

# Ashburton District Council

## AGENDA

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### Notice of Meeting:

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

**Date:** Wednesday 2 March 2022

**Time:** 1.00pm

**Venue:** Council Chamber

### Membership

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

### Covid-19 Protection

Council meetings will go ahead as normal under the Red traffic light setting, but anyone aged 12 and older will require a vaccine pass to attend in person. Please sign/scan in and wear a mask. People without vaccine passes have the opportunity to view the meeting via livestream on either Council's Facebook page or You Tube channel when available.

Watch the live-stream of this meeting on our You Tube channel, Facebook page and website:

<https://www.ashburtondc.govt.nz/council/public-meetings-research-centre>

## Meeting Timetable

Time	Item
1pm	Meeting commences
2.50pm	New and long-serving staff
3.30pm	Ashburton Contracting Ltd

### 1 Apologies

### 2 Extraordinary Business

### 3 Declarations of Interest

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

### Minutes

4	Council – 16/02/22	<b>3</b>
5	Biodiversity Advisory Group – 1/02/22	<b>7</b>

### Reports

6	Request for renaming of Mill Road and Ross Road	<b>11</b>
7	Naming of Road – Westview Drive	<b>18</b>
8	Ministry for Environment Submission (NES Sources of Human Drinking Water)	<b>23</b>
9	Canterbury Climate Change Risk Assessment	<b>35</b>
10	Ashton Beach Enhancement Project	<b>51</b>
11	Mayor’s Report	<b>61</b>
12	Councillor Reports ( <i>nil</i> )	

### Business Transacted with the Public Excluded

13	Council – 16/02/22		<b>PE 1</b>
	<ul style="list-style-type: none"> <li>• Library &amp; Civic Centre - Te Pātaka o Kā Tuhiuhi</li> <li style="padding-left: 20px;">- Te Waharoa a Hine Paaka</li> </ul>	Section 7(2)(h) Commercial activities	
	[Now in open meeting]		
	<ul style="list-style-type: none"> <li>• Methven exploratory bore drilling contracts</li> </ul>		
14	Ashburton Contracting Ltd	Section 7(2)(h) Commercial activities	

## **4. Council Minutes – 16 February 2022**

Minutes of the Council meeting held on Wednesday 16 February 2022, commencing at 1pm in the Council Chamber, 137 Havelock 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**

Neil McCann (GM Infrastructure Services), Paul Brake (GM Business Support) (via MS Teams), Jane Donaldson (GM Strategy & Compliance), Sarah Mosley (Manager People & Capability), Ruben Garcia (Communications Manager) (via MS Teams) and Carol McAtamney (Governance Support).

Staff present for the duration of their reports: Toni Durham (Strategy & Policy Manager), Richard Mabon (Senior Policy Advisor), Mel Neumann (Policy Advisor), Janice McKay (Corporate Planner) and Andrew Guthrie (Assets Manager), Rhys Roberts (Technical Support Officer-Roading), Erin Register (Finance Manager).

### **1 Apologies**

Nil.

### **2 Extraordinary Business**

Nil.

### **3 Declarations of Interest**

## **PUBLIC FORUM**

### **Mrs Hilda Liddall – 1.03pm-1.16pm**

Mrs Liddall addressed the meeting to request the reconsideration of the development contributions totalling \$4,892 (GST inclusive) on the basis that she was not aware that such a fee when undertaking a new residential building project and as such this amount had not been included in their building budget.

## **PRESENTATION – Waka Kotahi**

### **James Caygill (Director Regional Relationships) – 1.17pm to 2.10pm**

National Focus for 2022

- Undertaking Land Transport revenue review which is expected to be completed by August 2022
- Reducing emissions – Emissions Reduction Plan to be finalised in May 2022
- Speed management programme – Road to Zero
- Safety camera transfer from NZ Police to Waka Kotahi and expansion of the network
- Vehicle safety rating update

Ashburton

Second Bridge

- Co-funding approved to complete Detailed Business Case. Work is expected to take 18 months to complete (mid 2023), with pre-implementation work expected to being in 24-27 NLTP period.

- Council questioned the length of time for the business case to be prepared. Mr Caygill advised that the case would also include preliminary design of a second bridge but he would go back and see what can be done to speed the process up.

#### Walnut Avenue Upgrade

- Expected to be completed late 2022/early 2023
- The project has a budget of \$10.5m which includes two intersection upgrades and a rail crossing
- The high cost of the upgrade was questioned as Council's entire budget is \$16m for our entire road maintenance programme which covers 2,263km.
- Due to the upgrade the entranceway to the Domain is required to be relocated onto Walnut Avenue. This project has stalled due the quote amount for the work well exceeding the amount budgeted for. A contribution from Waka Kotahi was discussed. A case could be put forwarded to transfer any funds leftover from the intersection upgrade into the Domain entrance project.

#### Tinwald Improvements

- The proposed location of the cycleway on Melcombe Street was questioned, it is felt that this would be better located on the east side of SH1 between the railway and the road.
- The possibility of passing bays to be established on the bridge was also discussed. Mr Caygill will investigate and report back.

#### SH1 Safety Improvements

- Community engagement was undertaken in 2017/18 on several proposed safety improvements along SH1 including flexible median safety barriers, wide centrelines, safe turnaround facilities, new roundabout. A copy of the feedback documentation was tabled at the meeting.
- The corridor between the Selwyn and Rakaia Rivers has been prioritised, followed by Selwyn to Rolleston and then Rakaia to Ashburton.
- Concerns as to the suitability of the proposed location for the weigh bridge at Rakaia were raised. The latest design is proposing two split sides for the site, one on either side of the overhead bridge. The main concern was locating the south bound station in between the Rakaia Bridge and the Overhead Bridge.

#### Maintenance and Renewals

- Emergency Works Update
- When SH1, Rakaia Bridge is out – option to helicopter staff in to operate Gorge Bridge
- Possibility of looking at signals that can be activated remotely
- Weigh Right – developing option for two station, one North and one South of Rakaia Rail overbridge

#### Methven Speed Limit

- A petition to reduce the speed limit on SH77 from Methven to Holmes Road with approximately 500 signatures was presented to Waka Kotahi.
- Under the current legal process a change would be unlikely to be able to be implemented prior to 2024.
- Work is currently being undertaken on changing the existing legal process on how speed limits are reviewed with the aim to have limits reviewed at a regional level.
- The implementation of a footpath along the side of the road is to be investigated by Waka Kotahi

The presentation concluded at 2.10pm.

#### **4 Confirmation of Minutes – 02/02/22**

Amended Point 5 – change Council organised events in public places to Council *approved* events

**That** the minutes of the Council meeting held on 2 February 2022, as amended, be taken as read and confirmed.

McMillan/Letham

Carried

**5 Methven Community Board – 31/01/22**

**That** Council receives the minutes of the Methven Community Board meeting held on 31 January 2022.

McMillan/Letham

Carried

• **NZTA SH77 100km Speed Limit Issue**

**That** Council supports the Methven Community Board’s intention to write to Waka Kotahi urging them to reduce the speed limit on SH77 between the Ōpuke Hot Pools and the Methven township’s 50km zone.

McMillan/Rawlinson

Carried

**6 Road Safety Coordinating Committee – 1/02/22**

**That** Council receives the minutes of the Ashburton District Road Safety Co-ordinating Committee meeting held on 1 February 2022.

Lovett/Rawlinson

Carried

**7 Audit & Risk Committee – 09/02/22**

**That** Council receives the minutes of the Audit & Risk Committee meeting held on 9 February 2022.

Falloon/Cameron

Carried

• **Fraud and Corruption Policy**

**That** Council adopts the Fraud and Corruption Policy.

Wilson/Braam

Carried

• **Equal Employment Opportunities Policy**

**That** Council receives the Equal Employment Opportunities Policy.

Braam/Lovett

Carried

**8 Development Contributions Reconsideration**

1. **That** Council declines reconsideration of the development contribution of \$4,892 (GST inclusive) payable by Hilda Liddall on the residential development at 5 Murdoch Place, Mayfield.
2. **That** Council directs Officers to enter into a payment plan with Mrs Liddall, noting that Council will withhold Code Compliance Certificate under section 208(b) of the Local Government Act 2022 until the development contribution is fully paid.

Falloon/Braam

Carried

**9 Mid-Year Performance**

**That** Council receives the mid-year non-financial performance report.

Cameron/Rawlinson

Carried

**10 Ashburton Car Club Gravel Sprint Event**

**That** Council permits the following road to be closed from 8.00am Saturday 26 February 2022 until 6.00pm the same day to allow the Gravel Sprint event to be held:-

Upper Downs Road, from Quarry Road to approximately #518 Upper Downs Road.

McKay/Lovett

Carried

## 11 Mayor's Report

The Mayor advised that he had not participated in the Greenhouse Gas Webinar on 8 February as stated in his report.

**That** Council receives the Mayor's report

Mayor/McMillan

Carried

## 12 Financial Variance Reports

**That** Council receives the November and December 2021 financial variance reports.

Falloon/Lovett

Carried

### Business transacted with the public excluded – 3.15pm.

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

Item No	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
14	Council 2/02/22 <ul style="list-style-type: none"><li>Audit and Risk Committee</li><li>Library &amp; Civic Centre PCG</li><li>Methven Exploratory Bore Drilling Contract</li></ul>	Section 7(2)(a) Section 7(2)(h) Section 7(2)(h)	Protection privacy of natural persons Commercial activities Commercial activities

McMillan/Braam

Carried

Council adjourned for afternoon tea from 3.15pm to 3.34pm

### Business transacted with the public excluded now in open meeting

- Methven Exploratory Bore Drilling Contract**
  - That** Council notes the content and structure of the draft contract titled Exploratory Bore Drilling – Methven & Methven Springfield Water Supplies; and
  - That** Council delegates signing of the *Exploratory Bore Drilling – Methven & Methven Springfield Water Supplies* contract (once finalised), to the Chief Executive.

McMillan/Letham

Carried

The meeting concluded at 4.30pm.

Confirmed 2 March 2022

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MAYOR

## Biodiversity Advisory Group

1 February 2022



### 5. Biodiversity Advisory Group

Minutes of the Biodiversity Advisory Group meeting held on Tuesday 1 February 2022, commencing at 1.00pm, in the Council Chamber, 137 Havelock Street, Ashburton (and also via MS Teams).

**Present:** Mayor Neil Brown; Councillors Lynette Lovett (Chair), and Diane Rawlinson, Ian Soper (ADC), Bert Hofmans (ADC), Christian Chukwuka (ADC), Alice Shanks *via Teams* (QEII Trust), Angela Cushnie (Ashburton Water Zone Committee), Edith Smith (Forest & Bird, ACCT), Val Clemens (Forest & Bird, ACCT), Brad Edwards (DOC), Jane Riach (Kanuka Trust) Marcelo Wibmer (Fonterra) Hemi Bedggood (Fonterra), Mary Ralston (Forest & Bird, Awa Rata Reserve), Mark Webb (Fish & Game), Jayde Couper (Fish & Game) and Barry Austin (Mt Somers Walkway Society, Lake Heron Conservation Society).

**In attendance:** Steve Fabish (GM Community Services) and Mary Wilson (Governance Support).

New staff were introduced to the group.

#### 1. Apologies

**That** apologies be accepted from:

- Cr Liz McMillan
- Donna Field (Environment Canterbury)
- Janine Holland (Environment Canterbury)
- Mary Ralston (Forest & Bird, Awa Rata Reserve)
- Gen de Spa (Foothills Landcare Group)
- Ian Fraser (DOC)
- Michael Edmondson (Synlait)
- Mike Salvesen (Federated Farmers)

Smith/Clemens

Carried

#### 2. Extraordinary Business

Nil

#### 3. Declarations of Interest

Nil

#### 4. Confirmation of Minutes – 2 November 2021

**That** the minutes of the Biodiversity Advisory Group meeting held on 2 November 2021 be taken as read and confirmed.

Austin/Rawlinson

Carried

#### 5. Action Points

Action Points were discussed and updated.

#### 6. Terms of Reference

**That** the updated Terms of Reference for the Biodiversity Advisory Group be adopted.

Riach/Rawlinson

Carried

## **7. Biodiversity Strategy Review**

- The need for a workshop, where the group can work together to develop a strategy and a list of their top 20-25 actions, was discussed. A yearly workshop was considered beneficial. Steve Fabish agreed to facilitate this and Mike Harding was suggested as an option to facilitate stage 2.
- GIS mapping of the groups' projects, on a district-wide basis, was discussed. This would be beneficial to determine where more work is required and to ensure doubling up of resources isn't occurring. It was suggested loading data from 5-10 years, to show the big picture.
- Long term maintenance work when projects are complete was discussed.
- It was noted that the Ashburton Water Zone Committee have developed an action plan, which took significant resources over the years.
- Publicity of the GIS project was considered, as there may be other people/groups in the district there that may benefit from the group and could be included in the GIS layer.
- ECan have a map on their website, and the Biodiversity Advisory group needs to be careful not to duplicate what has already been done.

## **8. Role of the Biodiversity Advisory Group**

- The role of the Biodiversity Advisory Group was discussed with the commencement of the Biodiversity Officer role at ADC. It was considered that the Officer's role will give strength to the group.

## **9. Ashton Beach motorbike park**

- Ashton Beach motorbike park was discussed, with some concern expressed around protecting the dryland biodiversity and other ecosystems in the area.

## **10. Agency Reports**

### **10.1 Ashburton District Council – Open Spaces (Ian Soper, Bert Hofmans)**

#### **Lakes Camp/Clearwater**

- Weed spraying carried out at Lake Camp and near the Lake Clearwater Settlement. Broom, gorse, rosehip, lupins and rowans were targeted.
- The contractor noted a large number of rowan seedlings (27) along the eastern margins of Lake Camp.
- It was agreed to coordinate with ADC's forester to determine what work needs to be carried out to tidy up the area.
- Developing a plan would be valuable as there are a number of issues that need to be included.

*(AP) Jane Donaldson will be invited to the next meeting to discuss, as her department is undertaking the consultation.*

- The Lake Camp plan budget was discussed, with approximately \$10,000 being suggested.

*(AP) Bert Hofmans to confirm Lake Camp plan budget and clarify at next meeting.*

#### **Ashton Beach**

- A skink survey was conducted in November 2021, with the purpose being to assist Council in determining what measures will be required if it is to be successful with its wildlife permit application. This will be the subject of a report to Council on 2 March.
- The application is currently on hold while the survey has been conducted.



**10.2 Ashburton Water Zone Committee** (Angela Cushnie)

- The Mid Canterbury Catchment Collective was formed in December 2021. Updates once the strategy and action plan have been finalised. Chairman Duncan Barr and Catchment Coordinator Angela Cushnie are the contact people.
- An update was provided prior to the meeting and included in the Agenda.

**10.3 Awa Awa Rata Reserve** (Mary Ralston)

- Rat trap boxes have been placed around the Awa Awa Rata Reserve and are being checked regularly - so far numerous rats, mice and stoats have been caught.
- Another committee member has placed stoat and possum traps around the reserve and wasp bait was also put out this week around the reserve and along the DOC tracks above the picnic area.

*(AP) Invite Terry O'Neill to the next meeting to discuss a plantation of larches on Pudding Hill above the Awa Awa Rata Reserve.*

- Council are replacing the toilet facility at the reserve. Council are jointly funding the project, along with funding of \$158,00 that was secured from the Tourism Infrastructure Fund. The project also includes landscaping.

**10.4 Department of Conservation** (Brad Edwards)

- No attendees.

**10.5 Environment Canterbury** (Donna Field)

- An update was provided and included in the agenda.

**10.6 Federated Farmers** (Mark Salvesen) – *an apology*

**10.7 Fish and Game** (Mark Webb, Jayde Couper)

- Fish and Game have made significant progress in fish diversity, working with farmers and ECan to enhance habitat.
- Boundary Drain – 500m of enhancement - Boundary Drain is a trial for all other drains and if this project is successful there could be a large improvement in fish habitat in drains in the District.
- Progress reports available as ECan produce them. Final report will probably be ready mid 2022. Will provide a report for the next meeting.

**10.8 Fonterra** (Marcelo Wibmer, Hemi Bedggood)

- A presentation on projects being undertaken by Fonterra was given via MS Teams, including in support of farmers that were affected by the May 2021 flooding event.

**Stock races**

- Council is encouraged to treat stock water races as an asset, not a liability.
- The Water Race Bylaw has relaxed in recent years and now allows planting on one side.

**10.9 Foothills Landcare Group** (Gen de Spa) – *an apology*

**10.10 Forest & Bird** (Edith Smith, Val Clemens, Mary Ralston)

- An update was prepared for the meeting and included in the Agenda.
- An ecological study of Awa Awa Rata Reserve, and the wider area, is being carried out by Mark Harding on behalf of ADC.
- The Harris Scientific Reserve was discussed, with members offering to host a visit of the Biodiversity Advisory Group.
- Mt Hutt College are interested in establishing a native area at the college.

*(AP) Bert Hofmans to consider signage for the Harris Scientific Reserve.*

**Wetland Film**

- *Rohe Koreporepo The Swamp, the Sacred Place*
- The film that was to be held on Saturday 12 February has now been postponed.

**10.11 Kanuka Trust** (Jane Riach)

- The Trust were invited to the Rakaia bike track opening, looking at some native planting.
- There is a collaborative project being undertaken with a local school and Talleys, with lots of learning opportunities for the local community coming out of it.

**10.12 Mt Somers Walkway Society & Lake Heron Conservation Society** (Barry Austin)

- An update was provided prior to the meeting and included in the agenda.

**10.13 QEII Trust** (Alice Shanks)

- Winds along the foothills after the floods caused a number of the old Beech trees to fall over.
- It was suggested that Upper Downs Road needs a care group – to discuss further with ADC to see how the community can be assisted to look after their roadside.

*(AP) Bert Hofmans and Alice Shanks to visit Upper Downs Road to determine how ADC can assist with roadside maintenance.*

**10.14 Synlait** (Michael Edmondson) – *an apology*

**Overview**

- The GIS map of the District showing Biodiversity projects is going to be an exciting project and a great start.
- It was suggested that Mike Hammond should be invited to the upcoming workshop *(AP: Steve Fabish)*
- Roadside biodiversity is to be included on the workshop agenda.

The meeting concluded at 2:45pm

Next meeting: Tuesday 5 April 2022

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## **6. Request for Renaming of Roads - Mill Road and Ross Road**

Author *Ian Hyde, District Planning Manager*  
Group manager *Jane Donaldson, Group Manager Strategy and Compliance*

### **Summary**

- The purpose of this report is for Council to consider a request to rename two existing roads in the District, Mill Road and Ross Road to Ross Road and George Ross Road respectively.
- The applicant has provided support for these names by emphasising the importance of the Ross name to the District.
- Staff have advised the applicant that the names are inappropriate due to the potential for confusion and that they are contrary to the Council's adopted Naming Policy. Subsequent checks with Land Information New Zealand have clarified that they share these concerns.

### **Recommendation**

1. **That** the request to rename the roads is declined.

### **Attachment**

**Appendix 1** Map showing roads affected.

## Background

### The current situation

1. Ashburton District Council has responsibility for road naming as a Territorial Authority. This includes administration of the New Zealand Addressing Standard, also referred to as “The Standard” (AS/NZS 4819:2011).
2. An application was made in September 2021 (the first application) to the District Planning Manager requesting that existing roads Ross Road and Mill Road have their names changed. The application provided a justification for the names, primarily emphasising the value of the “Ross” name to the history of the District.
3. Mill Road is a road running parallel to the Ashburton River in Westerfield while Ross Road is a short stretch of road in Ruapuna.
4. It is understood that there are no property addresses numbered from either road, however both are legal roads open to public use.
5. The first application was assessed by staff having regard to the Council Policy and the associated Addressing Standard.

6. A response was provided to the applicant on 27 August 2021 stating the following:

*The proposal seeks to move an existing road name (Ross Road) to a different part of the District. This would cause confusion because of the historical association with its former location even if Council [staff] were to attempt to publicise the change; and*

*Ross Road is very similar in name to George Ross Road and is also likely to cause confusion between the two “Ross Road” locations.*

7. Staff also referred the matter to Land Information New Zealand (LINZ), the ultimate authority in relation to naming in order to clarify whether they shared this view, LINZ responded as follows:

*We are in full agreement with you regarding the proposed road name amendments for Ross Road and Mill Road. It makes little sense to move a long established and recognised road name across the district.*

*The Standard doesn't allow for duplicate or similar road names within the same TA region, which would be the case with Ross Road and George Ross Road, especially given the proximity. The potential for confusion would be very high.*

8. On 17<sup>th</sup> November 2021 a deputation from the applicants was made to Council where the request to rename the roads was repeated. Staff were then asked to prepare this report for formal consideration by Council.

9. It is noted that the Council is not restricted in its naming policy to only the naming of roads and that it retains the authority and discretion to name other items such as open spaces or other infrastructure if it wishes to acknowledge a certain name.

## Options analysis

### **Option One – Decline the request - (Recommended option)**

10. This approach would address concerns of staff and Land Information New Zealand around confusion arising from the proposed name changes. It would also reinforce the Council's adopted Naming Policy for future applications of a similar type.
11. Declining the request would also avoid setting a precedent for future applications where roads were proposed to be shifted within the District. This would potentially lead to further confusion and difficulty in implementing Council's adopted policy and the Addressing Standard.

### **Option Two - Rename the roads**

12. This is not a recommended option. The explanation provided informally to the applicant in September (and referred to above) is unchanged.
13. Officers are aware that one of the justifications put forward for this change is that there are no dwellings numbered off either of the roads. Regardless of this, they are both stretches of public road which people may use. In the event of an emergency such as a car accident or a fire on adjacent land, delay caused by confusion over the location within the District could easily occur.
14. Given the stated position of LINZ, such a decision is likely to be opposed formally by them.

## Legal/policy implications

### ***Legislation (Statutes & Regulations)***

15. The Local Government Act 1974 [Clause 319\(j\)](#) which relates to the powers of councils in respect to roads and includes naming responsibilities.
16. Accordingly, there are no statutory implications other than to inform LINZ and other affected stakeholders of new names.

### ***Council Strategies, Plans, Policies, Bylaws***

17. Ashburton District Council has adopted a policy on naming, the relevant sections of this policy can be found [here](#).

National Standards.

18. The New Zealand Addressing Standard (AS/NZS 4819:2011) contains the following section:

#### 4.4.7 Duplication of road name

The name element of a road name, regardless of any difference in the road type, shall not be—

- (a) the same as an existing road name;
- (b) similar in spelling to an existing road name; or
- (c) similar in sound to an existing road name,

where the existing road name is—

- (i) in the same locality; or
- (ii) in an adjoining locality; or
- (iii) in the same local government area.

## Strategic alignment

19. The recommendation relates to Council’s community outcome of social wellbeing. The recommendation avoids inconsistency with the Council’s adopted Naming Policy and the relevant NZ Standard and avoids the potential for confusion.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		No effect
Environmental	✓	The recommendation will retain the status quo and avoid confusion from the relocation and renaming of existing roads with similar names
Cultural	✓	The recommendation retains the existing names which have previously been accepted and adopted as appropriate for the relevant roads.
Social		No effect

## Financial implications

Requirement	Explanation
What is the cost?	N/A
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	N/A
Are there any future budget implications?	N/A
Reviewed by Finance	

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	Inform
Rationale for selecting level of engagement	The recommended option will not require any action to be taken. The applicant will be informed of Council's decision following the Council meeting.
Reviewed by Strategy & Policy	Toni Durham: Strategy & Policy Manager

## Appendix 1



*Figure 1 Existing Ross Road*



*Figure 2: Existing Mill Road*



## Appendix 2

Please use the following table to list three alternative names for each of the roads you wish to name.

	Existing Name	Proposed Name
LARMUOR	PART OF MILL ROAD ROSS ROAD RUAPUNA	ROSS ROAD. GEORGE ROSS ROAD

Please use this box to provide a justification as to why the current name should be changed and a summary of reasons why the proposed name is more appropriate.

WHEN THE RAPID RESPONSE NUMBERS WERE INSTALLED A LOT OF NAMES WERE CHANGED TO LONG STANDING FAMILIES IN AREAS. THE ROSS NAME COULDN'T BE USED IN LARMUOR BECAUSE THERE IS A ROSS ROAD IN RUAPUNA. WITH THE ROSS FAMILY APPROACHING 100 YRS IN LARMUOR WE THOUGHT WE WOULD TRY AND DO SOMETHING ABOUT IT. WE HAVE DISCUSSED THE PROPOSAL WITH THE OTHER ROSS FAMILY FROM RUAPUNA AND THEY ARE IN AGREEMENT. IN FACT THEY LIKED GEORGE ROSS ROAD BETTER

If you have needed additional space for names and/or supporting information, please attach the documents to this application form and check this box.

BOTH ROADS IN QUESTION HAVE NO POSTAL SERVICE ON THEM. THE ~~PRESENT~~ ROSS ROAD IN RUAPUNA HAS NO FOOT LIVING ON IT AT ALL AND THE PART OF MILL ROAD HAS JUST THE ONE HOUSE

Figure 3 Application extract

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## 7. ***Naming of Road – Westview Drive***

Author	<i>Ian Hyde, District Planning Manager</i>
Activity manager	<i>Ian Hyde, District Planning Manager</i>
Group manager	<i>Jane Donaldson, Group Manager Strategy and Compliance</i>

### Summary

- The purpose of this report is to name a road to vest in Council under Sub20/0040. This relates to a subdivision to create a 40 lot residential development off Tinwald Westerfield Mayfield Road. A plan which identifies the road now proposed to be named is attached.
- The applicant provided three name options for the roads, with the names: Westview Drive, Mountainview Place and Plains View Lane being proposed.
- The names have been checked against the Council’s adopted Naming Policy and the Australian/ New Zealand Addressing Standard.

### Recommendation

1. **That** the road to vest in Council as part of Subdivision Sub20/0040, at 46-56 Tinwald Westerfield Mayfield Road, be named Westview Drive.

### Attachment

**Appendix 1** Subdivision Plan SUB20/0040

## Background

### The current situation

1. The area in question forms part of a subdivision development.
2. The justifications for the proposed names proposed by the applicants are as follows:

#### ***Westview Drive (preferred option)***

*This is the preferred name, the Subdivision has outstanding views towards the mountain ranges to the west. This land is on the urban/rural fringe of Tinwald.*

It is also noted that Westview is the name by which the applicants refer to their development.

#### ***Mountainview Place***

*This name is similar to the above description with views of the mountain ranges.*

#### ***Plains View Lane***

*Whilst the development will have some views of the peripheral plains land to the north, west and southwest, it doesn't capture the full plain extent as it's not an elevated land area for subdivision.*

3. It is considered that while not specifically related to the history of the area, the preferred names demonstrate a suitable relationship to their environment as expected within the Council's naming policy. Suffixes have been checked with LINZ and are acceptable.

## Options analysis

### **Option One - Do nothing**

- This is not a practical option as there is currently no adopted name for the road.

### **Option Two - Name the road – (Preferred option)**

- It is recommended that the proposed preferred name be adopted.

## Legal/policy implications

### ***Legislation (Statutes & Regulations)***

- The Local Government Act 1974 [Clause 319\(j\)](#) which relates to the powers of councils in respect to roads and includes naming responsibilities.
- Accordingly, there are no statutory implications other than to inform LINZ and other affected stakeholders of the new name.

### **Council Strategies, Plans, Policies, Bylaws**

- Ashburton District Council has adopted a policy on road naming, the relevant sections of this policy can be found [here](#).

## **Strategic alignment**

4. The recommendation relates to Council’s community outcome of Social because of the following.

<b>Wellbeing</b>		<b>Reasons why the recommended outcome has an effect on this wellbeing</b>
Economic	X	None
Environmental	X	None
Cultural	✓	The appropriate naming of roads has benefit to the character of the area and the identity of the District
Social	✓	The naming by the developer provides a link between them and the development for the future.

## **Financial implications**

<b>Requirement</b>	<b>Explanation</b>
What is the cost?	N/A
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	Costs associated with the naming are borne by the applicant/developer.
Are there any future budget implications?	N/A
Reviewed by Finance	

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	Inform
Rationale for selecting level of engagement	The recommended option will not require any action to be taken. The applicant will be informed of Council's decision following the Council meeting.
Reviewed by Strategy & Policy	Toni Durham: Strategy & Policy Manager

# Appendix 1 Subdivision plan Tinwald Westerfield Mayfield Road



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## **8. Draft submission to MfE – Drinking Water Sources**

Author	<i>Toni Durham; Strategy &amp; Policy Manager</i>
Activity manager	<i>Andrew Guthrie; Economic Development Manager</i>
Group Manager	<i>Neil McCann; GM Service Delivery</i>

### **Summary**

- The purpose of this report is for Council to consider a draft submission to the Ministry for the Environment on its consultation document about *Improving the protection of drinking-water sources*
- The consultation document is seeking to amend the National Environmental Standards for Sources of Human Drinking Water (NES-DW)
- The Government is proposing three key areas of improvement to the NES-DW to strengthen its ability to protect drinking water sources: standardising the way they define source water areas, strengthening regulation of activities around water sources, and including more water suppliers under the NES-DW
- To summarise, the submission is largely supportive of the proposals and seeks clarification on some areas.

### **Recommendation**

1. **That** Council approves the draft submission to the Ministry for the Environment's consultation document *Improving the protection of drinking-water sources*.

### **Attachment**

**Appendix 1** Ashburton District Council draft submission

## Background

### The current situation

1. The government believes everyone should have access to safe drinking water. This premise has driven why the Ministry for the Environment are considering changes to the NES-DW (National Environmental Standard for Sources of Human Drinking Water) to make drinking water safer.
2. The current NES-DW is not considered fit for purpose as it is deemed to be imprecise and difficult to put into practice. The proposed changes to the NES-DW address these concerns.
3. The consultation document proposes three areas of improvements:
  - standardising the way we define source water areas,
  - strengthening regulation of activities around water sources, and
  - including more water suppliers under the NES-DW.
4. The NES-DW is designed to be the first step, focusing on the source of the water, and Government want to strengthen it to make it work more effectively. Together, these changes will help protect both the health of the water source and the health of the community. They also recognise Te Mana o te Wai, acknowledging the fundamental importance of water to the health and wellbeing of our people and our environment.

## Options analysis

### Option one – Do nothing

5. This is not the recommended option. Council may decide to stay silent and not make a submission on the NES-DW. This would result in Council missing an opportunity to advocate on behalf of the district.

### Option two – Approve the submission as attached in Appendix One (recommended option)

6. This option would see Council officers lodge the appended submission with the Ministry for the Environment.

### Option three – Approve an amended submission

7. This option would see Council approve an amended version of the submission currently appended, and submit that document to the Ministry for the Environment.
8. Officers recognise that useful points of improvement often arise from elected member input and this option may be preferred for those reasons.



## Legal/policy implications

9. The lodging of a submission does not breach or trigger any statutory or legal duty of the Council.

## Financial implications

10. There are no immediate financial implications in making this submission.

Requirement	Explanation
What is the cost?	Officer resource in preparing the submission. This has been met from within existing operating budgets.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Strategy & Policy
Are there any future budget implications?	No
Reviewed by Finance	No

## Strategic alignment

11. The recommendation relates to Council's community outcome of a balanced and sustainable environment as the protection of drinking water sources is important for all.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Water is a critical aspect of the local economy
Environmental	✓	Protection of our water sources is likely to enhance our environment
Cultural	✓	The proposal recognises the important of Te mana o te Wai
Social	✓	Safe water is a basic human need

## Significance and engagement assessment

12. The making of this submission is not considered to be significant.

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low, not significant
Rationale for selecting level of significance	Not applicable
Level of engagement selected	1 Inform
Rationale for selecting level of engagement	The community will be informed of Council's submission through usual channels.
Reviewed by Strategy & Policy	

# Submission



### Draft National Policy Statement - Improving the protection of drinking-water sources

PREPARED BY: Ashburton District Council  
PO Box 94  
ASHBURTON 7774

SUBMITTED TO: Ministry for the Environment  
via email <insert email>

Contact: Strategy & Policy Manager  
[Toni.durham@adc.govt.nz](mailto:Toni.durham@adc.govt.nz)

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#### Introduction

1. Ashburton District Council (Council) welcomes the opportunity to submit feedback on the Ministry for the Environment's January 2022 consultation document '*Improving the protection of drinking-water sources.*' This submission has been prepared by management and approved by Council.
2. Located an hour's drive south of Christchurch, more than 35,400<sup>1</sup> residents live in our district. Approximately 50% of our residents live in the main town of Ashburton, with the rest of our residents living rurally or in smaller towns or villages across the district.
3. Ashburton District (the District) has experienced moderate and sustained population increase since the mid-1990s, increasing by 23% between 2006 and 2013 (a 3.3% increase per year). This growth, however, has now slowed, with an average growth of 1.3% per year since 2013.
4. The Council currently manages 12 drinking water supply schemes throughout the District. These schemes service approximately 70% of residents and over 10,300 homes and businesses. Of these 12 drinking water supply schemes, five service less than 500 people and two are classified as "rural agricultural".

#### General comments

5. Council supports the objectives of both the Consultation Document and the proposed NES-DW (National Environmental Standard – Drinking Water). It is acknowledged that there is scope for improvement given the 2016 drinking water contamination incident in Havelock North.
6. Council supports the intention of a multiple barrier approach to preventing drinking water source contamination. This notes the intrinsic value of fail-safes and redundancies, particularly in such a vital utility as drinking water.

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<sup>1</sup> Statistics New Zealand Population Estimates 30 June 2020

7. Council supports the intention to significantly expand the mapping of water sources. While the majority of our residents source their drinking water from Council-managed schemes, the remainder source their water from private water sources. This indicates that there is the potential (if not necessarily the actuality) that some residents in the District access drinking water from poorly managed or unsafe schemes.
8. Council questions the efficacy of mapping small water sources (as defined by the number of people that the source services), relative to the cost for doing so. This is particularly the case as our District is relatively rural and with a high number of private or self-sufficient water sources. The consultation document does not make it clear where a potential cut-off point would be between a drinking water source large enough to be mapped and have a SWRMA, or not. Therefore, Council asks for further clarification and consultation in this area.
9. The long-term impact on cost and administrative burden that will fall on regional councils if mapping and source water risk management areas (SWRMAs) are required for every water source appears to be onerous. As the consultation document outlines<sup>2</sup>, water management and protection is a specialist skill which means that it may not currently get sufficient resourcing or attention; conversely, to meet the requirements of the proposed reforms would require significant cost to bridge any existing resourcing gaps in specialists. While it is not clear who will pay for this, Council is concerned this is a further burden applied to ratepayers.
10. Council asks for further information about the projected economic benefits of the proposed reforms and how these values were calculated. The consultation document estimates these benefits at \$14-\$30 billion over the next 30 years, with the highest economic impact expected for provincial and rural regions. However, it is noted that the economic benefits within the wider Three Water Reforms (which this work is a part of) has been contested, not least by Council and other submitters. Therefore, further transparency is required and would aid Council in being able to arrive at a more comprehensive view on the operational aspects of these proposals.

### Responses to selected questions in the consultation document

*Q1. Domestic and international evidence suggests that delineating three at-risk areas is a good approach for protecting sources of drinking water. Do you think this is a good approach for protecting our source waters? What other approach can you think of that could contribute to protecting our drinking water sources? Do you think that three areas (and therefore levels of control) are sufficient to protect our drinking water sources?*

11. The proposed approach appears to be a significant improvement upon current practice. The only consideration may be that the step from SWRMA 2 to 3 may be too great (depending on the scale of the catchments) and therefore justify another step and set of controls.

*Selected part of Q2. Should SWRMA for all aquifers be bespoke so their unique features, depth and overall vulnerability can be considered?*

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<sup>2</sup> Consultation document pg 24

12. While all aquifers have unique characteristics, Council believes a bespoke SWRMA may impose significant additional cost to regional councils (and presumably in turn ratepayers). It is suggested that the SWRMA delineation approach to aquifers and lakes be consistent in this respect.

*Q4. SWRMA 1 for lakes and rivers is proposed to extend 5 metres into land from the river/lake edge. This contrasts with 3 metres setback requirement of the Resource Management (Stock Exclusion) Regulations 2020. SWRMA 1 is proposed to be used as a basis for controlling activities close to source water intakes, and applies to a wide range of activities. Do you think these differing setbacks will cause confusion or result in other challenges?*

13. Council considers this to be a risk with the proposals and is unclear why there is not a consistent approach. We have a concern that promoting a different set back will result in confusion and calls into the question the science upon which it is based.

*Q5. There is evidence suggesting that a 10-30-metre radius around source water bores is a preferable way to delineate the area where activities would be heavily restricted (SWRMA 1). However, expert advice suggests a 5-metre radius is the most workable option. Do you agree that a 5-metre radius around a source water bore gives enough protection? Why or why not? If not, what alternative would you suggest?*

14. Water suppliers would typically want the largest default area at that level 1 risk, but practically, to provide the level of control required over these areas, the water supplier is almost duty bound to own the land or at least have exclusive access to it. Where ever the science finally lands on this issue, greater area will mean higher source management cost e.g. 78m<sup>2</sup> (5m radius) versus 2,827m<sup>2</sup> (30m radius).

*Q7. How long do you think is necessary for regional councils to delineate SWRMAs for currently registered water supplies in each region using the default method?*

15. We are unsure what an achievable period should be however it should be noted that existing registered water suppliers have until November 2022 to prepare their first SWRM Plans. The suppliers will need this information to inform their risk assessments and management processes.

*Q8. What challenges do you foresee in delineating SWRMAs, when previously unregistered supplies are registered with Taumata Arowai (see Proposal 3 for more details)?*

16. We note the significant administrative burden delineation of currently unregistered supplies will place on regional councils.
17. We also note there may be a lack of knowledge on “legacy” water supplies particularly where inherited by previous generations e.g. the people responsible for establishing the supplies may no longer be living.

*Q10. Do you think consideration should be given to mapping currently unregistered supplies as they register (but before the four-year deadline provided under the Water Services Act), or do you think that waiting and mapping them all at the same time is a better approach?*

18. We note strong arguments can be made for either option however, given the importance of the information to water suppliers and their risk management responsibilities, mapping them progressively may be more useful for those suppliers.
19. If a currently unregistered water supplier is proactive and registers their supply ahead of the registration deadline, the supplier needs to be supported to meet their obligations rather than be subject to unnecessary delay.

*Q11. If a regional council has already established local/regional source water protection zones through a consultative process, should there be provision to retain that existing protection zone as a bespoke method without further consultation or consideration against new national direction?*

20. We see merit with either approach but if the intent is to improve protection of drinking water sources then the new NES-DW affords the opportunity to 'reset' toward a new national direction. The majority of zones in our region have been determined through relatively generic formula and could hardly be considered bespoke.

*Q12. Do you think national direction on activities within SWRMA 1 is necessary?*

- If so, what activities should it address?*
- How restrictive should controls be in SWRMA 1, for resource users other than water suppliers?*
- Are there any activities you believe should be fully prohibited in this area?*
- Are there any activities you believe should be permitted or specifically provided for or acknowledged in this area*

21. We consider it important to address this at a national level. If allowed to be determined at a regional level there is potential for local biases or parochialism to complicate the outcome.

22. We support the prohibition of activities that are known to increase risk of direct and immediate contamination and therefore difficult for the supplier to manage a satisfactory counter-response. Activities that may pose a gradual, delayed or uncertain risk to source should be captured through a non-complying or discretionary activity status.

23. Notwithstanding the above, landowners upon which these SWRMA are applied need to be able to do what they need to do. There will however be increasing tension between the rules applied to these areas and the access arrangements that the water supplier has in place for the sites. The more stringent the rules, the greater the pressure will be on water suppliers to have exclusive control or ownership of the land.

*Q13. For water suppliers, are there any other activities beyond intake maintenance/management that should be provided for?*

24. It must provide for enhancement / capital upgrading / investigative activities e.g. geo-tech, exploratory bore drilling. Because of their responsibilities under other legislation, the water supplier must be "trusted" not to undertake any work or employ any methodology that would compromise the source water.

*Q15. Do you think national direction on activities within SWRMA 2 is necessary?*

- If so, what activities should it address?*

25. Yes, we consider it important to address this at the national level for the reasons as previously noted.

26. The proposal appears to address the main risks although the language seems to focus on direct impacts or acute risk. It may be appropriate for consideration to be given to activities that may result in delayed or longer term impacts. In some cases impacts on the water supply arising from chronic risk factors may be as severe as those arising from acute risk.

*Q16. In your view, how much will this proposal impact the current situation in your region?*

- *What discharges to water are currently permitted?*
- *Should provision be made to continue to permit those activities? What controls are typically used to ensure potential adverse effects are managed?*

27. The proposal will result in larger areas being controlled. Council has carried out preliminary investigations in 2020 for the Ashburton water supply (groundwater sourced) which are largely based on the science underlying the NES proposal. In all cases the area delineating the zone of influence (SWRMA2) was larger than the current protection zones that were in place.

28. If the intention of the NES-DW is to improve sources of drinking water rather than to arrest any further decline then any proposal must have provision to control existing activities. It may be appropriate to provide a transition period for these existing activities to be formalised through a consent process or if appropriate, cease.

*Q17. Are there any other activities that should not be permitted within SWRMA 2?*

29. There may be activities that do not discharge contaminants per se, but the discharge may result in changes to aquifer pressures through localised mounding e.g. ground source heat pump systems. We understand through previous investigations that discharges of this nature may mobilise pre-existing contaminants i.e. transport Nitrates into deeper source aquifers.

*Q18. The original intent of SWRMA 2 was to manage microbial contamination. However, there are indications that protections against other contaminants may be required. What contaminants do you think should be controlled in SWRMA 2?*

30. It is a matter of public record that Canterbury is a nitrate 'hotspot' so perhaps consideration should be given to more stringent management of nitrate in SWRMAs.

*Q21. What is your view on how to address issues with bores – should it be enough to amend the NZS 4411:2001 (with reference to that standard in the NES-DW), or should greater direction be given in the NES-DW itself?*

31. To have certainty in the outcome we consider it necessary to be addressed in the NES. We are not convinced that a NZS review process will deliver the necessary outcomes. Leaving the matter to be addressed within a future reworked NZS 4411 risks not achieving the level of protection sought.

*Q22. For existing bores:*

- *What is your view on requiring unused bores to be decommissioned?*
- *Should bores of poor quality be required to be upgraded or decommissioned? What timeframe might be reasonable to do this?*
- *For many older bores there are no records. What sort of evidence could be used to support the ongoing use of these bores, or demonstrate they pose a low risk to the security of the aquifer?*

32. We are of the view that best practice should include decommissioning of unused bores. Poorly constructed bores or those in poor condition should be required to be upgraded, or decommissioned. These requirements could be phased in over 2-3 years.

33. In most cases, bore-head location photos; confirmation of depth, and casing attributes will provide some level of understanding. It is also possible to utilise CCTV to inspect the internal casing to assess condition and confirm screening details.

*Q23. What is your view on prohibiting below-ground bore heads?*

34. We used to have below ground bore-heads. This approach was selected at the time to reduce the visual impact of the bore-head in amenity areas. They were extremely robust structures, well-sealed and unlikely to accept surface water. However, given the very strong language from the HNI findings, we chose to raise all existing below ground bore-heads. This work is now complete.
35. We would suggest that a prohibition is a clear and unambiguous position to take and reduces many risks immediately. However, there may yet be instances where below-ground bore heads could be appropriate subject to satisfactory management of the risks.

*Q24. Regional councils are responsible for control of the use of land for the purpose of maintenance and enhancement of the quality of water in water bodies (RMA section 30(1)(c)(ii)). Do you think territorial authorities have a role in land management over aquifers, and if so, what is that role?*

36. TAs have a duty during subdivision processes to ensure residential allotments have services so it might be argued that TAs do have responsibility to consider whether a development would compromise aquifers e.g. in terms of drinking water for others. For this reason, it is common for relevant applications to be considered through joint processes between the Regional and District Council.

*Q27. What activities do you believe the NES-DW should retrospectively apply to / not apply to, and why?*

37. It would be helpful to apply to existing infrastructure connected to the source e.g. bores, irrigation intakes/discharges, regardless of whether the infrastructure is actually in use. It is very difficult for a water supplier to manage a risk if they don't know the risk exists.

*Q28. In your view, what are the key challenges and benefits to retrospective application?*

38. There may be some reluctance from landowners affected by the changes. This may be perceived as further erosion of property rights, and result in some apathy and reluctance to engage in the process.
39. Consideration needs to be given to the cost and effects of what activities may no longer be permitted under the NES-DW. The proposals – in their current form – do not allow us to make a fuller assessment of this. However, the changing or “tightening” of standards which affects existing activities is non-controversial and has many precedents. Compensation to those affected by any changes, or a phase-in period to aid compliance may need to be considered.

*Q29. Do you agree with the proposed list of criteria?*

- *Are any additional criteria needed, or clarifications?*

40. We hold concerns in regard to the criterion “the degree to which the water supplier’s source water risk management plan under the WSA addresses the activity”. This may result in similar outcomes that occur now in that if the water supplier has good risk management planning in place, then greater impact on the source may be permitted. This outcome would be inconsistent with the principles of Te Mana o te Wai.

*Q30. What types of activity might pose a significant risk to a water supply in an accident, emergency, or other natural event?*

41. The recent flood event in our district in May 2021 highlighted the risks of natural events on our water supplies. While some of our supplies were challenged with water quality issues due to the sheer volume



of water, it highlighted the risk of a range of activities to our water supplies. For example contaminants which are stored near waterways or water sources where there is scope for the controls which separate the contaminants from these areas to fail. Therefore, Council supports the careful consideration of the controls imposed on such contaminants (and the resilience of said controls in an unpredictable event such as a natural disaster) which are situated near waterways at the consenting stage, and as part of an ongoing monitoring process.

42. We also note the strong reliance some water supply sources may have on river protection works. As for the event noted above, the impacts arising from the river “breakouts” was significant and lasted many days following the event. Therefore, we see it essential that activities such as river protection works are captured in the NES-DW to enable consideration of design and level of service factors.

*Q31. Do you think it is reasonable to require all activities with some potential to affect source water to undertake response planning, or just those with a higher risk (likelihood and consequence)?*

43. As implied above in response to Q30, it would seem prudent and appropriate for all activities to undertake some degree of response planning. The extent and resourcing of said planning should be proportional to the size of the risk.

*Q32. Do you agree that resource users should engage with water suppliers in consenting matters, within SWRMA 1 and 2?*

44. We believe it is essential that resource users should be required to engage with water suppliers. The WSA has strengthened the requirements placed on water suppliers in regard to source risk management. This engagement will ensure the water supplier is aware of proposed (or existing) activities occurring in the SWRMA.

*Q33. What hurdles do you see in promoting this engagement with water suppliers?*

45. The principal issue will lie in the water supplier’s ability to respond. This may be due to insufficient resources to deal with enquiries and/or a lack of technical expertise required to assess what the impacts from activities might be on the source. It may be necessary for regional councils to provide some guidance as part of these engagement processes to ensure water suppliers have access to good information.

*Q34. What support might small water suppliers need to effectively engage in the consent process?*

46. As noted above, many water suppliers may not have the technical expertise to respond adequately to the matter. So the ability to access technical assistance will be critical to avoid well-resourced applicants pressuring small water suppliers. This could be provided by the regional authority or at a central level through Taumata Arowai.

### **Concluding comments**

47. Council has a significant interest in maintaining and improving the quality and safety of drinking water within the District. Funding decisions made to date and as outlined in the Long Term Plan indicate that this is a priority area for Council.

48. Council supports the intentions of the proposals, yet has some doubts about some of the operational aspects and calls for engagement and clarification with Government, Councils, ratepayers, and other stakeholders prior to these reforms proceeding further.

Ngā mihi

Mayor & CE sign-off

DRAFT

## 9. Canterbury Climate Change Risk Assessment Technical Report and Summary Report

Author	<i>Mel Neumann; Graduate Policy Advisor Richard Mabon; Senior Policy Advisor</i>
Activity Manager	<i>Toni Durham; Strategy &amp; Policy Manager</i>
GM responsible	<i>Jane Donaldson; GM Strategy &amp; Compliance Hamish Riach; Chief Executive</i>

### Summary

- The purpose of this report is to advise Council that the Canterbury Mayoral Forum has published the Canterbury Climate Change Risk Assessment Technical Report and Summary Report, prepared by Tonkin and Taylor.
- The technical report is the next step in the process that began with initial screening work in 2020.
- The report aims to support councils to prioritise the identified climate change risks, allowing for local authorities to plan for action.
- Council's Climate Change Policy is now due for review. The risk assessment will be used to help inform the review of the policy.

### Recommendation

1. **That** Council receives the Canterbury Climate Change Risk Assessment Technical Report and the Summary Report.

### Attachment

- Appendix 1** Canterbury Climate Change Risk Assessment Technical Report *Separate document*  
**Appendix 2** Canterbury Climate Change Risk Assessment Summary Report.

## Background

### The current situation

1. As noted in the attached report, climate change is the biggest environmental challenge of our time. There is an urgent need to understand the changes coming, and their associated risks, so that we can best plan for the future.
2. In 2019, Councils within Canterbury (via the Canterbury Climate Change Working Group) were asked to undertake a screening, to identify local risks associated with climate change. The priority risks identified in the 2019 screening were used as the basis of this detailed risk assessment.
3. The Canterbury Mayoral Forum published the attached Canterbury Climate Change Risk Assessment Technical Report (prepared by Tonkin and Taylor), along with a summary document, on 11 February 2022.
4. The purpose of the report is to support councils to prioritise the identified climate change risks, allowing local authorities to plan for action. The information will also help to feed into the next phase of the It's Time, Canterbury campaign. The detailed assessment outlines the risks that Canterbury faces from climate change, and centres around an integrated framework (named Te Tūtei o Te Hau: Surveillance of the Wind) aligned with a Te Ao Māori worldview as well as the national climate change risk assessment framework.
5. The Canterbury Mayoral Forum has identified that the next step in this process is to consider the urgency of the risks, localised impacts of climate change, and inform both regional and local climate action planning processes.
6. The most concise summary of the risks for Mid-Canterbury can be seen in the attached Regional Summary which is taken from page 3 of the Report. The risk commentary under the headings of Canterbury Plains, Montane/High Country, Freshwater and Alpine is all directly relevant to Ashburton District. Commentary about urban centres and coastal risks is slightly less relevant because some of the urban commentary is Christchurch-specific and our level of coastal settlement is much lower than some other districts.

### Legal/policy implications

7. Council has a Climate Change Policy which is now due for review. The Canterbury Climate Change Risk Assessment Technical Report will be used to inform the policy review.

### Local Government Act 2002

8. Councils have a legal obligation to consider the impacts of climate change on a decision, and the impacts of a decision on climate change. This relates to section 14 of the Local Government Act 2002 that states that when making a decision, a local authority should take

into account the interests of future as well as current communities, and the reasonably foreseeable needs for future generations.

## Climate Change Response Act 2002

9. Section 5ZW of the Climate Change Response Act 2002 states that the Minister or Commission may request information from a local authority at any time, regarding climate change risks and opportunities, and any plans that are in place to manage the risks.

## Strategic alignment

10. The recommendation relates to all four of Council’s community outcomes:

- ‘Residents are included and have a voice’,
- ‘A district of great spaces and places’,
- ‘A balanced and sustainable environment’ and
- ‘A prosperous economy based on innovation and opportunity’

because climate change will impact on all aspects of the community.

Well-being		Reasons why the recommended outcome has an effect on this well-being
Economic	✓	Climate change is expected to have an impact on all four of the well-beings.
Environmental	✓	
Cultural	✓	
Social	✓	

11. The recommendation also supports the Council’s Climate Change Policy which states (Policy Goal 3.1): *“Council will strive to understand climate change and what it means for the Ashburton District now and in the future, and create opportunities to share that knowledge with the wider community.”*

12. The Intergovernmental Panel for Climate Change has begun its sixth assessment cycle with the release of the Working Group I report last August. This report, entitled *“Climate Change 2021; the Physical Science Basis”*, found that;
- *“Climate change is widespread, rapid and intensifying*
  - *Averaged over the next twenty years, global temperature is expected to reach or exceed 1.5°C of warming*
  - *Climate changes will increase in all regions. For 1.5°C of global warming, there will be increasing heat waves, longer warm seasons and shorter cold seasons. At 2°C of global warming, heat extremes would more often reach critical tolerance thresholds for agriculture and health.*

- *Climate change is intensifying the water cycle. This brings more intense rainfall and associated flooding, as well as more intense drought in many regions.*<sup>1</sup>

13. The Working Group II contribution<sup>2</sup> is being considered by the IPCC from 14-25 February 2022, and subject to IPCC approval will be released on 28 February 2022. The Working Group III contribution<sup>3</sup> will be released in early April, and the synthesis report is scheduled for release in September. This highlights that we will develop a better understanding of future implications of the best available science, and the consequences for policy-makers. It also highlights that the risks are dynamic and that the choices made by Governments at all levels are vitally important.

## Financial implications

Requirement	Explanation
What is the cost?	The report was funded by contributions from all Canterbury local authorities including \$6,102 from Ashburton District Council. This was funded from operating budgets. There are no additional costs associated with receiving this report. Decisions to take action in future on climate change adaptation or mitigation based on information (including the risk assessments in this report) will have cost implications regardless of the action taken or not taken.
Is there budget available in LTP / AP?	Answered above.
Where is the funding coming from?	Answered above
Are there any future budget implications?	Yes, but the detail of these remains unknown.
Reviewed by Finance	Paul Brake: Group Manager Business Support

## Operational implications

14. This information will inform the next review of Council's Climate Change Policy and any discussions about actions Council will take in response to climate change to protect community assets to preserve community well-being, and actions to reduce council's carbon footprint.

<sup>1</sup> Press release on *Climate Change 2021: the Physical Science Basis*, 9 August 2021, [Climate change widespread, rapid, and intensifying – IPCC – IPCC](#)

<sup>2</sup> This is focused on impacts, adaptation and vulnerability, and is most closely related to the Canterbury risk assessment and adaptation to protect community assets

<sup>3</sup> This is focused on mitigation

15. As noted in paragraph 9, the Climate Change Response Act will require us to assemble information on risks to the community and our plans to address those risks. We are now in a more informed position in regard to our risks and in a position to improve our planning around addressing those risks.
16. We continue to be involved at a regional level through the Canterbury Mayoral Forum and the Canterbury Regional Climate Change Working Group. The regional focus over the next twelve months is likely to be on furthering work on climate change adaptation, which is the primary focus of Council's Climate Change Policy.

### **Significance and engagement assessment**

17. As there is no decision required beyond the receiving of the report, no significance assessment is needed.

# Canterbury Regional Summary

## Urban Centres

For all communities, risks from climate hazards generally include damage to infrastructure from flooding, and disruption to transport routes and supply chains. Changing climate conditions also pose a risk to supporting utilities such as landfills and power supply.

Christchurch is our biggest city. It is a major social and economic hub for the Canterbury Region. The low lying, coastal position of much of the city makes it very exposed to flooding and sea level rise. This poses widespread risk to Christchurch's communities and infrastructure. There is a risk that community cohesion will reduce as a result of increasing climate related damages. People's physical and mental health may also be impacted by changing markets and job availability.

## Coastal

As a result of sea level rise, ports, transport connections, coastal ecosystems, unique wetlands, and communities at the coastal fringe will be exposed to increasing risk of coastal flooding, salinity stress, and erosion. Changes in temperature and ocean chemistry will impact fisheries and marine ecosystems. This will result in increased mortality and changing population of some species, and changes in behaviour patterns such as migration routes.

## Montane / High Country

Increased temperatures, drought, and fire weather will increase erosion, and impact forestry, tourism, and unique ecosystems, contributing to biodiversity stress. Remote communities may face increased disruption to transport routes, increasing isolation and other stressors.

## Alpine

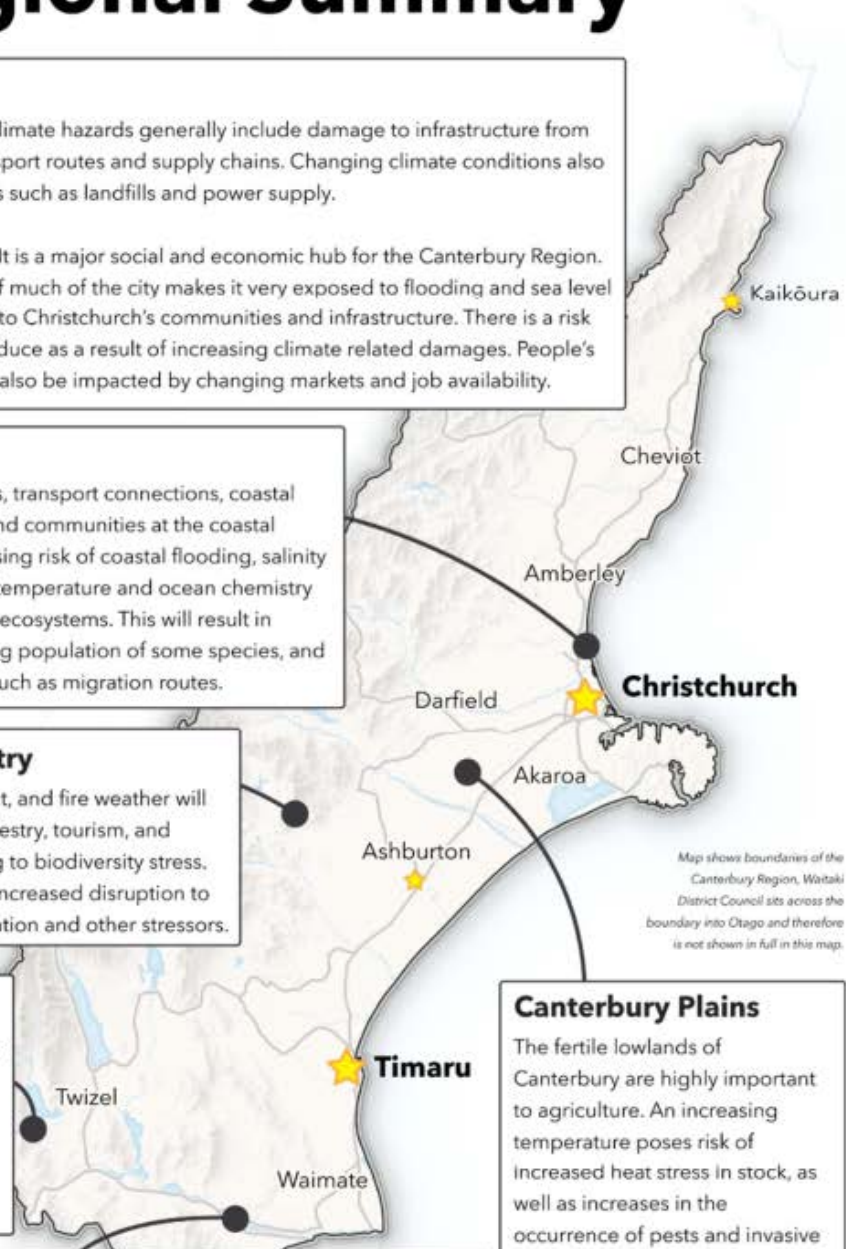
Higher temperatures, decreases in snow and ice, and changing rainfall will create risks to alpine biodiversity. These changes are likely to also impact skiing, and other alpine tourism.

## Freshwater

The unique rivers, lakes, and streams, and the extensive groundwater aquifers of Canterbury are significant to mahinga kai (food gathering) for Māori. Increased temperatures, drought potential, and changing rainfall patterns pose risks to biodiversity. They also pose risks to the reliability of water supply, with impacts on agriculture and other water users. Increasing flooding, sediment transport, water temperatures, and low flows pose a risk of damage to aquatic ecosystems, irrigation, and hydropower systems.

## Canterbury Plains

The fertile lowlands of Canterbury are highly important to agriculture. An increasing temperature poses risk of increased heat stress in stock, as well as increases in the occurrence of pests and invasive species. Increased drought potential may introduce a range of stresses, including impacting on water availability. Increased storms, wind, and flooding may increase erosion, and damage crops, pasture, stock, and infrastructure.



 Tonkin + Taylor

Figure ES 1: Regional summary of climate risks.



# Canterbury Climate Change Risk Assessment



Summary  
Report



## Foreword

Climate change is the biggest environmental challenge of our time. It is already affecting us, and although we must take mitigation actions now, it will have broad and ongoing implications for all of Aotearoa New Zealand, across many generations.

Regardless of efforts to reduce emissions, science tells us that some aspects of climate change are already determined for this century, such as the sea level rising.

We need to understand the impact that climate change will have on our environment, and the risks and opportunities associated with it. Doing so now allows us to best plan for the future.

The Canterbury Climate Change Risk Assessment (CCCRA) has been designed to build a shared understanding of climate change risks across Waitaha/Canterbury, and to help us prepare and respond effectively.

The assessment centres around a framework that aligns both a Te Āo Māori worldview, and the National Climate Change Risk Assessment (NCCRA) framework. The NCCRA, released by the Ministry for the Environment in 2020, gave the first national picture of the risks we face from climate change.

The CCCRA was tasked to the Canterbury Climate Change Working Group, which has been set up by the Canterbury Mayoral Forum. This builds on a risk screening undertaken at the Canterbury Mayoral Forum's direction in 2019, which identified priority risks to form the basis of this work.

This project has been supported by a Ngāi Tahu Papatipu Rūnanga Steering Group. This Steering Group advised and supported the project team to develop a Te Āo Māori risk assessment framework to ensure the project was fit-for-purpose and reflected Waitaha/Canterbury and Ngāi Tahu.

**Mayor Sam Broughton**  
Chair, Canterbury Mayoral Forum

**Mayor Dan Gordon**  
Chair, Canterbury Climate Change  
Steering Group





## Te Tīmatanga – Introduction

*Kei a te pō te tīmatataka mai o te  
waiatataka mai o te atua*

*Nā Te Pō, ko Te Ao*

*Nā Te Ao, ko Te Ao Mārama*

*Nā Te Ao Mārama, ko Te Ao Tūroa*

*Nā Te Ao Tūroa, ko te Kore te whiwhia*

*Nā te Kore te whiwhia, ko te Kore te  
rāwea*

*Nā te Kore te rāwea, ko te Kore te  
tāmaua*

*Nā te Kore te tāmaua, ko te Korematua*

*Nā te Korematua, ko te Mākū Ka moe i a  
Māhoranuiātea, ka puta ko Raki*

*Ka moe i a Pokohārua te Pō Ka puta  
ko Aoraki, ko Rakamamao tāna ko  
Tāwhirimātea*

*Ko te aitaka o te takata*

*Ki te whai ao, ki te ao mārama*

*Ki te ao tūroa e tū nei*

*Tihei Mauriora!*

Ngāi Tahu values and beliefs define all things from the time of nothingness – Te Kore, through the vast ages of darkness – Te Pō, to the first ever glimmer of light – Te Ao, to the longstanding light – Te Aotūroa, through to the emergence of moisture – Te Mākū.

This shared whakapapa reinforces the tribal philosophy that all things are from the same origin. The welfare of any part of the environment determines the welfare of the people.

It is through whakapapa that all things are intricately linked, as well as having their individual place in the world. Ultimately, it is whakapapa that connects people to each other, to their ancestors, to the land and natural resources. For Ngāi Tahu, it is whakapapa that elucidate their descent from the gods of creation.

Ngāi Tahu lay claim to the same whakapapa as other iwi, through Rakinui and Papatūānuku and connection to their descendants. Whakapapa accounts for the way in which the earth, sky, oceans, rivers, elements, minerals, plants, animals, and people have been created. Whakapapa explains the very origins of everything, past and present, within the Māori world. It is the foundation upon which all things are built, the web that connects all things together, the anchor which holds all things in place and the vehicle by which all things link back to the beginning of time. Whakapapa binds Ngāi Tahu to the mountains, forests and waterways and life supported by them and the Taiao (environment). All things are considered to have a mauri (life force), to be living and to have a genealogical relationship with each other. People are therefore related to the natural world.

Karakia based on 'Te Waiatanga mai o te Atua: South Island Traditions' original manuscript authored by Matiaha Tiramōrehu in 1849. Translated and edited by Manu Van Ballekom and Ray Harlow in 1987, and published by the University of Canterbury. Te Maire Tau, Anake Goodall, David Palmer, and Rakiihia Tau (1990). Te Whakataua kaupapa: Ngāi Tahu resource management strategy for the Canterbury Region. (Aoraki Press, Wellington)

The world's climate is changing like we have never seen before due to the effects of increasing greenhouse gas emissions. Within this greater context, Canterbury's climate is also changing.

Changes in our climate are projected to continue into the future, and their severity, impact and frequency will depend on global efforts to curb greenhouse gas emissions.

Currently, climate change modellers use a set of standard scenarios called Representative Concentration Pathways (RCPs) to measure and explain the impacts of climate change.

The CCCRA was developed using RCP 8.5, which indicates the likely outcome of climate change impacts under a high-end scenario where greenhouse gas emissions continue to rise over this century. This is sometimes referred to as a business as usual scenario.

The National Institute of Water and Atmospheric Research (NIWA) has developed national and regional projections based on RCP 8.5, which have been used as a basis for the CCCRA.

These projections show that Canterbury will see warmer temperatures, including an increasing number of hot days and an overall increase in temperature ranges, as well as decreasing frosts and snow days.

The frequency of extreme weather events is also likely to increase, with drought and sea level increases also expected.

These projected changes are likely to cause natural hazards such as flooding, wildfires and wind damage.

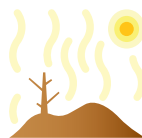
## Summary of climate change projections for Canterbury by 2100



The sea level is projected to rise by about 0.8m above present day levels.



Wildfires will become more likely as hotter, drier summers occur. Rural areas will be more highly exposed.



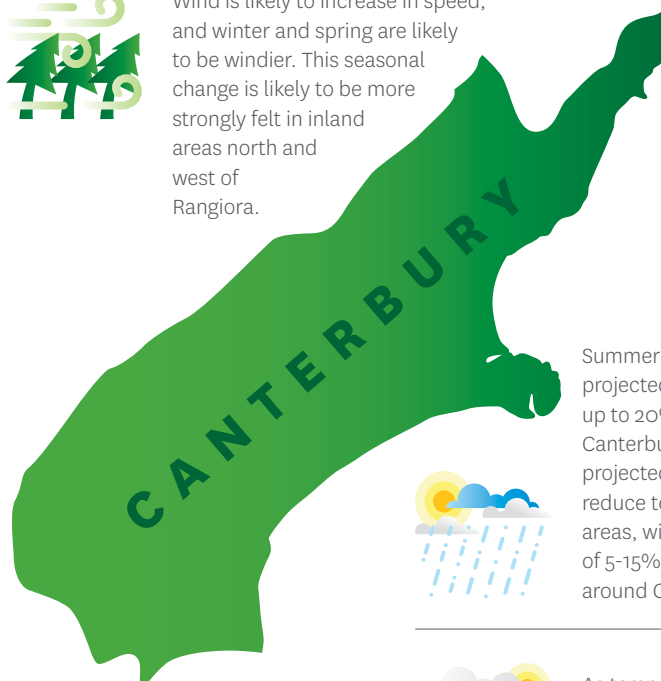
Drought potential is likely to increase across most of Canterbury.



Hot days are those over 25°C. It is projected that there will be between 20 and 60 more hot days annually by 2100.



Wind is likely to increase in speed, and winter and spring are likely to be windier. This seasonal change is likely to be more strongly felt in inland areas north and west of Rangiora.



Summer rainfall is projected to increase up to 20% in the inland Canterbury Plains. It is projected to gradually reduce towards coastal areas, with a decrease of 5-15% in the area around Christchurch.



An increase in winter rainfall of 15-40% is expected in the eastern, western, and southern parts of the region. Winter rainfall has the potential to be more strongly associated with storm events.

As temperatures rise, there will be less snow days across the region.



It is projected that there will be 20-50 fewer cold days per year, where the temperature is at or below 0°C.



Extreme weather events (e.g., severe storms) are likely to happen more often.



Our annual mean temperature is set to rise by 1.5 - 3.5°C. Overall, our maximum daytime temperatures will be up 2-5°C. Canterbury's alpine and subalpine areas could be 5-6° warmer.

An integrated framework was developed for the CCCRA, in collaboration with a Papatipu Rūnanga Steering Group, to provide a clear understanding of key climate risks to the Canterbury region and our communities.

The development of this integrated framework is aligned with the NCCRA framework and centres around a Te Āo Māori worldview.

The framework has been gifted the name ‘Te Tūtei o Te Hau: The Surveillance of the Wind’.

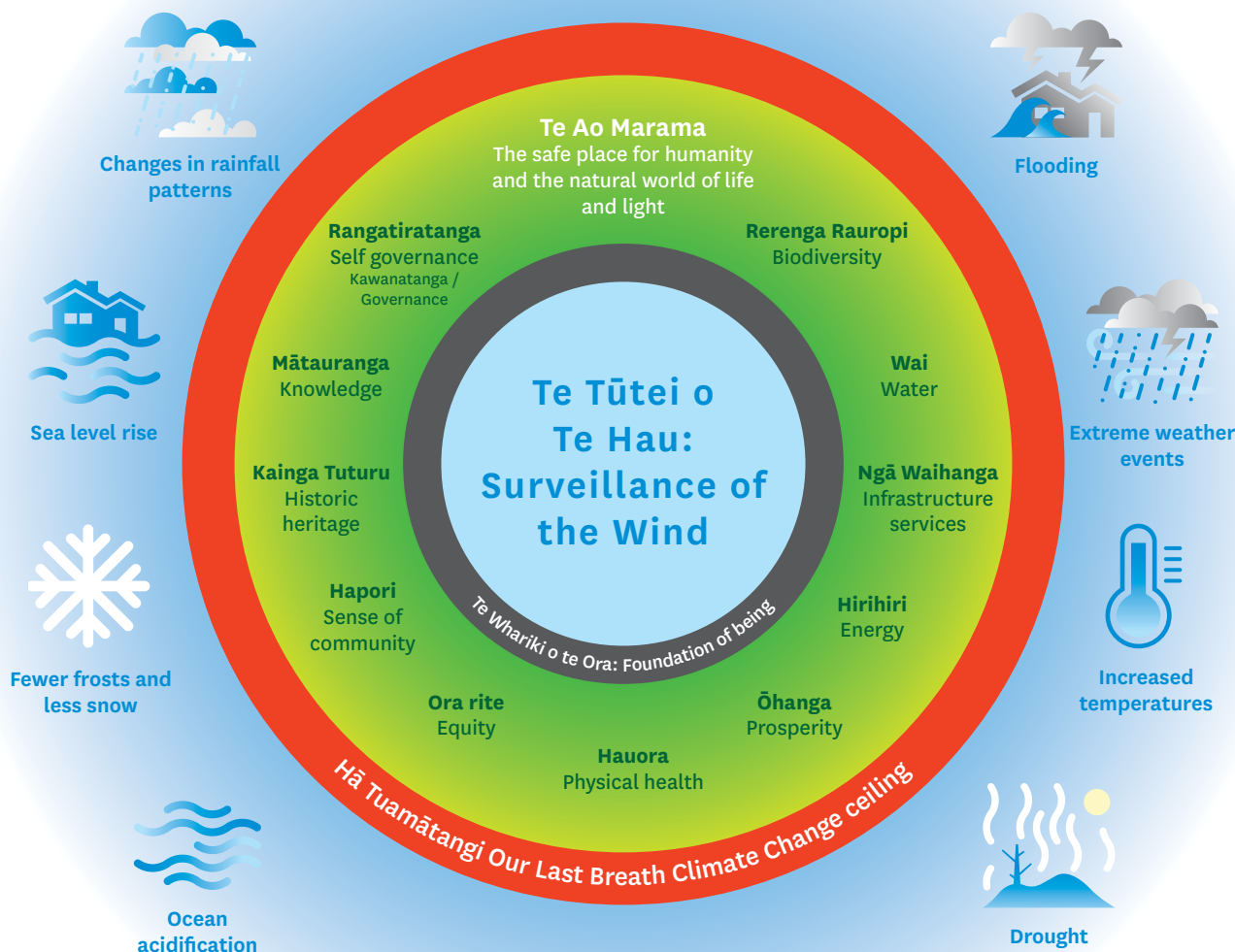
When considering the effects of climate change, observations in the CCCRA have been considered against this framework, our alert system, for understanding climate risk.

**Te Whāriki o te Ora:** The black ring represents whakapapa, or genealogical connection, that extends from the spiritual realm to that of the human domain. It recognises that humans cannot exist without basic needs and a social foundation.

**Te Ao Mārama:** The green ring represents the area in which humans can exist when we are functioning within the capacity of our ecosystems. Ngā pono (the values) identified within this circle are critical for us to understand and respond to when considering climate risk.

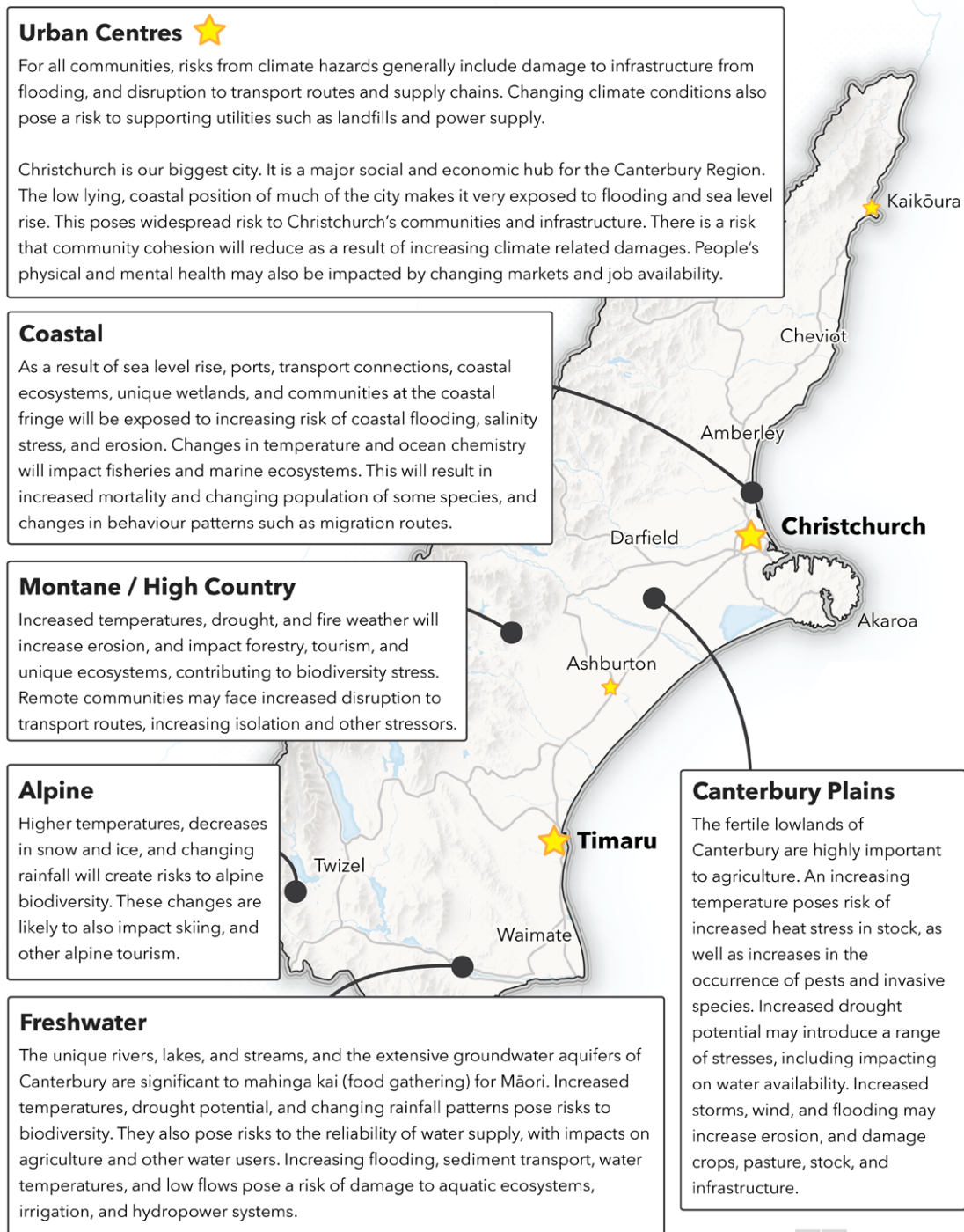
**Hā Tuamātangi:** The red ring represents the upper limit in which humans, environments and ecosystems can continue to exist. Beyond this boundary, it is no longer possible to respond to risks proactively.

Shown outside the rings are the key climate impacts that we face.



The integrated CCCRA framework developed in collaboration with a Papatipu Rūnanga Project Steering Group.

The challenges of climate change will occur in different ways across the region. The large land area and geographic diversity of Canterbury means that some risks will be more relevant to certain areas.



Map shows boundaries of the Canterbury region. Waitaki District Council sits across the boundary into Otago and therefore is not shown in full in this map.

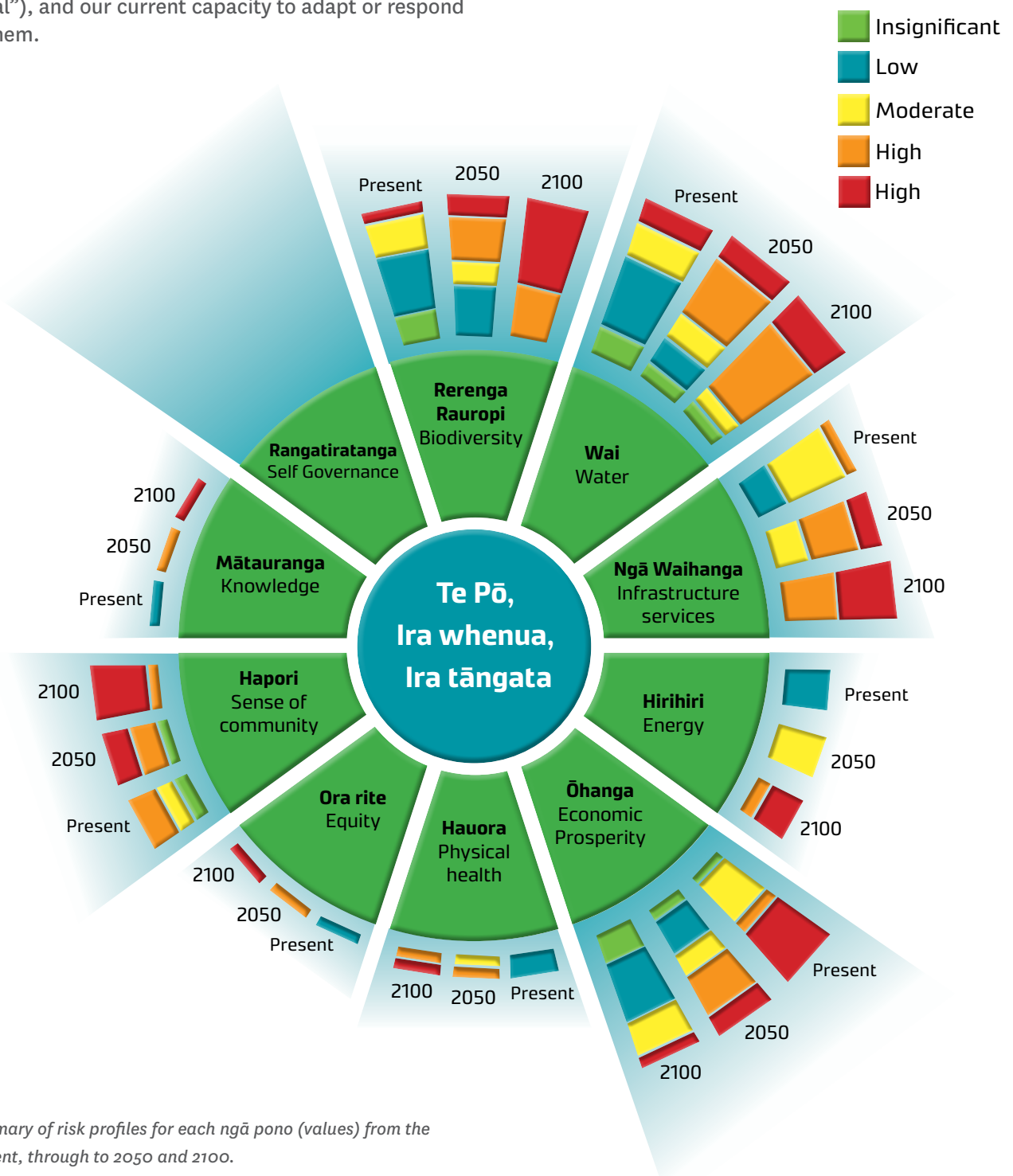
The overall findings in the CCCRA show that climate change risks are threatening all eleven ngā pono (values) in the framework, and that direct and indirect risks will increase over time.

While many present risks are currently rated as insignificant or low, by the year 2100 there are high or extreme risks against all values.

Risks have been rated based on the likelihood of being exposed to hazards under RCP 8.5 (“business as usual”), and our current capacity to adapt or respond to them.

Highly rated risks include those to biodiversity, water and infrastructure services. Present-day risks that are rated extreme include those related to water supply and irrigation.

The CCCRA technical report provides an in-depth assessment of the climate change impacts across each of the eleven values, as well as the potential impacts to individuals, communities and businesses.



Summary of risk profiles for each ngā pono (values) from the present, through to 2050 and 2100.

In addition to the challenges and risks that climate change presents, it may provide us with some opportunities. It's important to note that opportunities cannot be considered in isolation, but must be considered as part of the broader CCCRA, as the risks often outweigh the benefits.

The projected increase in temperature, and reduction in cold days in winter, could provide the following opportunities:

Warmer living conditions in the winter that reduce energy consumption and improve wellbeing.

A longer growing season could present opportunities for the horticultural industry to increase productivity, reduce crop waste, and grow different varieties within new locations.

Increased water storage from winter rainfall.

Less disruption to our transport networks due to less snowfall and icy conditions.

An increase in both air and ocean temperatures may provide a new environment for new marine fish species, potentially providing an opportunity to the fisheries industry.



## Where to from here?

The work to understand the climate change risks we face doesn't end here.

The information we now have from the CCCRA gives us an in-depth, technical overview of the risks and opportunities associated with climate change in Canterbury.

The Canterbury Mayoral Forum will continue to work with Papatipu Rūnanga and key stakeholders to consider the risks highlighted in this report, and work to prioritise these risks at a local and regional level to help inform future planning by councils.

Understanding the risks and opportunities from climate change now and into the future is a vital step in our efforts to curb its long-term impact in our region.



Notes section

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**Produced for the Canterbury Mayoral Forum**  
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December 2021

E21/8874

## **10. Ashton Beach Enhancement Project**

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

### **Summary**

- The purpose of this report is seek Council's support to proceed with the Ashton Beach Enhancement Project, and in particular the application for a Wildlife Act Authority application to enable the co-development of a Motorbike Park.
- As a result of feedback during public consultation, this secondary project of developing a community/Council motorbike park commenced in early 2020 with budgetary approval granted by Council in June 2020. Work was undertaken by specialist consultants during 2021 to enable Council to apply for a Wildlife Act Authority.
- The Department of Conservation have advised Council officers that the Wildlife Act Authority is likely to be declined without a commitment from Council to protect alternative areas for conservation purposes at Ashton Beach.
- The recommended solution is to agree to the covenanting of adjoining land so there is no net loss of lizard values over the project area.

### **Recommendation**

**That** Council agrees to covenanting land at Ashton Beach (in accordance with Figure 1) and proceeds with the application for a Wildlife Act Authority.

## Background

### The current situation

1. In 2019, Council officers became aware of a health and safety issue on an unfenced portion of Council's Ocean Farm at Ashton Beach. A steep area of land was being used by motorbike and 4wd enthusiasts.
2. These areas have been fenced off. A potential alternative area for motorbike riding was identified through community consultation in February 2020.
3. An ecological assessment in May 2020 concluded the proposed motorbike site contained important ecological values. While it is dominated by exotic grassland, it also contains important native plant species, some of which have a 'Threatened –Nationally Vulnerable' conservation status.
4. A skink survey was also conducted in May 2020. It confirmed the presence of southern grass skink (*Oligosoma aff. polychroma*) in the proposed motorbike park area. New Zealand currently has 126 species of lizards, new species are still being discovered, and all of our lizards species are endemic which means they not found elsewhere in the world. The conservation status of Southern Grass Skink is 'At Risk- Declining'. All native lizards are absolutely protected under the Wildlife Act (1953) meaning it is illegal to catch, collect, kill or cause habitat loss without a permit.
5. On 18 June 2020 Council resolved:
  - *That Council supports further work and consultation to enable the establishment of an alternative area for motorbike riding on Council owned land within the Ashton Beach area.*
  - *That Crs Leen Braam and Lynette Lovett be appointed to the Ashton Beach project stakeholder group.*
6. An earlier report to Council (4 June 2020) was left to lie on the table until Councillors could undertake a site visit. A site visit was conducted on the 11 June 2020.
7. Preliminary consultation was undertaken with the Department of Conservation, Environment Canterbury and Royal Forest and Bird Society representatives. While acknowledging Council's desire to provide an alternative motorbike riding area away from the beach and river mouth they also shared concerns that the proposed motorbike park could attract more motorcyclists to the beach area with the associated increased risk of adverse effects on biodiversity values. In summary, the parties had some concerns about the proposal but were not firmly opposed to the development of a motorcycle park in the area.

8. In June 2020, Council awarded the Ashburton Motorbike Club a grant of \$8,000 from the Community Infrastructure Fund as a contribution towards track formation. This was on the proviso the land is set aside for a motorbike park.
9. In September 2020 Council resolved:
  - *That Council supports further work to enable the establishment of an alternative area for recreational motorbike riding on Council owned land within the Ashton Beach area.*
  - *That Council funds up to a maximum of \$27,000 for the biodiversity requirements of this project from the rural reserves beautification reserve should alternative funding sources not be successful.*
10. In November 2020, Ryder Environmental were commissioned to prepare the lizard management plan required to accompany the Wildlife Act Authority application. The Lizard Management Plan acknowledged that the actual and potential effects of the proposed motorbike park include disturbance, death, injury and displacement of southern grass skink but also proposed a range of avoidance, mitigation, and restoration measures to offset the anticipated losses of lizard values across the project footprint.
11. The application was lodged December 2020 and in June 2021 the Department of Conservation advised that proposed mitigation measures were insufficient and the Council should consider identifying and protecting in perpetuity (through a covenant) an area of grass skink habitat that is the equivalent or better in terms of skink abundance numbers.
12. Fauna Finders were commissioned to undertake a survey to compare the relative abundance of southern grass skink at two sites - the proposed motorbike park site and a potential covenant area on the south western side of Lower Beach Road (see Figure 1). This land is also owned by Council and is an unused part of Council's Ocean Farm. Skink surveys have to be undertaken over the spring/summer months and require settled periods of warm weather. Following 4 days of trapping at both sites in November 2021, the survey concluded that skink capture numbers were higher in the proposed bike park area (8,672m<sup>2</sup>) than in the proposed covenant area (9,492m<sup>2</sup>).
13. Subsequent discussions between the Department and Council representatives have confirmed that the application is more likely to be approved should the proposed covenanted area be enlarged to encompass an area on the eastern side of the proposed motorbike park (3,300m<sup>2</sup>). This in addition to other measures already proposed i.e. habitat enhancements within the covenanted areas (adding rocks pile, native plantings, and control of woody weeds), ongoing monitoring of skink numbers before and after enhancements, educational signage, and the involvement of a local restoration group/and or school.



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

14. It is timely to check with Council whether it wishes to proceed on this basis.

## Options analysis

### Option one – Proceed with the Wildlife Act Authority Application (recommended)

15. This option involves proceeding with the Wildlife Act Authority application on the basis Council will undertake the proposed mitigation measures, including the covenanting of adjoining areas of land.
16. Applying a conservation covenant, with an associated management plan detailing a low-maintenance management regime, should ensure the persistence of southern grass skinks on the property in perpetuity. The areas identified in green shading in Figure 1 are considered the minimum required to offset the impacts of the motorbike park. However, it would be logical to expand the covenant to encompass the whole donga by including the triangular section between them shown as orange shading in Figure 1.
17. This option provides an opportunity to improve the recreational opportunities at Ashton Beach and the wider District while using the increased visitation to the area to promote its biodiversity values to the wider community.
18. There are risks associated with this option:
- Establishing a motorbike park on this site would interrupt a habitat corridor and linkage between the Hakaterere river mouth ecosystem and the native vegetation

found on the donga further inland. Furthermore, establishing it in a) an area of significant indigenous vegetation when indigenous vegetation cover on the Ashburton Plains is now less than 1% (Walker *et al* 2008) and b) causing injury and mortality to the Southern Grass Skink population, sets a negative precedent for the wider community in terms of Council's approach to biodiversity. There is therefore some reputational risk for Council. From a biodiversity perspective this is not the preferred option.

- Potential increased risk of environmental degradation to the wider Ashton Beach area due to increased motorbike activity in the area. Equally, this option could also reduce this risk by providing a designated riding area away from the beach.
- While local iwi have been kept abreast of the project there is a risk they may not support the application and ultimately it is still declined by the Department of Conservation.
- That the resource consent application requires either full or limited notification which would result in additional costs. Other risks associated with the resource consent process are that the application may not be granted or an approval might be appealed or otherwise challenged.

19. Should the Council wish to proceed with this option, the Lizard Management Plan will need to be amended to incorporate Council's commitment to covenanting these areas prior to submission to the Department of Conservation for a final decision.

### **Option two – Withdraw the Wildlife Authority Application**

20. This option means Council no longer supports the co-development of a motorbike park in this location and it will withdraw the application for a Wildlife Act Authority.

21. The associated risks are:

- Ongoing adverse effects on the wider Ashton Beach area as motorcyclists are not provided with a designated motorbike riding area nearby.
- Some reputational damage as Council has previously indicated its support for establishing a motorbike park at this site. However, this risk is probably low given media articles have stated Council is only investigating the establishment of a motorbike park at Ashton Beach.
- Should Council wish to investigate alternative riding options away from Ashton Beach, there is a risk that Council will encounter the same issues and a repeat of the process to date. There may also be no alternative sites that offer the same terrain in close proximity to Ashton Beach and Ashburton.

## Legal/policy implications

### Resource Management Act 1991

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

### Ashburton District Plan

25. While the site contains significant indigenous vegetation, it is not formally recognised as an Area of Significant Indigenous Nature Conservation Value in the Ashburton District Plan 2014.
26. The proposed motorbike park is situated on a donga and will result in some modification of this landform. Dongas are now uncommon in on the Ashburton coast as many have been lost or disturbed as a result of farming practises (Davis *et al.*2016).

### The National Policy Statement for Indigenous Biodiversity

27. The entire site is located within an acutely threatened land environment that has less than 10% indigenous cover left (Cieraad *et al* 2015). Under the draft National Policy Statement for Indigenous Biodiversity, the site would qualify as a Significant Natural Area because it supports an 'At Risk' lizard species.
28. Establishing a motorbike park in a potential Significant Natural Area sets an important marker in the ground on Council's position in regard to future Significant Natural Areas (should the policy statement be adopted in its current form).

### Biodiversity Action Plan

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

### Ashburton/Hakatere Rivermouth Management Strategy

30. The adjoining land to the east (ADC and Doc land) is subject to the non-statutory Ashburton/Hakatere Rivermouth Management Strategy (2019) prepared for Environment Canterbury. The strategy aims to 'protect and enhance the recreational



and environmental values of the Hakatere river mouth and estuary'. It recognises off-road driving (4WD and motorcycles) as a valued recreational use of the area and seeks to minimise existing tensions with biodiversity by directing these activities away from the sensitive river mouth environment.

### **General Duty of Care to Eliminate and Mitigate Risks**

31. As a landowner who allows public access to this land, Council owes a general duty of care to those that access the land for recreation. In particular, Council has a duty to take all reasonable steps to remove or reduce any risks or hazards where it is reasonably foreseeable that they could cause harm or loss to others.
32. Motorbike riding, like many other recreational activities involves a degree of danger. However by working with the Motorcycle Club and including their safety specialists on the track design, and adopting their operational procedures, Council is mitigating the risks to the extent they can. Riders too are responsible for their own safety through following the operational rules and riding in areas within their skill level.

### **Health and Safety Work Act 2015**

33. The Health and Safety at Work Act places a positive duty on elected members – as officers in relation to a Person Conducting a Business or Undertaking ('PCBU') – to exercise due diligence to ensure that the organisation complies with its health and safety duties and obligations (section 44).
34. It is important to note that unless recreational use or access to the land is affected by PCBU, Council is not generally liable for any injuries or incidents that happen as a result of a member of the public undertaking a recreational activity on Council land. Practically, this means a PCBU whose land is being accessed for recreation:
  - is only responsible for eliminating and mitigating the risks arising from the work or workplace (should there be work undertaken on the land); and
  - is not responsible for the risks associated with the recreational activities.
35. Council must ensure, for example, that the motorbike riding area, or areas, are appropriately fenced off from Council's adjacent Ocean Farm workplace.

### **Strategic alignment**

36. The recommendation relates to Council's community outcome of 'A balanced and sustainable environment - He taiao toitu' because our indigenous biodiversity is valued. The lizard management plan seeks to manage the lizard values to achieve a no net loss outcome over the project footprint.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	We value our District's natural assets in supporting economic development.
Environmental	✓	The project values our indigenous biodiversity by ensuring there is no net loss.
Cultural		
Social	✓	Motorbike riding is both an individual and club sport. The proposed park provides alternative riding area with different terrains for our district riders.

## Financial implications

37. In the report to Council in September 2020, staff estimated the total project costs to be \$55,000 as follows:

- Phase 1 - Approvals (\$10,000)
- Phase 2 – Habitat Construction (\$22,500)
- Phase 3 - Motorbike Track Formation (\$10,000)
- Project management (\$10,000)
- Contingency (\$2,500)

38. To date Council has incurred a total of \$16,100 +GST on approvals and project management costs as follows:

- Ecological Assessment and Lizard Habitat Assessment (\$3,800+GST)
- Lizard Management Plan preparation and advice (\$7,600+GST)
- Skink survey (\$4,700 + GST).
- Project management services were not able to be contracted out and instead this service had to be provided by Council staff (staff time).

39. If Council proceeds with the establishment of a motorbike park it will require an additional total of \$7,000 (estimate only) to complete the approvals process i.e. amendments to the Lizard Management Plan, payment of the Wildlife Act Authority processing fees, and lodgement of the application for resource consent. The original cost estimates for phases 2 and 3 (habitat construction, track formation) of the project remain unchanged, although a grant (\$8,000) has already been provided to the Ashburton Motorbike Club to offset most of the track formation costs. Council may also choose to provide further financial grant support to community groups associated with this project to assist with the development of the park, biodiversity enhancements and community education.

Requirement	Explanation
What is the cost?	\$7,000
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	The 2021-22 biodiversity budget can meet this cost. In terms of the costs of the subsequent phases of the project, the motorbike club has already received a Council Community Infrastructure Grant of \$8000 for track formation. Habitat enhancement costs will be either funded through external grant applications, or the Council's rural reserve beautification reserve, should alternative funding sources not be successful.
Are there any future budget implications?	No
Reviewed by Finance	Erin Register; Finance Manager

## References

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

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

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

## Significance and engagement assessment

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

## Next steps

Date	Action / milestone	Comments
During the project	Council and our community our kept informed of project milestones through Activity Briefings.	

## **11. Mayor's Report**

### **11.1 Covid-19**

The virus is certainly well entrenched in the district with numbers rising rapidly. The defence we have had to minimise the effects of the virus and not cause the health system to be overwhelmed is the vaccination programme that has been rolled out across New Zealand. Having two vaccinations and now a booster is the best protection one can have.

I have been asking for some time to have the case numbers for the Ashburton district publicised, this request has now been accepted and the Canterbury District Health Board will share the numbers daily.

There are support programmes put in place to support people isolating at home; if support is needed the number is 0800 358 5453 which is available 24 hours per day.

### **11.3 Meetings**

- **Mayoral calendar**

#### **February 2022**

- 16 February: Budget workshop
- 16 February: Waste Management workshop
- 16 February: Council meeting
- 17 February: Canterbury Regional Leadership group meeting (via Zoom)
- 17 February: Hon. Kiritapu Allan, Emergency Management System Reform workshop (via Zoom)
- 17 February: Gary Casey and Alister Lilley, ACL with CE Hamish Riach
- 17 February: Civil Defence Emergency Management Joint Committee (via MS Teams)
- 17 February: Canterbury Regional Transport Committee (via MS Teams)
- 17 February: Canterbury Mayoral Forum
- 19 February: Hekeao/Hinds Water Management Trust field trip to NRR/MAR sites
- 21 February: RDR Budget review
- 21 February: Advance Ashburton
- 22 February: Tony Todd and Jerry Macavoy, Trotts Nursery
- 22 February: Library and Civic Centre, Te Pātaka o Kā Tuhituhi – Te Waharoa a Hine Paaka site visit
- 22 February: Ashburton Water Zone
- 22 February: Greg Donaldson, GDC with MP Jo Luxton
- 22 February: Rakaia Community Association
- 23 February: Three Waters DIA Governance group update (via MS Teams)
- 23 February: Council Agencies 6 monthly reports
- 23 February: Budget workshop
- 23 February: Canterbury Regional Leaders Group (via MS Teams)

- 24 February: RMA Reform webinar
- 24 February: New Zealand Defence Force (via MS Teams)
- 25 February: Hokonui Radio interview
- 25 February: Three Waters Plenary Group
- 25 February: Future for Local Government workshop (via Zoom)

### **Recommendation**

**That** Council receives the Mayor's report.

Neil Brown

**Mayor**