii) Health Act 1956
 - (iv) Local Government Act 2002
 - (v) Local Government (Rating) Act 2002
 - (vi) Plumbers, Gasfitters and Drainlayers Act 2006
 - (vii) Resource Management Act 1991; and
 - (b) Relevant Codes and Standards
 - (i) New Zealand Building Code
 - (ii) NZS4404:2010 Land Development and Subdivision Engineering
- 4.1.3 Any reference to a repealed enactment within this bylaw should be read as a reference to its replacement.

5 Definitions

In this bylaw, unless the context requires otherwise:

Acceptable discharge means a wastewater with physical and chemical characteristics which comply with the requirements of the wastewater authority as scheduled in the Trade Waste Bylaw.

Approved means approved in writing by the wastewater authority; either by resolution of the Council or by any authorised officer of the wastewater authority. Note: The WWA will only approve contractors for drainage works that employ a drainlayer authorised under the Plumbers, Gasfitters and Drainlayers Act 2006.

Buried services means all public sewers, rising mains, trunk sewers and other underground utilities under the responsibility of the wastewater authority.

Certificate of title means a certificate registering the freehold ownership of land available to any owner(s) under the Land Transfer Act 1952.

Characteristic means any of the physical or chemical characteristics of a trade waste referred to in Trade Waste Bylaw.

Council means the Ashburton District Council or any officer authorised to exercise the authority of Council.

Customer means a person who either discharges, or has obtained a consent to discharge or direct the manner of discharge of wastewater from any premises to the public sewer of the wastewater authority.

Deed of covenant means an agreement whereby a party stipulates as to the truth of certain facts, or binds himself to give something to another, or to do or not to do any act.

Disconnection means the physical cutting and sealing of the drain from a premises.

Domestic wastewater means either that wastewater which is discharged from premises used solely for residential activities, or wastes of the same character discharged from other premises, provided that the characteristics of the wastewater are an acceptable discharge. Such activities shall include the draining of domestic swimming and spa pools subject to 11.2.1.

Drain means that section of private drain between the customer's premises and the point of discharge through which wastewater is conveyed from the premises. This section of drain is owned and maintained by the customer (or group of customers).

Fees and charges means the list of items, terms, and prices for services associated with wastewater drainage as adopted by the Council in accordance with the Local Government Act 2002 and the Local Government (Rating) Act 2002.

Hazardous substances will have the same meaning as set out in the Hazardous Substances and New Organisms Act 1996.

Infiltration means water entering a public sewer or private drain from groundwater through defects such as poor joints, and cracks in pipes or manholes. It does not include inflow.

Inflow means water discharged into a private drain from non-complying connections or other drain laying faults. It includes stormwater entering through illegal downpipe connections or from low gully traps.

Level of service means the measurable performance standards on which the WWA undertakes receive a wastewater discharge from its customers.

Memorandum of encumbrance means an agreement for the payment by any person or persons by yearly or periodical payments or otherwise of any annuity, rent charge, or sum of money other than a debt where land owned by the person or persons is legally defined and used as security should failure to pay occur.

Person means a natural person, corporation sole or a body of persons whether corporate or otherwise.

Point of discharge means the boundary between the public sewer and a private drain.

Premises means any of the following:

- a. A property or allotment which is held under a separate certificate of title (or for which a separate certificate of title may be issued) and in respect to which a building consent has been (or may be) issued; or
- b. A building or part of a building that has been defined as an individual unit by a cross-lease, unit title or company lease and for which a certificate of title is available; or
- c. Land held in public ownership (e.g. reserve) for a particular purpose.

Property means a separately rateable property.

Prohibited characteristics means a wastewater which shall not be discharged into the wastewater authority system, as scheduled in the Trade Waste Bylaw.

Publicly notified means published on at least one occasion in a daily newspaper circulating the area, or, under emergency conditions, by the most practical means available at that time.

Rising main means a sewer through which wastewater is pumped.

Service opening means a manhole, or similar means for gaining access for inspection, cleaning or maintenance, of a public sewer.

Sewer means the main public sewer and lateral connections that carry away wastewater from the point of discharge. The public sewer is owned and maintained by the wastewater authority.

Stormwater means all surface water run-off resulting from precipitation.

Trade premises means:

- a) any premises used or intended to be used for any industrial, commercial or trade purpose; or
- b) any premises used or intended to be used for the storage, transfer, treatment, or disposal of waste materials or for other waste management purposes, or used for composting organic materials; or
- c) any other premises from which a contaminant is discharged in connection with any industrial, commercial or trade process;
- d) any other premises discharging other than domestic sewage to the sewerage system; and includes any land or premises wholly or mainly used for agricultural or horticultural purposes.

Trade waste means any liquid or gas, with or without matter in suspension or solution, that is or may be discharged from a trade premises to the Council's sewerage system in the course of any trade, commercial or industrial process or operation, or in the course of any activity or operation of a like nature, and may include condensing or cooling waters, stormwater which cannot be practically separated or domestic sewerage.

Trade Waste Bylaw means Ashburton District Council's Trade Waste Bylaw which regulates wastewater discharges from trade premises to a sewer.

Trunk sewer means a sewer, generally greater than 150 mm in diameter, which forms a part of the principal drainage network of the wastewater authority's wastewater drainage system.

Wastewater: means water or other liquid, including waste matter in solution or suspension, discharged from a premises to a sewer.

Wastewater Authority (WWA) means the operational unit of Council responsible for the collection, treatment and disposal of wastewater, including its authorised agents.

Wastewater scheme area means an area formally designated by a WWA as an area serviced by a reticulated wastewater system intended to receive wastewater from customers.

Wastewater system means those components of the network between the point of discharge from a customer to the discharge of treated effluent into the natural environment. This includes but is not limited to: trunk main, rising mains, mains, manholes, terminal maintenance shafts, property laterals (on road reserve irrespective of point of discharge), pump stations, pumps, valves, meters, treatment plants, canal, wetlands, lagoons, infiltration basins, and irrigated land.

6 Protection of wastewater system

6.1 Access to system

- 6.1.1 No person other than the WWA and its authorised agents shall have access to any part of the wastewater system, except: to connect to the point of discharge, subject to 7.1.4 and for the clearance of blockages in drains and property laterals, suitably qualified drainlayers.
- 6.1.2 Except as set out in 7.1 no person shall make any connection to, or otherwise interfere with, any part of the wastewater system.

6.2 Working around buried services

- 6.2.1 The WWA will keep accurate permanent records ('as-builts') of the location of its buried services. This information will be available for inspection at no cost to users. Charges may be levied to cover the costs of providing copies of this information.
- 6.2.2 Any person proposing to carry out excavation work must view the as-built information to establish whether or not WWA services are located in the vicinity.
- 6.2.3 At least five working days' notice must be given to the WWA of an intention to excavate in the vicinity of its services.
- 6.2.4 Where appropriate the WWA will mark out on the ground (within ± 1.0 metre) on the location of its services, and provide in writing any restrictions placed on the proposed work which it considers necessary to protect its buried services. The WWA may charge for this service.
- 6.2.5 When excavating and working around buried services due care shall be taken to ensure the services are not damaged, and that bedding and backfill are reinstated in accordance with the appropriate WWA specification.
- 6.2.6 Any damage which occurs to a WWA service must be reported to the WWA immediately. The person causing the damage shall reimburse WWA with all costs associated with repairing the damaged service, and any other costs the WWA incurs as a result of the damage.
- 6.2.7 Where the WWA is unable to determine who caused the damage and the damage is to a WWA asset or under private land, the WWA will seek to recover all costs associated with repairing the damaged service, and any other costs the WWA incurs as a result of the damage, from the owner of the land where the damage occurs.

6.3 Building over or near buried services

- 6.3.1 For building over or near buried services, the restrictions described in 6.2.2, 6.2.3 and 6.2.4 apply. Other restrictions may be applied by the WWA for protection of the public system after consideration of the criticality of the sewer, proposed works methods, depth of excavation, soil physical properties, and other site specific factors.
- 6.3.2 The WWA reserves the right to decline any application to build over or near a public sewer.
- 6.3.3 No building shall be built over a rising main or closer than the greater of: 1.5 metres from the centreline of any rising main; or the depth of the centreline of the rising main, plus the diameter of the main, plus 0.2 metres, from the centreline of that rising main.
- 6.3.4 For public sewers with an internal diameter ≥ 165 millimetres, no building shall be constructed directly over or closer than the greater of: 1.5 metres from the centreline of any public sewer; or the depth of the centreline of the sewer, plus the diameter of the sewer, plus 0.2 metres, from the centreline of that sewer.
- 6.3.5 The WWA may consider applications to divert the sewer around the proposed building provided that:
 - i. The diverted sewer can be wholly contained within the applicant's property;

- ii. All work on and around the sewer shall be in accordance with the WWA specifications and any conditions applied by the WWA;

iii. Adjustment or establishment of an easement in favour of the Council which will be registered on the affected title(s) to protect the sewer in the new alignment; ~~All cost associated with registering any easement under 6.3.5, will be borne by the applicant.~~

- iv. All costs associated with the diversion works including any processing, inspection, adjustment or establishment of easements, and certification required by the WWA, shall be met by the applicant.

6.3.6 For public sewers with an internal diameter <165 millimetres, the WWA will consider applications to allow buildings to be built directly over or closer than the greater of: 1.5 metres from the centreline of any public sewer; or the depth of the centreline of the sewer, plus the diameter of the sewer, plus 0.2 metres, from the centreline of that sewer, subject to:

- i. Carrying out sufficient investigations to accurately determine the sewer's location and depth, and to prove that the sewer is in a condition where it has a remaining life of at least 50 years;
- ii. Or if 6.3.6(i) cannot be satisfied, carrying out remedial work or relaying the sewer to meet the requirements of 6.3.6(iii) and (iv);
- iii. Bore piling the building 1.0 metre clear distance either side of the sewer to below the sewer invert to ensure that no building loads are transferred to the sewer and that it is possible to excavate down to the sewer without threat to the building;
- iv. Providing two additional manholes into the sewer between 2.0 and 3.0 metres from the edge of the building at the points it enters and leaves the building (unless there is an existing manhole within 10 metres), provided that the sewer lies in a straight line and that there are no other connections between these two manholes;
- v. All work on and around the sewer must be in accordance with the WWA specifications and any conditions applied by the WWA;
- vi. All costs associated with the diversion works including any processing, inspection and certification required by the WWA, are to be met by the applicant.
- vii. Registering the public sewer by a Memorandum of Encumbrance and Deed of Covenant against the Certificate of Title of the land involved.

6.4 Loading or material over public sewers

- 6.4.1 No person shall cause the crushing load imposed on a public sewer to exceed that which would arise from the soil overburden plus a HN-HO-72 wheel or axle load (as defined by Transit New Zealand Bridge Manual).
- 6.4.2 No person shall place any additional material over or near a public sewer without approval.
- 6.4.3 Service openings must not be covered in any way unless approved. Removal of any covering material or adjustment of the opening are at the property owner's expense.

6.5 Excavation near public sewers

- 6.5.1 Without first obtaining approval in writing from the WWA, no person shall excavate, or carry out piling or similar work closer than:
 - i. 5 metres from the centre line of any rising main or trunk sewer, or;
 - ii. 2 metres from the centre line of any public sewer;
- 6.5.2 Such approval may impose conditions on the carrying out of any work near the sewer.

6.6 Trees

- 6.6.1 Owners of land should be aware of the potential damage that invasive tree roots can cause to the sewer system. It is recommended that prior to the actual planting of any tree on their land which has the potential to impact on the sewer system (including the flow of wastewater, access to the sewer by the WWA or the sewers ongoing physical integrity), to liaise with the WWA about the suitability of that intended planting. If there is any doubt it is recommended that the Council be contacted for information.
- 6.6.2 In the event of roots of any tree or other vegetation on a customer's premises causing or being likely to cause damage or interference to the flow or blockage of a public sewer the WWA may apply for a removal order in accordance with the LGA 2002 s.215.

7 Conditions of acceptance of discharge

7.1 Application to discharge

- 7.1.1 Every application to discharge wastewater to the public network (via a sewer connection) must be made in writing on the standard WWA form accompanied by the prescribed charges. The applicant shall provide all details required by the WWA. An application must be made irrespective of whether a public sewer has been laid up to the point of discharge.
- 7.1.2 The applicant will be considered to have the authority to act on behalf of the owner of the premises for which the discharge is sought, and must produce written evidence of this if required by the WWA.
- 7.1.3 Within 10 working days of the receipt of an application the WWA will, after consideration of any matters the WWA considers relevant:
- 7.1.4 Approve the application and inform the applicant of the method and location of connection, the size of the connection and of any particular conditions applicable; or
- 7.1.5 Refuse the application and notify the applicant of the decision giving the reasons for refusal.
- 7.1.6 Upon approval, the WWA will supply and install the sewer connection and any extension of the public sewer necessary to permit such connection at the applicant's cost or may permit the applicant to manage the supply and installation of the sewer connection using approved contractors.
- 7.1.7 An approved application for discharge which has not been actioned within six months of the date of application approval will lapse unless a time extension has been approved.

- 7.1.8 Any refund of fees and charges shall be at the discretion of the WWA.
- 7.1.9 Any application for an extension of time should be received by the WWA in writing with reasons as to why the extension is being sought and submitted to the WWA at least 20 working days before the date that falls six months after the date that the original application was approved. Approval of the time extension is entirely at the discretion of the WWA.
- 7.1.10 The WWA will limit the number of extensions to one. Should the applicant be unable to connect to the wastewater system within the period of the time extension, an entirely new application will need to be made, with associated costs to be borne by the applicant.

7.2 Change of Use

- 7.2.1 Where a customer seeks a change in the level of service and/or the discharge changes from domestic to trade waste or vice versa, a new application for discharge must be submitted by the customer.

7.3 Prescribed fees and charges

- 7.3.1 Fees and charges applicable at the time of application may include:
 - i. Application and inspection fee.
 - ii. Payment to the WWA for the cost of physical works required to provide the connection.
 - iii. A development contribution charge determined in accordance with the Local Government Act 2002.
 - iv. A financial contribution charge determined in accordance with the Resource Management Act 1991.

7.4 Construction

- 7.4.1 Installation of junctions on public sewers, construction of lateral connections, and extensions to the public sewer must only be undertaken by contractors as approved by the WWA in writing.
- 7.4.2 WWA will inspect all junctions and lateral connection works prior to acceptance.
- 7.4.3 Any works not constructed in accordance with WWA standard specification, or deemed unacceptable in any way, must be repaired or replaced at the contractors cost. Additional fees may be applied to the contractor if re-inspection is required.
- 7.4.4 The WWA reserves the right to inspect, replace, or remove any works constructed by unapproved contractors or others.
- 7.4.5 The WWA may recover any or all costs associated with inspection, replacement or removal from the applicant.
- 7.4.6 Where a new public sewer is required as part of a sub divisional development, the developer shall provide all the drainage works subject to the approval of the design and construction of the works by the WWA.

8 Point of discharge

8.1 Responsibility for maintenance

(Refer to figure 1 for examples of point of discharge)

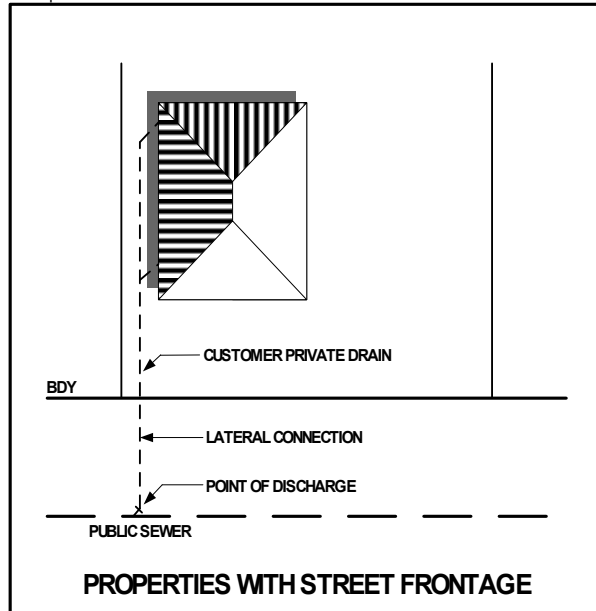
- 8.1.1 Where a private drain connects to the public sewer via a lateral connection, the WWA shall own and maintain the lateral connection from the sewer main up to the property boundary, subject to:
- i. The customer shall be responsible for the clearance of any blockages that occur in the lateral connection out to the point of discharge; except where such blockage is suspected to be a result of structural failure or damage not arising from actions of the customer;
 - ii. In cases of exception indicated under 8.1.1(i), Council will undertake to inspect the lateral connection, initially, where possible, using a camera, but as required will excavate the connection to allow full access to the connection in question;
 - iii. Where inspection undertaken under 8.1.1(ii) indicates structural failure or damage that has not arisen through the actions of the customer, repairs shall be completed by the WWA at no cost to that customer;
 - iv. Where inspection undertaken under 8.1.1(ii) indicates structural failure, damage, or blockage that has arisen through the actions of the customer, repairs and or clearance shall be completed by the WWA, and the WWA may seek reimbursement of the cost of such work from the customer.
- 8.1.2 Where a private drain connects directly to the sewer main, the WWA shall own and maintain the junction on the main up to the point of discharge from the private drain, including the actual physical connection point itself.
- 8.1.3 For new connections, the WWA shall assume ownership and maintain in accordance with 8.1.1 and 8.1.2, upon completion and subsequent acceptance by the WWA.
- 8.1.4 The customer shall own and maintain the private drain above the point of discharge.

8.2 Single ownership

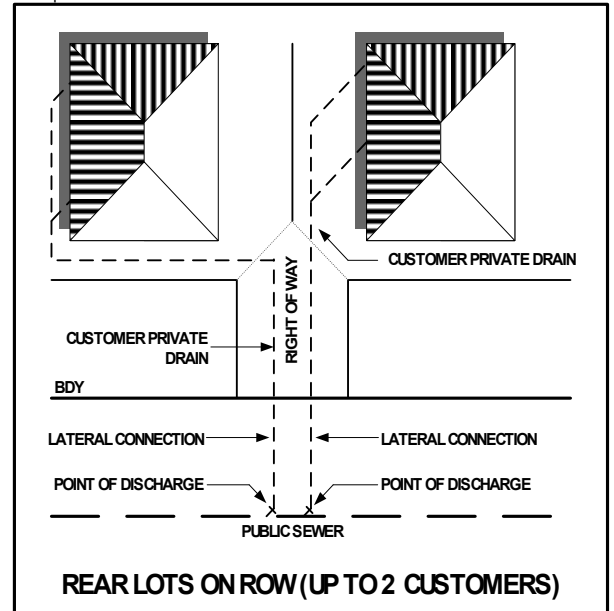
- 8.2.1 For single dwelling units the point of discharge shall be located at the point of physical connection to the public sewer, whether it be within a road, other public lands, or private land.
- 8.2.2 For each individual customer there shall be only one point of discharge, except where otherwise approved.

FIGURE 1 – Location and Layout of Point of Discharge (Examples 1-6)

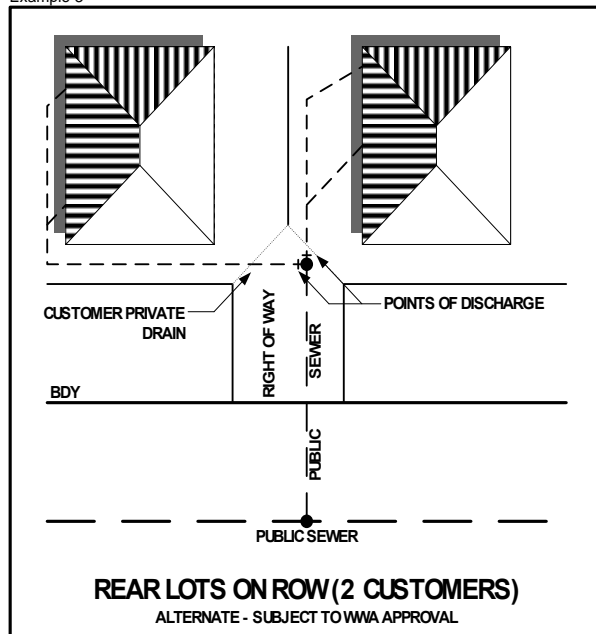
Example 1



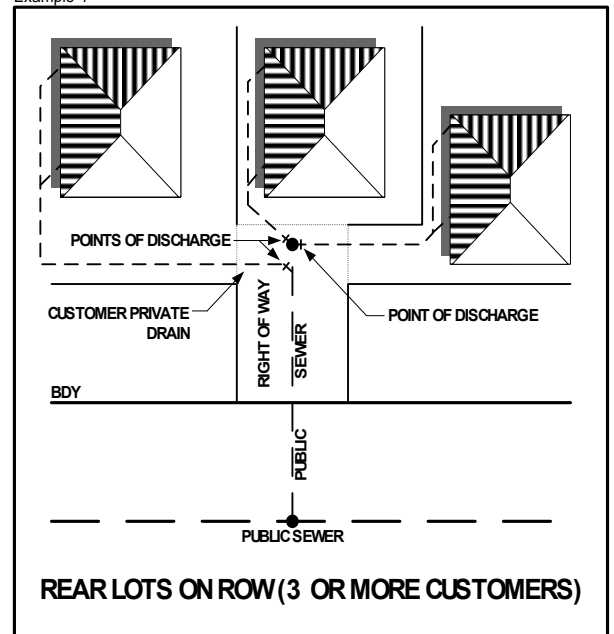
Example 2



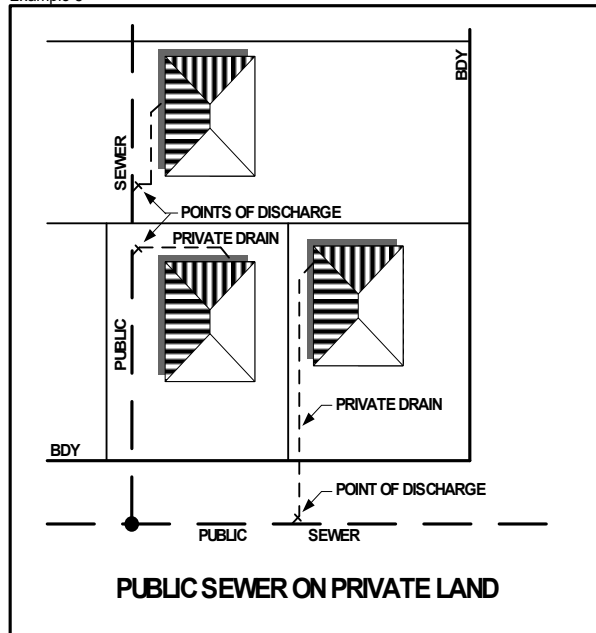
Example 3



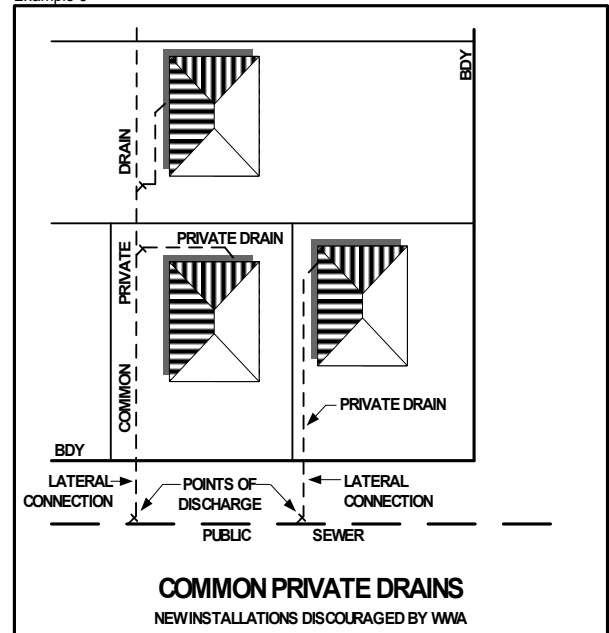
Example 4



Example 5



Example 6



8.3 Multiple ownership

- 8.3.1 The point of discharge for the different forms of multiple ownership of premises and / or land shall be:
- For Company Share/Block Scheme (Body Corporate) – as for single ownership
 - For Leasehold/Tenancy in Common Scheme (Cross Lease), Strata Title, Unit Title (Body Corporate) and any other form of multiple ownership – each customer shall have an individual drain with the point of discharge determined by agreement with the WWA.
 - In specific cases other arrangements may be acceptable, subject to individual approval.
- 8.3.2 Each owner's point of discharge must be approved by the WWA and recorded on the drainage plan. Other arrangements shall be considered only where there are advantages to the WWA.
- 8.3.3 For multiple ownership discharges which were in existence prior to the coming into effect of this bylaw, the point of discharge shall be the arrangement existing at that time; or as determined by agreement with the WWA for any individual case.

8.4 Common private drains (drains-in-common)

- 8.4.1 Any new pipeline serving more than one customer shall have a minimum pipe diameter of 150mm.
- 8.4.2 Where a customer wishes to discharge to an existing drain in common that has a diameter less than 150mm diameter, the drain in common shall be upgraded to a diameter of 150mm, or larger as directed by the WWA, from its point of connection to the public sewer to the customer's point of discharge.

- (i) The cost of upgrading is to be met by the customer whose proposed connection has resulted in the need for the upgrade to take place.
 - (ii) Where the drain in common is not protected by easement at the time of the upgrading, the customer shall be responsible for negotiating and establishing the appropriate easements to protect the drain in common.
- 8.4.3 Where a pipeline is constructed in accordance with 8.4.1 or a drain in common is upgraded in accordance with 8.4.2; the WWA may subject to written approval, accept vestment of the new or upgraded pipeline as a public sewer.

8.5 Right of access to point of discharge

- 8.5.1 The customer shall allow the WWA, or its agents, access to and about the point of discharge for the purposes of monitoring, testing, and maintenance work between 7:30 am and 6:00 pm on any day. The WWA will give 24 hours previous notice to the customer of the intended entry.
- 8.5.2 Under emergency conditions, or for the purpose of ascertaining whether the drains are being misused, the customer shall allow the WWA, or its nominated agent free access to, and about the point of discharge at any hour.
- 8.5.3 The customer shall allow the WWA with any necessary equipment, access to any area of the premises for the purposes of ascertaining whether non-complying connections have been made.
- 8.5.4 Section 173 of the Local Government Act 2002 provides that in cases of emergency the customer must allow the WWA, or its nominated agent free access to, and about the point of supply at any hour. Where access is needed to a point of discharge which is located on a customer's property and there is something which may inhibit ready access, the following process will apply:
- 8.5.4.1 WWA will notify the customer of an alternate date and time for that access to be achieved, at which time the impediment will be removed, or in the case of animal(s) they will be required to be restrained or removed.
 - 8.5.4.2 If the WWA is unable to achieve access on that later visit due to the ongoing presence of the impediment or uncontrolled animal, the WWA will arrange a further visit with the owner/occupier of the property and a fee may be levied.
 - 8.5.4.3 Where the impediment is a dog, the Council may also, in addition to any fee, choose to fine the owner \$300.00 in accordance with s.20(1)(l) of the Dog Control Act 1996.
- 8.5.5 In the case of an emergency or following protracted difficulty in gaining access due to an uncontrolled animal, the WSA will contact the Council's animal control officer who will also attend the property and restrain the animal in question so as to achieve access by the WSA, and the Council may also fine the owner as set out above and charge a fee to the attendance of the animal control officer.

9. Prevention of inflow and infiltration

- 9.1.1. The customer shall prevent any stormwater or groundwater entering the wastewater drainage system. This includes roof downpipes, surface water run-off, overland flow, and sub-surface drainage.

- 9.1.2. Where the condition or level of drainage pipes, fittings and structures on any premises are assessed by the WWA to be a source of inflow and/or infiltration, the WWA may require the customer to upgrade and/or adjust those pipes, fittings and structures. The cost of this work shall be borne by the customer.

10. Hazardous substances

- 10.1.1. No person will allow any hazardous substance to enter into the WWA sewer system.
- 10.1.2. The occupier shall not store any hazardous substance which has the potential to enter the WWA sewer system, without taking all reasonable steps to prevent such an entry through leakage, spillage or other mishap, be it accidental or intentions.
- 10.1.3. The occupier shall comply with the requirements of the Hazardous Substances and New Organisms Act 1996.
- 10.1.4. Failure to comply with the Hazardous Substances rules and regulations can lead to charges being laid under the Hazardous Substances and New Organisms Act 1995. Penalties under that Act can include imprisonment or fines of up \$500,000.00. If in any doubt members of the public should contact the Council for information on how to comply with this bylaw.

11. Types of discharge

11.1. General

- 11.1.1. Discharges shall be classified as either 'domestic wastewater' or 'trade waste'.
- 11.1.2. No wastewater with prohibited characteristics (as scheduled in the Trade Waste Bylaw) shall be discharged into the WWA system.

11.2. Domestic wastewater

- 11.2.1. Every domestic premises shall be entitled to have its wastewater accepted by the WWA subject to the following conditions:
- i. The premises lying within a wastewater scheme area if such an area has been constituted by the WWA;
 - ii. The premises lying within an area which is served by public sewers.
 - iii. Payment of the appropriate rates and charges in respect of that premises in general and wastewater services in particular;
 - iv. Any other charges or costs associated with subdivision development; and,
 - v. Fulfilment of the requirements of this bylaw.
- 11.2.2. The maximum instantaneous flow rate discharged from a domestic premise shall not exceed 2.0 litres/sec.
- 11.2.3. The maximum daily flow rate discharged from a domestic premise shall not exceed 1500 litres/day.

- 11.2.4. In certain limited situations there may be legitimate reasons for a domestic user to need to exceed the maximums noted above. The WWA should be contacted by domestic users who wish to exceed the maximum daily flow rate prior to commencing that discharge.

11.3. Trade waste

- 11.3.1. The acceptance of trade wastes is the subject of a separate bylaw.

11.4. Pump Stations

- 11.4.1. Discharges from private wastewater pump stations will be approved only where there are no practical alternatives for a gravity flow discharge to the public sewer.

12. Level of service

- 12.1.1. The WWA shall endeavour to provide a wastewater service in accordance with the level of service contained in the Ashburton District Council Long Term Plan.
- 12.1.2. For those periods where the level of service allows non-compliance with the specified value(s), the WWA should make every reasonable attempt to achieve the specified value(s).

13. Continuity of discharge

13.1. General

- 13.1.1. The WWA does not guarantee to receive wastewater without interruption; however the WWA will use all reasonable endeavours to ensure that any disruption is kept to a minimum. In certain limited circumstances in the interests of public health, the WWA of the Council may provide alternate measures for removing wastewater as a means of addressing the interruption of the wastewater system.

13.2. Emergencies

- 13.2.1. Natural hazards (such as floods or earthquakes) or accidents beyond the control of the WWA which result in disruptions to the ability of the WWA to receive wastewater, will be deemed an emergency, and exempted from the levels of service requirements of 13.1.1.
- 13.2.2. During an emergency, the WWA may restrict or prohibit the discharge of wastewater for any specified purpose, for any specified period, and for any or all of its customers.
- 13.2.3. Where emergency restrictions have been imposed, such restrictions shall be publicly notified.
- 13.2.4. The WWA may enact penalties over and above those contained in these conditions to enforce these restrictions.
- 13.2.5. The decision to make and lift restrictions, and to enact additional penalties, shall be made by the Council, or where immediate action is required, by the manager of the WWA, subject to subsequent Council ratification.

13.3. Maintenance and repair

- 13.3.1. Where it is not practical to notify the customer of a maintenance interruption to the point of discharge before work commences, the WWA may shutdown the point of discharge without notice, and the customer shall be advised as soon as possible.

13.4. Blockages

- 13.4.1. A customer whose gully trap is overflowing or has other reasons to suspect a blockage, shall engage the services of a drain layer to investigate the blockage.
- 13.4.2. A drain layer engaged in accordance with 13.4.1 shall, in the first instance, prior to initiating any clearance works on the private drain, for the purposes of establishing the nature or cause of blockage, inspect the public sewer.
- 13.4.3. Where a drain layer engaged in accordance with 13.4.1 cannot inspect the public sewer because access points are inoperable, or for health and safety reasons, the drain layer shall advise the WWA immediately of the property and customer's point of contact prior to proceeding with clearing the private drain. The WWA shall undertake to inspect the public sewer as soon as possible following notification.
- 13.4.4. Where under 13.4.2 a blockage is identified in the public sewer, the drain layer shall advise the WWA immediately of the property, customer's point of contact and public sewer affected by the blockage.
- i. Upon notification, responsibility for clearance of blockage in the public sewer and drain and clean up of affected areas shall transfer to the WWA;
 - ii. The WWA shall pay the drain layer a standard fee for finding the blockage; provided that the requirements in 13.4.2 were met.
- 13.4.5. Where under 13.4.3, the WWA inspects and subsequently identifies a blockage in the public sewer, responsibility for clearance of blockage in the public sewer and drain and clean up of affected areas shall transfer to the WWA;
- i. Provided that the blockage has not been forced downstream into the public sewer in the act of clearing it from the private drain, or that the customer has not been negligent in discharging a non-acceptable wastewater, then the WWA shall reimburse the customer for actual and reasonable drainage costs.
 - ii. If otherwise, the WWA shall recover the costs of the unblocking work from the customer.
- 13.4.6. Where under 13.4.2, the drain layer inspects the public sewer but no blockage can be identified, the drain layer shall proceed with clearing the private drain for the customer.

14. Liability

- 14.1.1. The WWA shall endeavour to meet the level of service requirements of 12.1.1, but shall not be liable for any loss, damage or inconvenience which the customer (or any person discharging to the wastewater system) may sustain in relation to deficiencies in, or interruptions to, the wastewater service (see 13.1.1).
- 14.1.2. Nothing in this bylaw shall be construed as obliging the WWA to accept or continue to accept a wastewater discharge from any premises.

15. WWA equipment and inspection

15.1. Care of wastewater system

- 15.1.1. The customer shall take due care not to damage any part of the wastewater system, including but not limited to pipework, valves, covers, and chambers.

15.2. Inspection

- 15.2.1. Subject to the provisions of the Local Government Act 2002, the customer shall allow the WWA with or without equipment, access to any area of the premises for the purposes of determining compliance with these conditions.

16. Payment

- 16.1.1. The customer shall be liable to pay for the discharge of wastewater and related services in accordance with the Council's fees and charges prevailing at the time.
- 16.1.2. The Council may recover all unpaid wastewater charges as prescribed in the Local Government (Rating) Act 2002, sections 57 to 82. This includes the imposition of penalties at the Council's discretion.

17. Disconnection

- 17.1.1. The customer shall give 20 working days' notice in writing to the WWA of their intention to demolish or remove a building.
- 17.1.2. The demolition or removal shall not commence until the property has been disconnected from the sewer by the WWA. Disconnection shall be at the customer's cost.
- 17.1.3. Any company involved in the demolishing or removal of any building or structure which has a connection to a public sewer, be it an authorised connection or otherwise, has a responsibility to contact the WWA and enquire if notification has been given of the intended demolition/removal. Where a company fails to make these enquiries and there is subsequent damage or discharge of a hazardous substance to a public sewer, the company involved will be held liable as the customer on whose land they were working.

18. Breaches of Bylaw

18.1. Defect notices

- 18.1.1. In the event of a breach of statutory or other legal requirements, the WWA may serve a defect notice on the customer advising its nature and the steps to be taken within a specified period, to remedy it.
- 18.1.2. If, after the specified period, the customer has not remedied the breach, the WWA may charge a re-inspection fee.

- 18.1.3. If however the breach is such that public health, or safety considerations, or risk of consequential damage to WWA assets is such that delay would create unacceptable results, the WWA may take immediate action to rectify the defect.

18.2. Remedial works

- 18.2.1. At any time after the specified period of 18.1.1 has elapsed, or where the breach is such that there is a risk as set out in 18.1.3, the WWA may carry out any remedial work required in order to make good the breach, and to recover from the person committing the breach all reasonable costs incurred in connection with the remedial work.

18.3. Injunction

- 18.3.1. Breaches of this bylaw may result in an application being made to the District Court for an injunction to restrain the party involved from continuing the activity that caused injunction to be granted.

18.4. Prosecution

- 18.4.1. Any person who breaches this bylaw may be prosecuted for any such breach and is liable upon summary conviction to a fine, as provided for under the Local Government Act 2002, and may also be liable to penalties under other legislation.

11. *Dog Control Bylaw & Dog Control Policy*

Authors	<i>Mel Neumann; Graduate Policy Advisor</i>
Activity manager	<i>Toni Durham; Strategy and Policy Manager</i> <i>Rick Catchpowle; Environmental Monitoring Manager</i>
Group manager	<i>Jane Donaldson; Group Manager Strategy and Compliance</i>

Summary

- The purpose of this report is to recommend that Council adopts the final Dog Control Bylaw and Policy.
- Council's current Dog Control Bylaw and Dog Control Policy are due for review.
- Officers have undertaken a review and proposed some changes, including additional exercise areas and prohibited areas.
- Council consulted with the public on these changes between 11 June and 11 July, and received 29 submissions.
- On Thursday 29 July, Council deliberated on the public feedback and determined no changes to the bylaw and policy were required as a result of the submissions received.
- Council has options to:
 - Adopt the final bylaw and policy as attached (recommended)
 - Do not adopt the final bylaw and policy

Recommendation

1. **That** Council adopts the final Dog Control Bylaw and Policy, as attached in Appendix 1 and Appendix 2.

Attachments

Appendix 1	Final Dog Control Bylaw
Appendix 2	Final Dog Control Policy

Background

Current situation

1. Council's current Dog Control Bylaw and Dog Control Policy are due for review.
2. Officers have undertaken a review of these documents and proposed some changes. Changes to both the bylaw and policy include:
 - a. Added definitions for 'dog exercise area' and 'dog park'.
 - b. Additional clause stating that owners must ensure that dogs are wearing current registration tags while on any land that is not their own.
 - c. Additional clause stating that dog owners or person in charge of dog must carry plastic bags or other effective means to remove and dispose of any fouling produced by their dog when in a public place or land that is not the dog owner's own.
 - d. Extension of the current exercise area in Argyle Park.
 - e. Addition of exercise area in North East Ashburton – now referred to as "Company Road Dog Exercise Area". The name of the area has been changed to provide more clarity on its location.
 - f. Addition of Methven Dog Park map.
 - g. Addition of prohibited area at Ashton Beach.
 - h. Department of Conservation prohibited areas incorporated into schedule 1.
3. Changes made to the bylaw include:
 - a. Addition of schedule 2 which lists infringements under the Dog Control Act 1996.
4. Changes made to the policy include:
 - a. Added the definition for 'playground'.
 - b. Addition of menacing dog registration as a type of registration classification. Our current policy is inconsistent with our registration classifications and fees.
 - c. Statement that Council's bylaw requires dog faeces on public land or land that is not the owner's own to be removed immediately. This was already in the bylaw.
 - d. Statement to provide clarity that Responsible Dog Owner status is only available for dogs and owners residing within the urban zoning of Ashburton.
 - e. Prohibited areas updated to be consistent with Council's Dog Control Bylaw.

Public consultation, hearings and deliberations

5. Council undertook public consultation on the draft Dog Control Bylaw & Policy over a period of one month, from 11 June to 11 July, in line with the special consultative procedure set out in the Local Government Act 2002.
6. A total of 29 submissions were received. Eight submissions supported the draft bylaw as presented, 12 did not, and nine did not state a preference. Eleven submissions supported the draft policy as presented, 11 did not, and seven submissions did not state a preference.
7. On Thursday 29 July, Council heard from those submitters that wished to speak in support of their submission. Council then deliberated on all public feedback, and determined that no changes to the bylaw and policy were required in response to submissions received.
8. Elected members decided to undertake an on-site inspection of the proposed Company Road dog exercise area. This was delayed due to Covid-19 restrictions but was carried out on 13 October.

Options analysis

Option one – adopt the final bylaw and policy, as attached in Appendix 1 and 2 (recommended)

9. This is the recommended option. Public feedback has been sought and Council has determined that no changes were required to the bylaw and policy as a result of submissions received.
10. Advantages:
 - a. The bylaw and policy are consistent with determinations made during deliberations.
 - b. The improvements identified during officer review are resolved.
11. Disadvantages:
 - a. There are no disadvantages to this option.

Option two – do not adopt the final bylaw and policy

12. This option would see us retaining our current bylaw and policy for either a roll over or another review within the next two years. This option is not recommended.
13. Advantages:
 - a. Issues that are currently regulated will continue to be regulated.

14. Disadvantages:

- a. The improvements identified during officer review are not resolved.
- b. This option is inconsistent with determinations made during deliberations.

Legal/policy implications

Policies and Bylaws

15. The Dog Control Bylaw and Policy are complementary to relevant Council documents including the Open Spaces Bylaw, Cemeteries Bylaw, and Public Places Bylaw.

Dog Control Act 1996

16. Section 10 of the Dog Control Act 1996 states that councils must adopt a Dog Control Policy, in accordance with s.83 of the Local Government Act 2002 (special consultative procedure). Section 20 of the Act empowers Council to make a Dog Control Bylaw.

Local Government Act 2002

17. Section 145 of the Local Government Act 2002 gives Council the power to make a bylaw for the purposes of:
- protecting the public from nuisance;
 - protecting, promoting and maintaining public health and safety; and
 - minimising the potential for offensive behaviour in public places.
18. Sections 158 and 155 require Council to make the following determinations:

<i>Required determination</i>	<i>Council consideration</i>
Whether a bylaw is the most appropriate way of addressing a perceived problem	Officers have determined that a bylaw is the most appropriate way of addressing the perceived problem. It is a legal requirement for Council to have a Dog Control Bylaw and Policy under the Dog Control Act 1996. When a Dog Control Bylaw is reviewed, the Dog Control Act 1996 requires that the Dog Control Policy is reviewed at the same time.
Whether the bylaw is the most appropriate form of bylaw	Council's draft Dog Control Bylaw is the most appropriate form of bylaw because it meets the following tests: The bylaw is <ul style="list-style-type: none">• Authorised by statute under the Dog Control Act 1996• Not repugnant of the general laws of New Zealand• Certain and clear• Reasonable• Not overly restrictive, onerous on any person, or impractical.
Whether the bylaw gives rise to any implications	The proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, nor does it impose any restrictions on any of the rights listed in the Act.

Financial implications

Requirement	Explanation
What is the cost?	There will be a cost for signage and enforcement etc. There may also be a cost for fencing if Council decides to fence the Company Rd exercise area in future.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Animal Control budget and/or Open Spaces budget. The Animal Control budget is funded from dog registration fees and rates. Open Spaces is funded from rates.
Are there any future budget implications?	There may be increased cost due to the additional prohibited area enforcement, but this will be covered by Animal Control budgets.
Reviewed by Finance	Not required – covered by budgets

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Level of engagement selected	3. Consult
Rationale for selecting level of engagement	Special consultative procedure required as per section 10(1) of the Dog Control Act 1996 and s. 83 Local Government Act 2002. Public consultation on these documents has already been carried out.
Reviewed by Strategy & Policy	Richard Mabon, Senior Policy Advisor

Bylaw

DOG CONTROL

TITLE:	Ashburton District Council Dog Control Bylaw 2016
GROUP:	Strategy & Compliance
RESPONSIBILITY:	Environmental Monitoring Manager
DATE ADOPTED:	20 October 2021
COMMENCEMENT:	20 October 2021
NEXT REVIEW DUE:	20 October 2026

1. Title

The title of this bylaw is the Ashburton District Council Dog Control Bylaw 2016.

2. Purpose

The purpose of this bylaw is to:

- set standards of control which must be observed by dog owners. It covers matters such as dogs in public places, wandering dogs, ownership of three or more dogs and nuisances caused by dogs;
- minimise the potential for dogs to cause harm, distress or nuisance to the community, animals, or wildlife;
- regulate dog-related matters to enable the enforcement of the Ashburton District Council Dog Control Policy 2021; and
- support the intent of the Dog Control Act 1996.

3. Related documents

- Animal Welfare Act 1999
- Ashburton District Council Dog Control Policy 2021
- Ashburton District Council Explanatory Bylaw 2016
- Dog Control Act 1996
- Local Government Act 2002.

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5. Application

This bylaw applies to all dog owners or those responsible for dogs in Ashburton District. This bylaw should be read in conjunction with the Ashburton District Council Dog Control Policy 2021, the Dog Control Act 1996, the Animal Welfare Act 1999 and the Local Government Act 2002.

Nothing in this bylaw shall prohibit any dog certified as a Disability Assist Dog while acting in that capacity from entering any premises or area where dogs are otherwise prohibited from being under the provisions of this bylaw.

6. Definitions

In this bylaw, unless the context otherwise requires:

Bylaw means the Ashburton District Council Dog Control Bylaw 2016.

Council means Ashburton District Council.

Dangerous dog means a dog classified as dangerous pursuant to section 31 of the Dog Control Act 1996.

Disability assist dog has the same meaning as section 2 of the Dog Control Act 1996 and generally means any dog certified to assist a person with a visual, hearing, mobility or other disability.

Dog includes any dog male or female whether or not spayed or neutered and of any age.

Dog Control Officer means a Dog Control Officer appointed under section 11 of the Dog Control Act 1996.

Dog Exercise Area means a designated area where owners can exercise their dogs off-leash, provided they remain under effective control and comply with the requirements of this bylaw and the Dog Control Act 1996.

Dog Park usually means a dog exercise area that is fenced.

Leash means an adequate restraint, and may include a lead attached to a collar or a harness, that allows for the control of a dog when in a public place.

Menacing dog means a dog classified as menacing pursuant to section 33A of the Dog Control Act 1996.

Nuisance means things such as barking, rushing, attacking or otherwise causing injury, damage or harm.

Owner has the same meaning as section 2 of the Dog Control Act 1996, and generally means the person who owns a dog, the parent or guardian of someone who is under the age of 16 who owns a dog, or a person who is looking after a dog and is responsible for it.

Playground means an outdoor area or area with playground equipment, provided or maintained by the Council for public use (in particular, used by children). This definition includes skate parks and paddling pools.

Public place has the same meaning as section 2 of the Dog Control Act 1996, and generally means a place that is open to the public whether or not it is private property.

Rural area means properties within rural A, B and C zones of the Ashburton District Plan.

Under effective control means the dog is responsive to its owner's commands and is not creating any sort of nuisance to people, domestic animals or any other wildlife. Nuisance in this sense means things such as barking, rushing, attacking or otherwise causing injury, damage, harm or distress.

Urban area means any area not within rural A, B and C zones of the Ashburton District Plan.

Working dog has the same meaning as section 2 of the Dog Control Act 1996 and generally means any dog carrying out functions and duties:

- relating to farming, such as the herding of stock,
- under the direction of a government department or state employee undertaking responsibilities such as those relating to policing, defence, corrections, customs, security, biosecurity, pest management or conservation, and
- under the direction of a private security guard in execution of their duties.

7. Control of dogs in all public places and at all times

- 7.1. Dogs must be kept on a leash in all public places and at all times (except areas specified as Dog Exercise Areas in Part B, Schedule 1).
- 7.2. Every owner of a dog must exercise control over it and must prevent it from wandering or remaining at large or free in any public place or private way.
- 7.3. Owners must ensure that dogs are wearing current registration tags while on any land that is not their own.
- 7.4. Every dog owner or person in charge of a dog must carry plastic bags or other effective means to remove and dispose of any fouling (dog faeces) produced by their dog when in a public place, or land that is not the dog owner's land.
- 7.5. Every dog owner or person in charge of a dog must remove and appropriately dispose of any fouling (dog faeces) produced by their dog in public places or on land that is not their own land.

8. Areas where dogs are prohibited

- 8.1. Dogs are prohibited from the areas specified in Part A, Schedule 1.

9. Dogs near playgrounds

- 9.1. No person, being the owner or person in charge of any dog, must allow that dog to enter or remain upon any part of a public place which is within 1 metre of any playground or playground equipment, whether such equipment is temporary, or is permanently erected.

10. Exceptions to prohibited dog control areas

- 10.1. Nothing in this bylaw restricting access to any public place applies to Disability Assist Dogs.
- 10.2. Nothing in this bylaw restricting access to any public place applies to a working dog that is under the effective control of its owner or handler while that dog is being worked or while it is being taken to and from its work.
- 10.3. Nothing in this bylaw restricting access to any public place applies to any dog that is being worked as a hunting dog by a person undertaking legal hunting activities.

11. Dog Exercise Areas

- 11.1. Dogs may be exercised free of physical restraint in those locations specified in Part B, Schedule 1 as being designated dog exercise areas.
- 11.2. The owner must have the dog under effective control at all times and remain within the dog exercise area while the dog is off lead. Dogs must not be left unattended.

12. Licence for three or more dogs kept on any given property

- 12.1. Any dog owner that wishes to register any dog at a property smaller than one hectare (<10,000m²) where there will, as a result, be three or more dogs registered, must:
- 12.1.1 apply to Council for the relevant licence on the appropriate form
 - 12.1.2 pay the relevant licence inspection or re-inspection fee; and
 - 12.1.3 allow an inspection or re-inspection of their property as to the suitability of the number and type of dogs applied for that are kept there.
- 12.2. A licence relates firstly to the specified property where the dog will be kept on an ongoing basis, to the owner of that dog and the dog registered. A licence is not transferrable to another property, to a new owner at the same property or to different dogs at the same property.
- 12.3. A licence will not expire, but will need to be reapplied for if the dogs registered at that property change.
- 12.4. A licence may be granted, have conditions imposed, or be refused, at the discretion of the attending Dog Control Officer. In considering whether consent should be granted, the attending Dog Control Officer shall have regard to:
- 12.1.4 whether the property size is suitable for the breed and number of dogs;
 - 12.1.5 whether there is adequate fencing;
 - 12.1.6 whether there is dog-free access to the property;
 - 12.1.7 whether the location of kennels is appropriate, and that the kennels are suitable and provide adequate shelter for the breed and number of dogs;
 - 12.1.8 the previous history of the dog owner in relation to complaints or nuisance; and
 - 12.1.9 whether the owner is complying with and familiar with their obligations under the Dog Control Act 1996 and the Ashburton District Council Dog Control Bylaw 2016 and Dog Control Policy 2021.
- 12.5. The licence fee and re-inspection fee will be set annually through the Annual Plan or Long-Term Plan process.
- 12.6. Any licence issued under a previous Ashburton District Council Dog Control Bylaw is deemed to be a licence issued under this bylaw.
- 12.7. Any breach of a licence or of any conditions imposed on a licence is considered a breach of this bylaw. The Council may revoke the licence as a result of a breach, whether or not it prosecutes the breach.

13. Dogs on vehicles

- 13.1. Every dog owner or person in charge of a dog that is on the open tray of a vehicle (such as a ute or truck) in a public place must ensure the dog is secured by a leash that is sufficiently short in length to prevent the dog from reaching beyond the tray.

14. Microchipping upon release from pound

- 14.1. No dog shall be released from any pound either operated by the Council or on behalf of the Council unless:
- 14.1.1 it has a microchip implanted in that dog and the details of that dog and its ownership have been recorded by the Council
- 14.1.2 proof of ownership and identity of the dog is established and payment made of:
- a poundage fee as set by Ashburton District Council;
 - any boarding and sustenance fee;
 - in the case of any unregistered dog of registerable age, the current annual fee payable under this bylaw; and
 - any charge in connection with advertising of such dog.

15. Welfare of dogs

- 15.1. Every owner of a dog is required to comply with the obligations as set out in section 54 of the Dog Control Act 1996 and sections 9, 10 and 11 of the Animal Welfare Act 1999.
- 15.2. Every owner of a dog shall ensure their dog is:
- adequately housed;
 - receives proper and sufficient food and water; and
 - regularly and adequately exercised.

16. Classification of owners

- 16.1. For the purposes of this bylaw and for the registration of dogs in terms of fees set by Ashburton District Council, the following classifications of owners apply throughout the Ashburton District (the definition of urban and rural as stated in this bylaw apply):
- 16.1.1 **Urban owners** – means owners of dogs resident within an urban area of the district. An urban area is an area not within rural A, B, and C of the Ashburton District Plan
- 16.1.2 **Rural owners** – means owners of dogs resident within rural A, B, and C of the Ashburton District Plan
- 16.1.3 **Responsible dog owners** – means owners of dogs resident within an urban area (as defined by this bylaw) who have demonstrated they have met the terms and conditions of the ‘Responsible Dog Owner’ category defined in the Ashburton District Council Dog Control Policy 2021.

17. Neutering of dangerous and menacing dogs

- 17.1. In accordance with the sections 32(1)(c) and 33E(1)(b) of the Dog Control Act 1996 all dogs classified as dangerous or menacing must be neutered.

18. Dogs becoming a nuisance or injurious to health

- 18.1. The owner of any dog (or the owner or the occupier of any premises whereon any dog or dogs are customarily kept) shall take adequate precautions to prevent the dog(s), or the keeping thereof, from becoming a nuisance or injurious to the health of the public.
- 18.2. If, in the opinion of Council, the dog(s) or the keeping thereof on such premises has become or is likely to become a nuisance or injurious to health, Council or any person duly authorised in that behalf by Council may, by notice in writing, require the owner or occupier of the premises within a time specified in such notice to do all or any of the following:
- reduce the number of dogs kept on the premises;
 - construct, alter, reconstruct or otherwise improve the kennels or other buildings used to house or contain such dog(s);
 - require such dog(s) to be tied up or otherwise confined during specified periods;
 - take such other action as the Council deems necessary to minimise or remove the likelihood of nuisance or injury to health; and
 - clean and keep clean the dog kennel and associated area.
- 18.3. Any person to whom notice is given under the preceding provisions of this clause who fails to comply with such notice within the time therein specified shall be guilty of an offence against this part of this bylaw and may also be guilty of an offence under the Dog Control Act 1996.
- 18.4. Where a dog owner refuses or fails to work with Council to manage the behaviour of a dog that is causing a nuisance or is potentially injurious to health, the Council can classify a dog as a menacing dog under section 33A of the Dog Control Act 1996.
- 18.5. Similarly there are certain circumstances where Council has no option but to classify a dog as a dangerous dog in accordance with section 31 of the Dog Control Act 1996.
- 18.6. Dogs that have been classified as a dangerous dog or a menacing dog attract additional restrictions or obligations not ordinarily required of a dog owner. Those requirements and/or restrictions are set out in the Dog Control Act 1996 or as otherwise explained in the decision/notice informing the owner of the dog's new classification.

19. Conviction and fines

- 19.1. Every person who fails to comply with this bylaw commits an infringement offence under Schedule 1 of the Dog Control Act 1996 and may be served with an infringement notice and be liable to pay an infringement fee. These offences are listed in schedule 2 of this bylaw.
- 19.2. Dependent upon the nature of the failure, any breach of this bylaw could also result in charges being laid under the Animal Welfare Act 1999 and the resulting penalties will apply.
- 19.3. Every person who fails to comply with this bylaw commits an offence under section 20(5) of the Dog Control Act 1996 and is liable on conviction to the penalty prescribed by section 242(4) of the Local Government Act 2002.

Schedule 1

Part A – Areas where dogs are prohibited

1. All boat ramps and slipways
2. All cemeteries
3. All playing surfaces of public sports grounds
4. Within one metre of any playground or playground equipment
5. In any public Council owned building
6. Ashton Beach (see map 6)
7. Lake Camp reserve area (see map 7)
8. Lake Clearwater hut area (see map 7)
9. Lake Clearwater shores
10. Lake Heron shores
11. Maori Lakes shores

Explanatory note

Department of Conservation owns and has control over the shores of Lake Clearwater, Lake Heron and the Maori Lakes. For further information about dog access on public conservation land managed by the Department of Conservation, please contact the Department of Conservation directly.

Part B – Dog exercise areas

Please refer to the following maps for details of dog exercise areas:

Map 1 – Ashburton Dog Exercise Areas

- Ashburton District Council Dog Park
- Pioneer Park
- Digby Park
- Patching Street Reserve
- Small Bone Drive Reserve
- Devon Park.

Map 2 – Argyle Park Dog Exercise Areas

Map 3 – Company Road Dog Exercise Area

Map 4 – Tinwald Dog Exercise Areas

- The Green
- George Glassey Park.

Map 5 – Methven Dog Park

Ashburton Dog Exercise Areas

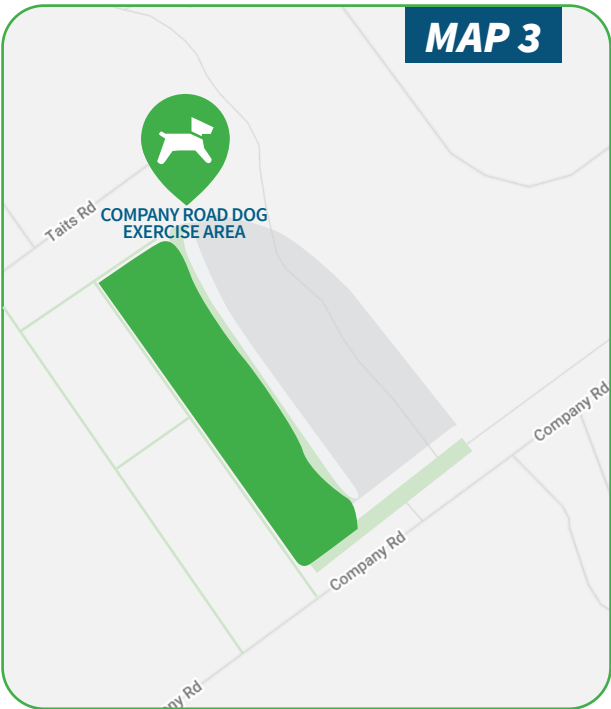


Dog Exercise Areas

Argyle Park Exercise Areas

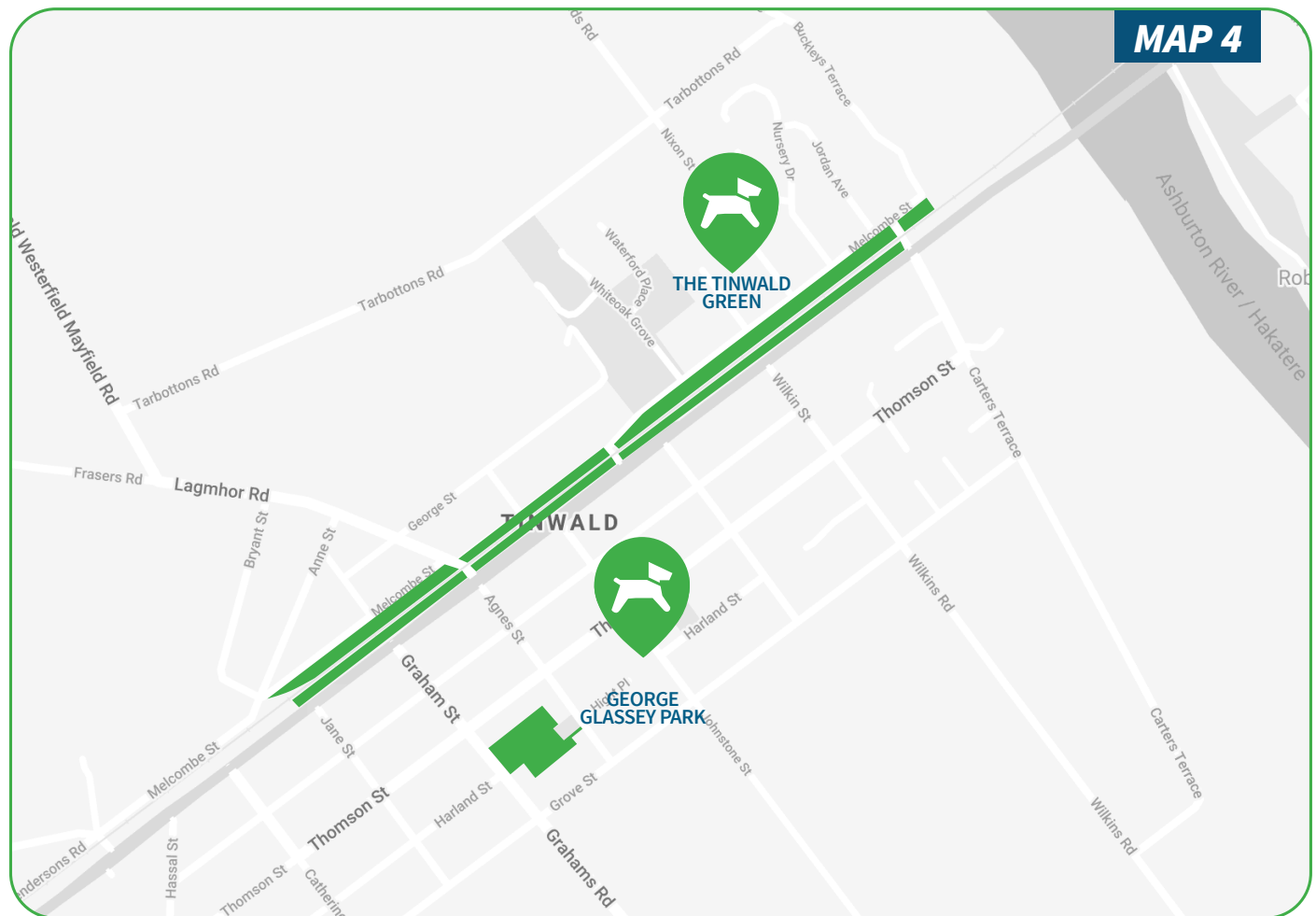


Company Road Dog Exercise Area

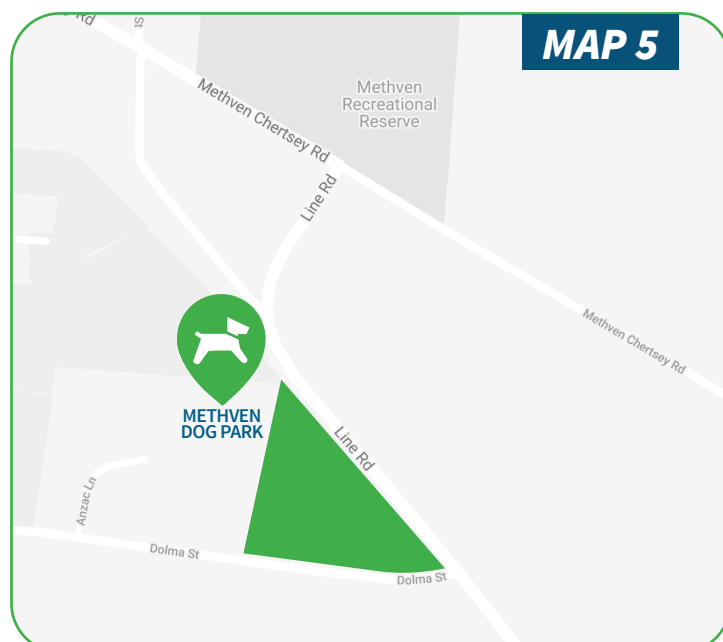


Dog Exercise Areas

Tinwald Dog Exercise Areas



Methven Dog Park



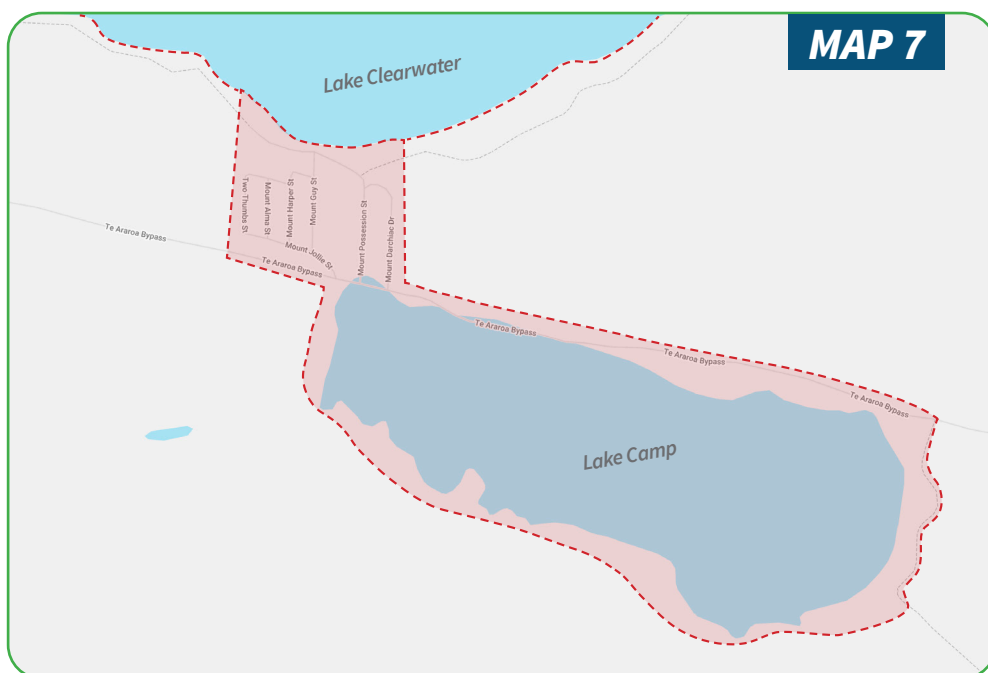
Prohibited Dog Areas

Ashton Beach



■ Prohibited area

Lake Camp & Lake Clearwater Hut Settlement



 Prohibited area

-- Prohibited area

Schedule 2

Infringement offences and fees (as per Dog Control Act 1996)

Section	Description of offence	Infringement fee
18	Wilful obstruction of dog control officer or ranger	\$750
19(2)	Failure or refusal to supply information or wilfully providing false particulars	\$750
19A(2)	Failure to supply information or wilfully providing false particulars about dog	\$750
20(5)	Failure to comply with any bylaw authorised by the section	\$300
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	\$300
24	Failure to comply with obligations of probationary owner	\$750
28(5)	Failure to comply with effects of disqualification	\$750
32(2)	Failure to comply with effects of classification of dog as dangerous dog	\$300
32(4)	Fraudulent sale or transfer of dangerous dog	\$500
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	\$300
33F(3)	Failure to advise person of muzzle and leashing requirements	\$100
36A(6)	Failure to implant microchip transponder in dog	\$300
41	False statement relating to dog registration	\$750
41A	Falsely notifying death of dog	\$750
42	Failure to register dog	\$300
46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	\$500
48(3)	Failure to advise change of dog ownership	\$100
49(4)	Failure to advise change of address	\$100
51(1)	Removal, swapping, or counterfeiting of registration label or disc	\$500
52A	Failure to keep dog controlled or confined	\$200
53(1)	Failure to keep dog under control	\$200
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water and shelter, and to provide adequate exercise	\$300
54A	Failure to carry leash in public	\$100
55(7)	Failure to comply with barking dog abatement notice	\$200
62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	\$300
62(5)	Failure to advise of muzzle and leashing requirements	\$100
72(2)	Releasing dog from custody	\$750

Policy

DOG CONTROL

TEAM:	Environmental Monitoring
RESPONSIBILITY:	Environmental Monitoring Manager
DATE ADOPTED:	20 October 2021
REVIEW:	20 October 2026
CONSULTATION:	Special Consultative Procedure required
RELATED DOCUMENTS:	Animal Welfare Act 1999, Ashburton District Council Dog Control Bylaw 2016, Dog Control Act 1996, Local Government Act 2002.

Policy Objective

The purpose of Ashburton District Council's Dog Control Policy is to maintain a safe and healthy community, to protect children, and to provide for the needs of dogs and their owners. This policy seeks to balance the recreational needs of dogs and their owners with the need to minimise the potential for any danger, distress or nuisance that may be caused by dogs.

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Definitions

Bylaw means the Ashburton District Council Dog Control Bylaw 2016.

Council means Ashburton District Council.

Dangerous dog means a dog classified as dangerous pursuant to section 31 of the Dog Control Act 1996.

Disability Assist dog has the same meaning as section 2 of the Dog Control Act 1996 and generally means any dog certified to assist a person with a visual, hearing, mobility or other disability.

Dog includes any dog male or female whether or not spayed or neutered and of any age.

Dog Control Officer means a Dog Control Officer appointed under section 11 of the Dog Control Act 1996.

Dog Exercise Area means a designated area where owners can exercise their dog off-leash, provided they remain under effective control and comply with the requirements of this bylaw and the Dog Control Act 1996.

Dog Park usually means a dog exercise area that is fenced.

Leash means an adequate restraint, and may include a lead attached to a collar or a harness, that allows for the control of a dog when in a public place.

Menacing dog means a dog classified as menacing pursuant to section 33A of the Dog Control Act 1996.

Nuisance means things such as barking, rushing, attacking or otherwise causing injury, damage or harm.

Owner has the same meaning as section 2 of the Dog Control Act 1996, and generally means the person who owns a dog, the parent or guardian of someone who is under the age of 16 who owns a dog, or a person who is looking after a dog and is responsible for it.

Playground means an outdoor area or area with playground equipment, provided or maintained by the Council for public use (in particular, used by children). This definition includes skate parks and paddling pools.

Public place has the same meaning as section 2 of the Dog Control Act 1996, and generally means a place that is open to the public whether or not it is private property.

Rural area means properties within rural A, B and C zones of the Ashburton District Plan.

Under effective control means the dog is responsive to its owner's commands and is not creating any sort of nuisance to people, domestic animals or any other wildlife. Nuisance in this sense means things such as barking, rushing, attacking or otherwise causing injury, damage, harm or distress.

Urban area means any area not within rural A, B and C zones of the Ashburton District Plan.

Working dog has the same meaning as section 2 of the Dog Control Act 1996 and generally means any dog carrying out functions and duties:

- relating to farming, such as the herding of stock
- under the direction of a government department or state employee undertaking responsibilities such as those relating to policing, defence, corrections, customs, security, biosecurity, pest management or conservation
- under the direction of a private security guard in execution of their duties.

Policy statement

1. Registration

- 1.1 All dogs in New Zealand must be registered in accordance with section 36 of the Dog Control Act 1996.
- 1.2 All dogs must be registered by 31 July each year, and must be registered for the first time at three months old.
- 1.3 Dog registration fees will incur a penalty fee if not paid by 31 July.
- 1.4 Fees for dog registration shall be set in the Ashburton District Council Long-Term Plan or Annual Plan.
- 1.5 The registration classifications are as follows:

Urban	Rural
<ul style="list-style-type: none">• Urban dog registration (non de-sexed dog)• De-sexed dog registration• Responsible dog owner registration• Dangerous dog registration• Disability assist dog registration• Menacing dog registration	<ul style="list-style-type: none">• Rural dog registration (includes working dogs and rural pet dogs)• Third and subsequent rural dog registration (reduced registration fee)• Dangerous dog registration• Disability assist dog registration• Menacing dog registration

- 1.6 Disability Assist Dogs must be registered, but do not incur any registration fee.
- 1.7 Owners of working dogs need to complete a 'working dog declaration form', available from the Council reception or website.
- 1.8 Council encourages de-sexing by offering a discount on registration fees for neutered or spayed dogs. To apply for the reduced fee you must provide a certificate from a registered veterinarian as proof of de-sexing along with your dog registration application form.
- 1.9 Where the ownership of a dog changes, the registration continues, but both the old owner and the new owner must advise Council.
- 1.10 Where a registered dog is moving to a different district, the registration must transfer with the dog to the new district. Owners of dogs transferring between areas must advise both Councils of the dog's move in writing, and within six weeks of the move. The owner should take the dog registration tag to their new Council office and it will be swapped for a registration tag for the new area, at no charge.
- 1.11 Council will refund the applicable portion of a dog registration fee in the event of the death of a dog. Evidence of the death of the dog must be provided by way of a veterinary certificate. This must be done within 14 days of the death of a dog.

2. Dog Control Bylaw

- 2.1 Under the Dog Control Act 1996 Councils are required to develop a Dog Control Policy, and must develop a bylaw to enforce the matters covered by the policy.
- 2.2 The nature of the bylaw:
 - promotes the responsible management of dogs in public places
 - provides for the recreational needs of dogs and their owners
 - minimises the potential for danger, distress or nuisance.
- 2.3 The bylaw applies to all dogs in the Ashburton District.
- 2.4 The bylaw covers the following matters:
 - control of dogs in public places

- prohibiting dogs from specified public places or categories of public places
- requiring dogs to be on a leash in all public places
- exempting certain types of dogs in certain situations
- designating specified areas as dog exercise areas
- placing limitations on the number of dogs that may be kept on properties
- requiring dog faeces on public land to be removed immediately
- offences and penalties.

2.5 The intention of the bylaw is to regulate dog-related matters to enable the enforcement of the Ashburton District Council Dog Control Policy 2021.

3. Obligations of dog owners

- 3.1 All dog owners are required to understand the dog owner requirements and obligations set out in the Dog Control Act 1996.
- 3.2 All dog owners are required to ensure that their dog is wearing a current registration tag while on any land that is not their own.
- 3.3 All dog owners or those in charge of dogs must ensure their dog is on a leash at all times when in public places (except dog exercise areas specified in Schedule 1).
- 3.4 The person in charge of a dog must carry a leash at all times when in public places, even when the dog is off-leash in a Dog Park or Dog Exercise Area.
- 3.5 The person in charge of a dog is required to keep their dog ‘under effective control’ at all times when using the Dog Park or Dog Exercise Areas.
- 3.6 The person in charge of a dog must carry plastic bags or other effective means to remove and dispose of any dog faeces their dog produces while in a public place, or land that is not the dog owner’s land.
- 3.7 The person in charge of a dog must remove any faeces that their dog produces and dispose of it in a hygienic manner. The requirement to remove dog faeces applies to all public places, and to any land that is not the dog owner’s land.
- 3.8 The person in charge of a dog in a public place must be physically capable of controlling the dog with a leash.

4. Responsible Dog Owner (RDO) status

- 4.1 RDO status is a special dog owner status that recognises good, responsible dog owners and entitles them to a reduced annual dog registration fee.
- 4.2 This status is only available for dogs and owners residing within the urban zoning of the Ashburton District.
- 4.3 The RDO must:
 - have been the registered owner of a dog for at least two years
 - have resided in Ashburton District for at least two years, or have been a RDO (or equivalent) in another territorial authority prior to living in Ashburton District
 - have paid dog registration fees on or before 30 June for the last two years
 - have all dogs micro-chipped in accordance with the Dog Control Act 1996 and provide the microchip number to Council
 - have a licence to keep three or more dogs on their property (if applicable)
 - inform Council of any dog registration or residential address changes, including information on the death, sale, or transfer of any dogs, and including the birth of any pups
 - authorise an inspection of the exterior of the property to ascertain compliance with the RDO criteria.

- 4.4 The dog owner must have a property at which the dog resides that:
- is suitably fenced and gated to contain the dog
 - provides adequate housing for the dog including sufficient warmth, shade, shelter, food and access to water at all times
 - allows dog-free access to a door of the dwelling for authorised callers.
- 4.5 The dog owner must not, in the last two years, have:
- been issued a warning notice or infringement notice for any dog-related offences
 - had a dog that has been found at large, been uncontrolled, or been chased, returned or impounded by Council Animal Control staff/Contractor
 - been prosecuted for any dog-related offence.
- 4.6 Applications must be received and approved prior to 30 April in any year to enable the successful applicant to gain RDO status.

5. Licence to own three or more dogs kept on any given property

- 5.1 Owners of three or more dogs must obtain a licence to keep three or more dogs on any property that is under one hectare (10,000m²) in size.
- 5.2 The Dog Control Officer has the discretion to grant a licence, refuse a licence or have conditions imposed on a licence i.e. the maximum number of dogs permitted.
- 5.3 A licence to own three or more dogs is not required for dogs registered as working dogs.

6. Micro-chipping

- 6.1 All dogs in New Zealand first registered after 1 July 2006 must be implanted with a micro-chip under section 36A of the Dog Control Act 1996.
- 6.2 Working (farm) dogs are exempt from micro-chipping requirements under the Dog Control (Microchip Transponder) Regulations 2005. All other categories of working dogs are required to be micro-chipped.
- 6.3 Dog owners are required to supply their dog(s) micro-chip information to Council so that it can be recorded in the National Dog Database.

7. Prohibited and leashed areas

- 7.1 There are some categories of public places in the district where dogs are prohibited. These are:
- all boat ramps and slipways
 - all cemeteries throughout the district
 - all playing surfaces of public sports grounds
 - within one metre of any playground or playground equipment
 - in any public Council owned building
 - Lake Camp reserve area
 - Lake Clearwater hut area and shores
 - Lake Heron shores
 - Maori Lakes shores
- 7.2 Dogs must be on a leash in all public places not included in Schedule 1. These areas include:
- all roads (which includes footpaths and margins)
 - all memorial areas
 - all sportsgrounds.
- 7.3 Disability Assist Dogs are exempt from prohibited and leashed areas.
- 7.4 Working dogs are exempt from prohibited and leashed areas (where a working dog is carrying

out its duties).

8. Dog Parks and Dog Exercise Areas

- 8.1 Council aims to provide appropriately for the exercise and recreational needs of dogs. Council has designated a number of areas within the district where dogs may be exercised without being on a lead.
- 8.2 Dog Exercise Areas are listed in Schedule 1 of this policy.
- 8.3 As with all public places, dog owners are expected to have their dogs under effective control when in the Dog Park or a Dog Exercise Area.
- 8.4 Owners must carry a leash and dispose of any fouling.
- 8.5 Care should be taken when socialising dogs at the Dog Park or Dog Exercise Areas, particularly if the dog is known to be aggressive, and/or if there are children present.
- 8.6 Council will provide bins for the disposing of dog faeces at the Dog Park and Dog Exercise Areas. Where possible, Council will also provide bags for the disposal of faeces.

9. Other dog matters

9.1 Barking dogs

- 9.1.1 When Council receives a complaint about a barking dog, it will investigate and, if found to be a genuine problem, work with the dog owner to understand the extent of the problem. Animal Control staff will encourage solutions and behaviour change so that the dog is no longer causing a nuisance.
- 9.1.2 Council may issue a 'Barking Dog Notice' at any time if it has been determined that a dog is causing nuisance due to barking. A 'Barking Dog Notice' is an abatement notice which requires the owner to take such action to stop the nuisance from occurring/recurring.
- 9.1.3 The following procedure will be followed when genuine complaints are received about barking dogs:

First complaint	Letter issued to dog owner informing them of a complaint and the nuisance occurring.
Second complaint	Animal Control staff member attends site of complaint to assess the problem. Second letter may be issued.
Third complaint	Animal Control staff member attends the site and may discuss the extent of the nuisance with the neighbours. Abatement Notice issued.
Subsequent Complaint	Animal Control staff member attends site. Dog may be seized and dog seizure notice issued. Prosecution may occur.

- 9.1.4 Council recognises that it is better to work with an owner and their dog to encourage behaviour change and reduce barking, rather than to penalise a dog owner. Animal Control staff will try to offer advice, however, it may be appropriate to look at other options, including penalties, if a barking nuisance is serious, ongoing, or the owner is uncooperative.

9.2 De-sexing dogs

- 9.2.1 Council supports owners having their dogs de-sexed, unless the dog is intended for

breeding.

9.3 Menacing dogs

- 9.3.1 Council can classify a dog as menacing if it constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, based on the dog's behaviour or characteristics typically associated with the dog's breed or type, as set out in section 33A of the Dog Control Act 1996.
- 9.3.2 Council must classify dogs as menacing if they belong wholly or in part to the breeds of dogs listed in Schedule 4 of the Dog Control Act. These are: Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario and American Pit Bull Terrier.
- 9.3.3 Any dog classified as menacing by Council must:
 - be de-sexed within one month of the classification unless there is a veterinary reason for not de-sexing it
 - produce a de-sexing certificate if requested by Council
 - comply with muzzling requirements.

9.4 Dangerous dogs

- 9.4.1 Council must classify a dog as dangerous based on the owner being convicted of certain offences, or based on sworn evidence that the dog is aggressive and constitutes a threat to the safety of people, stock, poultry, domestic animals or protected wildlife, as set out in section 31 of the Dog Control Act 1996.
- 9.4.2 Dangerous dogs:
 - must be kept within a securely fenced section of the owner's property
 - must be muzzled and controlled on a leash in all public places (the dog can be exercised off leash in Dog Exercise Areas and the Dog Park but must remain muzzled)
 - must be de-sexed
 - incur a registration fee that is 50% higher than a standard registration fee
 - must not be sold or given away without the written consent of Council
 - maintain their status as a dangerous dog no matter where they live in New Zealand.

10. Education and training

- 10.1 Council recognises that increased public awareness around dogs, particularly for children, is one of the best ways to reduce dog attacks in the long term.
- 10.2 Council will regularly review educational material to ensure it remains relevant.
- 10.3 Council recognises that responsible dog ownership and good behaviour from both dog owners and their dogs is another important part of reducing dog attacks, as well as reducing any danger, distress or nuisance that may be caused by dogs.
- 10.4 Council encourages new dog owners to attend puppy or dog training courses to learn how to train the dog to understand simple commands.

11. Welfare of dogs

- 11.1 Council recognises the benefits of good and proper dog care. Owners have an obligation under the Dog Control Act 1996 to ensure that their dog is:
 - adequately housed
 - receives proper and sufficient food and water
 - regularly and adequately exercised.

12. Ways of managing troublesome dog owners and dogs

- 12.1 Under the Dog Control Act 1996, Council can classify an owner as probationary and must classify an owner as disqualified under certain circumstances.
- 12.2 Council recognises that there are a range of approaches that can be used when dealing with troublesome dogs and/or owners that focus on promoting responsible ownership rather than penalising.
- 12.3 **Dog owner status can be restricted due to infringements and offences**
- 12.3.1 When a dog owner has committed a series of dog-related infringement offences (has been ordered to pay a fine) or has been convicted of dog-related (non-infringement) offences, Council may classify that owner as a probationary owner, and in some cases must classify the owner as a disqualified owner.
- 12.3.2 These dog owner classifications restrict a person's right to own a dog and can last for several years.
- 12.3.3 Dog owner status applies across the whole country, even if the offender moves outside of Ashburton District.
- 12.4 **Probationary dog owners**
- 12.4.1 If a dog owner commits three or more infringement offences within two years they may be classified as a probationary owner (for more information see sections 21-24 of the Dog Control Act).
- 12.4.2 Probationary dog owner status generally applies for up to 2 years, but may end sooner.
- 12.4.3 The owner cannot become the owner of any new dogs (but may keep any registered dogs they have).
- 12.4.4 Probationary owners may be required to undertake dog owner education or a dog obedience course, or both.
- 12.5 **Disqualified dog owners**
- 12.5.1 A disqualified dog owner cannot be the registered owner of a dog for a specified period and must dispose of every dog that they own (for more information see sections 26-28 of the Dog Control Act).
- 12.5.2 Disqualified dog owner status can last up to 5 years.

13. Seizing dogs, impounding dogs and adopting dogs

- 13.1 The Dog Control Act gives warranted Dog Control Officers the legal power to seize dogs that:
- have attacked
 - have rushed (dogs in public places that have rushed or startled a person or animal and caused injury, endangerment damage or death)
 - are unregistered
 - do not have adequate food, water or shelter
 - wander and are not under control
 - have owners who have not met the obligations for keeping a dangerous or menacing dog.
- 13.2 Impounding fees will be reviewed on at least an annual basis and stated in the

Ashburton District Council Annual Plan or Long-Term Plan.

- 13.3 Where owners of impounded animals cannot be traced an impounded dog will be held for 7 days. If the dog is unclaimed, Council will then dispose of the dog as it sees fit, which may be: rehoming through a reputable agency or rehomed to an individual who is deemed to be a suitable owner.
- 13.4 No impounded dog will be released to any organisation for research purposes.
- 13.5 If, after a maximum of 28 days, the dog cannot be rehomed it will be humanely destroyed.
- 13.6 **Releasing a dog from the pound**
 - 13.6.1 The owner must pay all fees (including any outstanding registration fees) prior to release. In some circumstances an automatic payment authority can be organised with Council.
 - 13.6.2 The dog owner must provide proof that they are the rightful owner of the dog or have been authorised by the owner to act in that capacity.
 - 13.6.3 Release shall only be by pre-arranged appointment.
 - 13.6.4 Impounded dogs will only be released if they are fitted with a functioning microchip and are registered.
- 13.7 **Adoption and rehoming of unclaimed dogs**
 - 13.7.1 Where a dog is released from Council's dog pound to a new owner, the new owner is not required to pay a standard release fee, but is required to pay the cost of registration.

14. The issuing of infringement notices

- 14.1 Council will issue warnings, at a Dog Control Officer's discretion, and/or infringement notices (instant fines), for infringement offences as set out in Schedule 1 of the Dog Control Act 1996 and Schedule 2 of Council's Dog Control Bylaw.
- 14.2 Dog Control Officers will consider each situation on an individual basis and have discretion as to what approach they choose to take.

Schedule 1

Part A – Areas where dogs are prohibited

1. All boat ramps and slipways
2. All cemeteries
3. All playing surfaces of public sports grounds
4. Within one metre of any playground or playground equipment
5. In any public Council owned building
6. Ashton Beach (see map 6)
7. Lake Camp reserve area (see map 7)
8. Lake Clearwater hut area (see map 7)
9. Lake Clearwater shores
10. Lake Heron shores
11. Maori Lakes shores

Explanatory note

Department of Conservation owns and has control over the shores of Lake Clearwater, Lake Heron and the Maori Lakes. For further information about dog access on public conservation land managed by the Department of Conservation, please contact the Department of Conservation directly.

Part B – Dog exercise areas

Please refer to the following maps for details of dog exercise areas:

Map 1 – Ashburton Dog Exercise Areas

- Ashburton District Council Dog Park
- Pioneer Park
- Digby Park
- Patching Street Reserve
- Small Bone Drive Reserve
- Devon Park.

Map 2 – Argyle Park Dog Exercise Areas

Map 3 – Company Road Dog Exercise Area

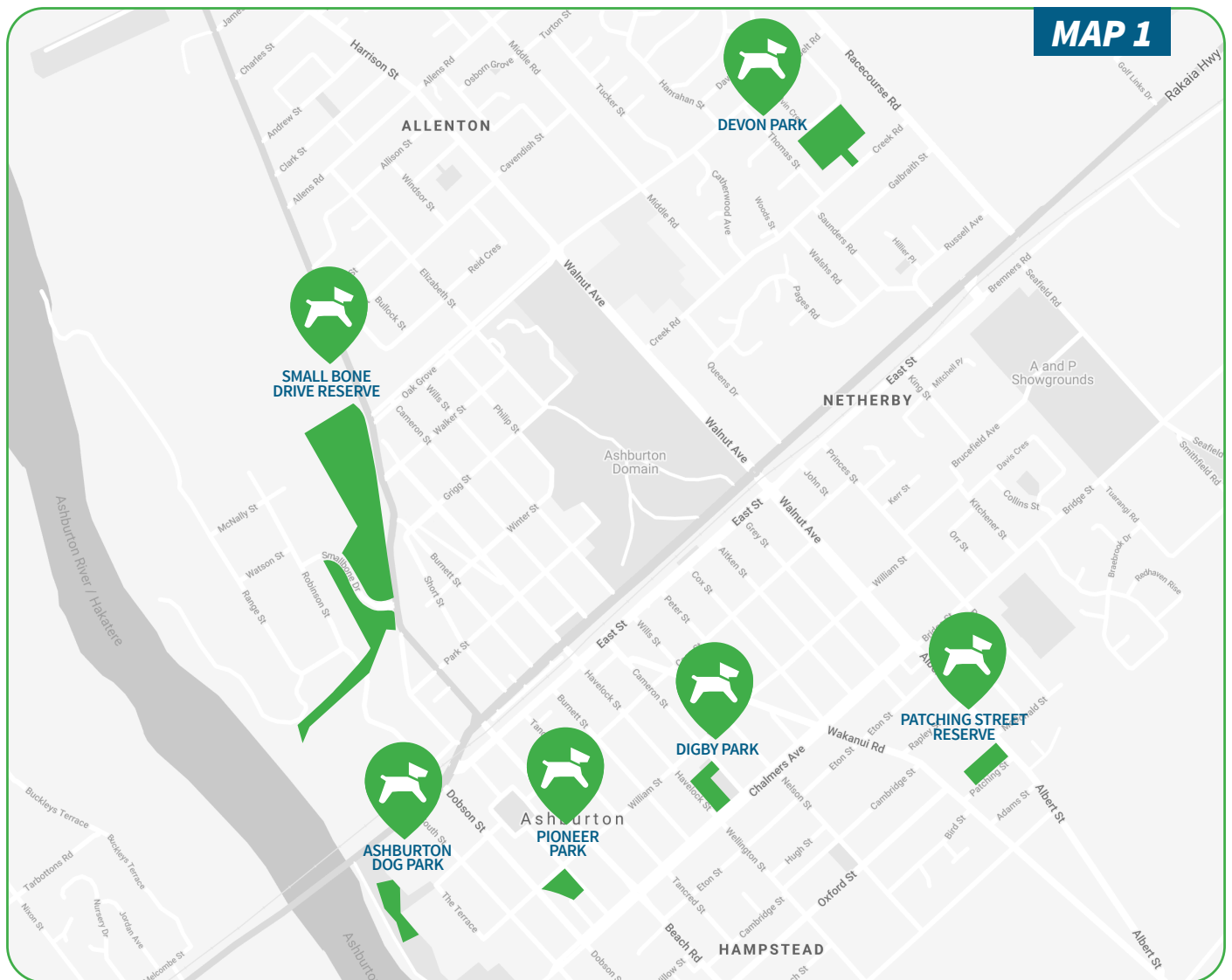
Map 4 – Tinwald Dog Exercise Areas

- The Green
- George Glassey Park.

Map 5 – Methven Dog Park

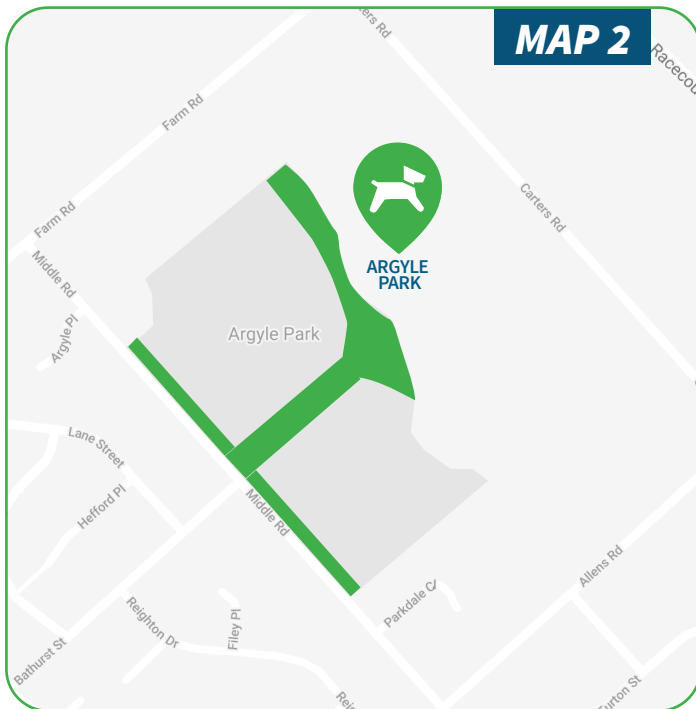
Dog Exercise Areas

Ashburton Dog Exercise Areas

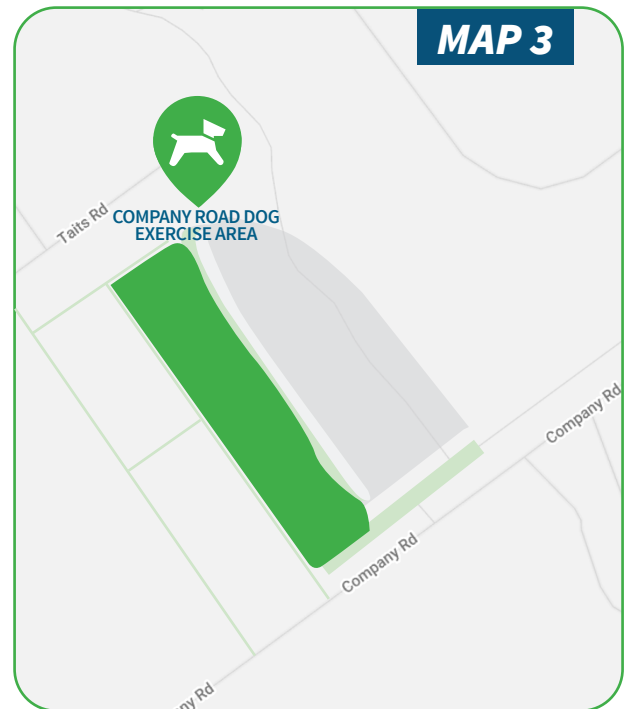


Dog Exercise Areas

Argyle Park Exercise Areas

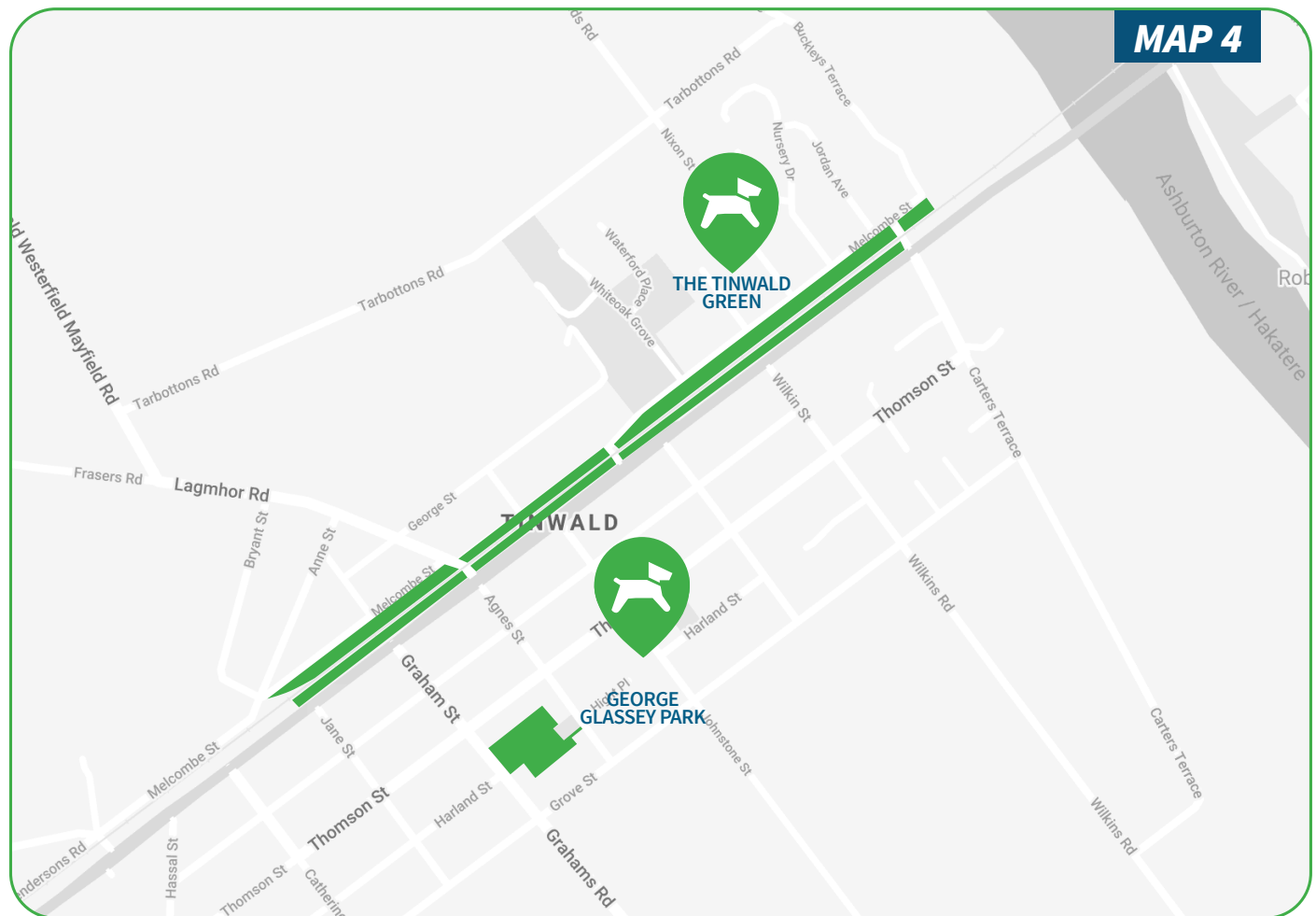


Company Road Dog Exercise Area

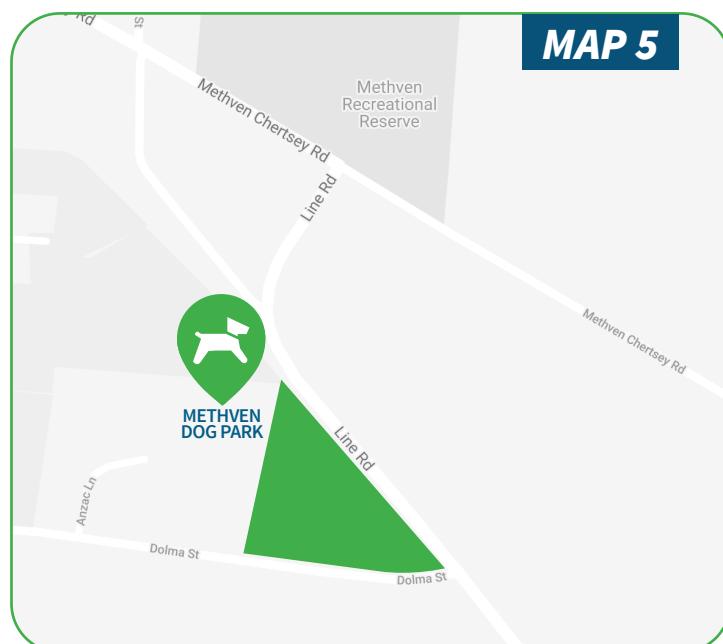


Dog Exercise Areas

Tinwald Dog Exercise Areas



Methven Dog Park



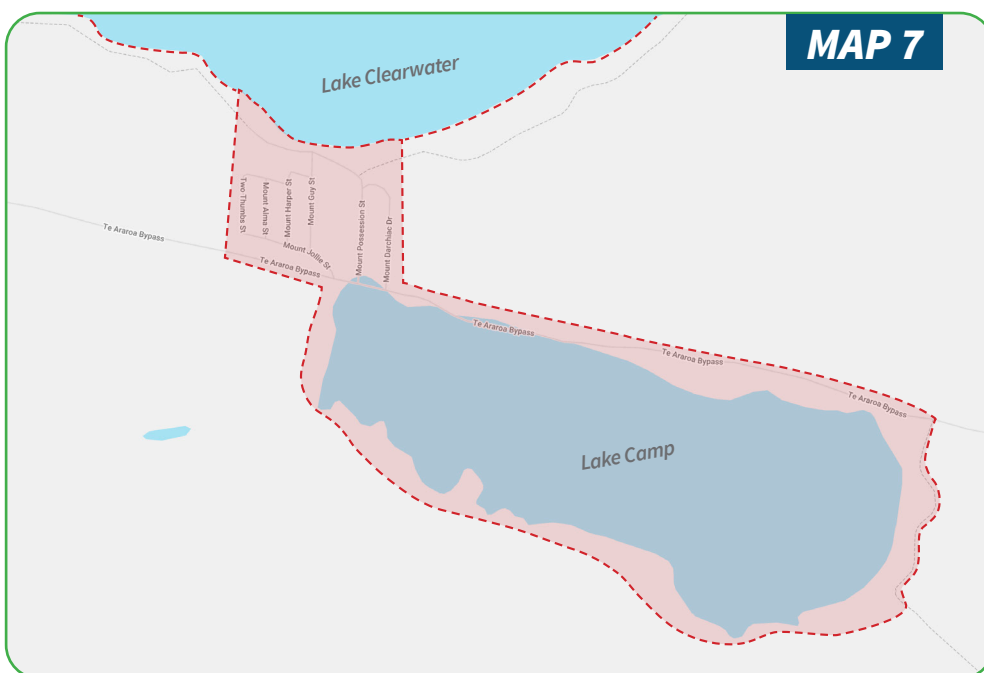
Prohibited Dog Areas

Ashton Beach



■ Prohibited area

Lake Camp & Lake Clearwater Hut Settlement



■ Prohibited area

--- Prohibited area

Quarterly Update – October 2021

Introduction

The impact of COVID-19 continues to reverberate across the tourism industry, with the most recent lockdown heavily impacting the district. The absence of visitors from Auckland means the usually buoyant school holidays and ski season will not perform as well as anticipated, with some operators forecasting up to 60% of their forward bookings now cancelled.

We moved into a business support model throughout the lockdown, providing advice around benefits and central government policy. We called many of the operators directly to gauge their well-being. Most of the operators advised that they were unlikely to see any improvements to their businesses until Q1 2022.

Team Update

With the signing of a three-year contract with Ashburton District Council, ChristchurchNZ has made some changes to the roles and responsibilities of staff in order to better service the contract and meet the KPIs and deliverables.

The changes are outlined below:

- The role of Mid Canterbury Tourism Marketing Manager has been disestablished.
- A new role, Mid Canterbury Tourism Development Manager, has been created. This role is designed to reflect the current needs of the tourism industry who require capability building and business support, along with destination marketing. Bruce Moffat has been offered and accepted this role.
- A new part-time role, Digital Communications Specialist - Visitor Industry, has been created and is currently being recruited. This role is cost-shared between Ashburton, Mackenzie and ChristchurchNZ, and will support industry communications and provide digital support to Mackenzie and Mid-Canterbury. The creation of this role allows for more significant planning, consistency and quality of all digital communications and channels.

Tourism Development

Supporting the region through identifying new tourism growth opportunities is a core function of the role of Tourism Development Manager.

One opportunity to enhance the tourism offering and provide alternative revenue streams for some businesses is to develop **Agri Tourism**.

For farmers, agritourism offers an opportunity to diversify and create supplementary income. Many agritourism operators enjoy the social aspect of meeting people worldwide and sharing their unique places. While we wait for the world to return, discussions are underway to educate on what is considered an authentic Agri-experience and how to become involved in this field.

We know that visitors are looking to connect with the land, the people, the animals, learn where their food comes from, and enjoy the relaxing rural environment and activities.

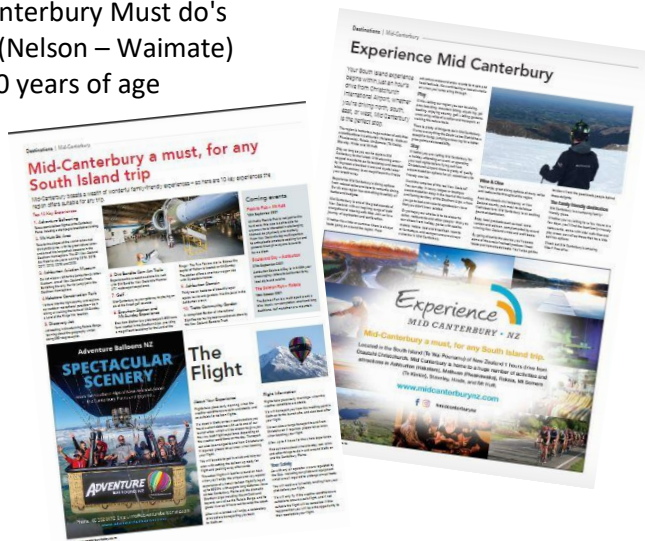
Agritourism NZ works with organisations in tourism and agriculture and conducts research projects related to agritourism. We have engaged them to workshop with operators, which is a core area of focus to continue harnessing opportunities to support the development of businesses.

Mid Canterbury is leading a development in collaboration with the four surrounding districts to enhance the exposure of **Inland Scenic Route 72** from Amberley in Hurunui to Winchester in the Timaru district. We have had several planning meetings to discuss using the existing website www.scenicroute72.nz as a call to action.

The basis of the website was founded through discussions with motorhome owners across New Zealand. We have agreed to continue to use the platform with some improvements, enhancing the imagery, adding new itineraries, adding more tourism services to the map from within the other participating districts. It is expected that this initiative will be ready for the 2021/22 summer.

Mid Canterbury Promotion

- **Mid Canterbury YouTube skippable ad Promotion:**
 - Winter & Generic Mid Canterbury
 - Campaign Period: 1 July – 30 September
 - EAV \$1.27m
 - Key results:
 - 2,566,087 Impressions
 - 341,389 Views (more than 30 seconds)
 - 5,097 Click-throughs to the Mid Canterbury website
- **Canterbury Story editorials:**
 - Two pages – Mid Canterbury Must do's
 - Readership: 65,040 (Nelson – Waimate)
 - Demographic: 41 -60 years of age



- **Tourism Export Council of New Zealand (TECNZ) Conference**
 - Opportunity to showcase Mid Canterbury to Inbound Tourism Operators
 - Conference addressed by Tourism Minister Hon Stuart Nash
 - 80-90% New Zealander vaccinated before border opening
 - Financial support available
 - New capability funding launched
 - Announcement of a new business fund to support the loss of international visitor's revenues in Kaikoura, Mackenzie and Queenstown districts.
 - ChristchurchNZ are review capability requirements with Tourism operators

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- **Australian Trade promotions**
 - The district's biggest challenge in Australia is a lack of product knowledge due to the mass loss of travel trade partners. Most key partners have scaled back to skeleton staffing and primarily working remotely
 - Monthly Zoom meetings with key trade partners in Australia – Flight Centre & Hello World
 - Held virtual meetings with Australian based travel agents to update them on Mid Canterbury products.
- **Inland Scenic 72 – Multi-District Campaign:**
 - Leveraging off an existing Mid Canterbury website tool – www.scenicroute72.nz
 - Regional collaboration with Hurunui, Waimakariri, Selwyn and Timaru districts
 - Operators linking their product to website
 - November national launch with Tourism New Zealand, Stuff, NZME and online content, details to be finalised
 - Social media will be across all district's platforms using #scenicroute72 as the call to action
- **Mid Canterbury Food & Beverage Campaign:**
 - Campaign period: October – April 2022
 - Highlighting all food and beverage properties across Mid Canterbury over the summer months – Driving visitation and business cashflow
 - Each week, seven posts sourced from each food & beverage business in Mid Canterbury will be promoted on social media.
 - Call to action: www.Midcanterburynz.com
- **Mid Canterbury Stay Campaign:**
 - Campaign period: October 2022
 - Highlighting all commercial accommodation across Mid Canterbury in the lead up to summer – driving visitation and business cashflow
 - Each half week, a post of the property will be promoted on social media.
 - Call to action: www.Midcanterburynz.com

Experience Mid Canterbury Tourism
 Published by Bruce Moffat · 23h · 0

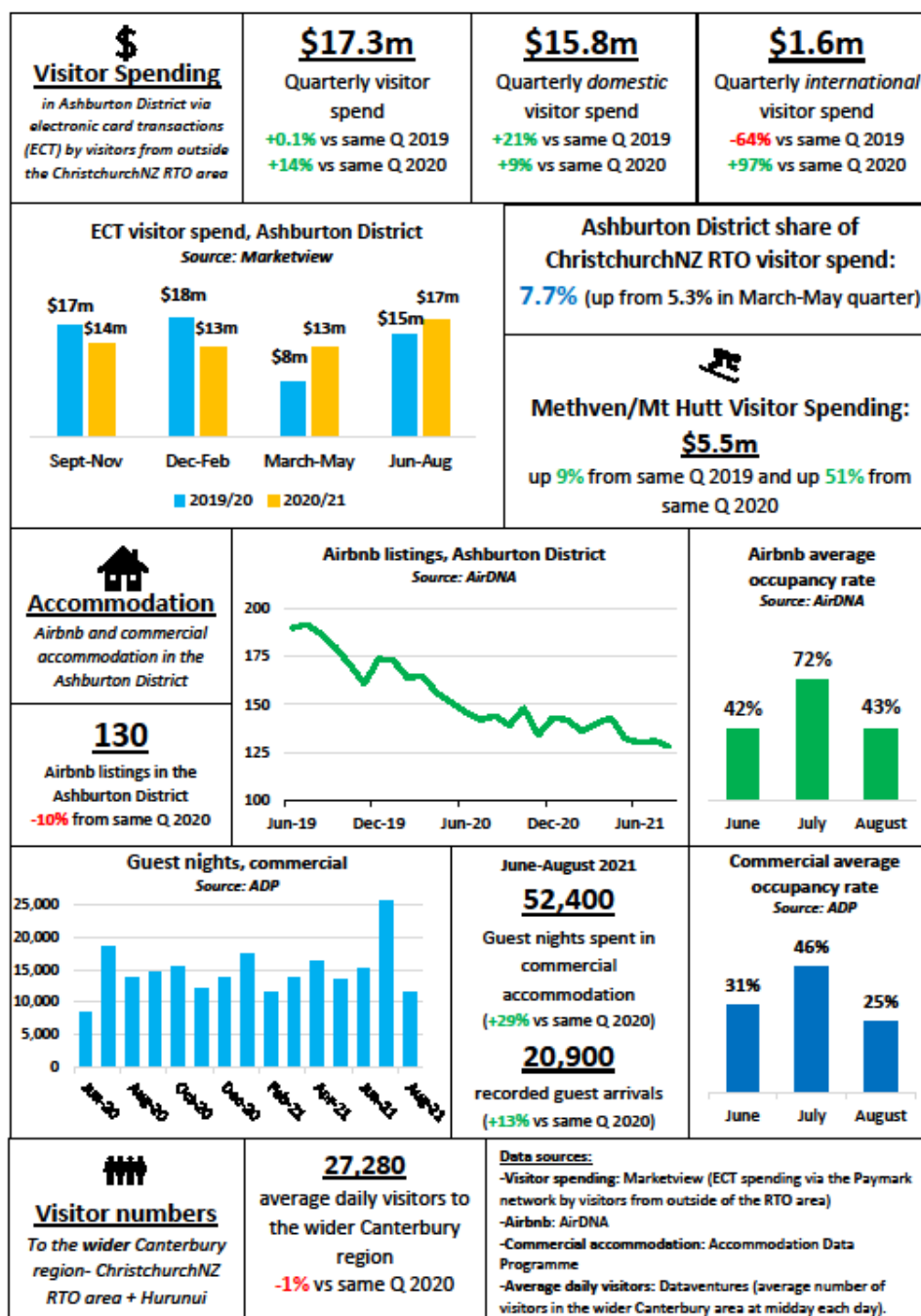
This summer we will be showcasing the stunning range of places to stay in Mid Canterbury because we know once you arrive, you won't want to leave!

A place to stay - No.1
 Lake Heron Station - experience the spectacular surroundings of a family-operated high country farm. A stay in our beautifully restored Lake Heron Cottage combines luxury with a myriad of outdoor experiences. Tour the station by 4WD, hike, wild swim, fish, or fly with us on a scenic tour - at the day's end, you return to the comforts of an open fire and a home-cooked meal. Lake Heron Cottage is exclusively yours for the duration of your visit.



Mid Canterbury's tourism performance data.

Ashburton Quarterly Visitor Insights: June-August 2021



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Key Summary Points:

- Quarterly Spend \$17.3m:
 - Domestic Spend \$15.8m **Up 21% on 2019**
 - International Spend \$1.6m **Down 64% on 2019**
- Ashburton District's share of ChristchurchNZ RTO Visitor spend 7.7% **Up 5.3% on the previous quarter**
- Methven/Mt Hutt Visitor spend \$5.5m **Up 9% on the previous quarter** and **up 51% on same quarter 2020**
- Average Daily Visitor: 27,280 **Down 1% same quarter 2020**

Central Government Tourism Support - Implementation

The central government have allocated tourism support funding for regional tourism organisations, of which ChristchurchNZ is one - representing Christchurch, Banks Peninsula, Ashburton, Selwyn and Waimakariri. ChristchurchNZ has received \$1.5 million in funding to undertake destination management planning, destination marketing and tourism business support and capability building.

A letter is attached to this report which summarises the planned activity relating to Ashburton. Implementation of the proposed activity is set to begin in Q2.

Marketing and Promotional Activity against KPI

Activity	Date	Related KPI	Outcome
Capability Series	August-September	Industry Partnerships and Engagement	<ul style="list-style-type: none"> Set up the new Mid Canterbury Tourism Operators forum (Private Facebook page) with 36 Members. Business support by email, social media and calls over August Covid19 lockdown, providing Local and Central Government advice. We conducted a series of training with key operators on social media marketing during the lockdown.
Marketing & Promotion	July-September	Destination recovery	<p>YouTube Campaign – July - Sept</p> <p>Target Audience:</p> <ul style="list-style-type: none"> Broad Reach North Island Broad Reach South Island Dinks – Promoting romance and luxury to those with high disposable income Young Families – Showcasing the magic and convenience of travel for families Adventure Seekers – Highlighting genuinely unique experiences to those wanting the next thing
Social Media	Ongoing	Destination recovery	Continuous posting on Mid Canterbury social media platforms, building into the winter season, supported broader communications during the Mid Canterbury storm.

ChristchurchNZ Mid-Canterbury KPIs 2021-2022 Tracking

KPI	Strategic Priority	Activity	Target	Measure	Progress
Target Domestic Visitors	Destination recovery	Domestic campaigns: 2 x Mid-Canterbury specific 1 x Explore CHC (Canterbury campaign inclusion)	Resident households in Christchurch, Canterbury, Wellington and Auckland with HHI above \$100,000	Reach: Canterbury – 365,000 digital impressions Auckland – 500,000 digital impressions Grow domestic GDP spend – establish a baseline	ExploreCHC content and launch. YouTube Campaign
Industry Partnerships and Engagement	Destination alignment	Create cohesion within the local tourism industry through regular engagement	Mid Canterbury Tourism Advisory Group meetings x 4 annually All-of-industry networking x 2 annually	Delivery of planned engagement	MCTAG meetings ongoing four meetings held All of the industry networking – Met during Mega Met
District Media exposure	Domestic & local marketing, media and brand development	Host media famils to showcase Mid Canterbury in target markets	Domestic and Australia International long-haul if Covid-19 restrictions allow	\$4,000,000 EAV in 12 months	We hosted Channel 9' Today Show with live broadcasts from the Mt Hutt Base. EAV \$2.85m YouTube Campaign July - September EAV \$1.27m

District Trade Exposure: Domestic & International	Converting campaigns into visitation to Ashburton District	<p>IBO Trade Famils</p> <p>Australian wholesale training</p> <p>Domestic packaging to generate sales</p>	<p>2 x inbound tour operator famils</p> <p>2 x Domestic Travel famil.</p> <p>2 x Australian travel wholesaler famil</p> <p>2 x domestic package inclusions (House of Travel and Flight Centre)</p>	<p>Establish baseline</p> <p>Generate revenue through packages</p> <p>Grow domestic GDP spend – establish a baseline</p>	<p>Hosted one domestic Famil with Auckland based Fuzion Travel</p> <p>Will host Australian Trade and media when COVID19 restrictions allow</p>
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Appendix

- Letter to Ashburton District Councils Chief Executive Hamish Riach, detailing the additional Central Government tourism support funding and how it will support the Ashburton Tourism businesses.

22 July 2021

Hamish Riach
Chief Executive
Ashburton District Council

Kia Ora Hamish,

Re: Additional proposed destination activities FY 2021/2022

Thank you for the opportunity to continue to deliver destination marketing and development services for Ashburton District Council.

This collaborative approach to destination marketing and elements of destination management leads to greater cohesion and shared outcomes for our regions which are mutually beneficial, and we look forward to continuing our partnership.

As you are aware, by undertaking regional partnerships and working collectively, Canterbury is more likely to attract third party revenue from central government funding bodies. In addition, the COVID-19 landscape will require a cohesive strategy from Canterbury to ensure the whole region rebounds strongly as a visitor destination.

This letter outlines the approach ChristchurchNZ plans to take over the next financial year to maximise the benefits of central government funding in COVID-19 tourism recovery to support greater outcomes for the Ashburton District.

The first example of central government funding designed to support COVID-19 recovery is the Regional Events Fund, of which Ashburton received \$245,959 plus administrative support from ChristchurchNZ, to develop, attract or deliver events which drive economic impact and visitation.

Tourism Support, Recovery and Re-Set Fund 2021-2022

Following from the Regional Events Fund, as part of the Government's Tourism Support, Recovery and Re-Set, up to \$26 million was made available to the 31 Regional Tourism Organisations (RTOs) across New Zealand because of the impact of COVID-19 on Local Government revenue and the potential flow on effect as primary funders.

ChristchurchNZ has been allocated \$1.5 million as part of this programme. This is not a substitute for local government funding.

This funding is available to RTOs for the 2021/2022 year that can demonstrate a commitment to:

- a. Advancing the goals of the New Zealand-Aotearoa Government Tourism Strategy and create a more productive, sustainable and inclusive tourism sector;
- b. Retaining RTO investment from Local Government e.g. Government funding is not a substitution for local government funding;
- c. Adopting a destination management approach in line with MBIE's Destination Management Guidelines which includes working with industry, communities, iwi and stakeholders to plan for the future, supporting industry capability and product development opportunities; and
- d. Marketing activity that complements Tourism New Zealand's marketing activities.

As the RTO for Ashburton, ChristchurchNZ has committed within the investment plan and subsequent draft contract with MBIE that it will deliver several initiatives which will benefit the Ashburton District as a destination. These initiatives sit outside the scope of the 3-year service delivery contract between ChristchurchNZ and Ashburton District Council but are to be delivered by ChristchurchNZ as the RTO for Ashburton.

These activities should be considered an added benefit to the partnership between the two organisations and not contractually binding.

Planned additional activity

Note that the following activity is currently in proposal phase and has not been fully scoped. Once MBIE approves the Investment Plan proposed by ChristchurchNZ, further detail will be made available to ADC.

The below serves as a first stage information briefing only:

1. Destination Management Plan (DMP) – Approximate value = \$50,000

One of the core deliverables ChristchurchNZ aim to deliver over the next 18 months is a Destination Management Plan encompassing Christchurch, Banks Peninsula, Ashburton, Selwyn and Waimakariri. A DMP is designed to identify the unique brand, opportunities and challenges specific visitor destinations will have, and to provide a framework to guide tourism related activity for central and local government moving forwards. This will include a specific deep-dive report into the Ashburton District and will follow MBIE's Destination Management Guidelines, which can be found here: <https://www.mbie.govt.nz/assets/destination-management-guidelines-2020.pdf>

A full scope for the DMP is currently being developed and ADC Executive and Elected Members will be briefed throughout the process to understand the process and key outcomes and deliverables.

2. Capability building – Approximate value = \$30,000

As identified during the COVID-19 response period, tourism operators in the Ashburton District are lacking in capability in promoting themselves to the domestic market, in digital sales and marketing, and in working with travel trade and travel agents. A capability programme will be developed and delivered across the year to support tourism operators in building their organisation's ability in these areas. This programme will also look to enhance industry collaboration and district tourism cohesion through networking and Mega-Meets.

3. Product development – Approximate value = \$40,000

Due to reduced cashflow in their businesses, local tourism operators have been unable to reinvest in their products or experiences. The product development programme will focus on supporting tourism operators with market research and experience development, and work to attract new investment in tourism in the district.

4. Destination marketing (ExploreCHC)– Approximate value = \$100,000

ExploreCHC is a long-term visitation brand for the central South Island region, created in 2020 in partnership with the regions of Canterbury and Christchurch International Airport. This was a key recommendation from the South Island Destination Management Plan and has been implemented and led by ChristchurchNZ.

This comprehensive domestic marketing campaign earned 18.9m impressions across a range of media and helped to increase the percentage of Kiwis intending to travel to Canterbury in the next 12 months to 21% (Sept/Oct) up from 19.4% in (May/July).

ChristchurchNZ intends to continue the evolution of this campaign with Ashburton and Mid-Canterbury at the heart of the creative and brand proposition. Along with a strong domestic focus, this campaign is likely to be expanded into the Australian market in early 2022.

Risks

While the tagged central government tourism funding is valuable to the district and will enable much progress to be made on creating a sustainable future for tourism in Ashburton, there are likely to be several risks which must be managed by both ChristchurchNZ and Ashburton District Council.

These risks are outlined below:

1. The additional funding may create an expectation within the Ashburton tourism industry that ChristchurchNZ will continue to deliver services to the same level in future financial years, on significantly less funding. This can be mitigated through clear communication that COVID-19 tourism funding is a short-term stimulus fund, and reporting should indicate what is baseline activity (ADC funded) and what is additional activity (COVID-19 funded). The recovery activity will be briefed to Councillors and industry throughout the year to manage expectations.
2. Ashburton District Council will need to consider the potential implications a Destination Management Plan could have on the role of local government in managing the destination. The DMP may identify core actions to be undertaken by ADC which may include supporting a new brand and narrative which aligns the district; funding tourism related infrastructure; or investing more (or less) in destination marketing and promotion. A Destination Management Plan and its recommendations need to be carefully considered by all key stakeholders, and Ashburton District Council is likely to be seen as one of the leaders of the delivery of the outcomes identified.

Bearing in mind the above-mentioned planned activity and associated risks, I welcome any thoughts your team or elected members may have and will plan to brief all core internal stakeholders at Ashburton District Council in either the next Quarterly Report, or in a standalone workshop if you deem this appropriate. Please let us know how you would prefer ChristchurchNZ to keep Ashburton District Council informed and engaged on the above activity.

Hamish, thank you again for the opportunity to work with Ashburton District Council. We look forward to working closely with you and your team over the next 3 years.

Nga mihi nui,



Loren Heaphy

General Manager Destination & Attraction

ChristchurchNZ

20 October 2021

13. Ashburton Car Club - Road Closures

Author	<i>Rhys Roberts; Technical Support Officer-Roading</i>
Activity Manager	<i>Brian Fauth; Roading Manager</i>
GM Responsible	<i>Neil McCann; Group Manager – Infrastructure Services</i>

Summary

- This report considers an application from the Ashburton Car Club for temporary road closures of sections of Le Bretons Road and Chertsey Road on 21 November 2021 to hold the Gravel Bent Sprint Meeting event.
- This report outlines the benefits and risks to be taken into consideration on whether to approve or decline the road closure.
- Objections close on 22 October 2021 and Council will be updated if any objections are received. The recommendation is made on the premise that no objections are received 22 October 2021.

Recommendation

1. **That** Council permits the following roads to be closed from 8.30am Sunday 21 November 2021 until 5.30pm the same day to allow the Gravel Bent Sprint Meeting to be held:-
 - Le Bretons Road**, from Christys Road intersection
 - Le Bretons Road**, from Denshires Road South intersection
 - Chertsey Road**, from Le Bretons Road intersection for two kilometres.

Background

1. The Ashburton Car Club has applied to Council for temporary road closure to allow them to hold the Gravel Bent Sprint Meeting.
2. The Ashburton Car Club has run car racing events safely and successfully for over 17 years. Their events are well organised and every risk and precaution is taken by the organisers to ensure that the highest levels of safety are maintained. Their events are highly supported by the local community and are a valued attraction to the District.
3. Council is not obliged to approve any road closures. Our practice has been to approve such requests, subject to being confident that the event organisers can manage the event safely, and that the road will be restored to pre-race condition.
4. Officers are satisfied that the Ashburton Car Club can meet these expectations, as they have repeatedly done so for many years. This event requires no detours and the roads concerned do not experience high traffic volumes. For these reasons, Officers recommend the request be approved.
5. This event has been advertised with a period of time for objections to be submitted. No objections have been currently been received with the objections period closing on 22 October 2021.
6. The required insurances and traffic management plan has been received.
7. This application must be considered by Council under Paragraph 11(e) of the Tenth Schedule of the Local Government Act 1974, because New Zealand Motorsport, of which the Ashburton Car Club is a member, requires roads to be closed for motor sport events under the Local Government Act, as event participants may be under 16 years of age.

Options analysis

Option 1 – Approve Road Closure (Recommended)

8. Our practice has been to approve such requests, subject to being confident that the event organisers can manage the event safely, and that the road will be restored to pre-race condition.
9. Ashburton Car Club has a strong record of safe and successful management of these events in the district for over 17 years.
10. The responsibility for risk free operation lie with the organisers and all contingencies are covered in the conditions of closure.
11. The road condition will be inspected by Roading staff before and after the event. Staff are confident that the asset will be returned to its pre—existing condition after the event.
12. For these reasons, Officers recommend Option 1.

Option 2 – Decline Road Closure

13. This is not preferred.
14. As mentioned in Option 1 these events have been held for a number of years without incident and are well supported by the local community. Many people look forward to these types of events and they provide a positive attraction to the District.

Legal/policy implications

15. Clause 11 of the Tenth Schedule of the Local Government Act 1974 provides –

“That Council may, subject to such conditions as it thinks fit... close any road or part of a road to all traffic (e)... for any exhibition, fair, market, concert, film making, race or other sporting event or public function.”

16. As noted previously, our practice is to enable these events to proceed subject to ensuring the safety of road users, residents and spectators.

Financial implications

17. There are no financial implications.

Requirement	Explanation
What is the cost?	No costs incurred to Council
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	All costs associated with this event are being paid by the organisers (Ashburton Car Club)
Are there any future budget implications?	No
Finance review required?	No – there are no financial implications for Council.

Requirement	Explanation
Is the matter considered <i>significant</i> ?	No
Level of significance	Medium
Level of <i>engagement</i> selected	Level 3 – Consult. Council must advertise the closure and consider objections, if any are received.
Rationale for selecting level of engagement	This level of engagement is required to meet statutory requirements.
Reviewed by Strategy & Policy	Richard Mabon, Senior Policy Advisor

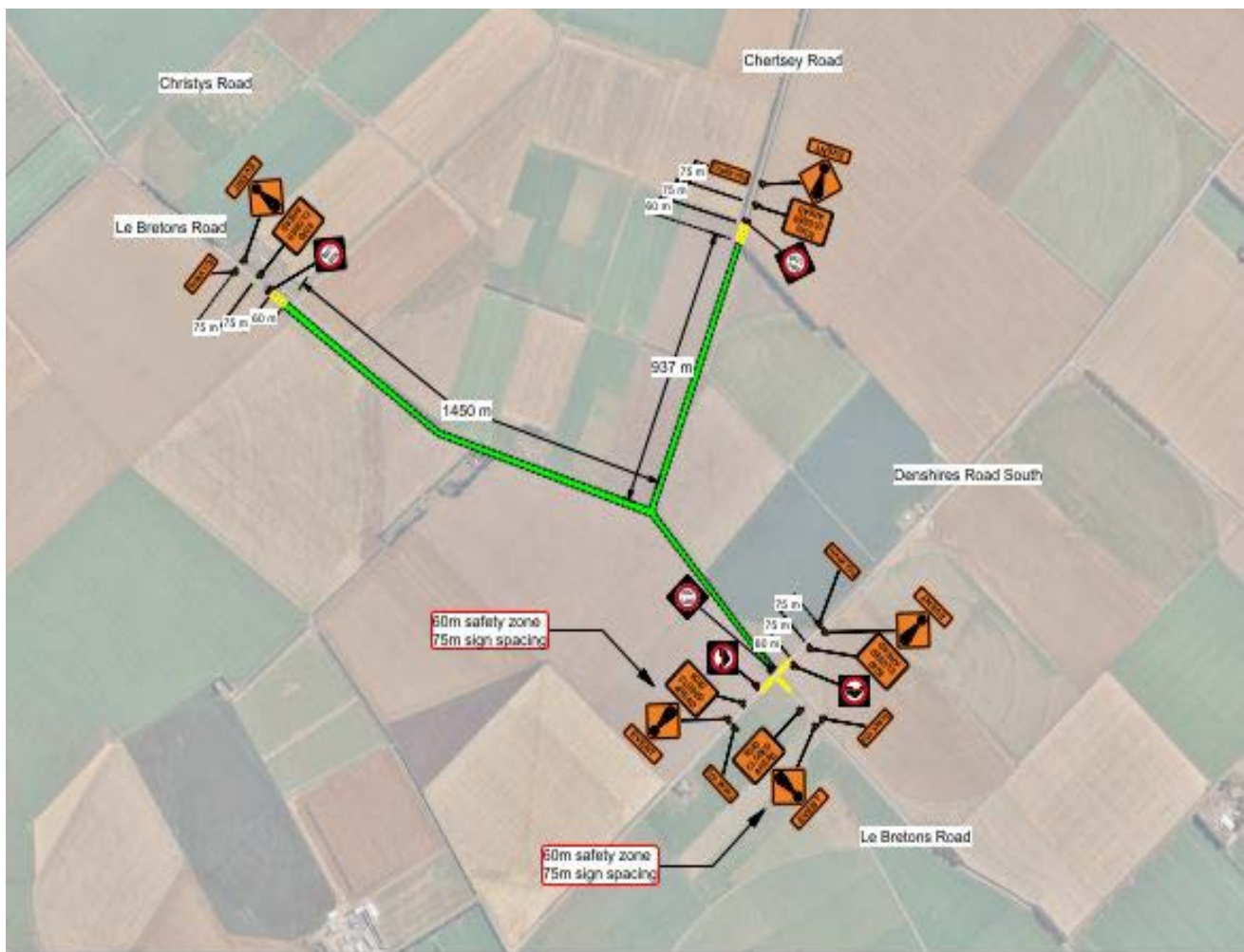
Significance and engagement assessment

18. Property owners in the affected areas have been approached and letters dropped off so they aware of the road closures and the event.
19. The event has also been publicly notified.
20. Other local organisations are actively involved with marshalling, security etc.
21. Emergency services are provided with copy of road closure information after approval has been given.
22. There will also be publicity around this road closure due to the normal media coverage of public meeting agenda items.
23. The advance communications and notifications are consistent with the overall significance of this decision and the legal requirements.

Next steps

Date	Action / milestone	Comments
20 October 2021	Council make a decision to approve or decline road closure	If approved and there are no objections after 22 October 2021 the event will proceed as planned

Appendix 1



14. Mayor's Report

14.1 Aspiring Leaders' Forum

Michael Baker, Chair of the Ashburton Youth Council was selected to attend an Aspiring Leaders' Forum. The forum is held annually over a four day period where young leaders aged 18-26 are brought together to discuss faith and values in leadership. The event is held in Wellington hosted by MP's and involves guest speakers, group activities, a day in Parliament and a service project. Michael will join the meeting today to report to Council on the Forum.

14.2 Railway Yard to North East

After many years of meetings an agreement has been reached for the movement of the shunting yard from the middle of Ashburton to the former Silver Fern Farms site. This is a four way arrangement between KiwiRail, Wareings Group, Council and the Minister of Transport.

I see this as a good result and it now requires Council approval to formalise the agreement.

14.3 Meetings

- **Mayoral calendar**

October 2021

- 4 October: Lake Hood Extensions Project Stakeholder AGM
- 5 October: RDR Board meeting and AGM
- 5 October: Ashburton Trust/Lion Foundation
- 6 October: Council meeting
- 6 October: Ashburton Lions Club
- 7 October: Brian Leadley – Methodist Church with CE Hamish Riach
- 7 October: Covid Economic Recovery group (via Zoom)
- 8 October: Hokonui Radio Interview
- 8 October: Mary Ross – Advance Ashburton
- 11 October: Community Trust Mid/South Canterbury AGM (via Zoom)
- 11 October: LGNZ 3 Waters Update (via Zoom)
- 11 October: Canterbury Mayoral Forum meeting with Minister of Environment Hon. David Parker (via Zoom)
- 12 October: Library and Civic Centre Project Control Group
- 13 October: Airport Authority Subcommittee
- 13 October: Road Maintenance Workshop
- 13 October: Ashburton Business Estate site visit (proposed dog exercise area)
- 13 October: Consultation Process workshop
- 14/15 October: Zone 5 & 6 Conference, Christchurch with Cr Falloon and CE Hamish Riach
- 14 October: LGNZ 3Waters update (via Zoom)

- 15 October: Miyabi Top in Town opening
- 18 October: Methven Community Board
- 18 October: CDEM Joint Committee extraordinary meeting (via Zoom)
- 18 October: Advance Ashburton

Recommendation

That Council receives the Mayor's report.
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Neil Brown

Mayor

15. Councillor Reports

Deputy Mayor *Liz McMillan*

15.1 Regional Climate Change Workshop

Cr Carolyn Cameron and I joined this meeting which was chaired by Waimakariri Mayor Dan Gordon, and held via Zoom on Friday 1 October, 10am – 12.30pm.

The topic was supporting the transformation of the agricultural sector to a lower emissions future. A presentation from Dr Trevor Stuthridge was followed by a question and answer session.

Dr Stuthridge spoke about climate change science, New Zealand's unique greenhouse gas footprint, and the range of mitigation and adaptation tools currently under development to support the agricultural sector to a lower emissions future. This includes methane vaccines and inhibitors, low methane genetics and low methane feedstocks, as well as tools for on-farm practices.

Round table discussion followed of all the Canterbury councils and their approach to climate change. ADC is encouraged to look into a public transport service, similar to Timaru's 'my-way service'.

The meeting concluded with an update on the regional climate change initiatives and the next workshop is scheduled for February / March 2022.

Councillor *Lynette Lovett*

15.2 Canterbury Biodiversity Champions 2021

This meeting was hosted by Environment Canterbury, held on Monday 27 September. Key points for discussion were green consenting, carbon credits for regeneration, and planting natives. It all seems to favour more towards exotic trees.

It was agreed that we need more shared regional messaging. Council staff working in the biodiversity space around the region have been interviewed as an information-gathering exercise. When planning work programmes, should biodiversity be looked at and 'ticked-off'?

Challenges include budgets (is there provision in the LTP?) and available resources. Some, mainly smaller councils, don't have a specific biodiversity strategy or a defined work programme. Most councils don't monitor their biodiversity (or its ad hoc at best).

While biodiversity is often over-shadowed by other priorities, some councils offer rate relief, and most have some form of community engagement. All councils present agreed there are opportunities and that more could be done in this space.

15.3 Eiffelton Biodiversity Collective

I joined the Eiffelton Biodiversity Collective on 24 September where we looked at drains, a mud fish reserve and roadsides. On private properties we looked at plantings, water quality, aquatic life and sites for future projects.

Angela Cushnie leads this group and it was encouraging to see what is quietly evolving within these created habitats.

We also learned that a future site for planting and enhancement is being considered for the Windermere Drain.

15.4 Harris Scientific Reserve

After being rained off, we finally got to celebrate 10 years of planting at this reserve on Sunday 3 October. Cr Rawlinson joined me for the morning and it was great to see many families out, along with the Harris family, helping to plant 1400 plants.

We are grateful for the vision shown by the Harris family, supported by the Ashburton Community Conservation Trust, Living Legends, Forest & Bird and Ashburton District Council. The work being done will enable the kanuka stand on this reserve to be saved and enhanced with many more native plantings. Thanks to the volunteers and sponsors this living museum of rare plants is here for future generations to enjoy.

15.5 Hekeao-Hinds River Project

Also on 3 October, Crs Rawlinson, Wilson and I joined the Hekeao-Hinds team to inspect the flood damaged wetland site. After the flood, bulldozers and diggers were used to recreate the wetlands and future hatcheries for fish and birdlife. Planting of 2,000 native plants and trees has been undertaken – a great achievement.