

Ashburton District Council

AGENDA

Notice of Meeting:

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

Date: Wednesday 6 September 2023

Time: 1.00pm

Venue: Council Chamber

Membership

Mayor	Neil Brown
Deputy Mayor	Liz McMillan
Members	Leen Braam
	Carolyn Cameron
	Russell Ellis
	Phill Hooper
	Lynette Lovett
	Rob Mackle
	Tony Todd
	Richard Wilson

Meeting Timetable

Time	Item
1.00pm	Council meeting commences
2.30pm	Hekeao Hinds Water Enhancement Trust - Peter Lowe (Chair) and Dr Brett Painter
2.55pm	Welcome to new and long-serving staff
3.30pm	EA Networks Shareholder Committee (PE)

1 Apologies

2 Extraordinary Business

3 Declarations of Interest

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

Minutes

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Business Transacted with the Public Excluded

15	Council 9/08/23		PE 1
	<ul style="list-style-type: none"> • Methven membrane water treatment plant • Ashburton Contracting Ltd – June 2023 report 	<ul style="list-style-type: none"> Section 7(2)(h) Commercial activities Section 7(2)(h) Commercial activities 	
16	Ocean Farm – removal of standing grass	Section 7(2)(h) Commercial activities	PE 2

4. Council Minutes – 23 August 2023

Minutes of the Council meeting held on Wednesday 23 August 2023, commencing at 1.00pm in the Council Chamber, 137 Havelock Street, Ashburton.

Present

His Worship the Mayor, Neil Brown; Deputy Mayor Liz McMillan; Councillors Leen Braam, Carolyn Cameron, Russell Ellis, Phill Hooper, Lynette Lovett, Rob Mackle, Tony Todd and Richard Wilson.

In attendance

Hamish Riach (Chief Executive), Toni Durham (GM Democracy & Engagement), Leanne Macdonald (GM Business Support), Neil McCann (GM Infrastructure & Open Spaces), Sarah Mosley (GM People & Facilities), Mark Low (Strategy & Policy Manager), Janice McKay (Communications Manager) and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Simon Worthington (Economic Development Manager) and Emily Reed (Corporate Planner).

Welcome Te Rūnanga o Arowhenua

The Mayor welcomed Arowhenua representatives, Chairperson Fiona Pimm, Ūpoko Tewera King and Karl Russell. After recently visiting the new Library and Civic Centre building site, Arowhenua have offered Council a new Māori name – *Te Whare Whakatere*.

Tewera explained that after seeing the various spaces, and how the public will use them, they realised that the original names gifted (*Te Pātaka o kā Tuhituhi* for the library and *Te Waharoa a Hine Paaka* for the civic centre) did not fit the new building. Instead, *Te Whare Whakatere* (Ashburton House) will reflect its purpose of sheltering those persons using the building – like a wharenuī on the marae, it should be there for all of the people in the community, as is their right.

While the whole civic complex will be known as *Te Whare Whakatere*, additional names were proposed for the Council Chamber and the Library. *Hine Paaka*, reflecting an ancestor and landmark where people sheltered when they came through the district, was offered for the Council Chamber, and *Te Kete Tuhinga*, reflecting a bag where things are placed, taken out and used has been offered for the Library.

On behalf of Council the Mayor thanked Fiona, Tewera and Karl for their reconsideration and gifting of the new names.

That Council accepts the gift of *Te Whare Whakatere*, *Hine Paaka* and *Te Kete Tuhinga* for the new library and civic centre from Tewera King the Ūpoko for Te Rūnanga o Arowhenua.

Mayor/McMillan

Carried

1 Apologies

Nil.

2 Extraordinary Business

Nil.

3 Declarations of Interest

Nil.

Presentations

Environment Canterbury – 1.10pm-1.50pm

Te Whatu Ora, Waitaha – 2.10pm-2.45pm

Ashburton Contracting Ltd – 3.30pm-4.12pm

4 Confirmation of Minutes – 9/08/23

That the minutes of the Council meeting held on 9 August 2023, be taken as read and confirmed.

Cameron/Braam

Carried

Environment Canterbury 1.10pm

ECan Chair, Peter Scott along with Andrew Parrish (Planning Manager), Sam Leonard (Principal Planning Advisor) and Serena Orr (Planning Officer) were invited to provide an overview of the Regional Policy Statement review.

Key points from the presentation

- ECan are asking if the current RPS is doing enough, or are there areas that could be improved – they are wanting to understand what changes are needed, rather than undertaking a full review
- Wanting to understand what is it that people value across the four well-beings – what’s driving our communities
- Now have a new national policy on Urban Development, Highly Productive Land and Freshwater that needs to be given effect to in the RPS
- The RPS is a pre-cursor (to Land & Water Plan) – an opportunity for Council to say how it wants its resources managed.
- Focus on RPS now will help as the RMA and FFLG reforms come through
- In late October / early November will put out options for changing the existing policy framework. Mid 2024 will begin formal consultation under the RMS
- Ashburton, because it has a second generation District Plan, is in a unique position by being ahead of the other councils in Canterbury still going through review
- ECan have heard there are different priorities around the region (balancing needs between city and rural) – when they move into the second round of consultation, the way in which they will engage may include one-on-one sessions with the TAs
- ECan are making sure that the whole spectrum of options is represented. Options will reflect what has either been heard by ECan or what they know has to change because of central government direction, and where its known that current objectives aren’t being met
- There are no pre-determined outcomes – the engagement processes are being used to drive the outcome. In the next round, there’s still opportunity for opposition to proposed options. Not yet at the point of knowing or having a fixed position
- Working with Papatipu Rūnunga, and the Mayoral Forum are also part of the process – that will help give comfort to the various communities in the region
- Conversations to come on what communities want and then determine how to get there and how long it will take

- Almost universal that improved water quality is needed. Some nuance on where that improvement needs to be and how water quality is improved. Have innovation in the region about some of the methods – the agricultural community is probably further ahead than urban
- Feedback on the RPS closes on ECan’s web site on 27 August.
- Chair Scott noted Council’s concerns with Carters Creek and will refer this to ECan Cr Mackenzie.

The presentation concluded at 1.50pm.

5 Road Safety Co-ordinating Committee – 1/08/23

That Council receives the minutes of the Road Safety Co-ordinating Committee meeting held on 1 August 2023.

Cameron/Todd Carried

- **Road Safety Co-ordinating Committee terms of reference**

That the Council adopts the revised Terms of Reference for the Ashburton District Road Safety Committee with the inclusion of Ia Ara Aotearoa Transport NZ in the membership list.

McMillan/Cameron Carried

- **Speed limits outside school**

The Mayor raised the matter of the 30km/hr speed limits that are now in effect, noting comment in the community that some drivers are not complying with the reduced speed limit near schools, and some are questioning the need to comply outside of school hours. He asked that a report be provided for the purposes of reviewing the 30km limit; and providing costs for variable speed signs as an alternative to the fixed 30km/hr signs.

A point of order raised by Cr Ellis (that this matter is not on the agenda) was not upheld, due to it being a road safety issue.

That Council acknowledge the change to 30 km/hr around the District’s schools is causing comment in the community, but given how recently the change has been made, a review of the impacts be undertaken in six months time.

Mayor/Lovett Carried

6 Audit & Risk Committee – 2/08/23

That Council receives the minutes of the Audit & Risk Committee meeting held on 2 August 2023.

Ellis/Braam Carried

7 Biodiversity Advisory Group – 7/08/23

That Council receives the minutes of the Biodiversity Advisory Group meeting held on 7 August 2023.

McMillan/Braam Carried

- **Wilding Management in ADC Rural C Zone**

1. **That** the Biodiversity Advisory Group advocates that Environment Canterbury develop a management strategy to deal with existing shelterbelts that pose wilding risk potential in ADC Rural C Zone.

Braam/Cameron Carried

That the Biodiversity Advisory Group invites the ADC Planning Manager to make a presentation about plantation forestry, shelterbelt and amenity planting rules to control wilding trees and explain the widespread green shelterbelt areas in Rural C area.

Braam/Lovett

Carried

8 Economic Development quarterly report

That Council receives the April to June 2023 Economic Development quarterly update.

Cameron/Ellis

Carried

Te Whatu Ora, Waitaha – update on health services and Ashburton Hospital

Bernie Marra (GM Rural Health Services) was welcomed to the meeting and the apology from Lisa Blackler noted. Also present, Mary Ross and Tony Dann from Eastfield Health and Phillippa O’Neil from Ashburton Hospital.

Bernie Marra provided an overview of health services delivery and Ashburton Hospital

- Upgrading maternity ward at Ashburton Hospital
- Outpatient hub at Ashburton Hospital undergoing upgrade
- Ashburton people are now able to transfer to Timaru where comprehensive secondary services are available
- Ashburton hospital theatre continues to be used, but its use is constrained by limited workforce – currently have gastroscopy clinics
- The hospital continues to provide medical training facility – philanthropic partners are the Mckenzie Charitable Trust and the Advance Ashburton Trust.

Bernie undertook to forward information showing the number of people who have travelled to Christchurch for treatment, and the means of transport, and the work that Gary Nixon has identified.

The presentation concluded at 2.45pm.

9 End of Year Strategy & Plan progress report

That Council receives the end-of-year strategy and plan progress report.

Braam/Todd

Carried

10 Mayor’s Report

That Council receives the Mayor’s report.

Mayor/Braam

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:	
11	Council 9/08/23 • Library & Civic Centre PCG 1/08/23	Section 7(2)(h)	Commercial activities
12	Audit & Risk Committee 2/08/23	Section 7(2)(a)	Protection of privacy of natural persons

13	Methven membrane water treatment plant clarifier funding	Section 7(2)(h)	Commercial activities
14	Ashburton Contracting Ltd	Section 7(2)(h)	Commercial activities

Mayor/McMillan

Carried

Council adjourned for afternoon tea from 3.03pm until 3.21pm.

The meeting concluded at 4.14pm.

Confirmed 6 September 2023

MAYOR

5. *Rakaia WWTP Sludge Drying Beds*

Author *Andrew Guthrie; Assets Manager*
Executive Team Member *Neil McCann; GM Infrastructure and Open Spaces*

Summary

- The purpose of this report is to seek approval of a \$2.5M capital budget for the construction of sludge drying beds at the Rakaia wastewater treatment plant (WWTP) on Acton Road, Rakaia, with the project to be funded from a reallocation of the budget provision established for the grit chamber pipeline renewal.
- The ongoing compliance challenges and most recent stance by the consenting agency has reinforced the officer view that a new method for sludge disposal is necessary at the Rakaia WWTP site.
- This means that sludge needs to be removed from the site for disposal at consented landfill. To do this cost-effectively it must be dewatered prior to being removed.
- The dewatering option recommended in this report is the construction of **sludge drying beds**.
- This has been chosen because it utilises both evaporation and gravity drainage; doesn't introduce additional plastics into the waste stream, and has slightly lower annual operating costs.

Recommendation

That Council approves:

1. Construction of wastewater sludge drying beds at the Rakaia wastewater treatment plant on Acton Road, Rakaia in the 2023/24 financial year with a budget provision of \$2.5M excluding GST;
2. A carryover of the \$3.14M established for the Grit Chamber Pipeline Renewal project in the 2022/23 year, to cover the remaining design, and consenting works of the grit chamber project, and the sludge drying bed budget provision; and
3. Reprogramming the physical works phase of the Grit Chamber Pipeline Renewal project for construction in the 2024/25 financial year.

Background

History

1. The Rakaia wastewater treatment plant (WWTP) was commissioned in 1999.
2. Wastewater sludge is a by-product of the treatment process, and in the case of Rakaia comprises sludge from the primary and secondary clarifiers. The original method for sludge disposal at the WWTP was for irrigation of the sludge to forestry blocks planted at the site for that specific purpose.
3. This disposal system proved to be extremely labour-intensive requiring periodic manual relocation of above ground irrigation pipelines and sprinkler units. The associated operational difficulties with this system eventually manifest as non-compliances with the resource consent in regard to the sludge disposal practices. There were also exceedances of sludge nitrogen loading limits.
4. These compliance issues were eventually the impetus to apply for a consent variation to allow irrigation of the sludge to pasture and seek a modification to how the nitrogen loading limits for the site were calculated. These site operations and consent changes were made circa 2012.
5. Further compliance issues with sludge limits continued since that time and further modifications have been made to the areas used for sludge disposal. A Compliance Monitoring Report (CMR) for the discharge to land, issued by ECan in September of 2021, assessed the Overall Inspection Compliance as **Significant Non-compliance**. This result led to further changes at the site including the bringing forward of the renewal of the effluent irrigator and changes to the operation of the travelling sludge irrigator.
6. As part of the response to this significant non-compliance we also committed to investigating alternate sludge disposal options. These options are based on eventual removal of the sludge from the site entirely. Obviously before sludge is transported from the site, it is desirable to remove as much water from the sludge as possible i.e. dewatering.
7. We were progressing a project for a sludge dewatering system using “geobags”, with \$260,000 budgeted in 2022/23 to progress the project. However, as the design was developed, the actual costs to implement a solution ranged from \$1.05M to \$1.48M for geobags and sludge drying beds respectively. The primary reason for the movement in estimated construction cost is the requirement for substantial drainage infrastructure to be constructed beneath both options. As a result, the project was placed on hold and we revisited further operational site fixes in an attempt to address compliance.

Current Situation

8. In May 2023, Council was issued with a new CMR in respect to the discharge to land. This documented another Significant Non-compliance. This one however is very different, as the

compliance agency now questions if our consent is actually appropriate for the wastewater plant we have. This is due to the WWTP generating “primary sludge”, an aspect that wasn’t envisaged in strict accordance with the consent.

9. The consenting agency’s new position appears to leave Council with only one path to compliance at the Rakaia site, that being, for no disposal of sludge to land. This means sludge will need to be removed from the site. To do this cost-effectively it is necessary for it to be de-watered prior to removal.

Options analysis

10. There are three options identified for Council to consider. All options will require a variation to the current resource consent.

Option one – Construction of sludge drying bed facility [Recommended Option]

11. Estimated budget cost \$2,500,000.
12. This option involves the construction of a sludge drying beds facility. Sludge drying beds use a combination of evaporation and gravity drainage through sand-lined concrete beds to dewater sludge.
13. Based on the daily volume of sludge and the drying period, 12 sludge drying beds of 100m² each are required at the Rakaia WWTP. Sludge drying beds are operated in batch mode and are left to dry once filled.
14. Sludge needs to be manually removed when dry, emptying of a bed will take approximately one day. Based on a single fill, drain, and emptying philosophy it is estimated that two beds need to be cleaned every two weeks.



<p>Advantages:</p> <ul style="list-style-type: none"> • Simple operation with minimal operator attention required. • Sludge removal is regular activity spaced throughout the year. • Less opportunity for odour generation (once crust is formed). • Minimal consumables involved in process. • Multiple modes of dewatering i.e. drainage and evaporation. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Higher capital cost. • Performance could be susceptible to weather conditions. • Potential for odours if poorly managed.
<p>Risks:</p> <ul style="list-style-type: none"> • Operational requirements are higher than expected. 	

Option two – Construction of a geobags disposal facility

- 15. Estimated budget cost \$1,786,000.
- 16. Geotextile dewatering bags or geobags are polypropylene filtration bags that are used to separate solids from water. The bags are produced in a wide range of sizes and micron meshes. These bags are suitable for use in smaller wastewater treatment plants where capital and operator input are limited.
- 17. The geobags must be positioned over a similar drainage structure as the bed option. The geobags are then filled with sludge. Once full, the bag is allowed to dewater completely. Multiple bags are required to allow cycle operation of filling and dewatering. Other bags are filled while the first bag is dewatering. When dewatering is complete, the bag is cut open and sludge is taken out for disposal off-site.

Advantages:

- Relatively simple technology.
- The geobags may provide more site flexibility.
- Less susceptible to weather conditions.

Disadvantages:

- High capital cost.
- Single mode of dewatering i.e. drainage only.
- Geobags can increase the likelihood of odours from the site.
- May take longer to dewater the same volume of sludge
- The geobag material is a synthetic, single use consumable, and will add to the waste stream.
- Sludge removal is a significant activity 1-2 times a year.
- May require additional bunding to address failure risk.

Risks:

- The increased odour potential may result in odour complaints that are not easily managed.
- Operational requirements are higher than expected.

Option three – Apply to vary the consent to permit current operations

18. Estimated budget cost \$75,000 (OPEX).
19. This option involves simply attempting to re-consent the site in its current form. The consent variation would seek to formalise the disposal of primary sludge to land and amend nitrogen trigger levels to meet what the plant can currently achieve.
20. It should be noted, that the application of primary sludge to land is not common in New Zealand and given the direction of environmental legislation it seems unlikely that this option would be successful.

<p>Advantages:</p> <ul style="list-style-type: none"> • Lowest cost option. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Cost is OPEX and rate funded. • Doesn't address potential impacts occurring to the environment. • Unlikely to be supported by Arowhenua. • Unlikely to be successful.
<p>Risks:</p> <ul style="list-style-type: none"> • Consenting agency may issue an abatement notice in interim to force a more substantive solution. • May result in negative publicity for Council and reputational damage. 	

21. Other options investigated but discounted include: **anaerobic digestion** (not economic at Rakaia WWTP scale); **aerobic digestion** (still requires dewatering in some form); **solar drying** (could be a future improvement for sludge drying beds); and **reed beds** (unproven in NZ).

Legal/policy implications

Legislation

22. Council holds consents issued under the Resource Management Act. For the Rakaia WWTP these include: Discharge contaminant to land ([CRC980564.1](#)); Discharge contaminant to air ([CRC980565](#)); and a water take ([CRC980563](#)).
23. The consent at the centre of the issue for this report is the discharge to land.
24. Any application to vary our consent is captured by the Canterbury Land and Water Regional Plan. The relevant rule is 5.84 and reads as follows:

Sewerage Systems

5.84 The use of land for a community wastewater treatment system and the discharge of sewage sludge, bio-solids and treated sewage effluent from a community wastewater treatment system and the discharge of sewage sludge and bio-solids from an on-site wastewater treatment system into or onto land, or into or onto land in circumstances where a contaminant may enter water are discretionary activities.

Compliance Issues

25. This matter has arisen as a result of ongoing compliance issues experienced at the site. Up until the most recent compliance monitoring report (CMR), officers considered there was time to further explore improved management options that might still provide for disposal of sludge on site.

26. At the time of the May CMR, ECan stopped short of issuing an abatement notice, and sought a response from Council on the latest CMR. In response, officers outlined in writing an approach that included placing this report before Council to seek the required funding for the capital upgrades.
27. An additional, but relatively minor undertaking was agreement to install three piezo-bores at the Rakaia site to investigate/determine if there have been any impacts on groundwater quality arising from the discharge of primary sludge. ECan have provided advice on the location and depth of these bores (received 03/08/23). This work is being progressed.
28. It is anticipated that if an off-site sludge disposal option is not progressed within a satisfactory timeframe, Environment Canterbury will likely issue an abatement notice for the discharge of sludge at the site.

Health & Safety

29. The addition of wastewater sludge drying beds is not expected to result in any additional unmanageable health and safety concerns.
30. Health and safety considerations will be fully explored and resolved through a “safety in design” process as part of professional services consultant’s detailed design process. Note:- It is a legislative requirement to consider health and safety aspects during the design phase.

Climate change

31. The recommended option described in this report is considered to contribute to Council’s Climate Resilience Plan 2022. In particular goal 2, ensure the sustainability of Council assets and services for the present and future wellbeing of the Ashburton District.
32. In terms of sustainability, the development of sludge drying beds is considered to have a partial edge over the geotextile dewatering bags. Primarily due to the consumable and synthetic nature of the bags and their addition to the waste stream.
33. It should be noted the net carbon footprint for the Rakaia wastewater treatment plant will unavoidably increase as a result of the proposed changes due to the transportation of dried sludge to landfill. This impact is similar for both dewatering options.

Strategic alignment

34. The recommendation relates to Council’s community outcome of *a balanced and sustainable environment* because the new infrastructure is intended to reduce our impact on the natural environment.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		
Environmental	✓	The dewatering and eventual removal of primary sludge from the Rakaia WWTP will reduce the amount of nitrogen discharged to the land and its potential to impact groundwater.
Cultural	✓	Any capital improvements that result in a reduction of contaminants being applied to land is expected to be supported by Arowhenua.
Social		

Financial implications

Requirement	Explanation
What is the cost?	\$2,500,000 If loan funded separately, the estimated impact on the group wastewater rate is an additional \$18.10/year. Note-: 2023/24 group wastewater (connected) rate is \$516.90
Is there budget available in LTP / AP?	Yes (in part). \$262,350 was budgeted in the 2022/23 to fund a sludge disposal upgrade. This is being used currently to fund compliance related improvements and detailed design of the recommended capital upgrade.
Where is the funding coming from?	There was \$3.14M budgeted in the 2022/23 year for the Grit Chamber Pipeline Renewal project. Due to the design phase taking longer than expected, the physical works on this project has been delayed. It is proposed that this budget be carried over to complete the remaining detailed design and consenting of the grit chamber pipeline project and cover the \$2.5M reallocated to the Sludge Drying Bed project.
Are there any future budget implications?	Yes. Site operational expenses are expected to increase by \$90,000/annum ¹ plus an estimated \$87,500/annum for loan interest expense totalling a total increase of \$177,500 across the group.
Reviewed by Finance	Erin Register; Finance Manager

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No

¹ No allowance has been made for potential savings accruing from no longer managing the current sludge irrigation system.

Level of significance	Medium
Rationale for selecting level of significance	The matter is enabling a solution to a problem that requires fixing to enable system compliance.
Level of engagement selected	Inform – one way communication.
Rationale for selecting level of engagement	The project is driven exclusively for compliance related reasons and as such there is limited to no discretion to the work proceeding. There is a decision to be made around the final solution, however for the most part this is an engineering-based decision. Communication will be important with the local community to ensure understanding of the approach finally selected.
Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager

6. Ashburton Car Club Standing Quarter Mile Meeting – temporary road closure

Author	<i>Mark Smith; Corridor Manager-Roading</i>
Activity Manager	<i>Mark Chamberlain; Roading Manager</i>
Executive Team Member	<i>Neil McCann; Group Manager – Infrastructure Services</i>

Summary

- This report considers an application from the Ashburton Car Club for temporary road closure of the section of Blands Road from the Methven Highway to Dip Road on the 9 September 2023 to hold the Standing Quarter Mile Meeting.
- This report outlines the benefits and risks to be taken into consideration on whether to approve or decline the road closure.
- The Ashburton Car Club has run casr racing events safely and successfully for over 18 years. Their events are well organised and every risk and precaution is taken by the organisers to ensure that the highest levels of safety are maintained. Their events are highly supported by the local community and are a valued attraction to the District.
- Council is not obliged to approve any road closures. Our practice has been to approve such requests, subject to being confident that the event organisers can manage the event safely, and that the road will be restored to pre-race condition.
- Officers are satisfied that the Ashburton Car Club can meet these expectations, as they have repeatedly done so for many years. This event requires a detour and two of the roads concerned do experience high traffic volumes. Full detour signage will be in place and this event will be well advertised for these reasons. Officers recommend the request be approved.
- Objections closed on 11 August 2023 and no objections were received.

Recommendation

- 1. That** Council permits the temporary road closure of Blands Road from Dip Road to the Methven Highway from 9.00 am on Saturday 9 September 2023 until 4.30 pm on Saturday 9 September 2023 to allow the Standing Quarter Mile Meeting.

Attachment

Appendix 1 Overview of road closure

Background

1. The Ashburton Car Club has applied to Council for temporary road closure to allow it to hold the Standing Quarter Mile Meeting.
2. The event has been advertised with the objections period closing on Friday 11 August 2023. No objections had been received at the time of writing.
3. The required insurance and traffic management plan has been received.
4. This application must be considered by Council under clause 11(e) of the Tenth Schedule of the Local Government Act 1974, because New Zealand Motorsport, of which the Ashburton Car Club is a member, requires roads to be closed for motorsport events under the Local Government Act, as event participants may be under 18 years of age.
5. The Ashburton Car Club has applied for a Road Closure at Blands Road from Dip Road to Methven Highway to hold the Standing Quarter Mile Meeting from 9.00 am Saturday 9th of September 2023 to 4.30 pm Saturday 9th September 2023.

The affected road section is:

- Blands Road from Dip Road to Methven Highway (Highway signage approved)

Options analysis

Option one – Approve Road closure (Recommended)

6. Our practice has been to approve such requests, subject to being confident that the event organisers can manage the event safely, and that the road will be restored to pre-race condition.
7. Ashburton Car Club has a strong record of safe and successful management of these events in the district for over 18 years.
8. The responsibility for risk-free operation lies with the organisers and all contingencies are covered in the conditions of closure.
9. The road condition will be inspected by Roading staff before and after the event. Staff are confident that the asset will be returned to its pre-existing condition after the event.
10. For these reasons, Officers recommend Option 1.

<p>Advantages: Well-run /well organised; these events have been held for a number of years without incident and are well supported by the local community.</p>	<p>Disadvantages If an incident occurs this could prevent access to the road for a period of time.</p>
<p>Risks:</p> <ul style="list-style-type: none"> • Potential safety issues. • Travel impact on residents, road users, spectators, and local businesses • The impact on the condition of the road. <p>These risks are considered LOW overall as they can all be successfully managed.</p>	

Option two – Decline road closure

11. As per option 1 our practice has been to approve such requests, subject to being confident that the event organisers can manage the event safely, and that the road will be restored to pre-race condition.
12. Ashburton Car Club has proven they can run this event with no issues so declining the temporary closure is not recommended by officers.

<p>Advantages: Any safety, travel delay or road condition impacts are avoided.</p>	<p>Disadvantages: Many people look forward to these types of events and they provide a positive attraction to the District.</p>
<p>Risks: Reputational risk to Council to hold Motorsport Events within the District</p>	

Legal/policy implications

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

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

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

Review of legal / policy implications

Reviewed by In-house Counsel

Tania Paddock

Strategic alignment

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Events attract visitors from outside the District. Impact on the condition of council infrastructure is managed by requirements to restore the road to pre-race condition.
Environmental	✓	Motor sports events, like all motorised transport uses, generates greenhouse gas emissions. Policies to manage this are largely the preserve of Central Government.
Cultural & Social	✓	Connect communities to enable business, leisure, and social activities (social, cultural wellbeing).

Financial implications

Requirement	Explanation
What is the cost?	No costs incurred to Council
Is there a budget available in LTP / AP?	N/A
Where is the funding coming from?	All costs associated with this event are being paid by the organisers (Ashburton Car Club)
Are there any future budget implications?	No
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

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

Appendix 1

Overview of Road Closure



7. *Electoral System decision*

Author	<i>Femke van der Valk; Policy Advisor</i>
Activity Manager	<i>Mark Low; Manager Strategy & Policy</i>
Executive Team Member	<i>Toni Durham; GM Democracy & Engagement</i>

Summary

- Council will carry out a representation review in accordance with the Local Electoral Act 2001 requirements prior to the next triennial elections which are to be held on 11 October 2025.
- In addition to reviewing and establishing its representation arrangements for this election, Council may choose to change the electoral system from the one used at the previous triennial election.
- Council may pass a resolution on the electoral system (FPP/STV) no later than 12 September 2023. The purpose of this report is to consider the preferred electoral system for the 2025 local elections.
- Public notice of the right to demand a poll, in terms of Section 28 of the Local Electoral Act 2001, on the electoral system must be given no later than 19 September 2023.

Recommendations

1. **That** Council continues to use the First Past the Post (FPP) electoral system, noting that this will apply for the 2025 local election
2. **That** Council gives public notice no later than 19 September 2023 of the resolution passed under section 27 of the Local Electoral Act 2001 and the right of electors to demand a poll on the electoral system.

Attachment

Appendix 1 The Local Government Electoral Option 2023

Background

The current situation

1. Local authorities are required to review their representation arrangements at least once every six years. Council will do this via a representation review in accordance with the Local Electoral Act 2001 requirements prior to the next triennial elections which are to be held on 11 October 2025.
2. By carrying out a review, Council will be looking to achieve effective and fair representation of all the communities of interest within the district.
3. The arrangements that need to be reviewed are:
 - Total number of Councillors
 - Wards, “at-large” or mixture
 - Māori ward or other representation
 - Number of Councillors per ward, “at-large” or mixture
 - Whether to have community boards (and if subdivided)
 - Number of elected and appointed members per community board
 - Boundaries and names of wards, community boards (subdivisions if applicable)
4. Public consultation, with iwi and other groups, will be undertaken and will involve pre-consultation and formal consultation.
5. In addition to reviewing and establishing its representation arrangements for the upcoming election, Council may resolve to change the electoral system under Section 27 of the Local Electoral Act 2001 (LEA). This provides for local authorities to choose either of the following as their electoral system for local elections:
 - First Past the Post (FPP) or,
 - Single Transferable Vote (STV).
6. Council may choose any of the following options:
 - Retain FPP for the 2025 election;
 - Change to STV for the 2025 and 2028 elections;
 - Resolve, no later than 11 December 2023, to undertake a poll of electors on the electoral system to be used for the 2025 and 2028 elections;
 - Do nothing – status quo of FPP remains, unless changed by a poll demanded by electors.
7. A change to the electoral system can be initiated by a Council resolution or a poll of electors. If Council wants to change the system the resolution to do so must be passed by 12 September 2023.

8. It is not mandatory for Council to pass a resolution. Council can do nothing and will default to the status quo electoral system, being FPP.
9. An electoral poll to change the system can be either held at the initiative of a council (by resolution) or be demanded by a minimum of 5% of the electors (ADC: 1,156). The indicative costs of a standalone poll is approximately \$95,000. The result of a poll is binding, and the electoral system adopted must be used for the next two triennial local elections. A recent legislative change has meant a valid demand for a poll must be received by 11 December 2023.
10. Public Notice of the right of electors to demand a poll must be published by 19 September 2023. The public notice will include Council's preferred system (if resolved), and a statement that a poll is required to countermand that decision. A poll on a proposal that a specified electoral system be used may be demanded by at least 5% of electors at any time, but to impact the 2025 local elections must be received by 11 December 2023.

Electoral Voting Systems

First Past the Post (FPP)

11. The FPP electoral system is the system currently used by Council. It is considered as a simple method of electing candidates and used by the majority of local authorities. Under this system the voter places a tick in the box beside the name of their preferred candidate(s). Each tick represents a vote and the candidate(s) with the most votes is duly elected to the position(s).
12. The voters for the unsuccessful candidates have no further say in the election.
13. Although FPP is very simple, it has been argued that the results of an FPP election may not always reflect the wishes of the majority of voters for single candidate elections. The following examples show how results of FPP elections may vary.



	Number of Votes	Percentage of Votes
Candidate One	140	70%
Candidate Two	20	10%
Candidate Three	20	10%
Candidate Four	20	10%
	Total Votes = 200	Total = 100%

14. In this example, the winning candidate received 70% of the total votes, which is a clear majority of votes as most of the voters did support the winning candidate.
15. However, under the FPP system a winning candidate might receive more votes than any other one candidate but receive fewer votes than the other candidates put together.

	Number of Votes	Percentage of Votes
Candidate One	80	40%
Candidate Two	60	30%
Candidate Three	40	20%
Candidate Four	20	10%
	Total Votes = 200	Total = 100%

16. In this case, the winning candidate received 40% of the total votes, the other candidates received 60% of the votes. It could be said that the election result did not reflect the wishes of the majority. It has also been argued that even where the winning candidate gets the majority of the votes, many people's votes are "wasted".
17. When you have multiple candidates elected in the election, e.g for a ward with 5 of the candidates being elected, the percentage of votes per candidate will likely not be a majority for most of the candidates.
18. The progress results from FPP are available soon after close of voting on polling day. The preliminary results are released as soon as all of the voting papers received at the local office have been processed.
On election day in 2022 FPP progress results were sent to council at 12.36pm.

Single Transferable Vote (STV)

19. The Single Transferable Voting electoral system is a form of preferential voting where voters rank some or all candidates in order of personal preference. In order for a vote to be valid, each voter needs to rank only one candidate. However, the more candidates that are ranked by a voter the greater the contribution that vote makes to the final result.
20. This is how a voting form might look for a local authority election held under the Single Transferable Voting method. There are three vacancies in this ward. Instead of a tick a voter ranks candidates in order of preference – "1" = first choice, "2" = second choice, "3" = third choice and so on. Each voter can rank as few or as many candidates as they wish.

HYPOTHETICAL CITY COUNCIL DOWNTOWN WARD ELECTION OF THREE (3) COUNCILLORS	
Rank candidates in order of preference ... '1' '2' '3' etc	
BROWN, Sandy	3
JONES, Sam	1
OWENS, Harry	5
SMITH, Ngaire	2
WATSON, Alice	4

21. Candidates must reach a set number (quota) of votes in order to be elected. By numbering the preferences a voter is saying: *"The candidate I most want to represent me on the council is Sam Jones. He is my number one choice - but if he gets more votes than the quota, then part of my vote is to be transferred to my second choice, Ngaire Smith, and maybe this will help to get her elected. On the other hand, if Sam has so little support that he can't possibly be elected, transfer my vote to Ngaire..."*
22. If your first preferred candidate (no. 1) either does not need all the votes they get, part of your vote is transferred to your next preferred candidate, or has no chance of being elected, your whole vote is transferred to your next preferred candidate.
23. In an STV election, the Quota is the number of votes a candidate needs to get elected. It is based on the total number of votes cast and the number of people needed to be elected to fill all the vacant positions. The quota is calculated in the following manner:
- In an election with three vacant positions, where there were 4,000 valid votes, the quota would be:*
- $$4000 \text{ (Votes)} \div (3 \text{ (Vacancies)} + 1) = 1000$$
- So in this case the quota would be 1000.
24. The costs for an STV election are about 25-30% more to process the votes (ADC: approx \$8,000).
25. The processing of STV requires special software which includes the Department of Internal Affairs approved STV calculator. The Council's election provider, elections.com has the necessary equipment and the processes in place for STV. STV results are sent to councils between 1.30-2.30pm on election day.

Previous Council direction

26. Council last voted on the electoral system during the previous Council Representation Review in 2017. Council then decided to 'do nothing', retaining the status quo of the time, being the First Past the Post (FPP) system.

What do other Councils do?

27. There are currently 15 councils (14 Territorial Authorities and one Regional Council) using STV. These councils are: Kaipara, Kapiti Coast, Porirua, Wellington, Marlborough, Dunedin, Palmerston North, Greater Wellington RC, Tauranga, Ruapehu, New Plymouth, Far North, Hamilton, Gisborne and Nelson.
28. The Future for Local Government report is recommending using the STV electoral system for all councils. There was also discussion at the LGNZ conference about having a more unified approach to elections.
29. The Ashburton District voting paper (when elections are held) includes Ashburton District Council, Environment Canterbury and the Braided Rivers Trust. ECAN has considered its voting system and confirmed on 16 August 2023 that they will continue to use FPP.

Options analysis

Option one – Council confirms the First Past the Post (FPP) system as the preferred electoral system for the 2025 Local Elections (recommended option).

30. Council can decide to retain the status quo and use First Past the Post (FPP) as the electoral voting system for the 2025 Local Elections.

<p>Advantages:</p> <ul style="list-style-type: none">- Familiar and easy to use system- Quicker results (1-2 hours)- Same voting system as ECAN	<p>Disadvantages:</p> <ul style="list-style-type: none">- System is considered ‘less fair’ than STV where the preferences of more voters are reflected in election results and less votes are ‘wasted’.- Single member wards or mayoralty can result in a “minority” winner. (ie <50%)
<p>Risks:</p> <ul style="list-style-type: none">- Not following the recommendation from the Future of Local Government report (which is STV).	

Option two – Council changes the electoral voting system to Single Transferable Voting (STV) for the 2025 and 2028 Local Elections.

31. Council can decide to change the electoral system and resolve to use the Single Transferable Vote (STV) system as the electoral system for the 2025 and 2028 Local Elections.

<p>Advantages:</p> <ul style="list-style-type: none"> - Fairer system as the preferences of more voters are reflected in election results and less votes are ‘wasted’. - For the mayoralty, winning candidate has support from more than 50% of the votes cast. - Following the recommendation from the Future for Local Government report. - Early research demonstrates that STV leads to improvements in the representation of women (Vowles and Hayward 2021). 	<p>Disadvantages:</p> <ul style="list-style-type: none"> - Might be considered as a more complicated voting process. - approx \$8,000 additional costs - Longer wait for results (1-2 hours)
<p>Risks:</p> <ul style="list-style-type: none"> - Potential of more informal votes because of voter unfamiliarity with the system during the first elections (2025). - With ECAN using FPP it means there will be two different voting systems on one form. This could be considered confusing and potentially lead to more informal votes. 	

Legal/policy implications

32. The Representation Review Process is governed by the [Local Electoral Act 2001](#)
33. Local Electoral Act, [Section 27](#), empowers local authorities to change Electoral Systems: *‘Any local authority may, not later than 12 September in the year that is 2 years before the year in which the next triennial general election is to be held, resolve that the next 2 triennial general elections of the local authority and its local boards or community boards (if any), and any associated election, will be held using a specified electoral system other than that used for the previous triennial general election.’*
34. [Sections 28](#) refers to the Public Notice of right to demand a poll on electoral system.
 1) *‘Every local authority must, not later than 19 September in the year that is 2 years before the year in which the next triennial general election is to be held, give public notice of the right to demand, under section 29, a poll on the electoral system to be used for the elections of the local authority and its local boards or community boards (if any).’*
 (2)/(2A)/(3)...
35. [Sections 29-34](#) refer to the process and requirements for demanding a poll, the Electoral systems for polls (s35) and Voting methods for elections and polls (s36-37).

Climate change

36. Council’s decision on the Electoral System is not expected to have an impact on Climate Change.

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

Strategic alignment

37. The recommendation relates to Council’s community outcome of ‘ Residents are included and have a voice’.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	X	
Environmental	X	
Cultural	X	
Social	✓	The choice of electoral system for our community will provide the opportunity to our community to be involved, to influence local outcomes and decisions and to gain a sense of ownership.

Financial implications

Requirement	Explanation
What is the cost?	If Council decides to change to the STV electoral system this comes with an increase in votes processing costs (approx \$8,000). Elections costs are budgeted for as part of the LTP.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Democracy Budget
Are there any future budget implications?	If an electoral system poll is demanded, either by Council resolution or by a minimum of 5% of the electors, the indicative costs to consider (for a standalone poll) are approximately \$95,000. Funding for this would need to be found.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

38. The decision on the electoral system has been assessed and does not trigger high significance. Council may, not later than 12 September 2023, under the Local Electoral Act 2001, resolve that the next 2 triennial general elections will be held using a specified electoral system other than used for the previous general election.

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The community will be informed of Council's decision through the usual media channels. Council must, no later than 19 September, give public notice of the electors right to demand an electoral system poll.
Reviewed by Strategy & Policy	Toni Durham: GM Democracy & Engagement

Appendix: The local government electoral option 2023

Code of good practice for the management of local authority elections and polls 2025



APPENDIX: THE LOCAL GOVERNMENT ELECTORAL OPTION 2023

This guide was prepared for Taituarā by Professor Janine Hayward, Politics/ Tōrakapū, University of Otago.

Contact details for Professor Hayward are:

PO Box 56

Dunedin

Tel 03 479 8666

janine.hayward@otago.ac.nz

Introduction

The Local Electoral Act 2001 offers the choice between two electoral systems for local government elections: first past the post (FPP) and single transferable voting (STV).

Councils now have the option to decide, by 12 September 2023, whether to stay with their current electoral system (either FPP or STV), or whether to change to the alternative system for the 2025 elections.

Whether or not a council passes a resolution by 12 September 2023, it must give public notice by 19 September 2023 of the right for 5% of electors to demand a poll on the electoral system to be used at the 2025 local elections. Note that in certain cases the requirement to give public notice does not apply.

The option was first offered for the 2004 local government elections. As a result of that option, 10 city/district councils used STV at the 2004 elections (Kaipara, Papakura, Matamata-Piako, Thames-Coromandel, Kāpiti Coast, Porirua, Wellington, Marlborough, Dunedin and the Chatham Islands). After the 2004 election, two councils (Papakura and Matamata-Piako) resolved to change back to FPP. The remaining eight councils used STV at the 2007 elections. For the 2010 council elections, Chatham Islands and Thames-Coromandel councils resolved to change back to FPP. Waitakere City Council resolved to change to STV, although the council was subsequently absorbed into the Auckland Council. Six councils used STV in 2010 (Kaipara, Kāpiti Coast, Porirua, Wellington, Marlborough, Dunedin). For the 2013 elections, five of these councils used STV again (Kaipara was governed by a commission so no election was held), Palmerston North City Council resolved to change to STV and Greater Wellington Regional Council became the first regional council to change to STV. In 2016, eight councils used STV (Dunedin, Kaipara, Kāpiti Coast, Marlborough, Porirua, Wellington, Palmerston North and Greater Wellington Regional Council). For the 2019 elections, Ruapehu, Tauranga and New Plymouth also changed to STV, bringing the total to 11 councils. A further four councils moved to STV for the 2022 elections which were Far North, Gisborne, Hamilton and Nelson bringing the total to 15 councils, although Tauranga did not have elections in 2022 being under commissioners.

This guide has been developed to help councils reach their decision. It is also intended to provide a basis for information to help local communities understand the issues. Communities have an important role to play in the decision. They must be consulted by way of public notice and may be polled on their preferred electoral system or demand a poll themselves.

The guide includes:

1. a brief description of the two electoral systems including important differences
2. some commonly identified advantages and disadvantages of each electoral system
3. responses to common concerns and questions councils and the public have raised about each electoral system and the electoral option.

This guide does not intend to influence councils either way in their decision-making. It presents arguments for and against both systems and encourages councils and communities to make an informed choice.

1. The Choice: First Past the Post (FPP) or Single Transferable Voting (STV) ?

(a) How do the two electoral systems work?

FPP	STV
<p>FPP: casting a vote You place ticks equal to the number of vacancies next to the candidate(s) you wish to vote for.</p> <p>In multi-member wards/constituencies you cast one vote for each vacancy to be filled, as above.</p> <p>In single-member wards/constituencies you cast one vote.</p>	<p>STV: casting a vote You cast a single vote regardless of the number of vacancies. You cast this single vote by consecutively "ranking" your preferred candidates beginning with your most preferred candidate ('1') your next preferred candidate ('2') and so on.</p> <p>In multi-member wards/ constituencies you cast a single vote by ranking as few or as many candidates as you wish, as above.</p> <p>In single-member wards/constituencies you cast a single vote by ranking as few or as many candidates as you wish.</p>
<p>FPP: counting votes The candidate(s) with the most votes win(s). A winning candidate might not have a majority of votes, just the largest number of votes cast.</p>	<p>STV: counting votes The candidate(s) are elected by reaching the "quota" (the number of votes required to be elected).³ Vote counting is carried out by computer.⁴ First preference votes ('1s') are counted. Candidates who reach the quota are "elected". The "surplus" votes for elected candidates are transferred according to voters' second preferences. Candidates who reach the quota by including second preferences are "elected". This process repeats until the required number of candidates is elected.⁵</p>
	<p>In multi-member constituencies, despite voters casting only a single vote, a voter may influence the election of more than one representative (if part of their vote is transferred to another candidate according to the voter's preferences).</p>

³ The quota is calculated by dividing the total number of valid votes cast by the number of vacancies to be filled plus one

⁴ The New Zealand method of STV uses the 'Meek method' of counting votes. Because this method transfers proportions of votes between candidates, it requires a computer program (the STV calculator).

⁵ If at any point there are no surplus votes left to transfer, the candidate with the lowest number of votes is excluded and their votes redistributed according to voters' next preferences. For further information on the details of vote counting, see, for example, STV Taskforce, 'Choosing Electoral Systems in Local Government in New Zealand: A Resource Document', (May 2002).

FPP	STV
<p>FPP: announcing results FPP preliminary results can usually be announced soon after voting ends.</p> <p>Official results are announced and published showing the total votes received by each candidate.</p>	<p>STV: announcing results Because all votes must be processed before counting can begin, STV results might take longer to announce.</p> <p>Official results are announced and published showing elected candidates in the order they reached the quota and unsuccessful candidates in the order they were excluded.</p>

(b) What is the difference between the two electoral systems?

FPP is a “plurality” electoral system; this means that to get elected a candidate must win the most votes, but not necessarily a majority of the votes. FPP is a simple system for voters to use. In multi-member constituencies, like local government elections, voters cast multiple votes. As a plurality system, FPP is not designed to produce proportional results; that is, the election results do not necessarily reflect the preferences of the broad community of voters.

STV is a “proportional” electoral system; this means that to get elected a candidate must win a proportion of the overall votes cast (or “meet the quota”). In multi-member constituencies like local government elections, a voter casts a single vote by ranking his/her preferred candidates. As a proportional system, STV is designed to produce proportional results that reflect the preferences of the broad community of voters.

2. What are the Advantages and Disadvantages of Each System?

No electoral system is perfect, and different people will have different views on what is ‘fair’. Both FPP and STV have advantages and disadvantages.

The advantages of FPP relate to its characteristics as a plurality voting system: the simplicity of the voting process including the ways votes are cast, counted and announced.

The disadvantages of FPP relate to:

- disproportional election results, including the generally ‘less representative’ nature of FPP councils
- the obstacles to minority candidate election that do not help to elect a candidate
- the number of “wasted votes” (that is, votes that do not help to elect a candidate).

The advantages of STV, on the other hand, relate to its characteristics as a proportional voting system: a potential reduction in the number of “wasted votes” and majority outcomes

in single-member elections.⁶ Research shows that STV increases the chances for women to get elected.⁷

The disadvantages of STV relate to:

- the public might be less familiar with the system and voter education might be required
- matters of process such as the way votes are cast and counted (for example perceived complexity may discourage some voters)
- the way election results are sometimes communicated.

Deciding which electoral system is best for your community may come down to deciding which is more important: process, or outcome. Unfortunately, neither electoral system can claim to achieve well in both.

(a) More detailed advantages and disadvantages

FPP	STV
<p>FPP: casting votes FPP is a straightforward system of voting. FPP is familiar to most people.</p> <p>"Tactical" voting is possible; votes can be used with a view to preventing a candidate from winning in certain circumstances.</p>	<p>STV: casting votes STV is a less straightforward system of voting. There is a need for more information for people to understand the STV ranking system of candidates.</p> <p>It is virtually impossible to cast a "tactical" vote under STV. As a result, voters are encouraged to express their true preferences.</p>
<p>FPP: counting votes FPP is a straightforward system for counting votes. Votes can be counted in different locations and then aggregated. Election results are usually announced soon after voting ends.</p>	<p>STV: counting votes STV vote counting requires a computer program (the STV calculator). Votes must be aggregated first and then counted in one location. Election results will usually take a little longer to produce.</p>

⁶ For further discussion, see Graham Bush, 'STV and local body elections – a mission probable?' in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45–64 (Wellington: Victoria University Press, 2002).

⁷ Jack Vowles & Janine Hayward (2021) "Ballot structure, district magnitude and descriptive representation: the case of New Zealand local council elections", *Australian Journal of Political Science*, 56:3, 225-244, DOI: [10.1080/10361146.2021.1935449](https://doi.org/10.1080/10361146.2021.1935449)

FPP	STV
<p>FPP: election results Official results show exactly how many people voted for which candidates.</p> <p>Results are easy to understand.</p> <p>A “block” of like-minded voters can determine the election of multiple candidates in multi-member wards/ constituencies, without having a majority of the votes, thereby ‘over-representing’ themselves.</p> <p>The overall election results might not be proportional to voters’ wishes, and might not reflect the electoral wishes of the majority of voters, only the largest group of voters who may not be the majority.</p> <p>In single-member elections, the winner does not need to have the majority of votes, just the largest group of votes.</p> <p>There might be more “wasted” votes (votes that do not contribute to the election of a candidate).</p>	<p>STV: election results Official results will identify which candidates have been elected and which have not and in which order. They do not show how many votes candidates got overall, as all successful candidates will have the same proportion of the vote (the quota). This information, at stages of the count, can still be requested.</p> <p>Results can be easy to understand if presented appropriately.</p> <p>STV moderates “block” voting as each voter casts only one single vote, even in multi-member wards/constituencies.</p> <p>The overall election results are likely to reflect the wishes of the majority of voters in proportion to their support for a variety of candidates.</p> <p>In single-member wards/constituencies, the winner will have the majority of votes (preferences).</p> <p>Every vote is as effective as possible (depending on the number of preferences indicated) meaning there are likely to be fewer “wasted” votes (votes that do not contribute to the election of a candidate).</p>

3. Common Questions and Concerns

(a) FPP ain't broke: so why fix it?

For councils that are used to voting with FPP, it can appear that there is nothing wrong with this system and there is no need for change. But the Local Electoral Act 2001 requires councils to engage in this process in good faith, and encourages councils to consult with their communities about the electoral system they prefer.

(b) FPP is easy to understand. I can't trust a complicated system like STV.

It is often said that FPP is easy and STV is complex. A post-election survey has found, however, that most people have found it easy to fill in the STV voting document and rank

their preferred candidates.⁸ The way STV votes are counted is complicated. That is why it requires a computer program (STV calculator). The STV calculator has been independently certified and voters can trust that it only transfers a vote according to a voter's preferences ranked on his/her voting documents. Nothing (and no person) can influence the transfer of votes set out on voting documents.

(c) Won't voters be put off if the voting system is too complicated?

Voter turnout (the number of people voting) in STV local body elections has been mixed. Some councils' turnout was higher than the national average, and some lower.⁹ Turnout for District Health Board (DHB) elections (which had to use STV) was seen to be influenced by a range of factors including elections being at large for seven vacancies, the number of candidates (who are often less well-known than council candidates) and the fact this issue is usually at the end of the voting document.

Overall, voter turnout has been on the decline for many years. It is possible that more voters would turn out to local elections in the future if they feel with STV they have a better chance of electing a representative who better represents them than FPP has in the past.

(d) Won't there be more blank and informal votes under STV, which is not good for democracy?

Despite voters saying in the Local Government Commission survey that they generally found STV an easy way to vote, some voters did cast an invalid vote in STV elections (including DHB elections). A small proportion of these voters seemed confused by the voting system. But most blank and informal votes are thought to be due to two different voting systems (FPP and STV) appearing on the same voting document and to other factors, rather than being due to the way STV votes are cast.¹⁰

(e) STV won't work for our council because of our ward/at large system.

There is no 'rule' about the need or otherwise for wards or constituencies, but STV can be seen to provide the greatest benefit in wards or constituencies electing between three and nine candidates. If there are fewer than three candidates, the benefits of the transferable vote in terms of proportionality are not likely to be evident. In single member constituencies (mayoral elections) STV ensures that the winning candidate has a majority of the votes. If voters have a very large number of candidates to choose from when ranking their preferences, they may find it a more difficult task (although there is no need to rank all candidates).

⁸ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), p 14

⁹ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), p 13

¹⁰ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), pp 13–18

(f) STV hasn't made any difference to the diversity of representation in STV councils

Until a greater variety of people stand for local body election and a wide diversity of people vote, no representation system will be able to improve the diversity of representatives elected. There has been some change in the gender, ethnicity and age of some members elected by STV.¹¹ Recent research shows that STV increases the chances for women to get elected.¹² But it will take some time for a diversity of candidates to see the opportunities of standing in an STV election and more voters to see the potential benefits of voting under a proportional representation system.

¹¹ Local Government Commission, 'Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation' (February 2008), pp 18–1

¹² Jack Vowles & Janine Hayward (2021) "Ballot structure, district magnitude and descriptive representation: the case of New Zealand local council elections", *Australian Journal of Political Science*, 56:3, 225-244, DOI: [10.1080/10361146.2021.1935449](https://doi.org/10.1080/10361146.2021.1935449)

USEFUL RESOURCES

Jack Vowles & Janine Hayward (2021) "Ballot structure, district magnitude and descriptive representation: the case of New Zealand local council elections", *Australian Journal of Political Science*, 56:3, 225-244, DOI: [10.1080/10361146.2021.1935449](https://doi.org/10.1080/10361146.2021.1935449)

Graham Bush, "STV and local body elections -- a mission probable?" in J. Drage (ed), *Empowering Communities? Representation and Participation in New Zealand's Local Government*, pp 45-64 (Wellington: Victoria University Press, 2002).

Christine Cheyne and Margie Comrie, "Empowerment for Encumbrance? Exercising the STV Options for Local Authority Elections in New Zealand, *Local Government Studies*, 31(2), April 2005: pp 185-204.

Justice and Electoral Committee, "Inquiry into the 2004 local authority elections" reported to Parliament in August 2005.

Local Government Commission, "Report to the Minister of Local Government on the review of the Local Government Act 2002 and the Local Electoral Act 2001: Special topic paper: Representation" (February 2008)

(Note: this paper has now been withdrawn from the Commission's website but its contents may be found in the Commission's main report on its review of the above legislation which will be posted on its website in the near future at www.lgc.govt.nz.)

STV Taskforce (The Department of Internal Affairs, Ministry of Health, SOLGM, Electoral Commission and Local Government New Zealand), "Choosing Electoral Systems in Local Government in New Zealand: A Resource Document", (May 2002).
[\[http://www.dia.govt.nz/Pubforms.nsf/URL/STV.pdf/\\$file/STV.pdf\]](http://www.dia.govt.nz/Pubforms.nsf/URL/STV.pdf/$file/STV.pdf)

Jack Vowles, "STV and the 2004 local elections: Disaster or success?", *Public Sector*, 28(3), 2005: 17

8. Ashburton Santa Parade – Community Events Grant

Author *Ann Smith, Community Liaison Officer*
Executive Team Member *Toni Durham; GM Democracy & Engagement*

Summary

- The purpose of this report is to review and approve the change of date, for the allocation of \$4,000 of Community Events funding for the Ashburton Santa Parade

Recommendation

- 1. That** Council revokes the decision to grant \$4,000 of Community Event funding 2023/2024 for the Ashburton Santa Parade for Sunday 3 December 2023.
- 2. That** Council approves the application for \$4,000 of Community Event funding 2023/2024 for the Ashburton Santa Parade for Saturday 2 December 2023.

Attachment

Appendix 1 Original funding application
Appendix 2 Email from Carol Johns

Background

The current situation

1. When submitting her application for the Community Events Grant for the Ashburton Santa Parade, Carol Johns had the Event Date on the application for 3 December 2023. See her application in Appendix One.
2. However, Carol Johns submitted an Event Application Form with Council's Event Advisor for Saturday 2 December 2023. This date differs from the grant funding application date.
3. The event application, including road closure, is yet to be approved and is not the purpose of this report.
4. Carol Johns has informed Council officers that she does not want to move the event to Sunday 3 December 2023 and had always intended to hold the event on the Saturday 2 December, but made a mistake with the date in her grant application form. Her reasons for wanting to retain the event on Saturday are set out in her email in Appendix 2.
5. The purpose of this report is solely to seek Council approval for the change in date for the grant funding, as requested by the grant applicant.

Options analysis

Option one – Approve the allocation of \$4,000 for road closure costs for the Ashburton Santa Parade for Saturday 2 December (Recommended).

<p>Advantages:</p> <ul style="list-style-type: none">- The parade will draw the community into the CBD on a trading day, creating an opportunity for retailers to promote their business for Christmas shoppers.- This option gives effect to the request of the applicant, who recognises they still have a separate road closure process to complete.- The change will correct a mistake in the original application	<p>Disadvantages:</p> <ul style="list-style-type: none">- Closing the roading network in the CBD on one of the busiest Saturdays of the year.- A few CBD retailers have indicated they would prefer the event to be held on a Sunday, as the road closures affects their Saturday trading. The road closure will go through a separate road closure notification process, where retailers will have the ability to object to the road closure if they wish.
<p>Risks: Disruption for some CBD retailers and Saturday shoppers</p>	

Option two – To keep the status quo, and the allocation of \$4,000 for the road closure costs for the Ashburton Santa Parade to remain for Sunday 3 December.

<p>Advantages: A few CBD retailers indicated they prefer this event to be held on the Sunday.</p>	<p>Disadvantages:</p> <ul style="list-style-type: none"> - The event organiser relies on help from some of the businesses open for Saturday trading. - Sunday may not suit some of the parade’s entrants due to religious commitments. - The mistake in the application is not corrected
<p>Risks: Funds not being spent on the allocated project. The parade being cancelled and reputational risk for Council.</p>	

Legal/policy implications

Climate change

6. There are no implications on climate change from the recommendation in this report.

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

Strategic alignment

7. The recommendation relates to Council’s community outcome of Grants and Funding for 2023/24 because of the below wellbeing outcomes.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic		
Environmental		
Cultural	✓	Promoting cultural equity through funding organisations that promote Cultural participation and events in our district.
Social	✓	Encouraging participation in communities by funding events, community spaces, and projects.

Financial implications

Requirement	Explanation
What is the cost?	\$4,000
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Grants budgeted
Are there any future budget implications?	No
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low-Medium
Rationale for selecting level of significance	Council decision on an event with medium community impact and interest, but not related to strategic assets or Te Runanga o Arowhenua and referring to low service levels and financial costs.
Level of engagement selected	Inform – one way communication. - Council decision will be made during public Council meeting - Council Liaison Officer to inform grant applicant on Council decision following the Council meeting.
Rationale for selecting level of engagement	Council decision will be made during public Council meeting.
Reviewed by Strategy & Policy	Femke van der Valk, Policy Advisor

Appendix 1

Your Organisation's details:

Organisation name: Ashburton Santa Parade

What is the application for?: Existing Event Funding

Your Organisation's postal address details:

Street Address :

[REDACTED]

Address Line 2:

City: Ashburton

State / Province / Region: Other

Postal / ZIP Code:

[REDACTED]

Country: New Zealand

Primary Contact Person

First Name: Carol

Last Name: Johns

Phone (Daytime):

[REDACTED]

Secondary Contact Person

First Name: Sheena

Last Name: Clark

Email Address:

Phone (Day time):

[REDACTED]

Details

Organization Overview: A group of volunteers who get together to run the Santa Parade . We are all getting old

Status:

Please attach a copy of Charities Commission Number if applicable: No file uploaded

Please attach a copy of Certificate of Incorporation if applicable: No file uploaded

Event Dates

Start Date: 3rd December 2023

Completion Date: 3rd December 2023

Event Location: East Street Ashburton

Event Overview: I am requesting \$10,000 towards the Annual Ashburton Christmas Parade which I have organised firstly through the ABA and for the past 9 years. This is a long standing Ashburton event supported by local organisations/groups and families who give their time freely to bring the Parade to the public of Mid Canterbury. I am applying for funding for Road closure costs which I expect to be around \$8000.00 and Health & Safety requirements to run the event. Road closure has more than doubled over the last couple of years and the Health & Safety has become a big part of running this event due to the use of moving vehicles and spectators.

Community need: Bringing the joy of Christmas to Mid Canterbury in this free to watch parade of community floats -dancing -pipe and silver bands. I have over the years encouraged more community participation in the Parade getting the community to take ownership of making this event the success it is but it is becoming stagnant as more money is needed to bring in more costumes and floats so it does not become the same old parade every year.

How will you make your event Smoke-free?: Will be advertised as a smoke free event

How will you make your event sun-smart?: Advertising

How are you working towards making your event zero waste?: Nothing is sold at this event and a drive of the street after is always litter free

If your event has been held in the past, what are you doing differently to build the capacity of the event?: I'm going to meet with the Timaru and Geraldine parade organisers to see if we can share props and costumes for each parade this way not having to purchase new all the time but also add to the Ashburton Parade. By reaching out to more groups and organisations to ask them to participate in the parade. Each year I have managed to add 5 new entries but my main problem is volunteers

What groups of people do you expect to attend your event? Please provide expected numbers.:

Council have a full list of participants which would be around 400 crowds up the streets estimate 8000 if not more

How and where do you intend to advertise this event?:

I have a FB page Do extensive FB advertising Local papers Local Radio Posters Signage This is the area I usually don't have the funds to do

How will you measure success for your event? Include what data sources you will use:

Registrations for participants : Crowds lining the streets and feedback from Media and video footage

Have you secured at least 50% of the total funding required for the event?:

I am in talks with NBS as the new major sponsor

Financial Information

Attach Budget outline :

Ashburton Santa Parade Costs.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 10.2 KB | Community-Development-Community-Events-Budget (1).docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 14.1 KB

What other funding are you applying for, for this event?

Organisation:

NBS

Amount requested:

\$5000

Date results known:

Not sure

Voluntary Efforts

Voluntary Effort:

Everyone is a volunteer

Donated Material:

Trucks as floats : Rural : Wilsons : Rainer Potato Chips : New World Storage of the Santa Parade containers x 2 : ACL Landscape Yard

What will happen to the event if you do not receive the full amount of the grant you have requested, including how you propose to meet any funding shortfall, if applicable?:

It was only two weeks before the event in December 2022 I was going to have to cancel until The Braided Trust granted me \$4000 too cover costs so if I can't secure funding the event will be in jeopardy of being cancelled . Funding shortfalls will be meet through sponsorship to cover the things this grant does not cover .

Application Confirmation

Confirmation of bank
account details:

IMG20230218145025.jpg, type image/jpeg, 2.5 MB

Quotes for the event costs:

No event costs as l.docx, type application/vnd.openxmlformats-officedocument.wordprocessingml.document, 9.7 KB

Terms and conditions

By clicking ACCEPT below,
you confirm that you have
read and understood and
accept the terms set out
above.:

ACCEPT

First Name:

Carol

Last Name:

Johns

Date:

2023-02-18 00:00:00

Appendix 2

Ashburton Santa Parade



Carol [REDACTED]
To Sarah Davidson
Cc Toni Durham; ADC Grants



Tue 01/08/2023 16:02

Afternoon Sarah

It has come to my attention I have put the 3rd December on my grants application for the Santa Parade . I have been granted \$4000 which was granted for the event to be held on the 3rd. As you will be aware both my event application and TMP both have the 2nd December which you also confirmed with me .

The Parade has been on a Saturday for as long as I can remember and has worked very well as the businesses that not only help me with trucks -forklifts but also provide trucks for the other entrants are open on a Saturday so they are not having to open especially to help us when already doing it for free .

Another reason for the Santa Parade being on a Saturday is due to the number of entrants (Our Pilipino -Samoan and church groups) and spectators that it would be excluded if held on a Sunday due to religious commitments . These groups have been a regular part of the parade for many years and their contribution is valued .

The Council have a procedure for objections to be made if anyone wishes .

I would appreciate a quick response to this dilemma due to my mistake as I am ready to make an announcement re the new sponsor and this year's new themed parade and if the grant is withdrawn this will be a major blow .

Regards

Carol Johns

9. *Tinwald Community Pool*

Author	<i>Ellen Nicol, Recreation Services Manager</i>
Activity Manager	<i>Richard Wood; Sports and Recreation Manager</i>
Executive Team Member	<i>Sarah Mosley; Group Manager: People and Facilities</i>

Summary

- The purpose of this report is to determine whether or not to operate the Tinwald Pool for the 2023/24 season.
- The context behind this report includes ongoing lifeguard shortages, within Ashburton and nationwide, the pool reaching its ‘end of life’ with a failure imminent, variable summer weather patterns during opening months and low swimmer visitation.

Recommendation

1. **That** Council agrees not to operate the Tinwald Pool for the 23/24 season.
2. **That** the long-term plan process will determine whether or not the Tinwald Pool rebuild project commences.

Background

The current situation

1. Tinwald Pool is approximately 50 years old and received its last refurbishment in 2012 through the dedication and determination of the then Tinwald Reserve Board. They obtained external funding and contributed much labour to make it happen.
2. The future of the pool in its current state is severely limited. The pool shell and inground pipework leak around 1,530,000 litres per season (17,000 litres a day) from unknown locations and the major plant cannot be replaced upon failure without significant changes to the water treatment assets above and below ground.
3. The required rebuild to return the Tinwald Pool into a fit for purpose outdoor swimming pool that would serve the community for the next 50 years comes with a significant price tag (estimated \$3 million).
4. The Tinwald Pool traditionally operates from November to early March utilising primarily tertiary students trained into lifeguard roles with the support of the EA Networks Centre team.
5. The highest patronage in any one season has been 3,050 in the 2020/21 season creating a financial loss of \$66,000 without inclusion of any overhead allocations. This equates to \$22 per person, \$4 paid by the swimmer and \$18 paid by general rates.
6. Staffing becomes a major issue every February when students return to tertiary study and EA Networks Centre team is stretched to manage both facilities.
7. Since late 2022, EA Networks Centre has been struggling to fill lifeguard vacancies and have had to reduce the pool hours to offset being between 50 and 150 hours short per week. At the time of writing the EA Networks Centre Aquatics team is currently recruiting for one Fulltime Lifeguard (40 hours) and 5 part time lifeguard shifts (32 hours)
8. Currently managers are filling on average 10-12 hours per week of lifeguarding to keep EANC operating on the already shortened hours. Running Tinwald Pool is likely to stretch this thin team too far, with officer's concern about providing the community with mixed messages that the Tinwald pool is open, then at short notice due to low staffing not operating this pool.
9. In mid 2023 officers met with Hamstead Pool Principal and Board Chair to understand their operation and if there was a way we could work together and provide a temporary alternative outdoor pool for the community. Despite the merits of this idea and willingness of both parties, officers have not included this as an option, as this would require more lifeguards to cover two facilities. Also, although Hampstead Pool's swimming season could potentially change (if Council was willing to cover the costs and

the Board approved) they currently only open their pool at the start of Term 1, to take advantage of the warmer February weather as the pool is not heated.

The Rebuild Project

10. The investment to complete the rebuild involves lining the pool as well as full replacement of piping and plant including an expanded plant room. The pool will then meet NZS 5826:2010 – Pool Water Quality & NZS 4441:2008 Public Pool Construction standards. The cost estimate of the rebuild (circa \$3m) excludes any modifications to the existing changing rooms, shop or storage area.
11. A LTP business case has been written for this rebuild project outlining the requirements and significant financial implications.

Options analysis

Option one – Plan to operate the pool from November to early March (Status Quo)

12. Continue the same operation as previous years, including the season start/end dates and operational days/times.
13. Officers do not recommend this option and note that this may not be viable due to staffing levels even if it is the chosen option.

<p>Advantages:</p> <ul style="list-style-type: none"> • The community are able to utilise and enjoy a council asset for play and recreation. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • The season start and end dates do not align with the university summer break, which continually creates problems in staffing February onwards. • November to January have more variable weather conditions, therefore daily patronage can fluctuate from 0 to 150. • The costs to operate the pool are fixed regardless of how many swimmers. • Due to the leaks, staff are having to continually topping up the pool with cold water, the heating and chemical dosing systems are working harder, and electricity costs are greater.
<p>Risks:</p> <ul style="list-style-type: none"> • That the plant which operates the pool will fail at some point in time in the foreseeable future. This could be during the preparation of the pool for the season, or throughout the season itself. When this occurs, the pool will be closed indefinitely. • That despite best efforts, the recruitment drive may not secure enough lifeguards to operate the standard pool hours. 	

Option two – Do not operate the pool for the 23/24 season (Recommended option).

14. Leave the pool in a dormant state for the season and wait for Council’s decision regarding whether or not invest the required capital (current estimate \$3million) to rebuild the pool.

<p>Advantages:</p> <ul style="list-style-type: none"> • Less staffing pressure and should staff numbers increase, the current shorter pool hours can cease at EANC. • The Community, although possibly disappointed, will be aware of this decision well in advance. • Opportunity for other outdoor district pools (Hinds, Mayfield, Ruapuna, Mt Somers, Rakaia, as well as non-Council pools ie Methven) to receive greater patronage. • This decision may prompt the community to provide feedback in support of the redevelopment project. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • The community are unable to utilise the facility and Ashburton will lack an outdoor public pool for this season
<p>Risks:</p> <ul style="list-style-type: none"> • Some members of the community may disagree with Council’s decision not to operate the pool. 	

Option three – Attempt to operate Tinwald Pool on a smaller scale.

15. Officers have considered operating Tinwald Pool on reduced hours and a shorter season.
16. Officers would undertake their best endeavours to attract sufficient tertiary student and train them as lifeguards to cover any vacant EANC shifts and 3 days a week at Tinwald Pool from 27 December until the 28 January (ie 1- 7pm Friday, Saturday and Sunday).

<p>Advantages:</p> <ul style="list-style-type: none"> • Less time for managers to carry the additional staffing pressure and or work poolside to keep both facilities operating safely. • January is the least busy month at EANC due to a portion of the community going elsewhere for their summer break. • The net financial loss of the pool should be less due to less labour costs, however a number of fixed costs will remain. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Students hired may get variable hours depending on what shifts are available. • Full cost saving is not able to be realised due to partial operation. • If staffing numbers remain or become marginal during this month, short notice closures of Tinwald Pool will occur like last year.
<p>Risks:</p> <ul style="list-style-type: none"> • Some members of the community may disagree with Council’s decision to operate the pool on a smaller scale. • The pool plant is passed its useful life and there will be no further repair options, should something happen during commissioning or during the season. 	

Legal/policy implications

Health & Safety

17. Council has an obligation to manage risks associated with all activities and where there are paid employees (workers) onsite, the Health & Safety at Work 2015 applies.
18. Both Tinwald Pool and EANC follow the guidance provided by Recreation Aotearoa and have obtained PoolSafe accreditation for EANC, which outlines lifeguard requirements, direct supervision ratios of younger children and best practice operation for pools in NZ.

Climate change

19. Given the significant water leaks which results in greater energy and chemical use and direct water wastage, from an environmental perspective it would be better if Council did not operate the pool until all leaks were resolved by the redevelopment project, should it progress.

Strategic alignment

20. The recommendation relates to Council’s ‘district of great places and spaces community outcome because it is a unique community facility.

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	X	Not operating the pool will result in a financial saving.
Environmental	X	Closing the pool will prevent excessive water loss.
Cultural		
Social	X	A number of families and social groups that normally enjoy the relaxed outdoor environment provided at Tinwald Pool would miss out.

Financial implications

Requirement	Explanation
What is the cost?	\$0 to not operate the pool this summer.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Tinwald Pool costs are included in EANC budget, therefore if the pool does not operate there will be a saving.
Are there any future budget implications?	Not in relation to the core matter of this paper.
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium
Rationale for selecting level of significance	This decision not to operate the Tinwald Pool for the 23-24 summer will impact several community members who like to swim at the pool and mean a reduction in the level of service provided to this community. However, the decision is not of high significance across the district. Other facilities are available for swimming in Ashburton and other locations in the district, with EANC likely to be better served through not having to stretch its resources across two facilities. Whether or not the Tinwald Pool Rebuild Project progresses will potentially be part of the Long-Term Plan process.
Level of engagement selected	1. Inform – one way communication
Rationale for selecting level of engagement	There were 3,002 swimmers during the 2022-23 summer season. While accepting staffing challenges, some community members expressed their frustration when the Tinwald Pool was closed at short notice. This decision makes it clear for the community from the season start and could prompt greater patronage at other outdoor pools within the district.
Reviewed by Strategy & Policy	<i>Mark Low; Strategy and Policy Manager</i>

10. Service Delivery Review – Building Regulation

Author	<i>Tayyaba Latif, Policy Advisor</i>
Activity Manager	<i>Mark Low, Strategy & Policy Manager</i> <i>Michael Wong, Building Regulation Manager</i>
Executive Team Member	<i>Toni Durham, GM Democracy & Engagement</i> <i>Jane Donaldson, GM Compliance & Development</i>

Summary

- The purpose of this report is for Council to consider the future service delivery of the Building Regulation activity.
- Council currently delivers the Building Regulation activity in-house.
- Officers recommend the status quo option

Recommendation

- 1. That** Council receives the Building Regulation section 17A review, as attached in Appendix 1.
- 2. That** Council continues to deliver the Building Regulation service in-house.

Attachment

Appendix 1 Section 17A Building Regulation Service Delivery Review.

Background

1. The purpose of a Section 17A service delivery review is to determine whether the existing means of delivering service remains the most efficient, cost-effective, and appropriate means of service delivery.
2. To ensure service delivery remains most efficient, effective, and appropriate means of delivering service, Section 17A of the Local Government Act 2002 (*the Act*) enables local authorities to consider various options of how a service can be delivered.
3. The options might include continued service delivery by local authority, through a Council Controlled Organisation (CCO) of the local authority, through a CCO in which council is a shareholder among several other shareholders, by another local authority, or using another person or organisation.
4. Section 17A (2)(c) of the Act maintains that a service delivery review can be undertaken whenever the local authority considers it desirable, but not later than 6 years following the last review. Council is working through the second set of Section 17A reviews.
5. In March 2017, a detailed review of Building Regulation service was completed by Council's Strategy & Policy Team.

Current Situation - What the Building Regulation Service does

6. The Council is an accredited building control authority.
7. Council's Building Regulation team enables enforcing the requirements of the Building Act 2004 and NZ Building Code to ensure all buildings across the district comply with NZ building standards.
8. To comply with legislation explained in paragraph 4, a high-level desktop review of the service has been undertaken by the Strategy & Policy Team in liaison with the relevant team.
9. Currently Building Regulation service is delivered in-house.

Option Analysis

Option one - Fully In-House (Status Quo) - Recommended

10. Council continues to deliver Building Regulation service in-house.

<p>Advantages:</p> <ul style="list-style-type: none"> • Appears to be the most cost-efficient and effective option. • Maintains the potential to ensure local focus. • Efficient management and accountability can be ensured. • The recommendations have the potential to achieve improved service. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • None Identified
<p>Risks: Small reputational risk due to some dissatisfaction with ongoing arrangement. Overall risk is LOW</p>	

Option two – Consider and adopt other service delivery option.

11. The service delivery review in Appendix 1 provides a desktop analysis of other service delivery options.
12. Service delivery by outsourcing to other local authority/authorities, through a CCO, or through another agency are feasible under the legislation. However, currently delivering Building Regulation service through other options does not appear to be the most efficient, cost-effective, and appropriate means of service delivery.

<p>Advantages:</p> <ul style="list-style-type: none"> • Other options can be the most cost-efficient and effective means of service delivery. 	<p>Disadvantages:</p> <ul style="list-style-type: none"> • Determining the cost-efficiency and effectiveness of other service delivery options will take time and resources. • Has the potential to lose local focus and accountability.
<p>Risks: Small reputational risks as some in the community might expect service delivery through other options. Overall risk is LOW.</p>	

Legal/policy implications

13. Section 17A of the Local Government Act 2002 requires local authorities to assess “the cost-effectiveness of current arrangements for meeting the needs of communities within its district or region for good-quality local infrastructure, local public services, and performance of regulatory functions.”

Climate change

14. The Building Regulation activity has the potential to promote sustainable building practices across the district Strategic alignment.

15. Proposed legislative changes under Building for Climate Change will consolidate response to climate change through this activity.
16. The recommendation relates to Council’s community outcome of ‘a prosperous economy based on innovation and opportunity.’

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	By ensuring properties and public facilities and businesses are operating in a safe compliant manner.
Environmental	✗	
Cultural	✗	
Social	✓	By ensuring all buildings are structurally sound and safe for occupancy.

Financial implications

Requirement	Explanation
What is the cost?	There is no additional cost involved to carry out recommended option, apart from that already budgeted.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	NA
Are there any future budget implications?	No
Reviewed by Finance	Erin Register; Finance Manager.

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low
Rationale for selecting level of significance	N/A
Level of engagement selected	1. Inform – One way communication
Rationale for selecting level of engagement	Community consultation is not required for undertaking a section 17A service delivery review. Council may be required to consult with the community in the event the review recommends a major change in service delivery arrangement (e.g. establishment of a CCO) and council accepts the recommendation.

Reviewed by Strategy & Policy	Mark Low; Strategy and Policy Manager
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PART ONE - CURRENT ARRANGEMENTS			
1	Name of the Group responsible for the service	Name of Team Manager	Name of Service/s under Review
	Regulatory Services	Michael Wong	Building Regulation
2	Background	<ul style="list-style-type: none"> The purpose of a Section 17A service delivery review is to determine whether the existing means of delivering service remains the most efficient, cost-effective, and appropriate means of service delivery. Ashburton District Council delivers its Building Regulation Service in-house. 	
3	Description and scope of the service <i>(be consistent with LTP/AMP)</i>	<ul style="list-style-type: none"> Building Regulation service enforces the requirements of the Building Act 2004 and NZ Building Code to ensure all buildings are structurally sound and safe for occupancy. The council is an accredited building control authority. (LTP Vol:21; p127) 	
4	Rationale for service provision	Legal requirement to provide the service	<ul style="list-style-type: none"> Local Government Act 2002. Building Act 2004. NZ Building Code. Building (Earthquake-prone Buildings) Amendment Act 2016 Building (Pools) Amendment Bill 2016
5		Community outcomes the service contributes to <i>(LTP)</i>	Social And Economic Wellbeing: <ul style="list-style-type: none"> By ensuring properties and public facilities and businesses are operating in a safe compliant manner. (LTP Vol:12 p144)
6		Council policies, bylaws, strategies and plans the service contributes to	<ul style="list-style-type: none"> Long Term and Annual Plans. Annual Reports. Revenue & Financing Policy. Dangerous and Insanitary Buildings Policy.
7	Performance	Major levels of service <i>(LTP)</i>	<ul style="list-style-type: none"> Building regulation services aims to implement the requirements of the Building Act 2004 fairly and impartially, so the public has confidence that buildings in the district are constructed in accordance with the building code.

¹ https://www.ashburtondc.govt.nz/_data/assets/pdf_file/0023/39281/FINALISED-LTP-Volume-2-Web-version.pdf

² https://www.ashburtondc.govt.nz/_data/assets/pdf_file/0024/39282/FINALISED-LTP-Volume-1-Web-version.pdf

			<ul style="list-style-type: none"> • Provide quality building regulation services. <ul style="list-style-type: none"> ➤ Building consents are processed and decisions made within 20 working days. ➤ Code of Compliance Certificates are processed, and decisions made within 20 working days. ➤ 10% of buildings with compliance schedules are audited each year. ➤ A third of known swimming pool fences are inspected every year. • Building Regulation has achieved over 98% performance targets for individual activities across the service with the exception of achieving only 44.7% out of targeted 100% regarding processing & approving on building consents applications within 20 working days (see below for explanation). • Provide quality building regulation services. <ul style="list-style-type: none"> ➤ Building consents are processed and decisions made within 20 working days. (Targeted performance 100%, achieved 44.7%)³ ➤ Code of Compliance Certificates are processed, and decisions made within 20 working days. (Targeted performance 100%, achieved 98.7%) ➤ Buildings with compliance schedules are audited each year. (Targeted performance 10%, Achieved 10.6%) ➤ A third of known swimming pool fences are inspected every year. (Targeted performance 100%, Achieved 100%). ➤ Business service complaints are responded in two working days. (Targeted performance 100%, Achieved 100%)
8		<p>Performance measures (LTP)</p>	<p>This review is using 2022/2023 Annual Resident Survey (ARS) as the most recent available data. The Annual Resident Survey aims to assess performance measures against resident satisfaction with the council’s roles in Building Regulation. Trends over the last 6 years are shown below:</p>

³ 342 out of 765 consents were issued within the 20 working day timeframe. 613 out of 621 Certificates were issued within the 20 working day timeframe. As previously noted, there was a large, unexpected, increase in work across the 2021/22 year. This caused resourcing issues, hence the number of consents and Certificates not meeting the expected timelines.



This review is using 2022/2023 Annual Resident Survey (ARS) as the most recent available data.

- Regarding building services there was a decline in overall and user satisfaction levels in 2021/22. However, the recent results for 2022/23 show satisfaction levels are improving.

Service Delivery Review analysis on decline in resident satisfaction during 2021/22

- This review notes that Building Regulation has achieved over 98% performance targets for individual level of service across various activities. A contributor to the decline in average overall satisfaction is likely to be that over 50% of building consents took longer than 20 working days to process. [Annual Plan 2023/24, p72]
- Over 50% of building consent applications took an average of 20.8 working days to process.
- Not only were record high numbers of applications received, but in many instances multiple applications were received very close to each other (in some instances 10-15 applications within two days). The situation meant that processing times for many applications were very close or similar to each other.
- In 2021/22, Building Regulation services issued a record number of dwelling consents – 276 compared with the 10-year average of 181. Due to the large number of consents received, processing times were an issue for the team – with only 44.7% of consents processed within the agreed timeframe. While contractors were bought in to help reduce the workload and

			<p>turnaround timeframes, this did not completely solve the issue as they too were at capacity with existing clients. This issue has continued but improved into 2022/23.</p> <ul style="list-style-type: none"> This review notes that delayed timeframe caused due to receiving record number of dwelling consent applications cannot be considered as a parameter that Building Regulation service delivery is compromised or lacks quality in any manner.
9	<p>Performance Reporting at Council</p>	<p>Activity Briefings (6 weekly)</p> <p>Building Regulation (six-monthly) Performance Report</p>	<ul style="list-style-type: none"> Building Regulation is reported to the council through six-weekly Activity Briefings. Six-monthly reporting on performance measures.
10	<p>Finance & management</p>	<p>Type of governance</p>	<p>Council Governed and In-house Operated.</p> <ul style="list-style-type: none"> To provide Building Regulation service, Council is required to have Building Control Authority (BCA) Accreditation. To keep BCA Accreditation, Council undergoes thorough assessment against set criteria every two years by the Ministry of Business, Innovation & Employment (MBIE). Maintaining BCA Accreditation means Council maintains required competency to act as building control authority.
11		<p>Funding</p>	<p>Operating Expenditure</p> <ul style="list-style-type: none"> 10-20% through General Rates 80-90% through Fees & Charges <p>Capital Expenditure</p> <ul style="list-style-type: none"> Sourced from operating expenditure, reserves, or loan funding.
12		<p>Method of delivery (include term of contract if currently contracted out)</p>	<p>Currently all services of Building Regulation are being delivered in-house.</p> <p>The Building Regulation service is directly impacted by the growth trends within the district as well as regional situations.</p> <p>For example, ADC has received a record high number of building consent applications during 2021/22 indicating higher growth trends in the district. On such occasions external contractors are hired to manage the workload.</p>

			ADC has also been responsive to regional situations. Local councils in South Island have MOU for supporting each other to manage capacity and expertise related issues. In the past ADC has supported other councils by resolving capacity issues in emergency situations. For example, during Covid-19 lockdowns, ADC’s Building Regulation team processed consent applications for Waimakariri District Council and Waimate District Council to help manage their workload.		
13		Cost of providing the service	Capital Cost None	Operating Cost \$2,685,000 [Annual Plan 2023/2024, p80]	Total Cost \$ 2,685,000 [Annual Plan 2023/2024, p80]
14	Services and Team Structure	Building Services Manager (1 FTE, Permanent)	<ul style="list-style-type: none"> The Building Regulation team is currently resourced with 16.4 FTE employees including the equivalent of 2 FTE of contractors. 		
	Building Official x 10 (9 + 0.4 = 8.4 FTE, Permanent)				
	Building Systems Administrator (1 FTE, Permanent)				
	Systems Officer x 3 (3 FTE, Permanent)				
	Solutions Team x 2 = 1.5 FTE (contracted)				
	Independent contractor x 1 = 0.5 FTE				

PART 2 - DETERMINING THE TIMEFRAME FOR A REVIEW

15	Review date	Date last review was carried out:	March 2017	Year next review is scheduled:	By July 2029
16	Is Council considering a significant change to a	Yes <input type="checkbox"/>	Is delivery subject to legislation or binding agreement that cannot	Yes <input type="checkbox"/>	No review is required S17A (3) (a). Go to Part 4
				No <input type="checkbox"/>	Go to Question 18

	level of service? S17A (2) (a)	<input type="checkbox"/>	reasonably be altered within the following 2 years? S17A (3) (a)			
		No <input checked="" type="checkbox"/>	Go to Question 17			
17	Is delivery subject to legislation or binding agreement that cannot reasonably be altered within the following 2 years? S17A (3) (a)	Yes <input type="checkbox"/>	No review is required S17A (3) (a). Go to Part 4			
		No <input checked="" type="checkbox"/>	Go to Question 18			
PART 3 – REVIEW ANALYSIS						
18	Does the cost of undertaking a review outweigh the benefits? S17A (3) (b)	What is the anticipated cost of the review?		No additional cost	Strategy and Policy Staff time	
		What is the total cost of providing the service (both operating and capital costs)?		\$2,685,000 [Annual Plan 2023/2024 p80]	Click here to enter text.	
		Is the service significant enough to trigger the Council’s Significance and Engagement Policy 2019-2020?		Yes <input type="checkbox"/>	Click here to enter text.	
				No <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> Council consults with the community on the general service provision of Building Regulation through the Annual Plan and Long-Term Plan. In case the council decides to change the status quo (inhouse delivery) and opts a different service delivery model for Building Regulation then a special consultative procedure will be required as per LGA 2002. 	
		Is the activity more than \$250,000 direct cost? (direct expenditure excluding depreciation, funding and overhead)		Yes <input checked="" type="checkbox"/>	Click here to enter text.	
				No <input type="checkbox"/>	Click here to enter text.	
Has the governance, funding or delivery of the activity been reviewed recently enough that a further review is not justified?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Click here to enter text.		

		<p>Have there been any changes to the policy and/or regulatory environment since the last review?</p>	<p>Yes <input type="checkbox"/></p>	<p>No <input checked="" type="checkbox"/></p>	
		<p>How effective are the current arrangements?</p>	<ul style="list-style-type: none"> • The current arrangement for in-house delivery of the Building Regulation service is compliant with the Building Act 2004. There is an ongoing responsibility that correct processes are followed and appropriate timelines are met. • Resident and user satisfaction has declined due to a high volume of consent applications exceeding the capacity of current staffing to process within the legislative timeframe of 20 working days. However, it is highly likely that the current level of dwellings consent applications may not continue and may decline in future. Therefore, the current arrangement of hiring independent contractors to manage the workload appears to be an appropriate arrangement as hiring permanent full-time staff/s may not prove to be a cost-efficient solution in the long run. • Over a long period, Council has invested significantly in maintaining a locally based building regulation service, including staff, resources, systems and meeting legislative requirements. Locally based knowledge and relationships are essential to assist the local building industry. Where demand is overcapacity, systems have been established to meet these needs. • The team appears to be appropriately resourced. However, the continuity of this situation depends on a variety of variable factors such as the total number of applications received, complexity and compliance requirements of applications, number of fully trained and in-training staff present. Currently, the team has the capacity to process 95% of consent application/inspection in-house. Two staff members are completing their training in February -March 2024 which will bring in-house processing capacity to 100%. • A further Tech One (computer) system upgrade is underway and is expected to be implemented by December 2023. 		

			<ul style="list-style-type: none"> • The current in-house service delivery maintains high-level community/customer accessibility which is significant in achieving customer satisfaction and ensuring local focus. • The Building Regulation Team maintains professional and frequent relationships with other local authorities across Canterbury which enables regional cooperation and transfer of knowledge. • The Building Regulation team maintains a close relationship with the industry by meeting regularly with groups such as the Master Builders Association. The practice is useful for maintaining good working relationships, sharing knowledge, and improving processes.
		<p>Future/Upcoming Legislative Changes to Consider</p>	<ul style="list-style-type: none"> • MBIE runs a program titled Building for Climate Change⁴, which is focused on reducing emission from constructing and operating buildings. The program aims to ensure that buildings in New Zealand have climate resilience. • In 2022, Building for Climate Change amendments⁵ are proposed to the Building Act 2004. • The following are the proposed amendments under Building for Climate Change. <ul style="list-style-type: none"> ➤ New & existing large scale industrial & residential buildings to hold energy performance rating (ensure energy efficiency in terms of using power & water). ➤ Certain building and demolition work to have a waste minimization plan. ➤ Integrating climate change as a key consideration in the principles and purposes of the Building Act. • Proposed and future changes to building legislation are likely to have significant impact on future resourcing, compliance requirements and potentially a shift in service delivery arrangement from local to regional or even at national level for Building Regulation. Therefore, it

⁴ <https://www.building.govt.nz/getting-started/building-for-climate-change/>

⁵ <https://www.building.govt.nz/about-building-performance/all-news-and-updates/proposed-building-for-climate-change-amendments-released/>

			is essential for the council to have substantial preparations in place to adapt.		
		Do other Local Authorities have the ability to participate in the review?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	The current scope of this review is limited to high-level desktop analysis of the service by ADC's Strategy & Policy team.
		Is the activity insignificant enough in terms of scale or (public) visibility for the review costs to outweigh the benefits?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Click here to enter text.
		In conclusion, does the cost of undertaking a review outweigh the benefits?	Yes <input type="checkbox"/>		No review is required S17A (3) (b). Go to Part 4
			No <input checked="" type="checkbox"/>		Go to Question 19
19	Are there likely to be realistic potentially beneficial options given the nature of the activity and/or the availability of alternative providers, having regard to S17A (4)	Does the service have a need for proximity to or interrelationship with core Council democratic, administrative or policy development processes?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> The service must maintain a relationship with the council whether it is delivered in-house or at arm's length (e.g. through a Council Controlled Organisation (CCO)). Therefore, irrespective of any particular service delivery arrangement (in-house, through a CCO, or via third party) the service will continue to maintain close interrelationship with the council's governance and administrative processes.
		Will another option provide effective delivery of financial, asset and executive management or regulatory responsibilities?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<ul style="list-style-type: none"> The delivery of services via establishing a new entity is possible and can be enabled under the Local Government Act. Other options for service delivery are described below.
		Will a change in provider have capacity implications for the Council, particularly where the activity involves a statutory function?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Capacity implications cannot be ruled out, but the possibility can be minimised by the transfer of staff. However, the council would still require capacity to ensure information was provided for different stages of the consenting process, maintain relationships,

				accountability, and liaison via various teams within the council.
		<p>Is the service able to be delivered by another local authority or authorities?</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<ul style="list-style-type: none"> • The current legislation S17 (A) (4) (b) (iii); (iv) enables this option. • This option may enable access to more specialist expertise and a wider knowledge base. • Potential cost saving can be determined after undertaking a full assessment. • However, outsourcing to another local authority or authorities has a potential of lacking local focus. • This option will potentially change the levels of service for Building Regulation significantly. The wider community is likely to have a view on potential merits and disadvantages of outsourcing to another local authority or authorities. Therefore, a Special Consultative Procedure will be required as per the Local Government Act, 2002. • This option would likely require consolidation of systems (e.g. where Council are using different software for managing building consent processes). • The most critical risk is having skilled and experienced staff to deliver the service, and being able to provide the local and institutional knowledge that the current in-house staff possess. • Due to the potential impact on these risks, outsourcing to another local authority or authorities does not appear to be the most cost-effective and administratively efficient option.
		<p>Is the service able to be delivered by another person or agency (central government, private sector organisation or community group?)</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>	<ul style="list-style-type: none"> • The option is feasible under current legislation.

					<ul style="list-style-type: none"> • This option is compliant with the requirements of the Building Act 2004, provided that the correct processes and appropriate timelines continue to be met. • Proposed and future changes to building legislation may have an impact on future resourcing, compliance, and service delivery requirements for Building Regulation. It is recommended that if this progresses, this would be fully assessed at the time. • The political and community will for outsourcing the service delivery will need to be evaluated through engagement with key stakeholders before the feasibility can be fairly assessed. • While outsourcing arrangements may offer benefits, it is not a recommended service delivery approach in the immediate future.
		<p>Is the service able to be delivered by a CCO or joint Council/CCO arrangement?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>No <input type="checkbox"/></p>	<ul style="list-style-type: none"> • This option is feasible under current legislation. i.e., S17 (A) (4) (b) (i, ii, iii); S17 (A) (4) (c). • A separate entity such as through a Council Controlled Organisation (CCO), including an independent Board, Chief Executive, location, staff, and systems under LGA 2002, as well as accountability mechanisms. Therefore, careful planning would be required before this option was to be considered and implemented. • It would require changes to funding arrangements, governance models and service delivery measures. New contracts and agreements would be required for this model. • The wider community is likely to have a view on potential merits and disadvantages of Building Regulation service delivery through a CCO or joint

					<p>council/CCO arrangement therefore, a special consultative procedure will be required as per the Local Government Act 2002.</p> <ul style="list-style-type: none"> • The option offers potential benefits such as access to expertise, potential cost savings, and increased quality of service. • Potential risks associated with this option may prove to be less efficient & effective due to lack of administrative control & accountability. • This option will incur establishment costs, which depending on how they were allocated between partners, could outweigh any potential cost savings. • A definite assessment cannot be reached that this option will prove to be a most cost-efficient and effective arrangement for delivering Building Regulation service.
		<p>In conclusion, are there likely to be realistic potentially beneficial options?</p>	<p>Yes <input checked="" type="checkbox"/></p>	<p>Go to Part 4</p>	
			<p>No <input type="checkbox"/></p>	<p>No further review is required for up to 6 years S17A. Go to Part 4</p>	

PART 4 - REVIEW RECOMMENDATION		
20	<p>RECOMMENDATION & ACTIONS</p>	<p>1. Officers recommend that the Building Regulation service continues to be delivered in-house.</p> <p>The following actions are being implemented to enhance and future proof the service and retain accreditation.</p> <p>2. The Building Regulation team continues to monitor and have contingency planning for the impacts of future legislative changes.</p>

		<p>3. Continue to develop regional cooperation in the field as it will help standardize elements of the service regionally leading to improved service to building customers.</p> <p>4. Efficient mechanisms for the transfer of knowledge, document procedures and cross training are recommended to be always in place to keep the workforce equipped with certain level of expertise at all times.</p>
<p>21</p>	<p>REASONS FOR RECOMMENDATION & ACTIONS</p>	<p>a) The reason for recommendation 1 Over a period of time Council has invested significantly in building and maintaining organizational infrastructure including trained staff, and systems that meet legislative requirements while providing Building Regulation services. The service maintains strong local focus and knowledge which are essential to assist the local building activity. Where demand is overcapacity, the team has appropriate measures in place to meet the needs. Therefore, the status quo is working well and is the most efficient, cost-effective option. Through the use of fees and charges and general rates, the operating cost of the service appears to cover the costs appropriately.</p> <p>b) The reason for action 2 is that if proposed legislative changes such as Building for Climate Change come into place in future, Council need to be prepared. Therefore, contingency planning is fundamental in preparing for subsequent impact and adaptation.</p> <p>c) The reason for action 3 is that maintaining productive and frequent regional cooperation with local authorities across Canterbury can be very helpful in achieving an improved level of service delivery and working together on common issues. A well-established regional cooperation is also useful as it takes up the role of a lobbying group when seeking changes and submitting on proposed amendments to legislation.</p> <p>d) The reason for action 4 is that a sufficiently qualified and trained workforce is hard to find and recruit. It takes time and substantial resources to train a person in this field. Therefore, appropriate mechanisms must be in place to address this challenge, effectively use the resources we have and maintain our attractiveness as an employer.</p>

Signed by:

Michal Wong & Jane Donaldson

Hamish Riach

Department & Group Manager

Chief Executive

11. Dog control policy and practices report 2022/23

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

Summary

- The purpose of this report relates to the activities undertaken regarding dog control within Ashburton District for the period **1 July 2022 to 30 June 2023**. The Dog Control Act 1996 (the Act) requires that such a report be produced annually and made publicly available once adopted by Council.

Recommendation

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

Background

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

Additionally:

- In accordance with Section 10A (3) the Territorial Authority must give public notice of the report in one (1) or more daily newspapers circulating in the Territorial Authority District.
- In accordance with Section 10A (4) the Council must send a copy of the report to the Secretary for Local Government within one month of adoption.
- This report contains information and statistics on the Council’s dog control activity for the year **1 July 2022 to 30 June 2023**.

Dog Control and Practices in Ashburton

2. Dog control in Ashburton is carried out using Council staff and an approved Contractor.
3. The contract for animal control services is with Talbot Security Group Limited (TSG), who took over the animal control services contract on 1 February 2022. TSG currently employs ten staff specifically trained for animal control, with suitably trained security officers acting in support where necessary. The service provided covers all dog control callouts 24 hours per day, seven days per week.
4. Within Council we employ a warranted Animal Control and Enforcement Officer who is responsible for all administration relating to dog and stock control as well as leading on enforcement issues.
5. The Ashburton District Council Dog Control Policy and Bylaw (2021), continue to provide greater clarity for dog owners of their obligations under the Act. Where those obligations are not met, Council officers apply the “exacerbator pays” principle e.g. dog owners who fail to control their animals effectively are fined under the Act and the funds channelled back into the animal control activity.

Dog Pound Activity

6. The dog pound facility on Council owned land in Range Street continues to be operated by the appointed animal control contractor.
7. The reporting period saw 101 dogs impounded, 8 euthanised and 13 re-homed. There were no incidents of repeat impounding’s of the same dog.

Dog Exercise Facilities

8. Ashburton Dog Park
Extensive re-development work has been carried out at this facility with the provision of separate areas for small and large dogs plus activity facilities and walking tracks.
9. Methven Dog Park
The Methven Dog Park has a piped water supply with outlet for dogs to use and a dog bag dispenser with waste receptacle.
10. Range St - Landfill area
The fenced landfill area at the end of Range St continues to be available for dog owners to exercise their dogs off the leash. This area is not an official dog park/exercise area due to the land status and access may be restricted from time to time due to the maintenance needs of the land. However, suitable receptacles are provided for the collection of dog waste plus dog bag dispensers to assist owners in cleaning up after their dogs.
11. Rakaia Community Dog Park
A community funded fenced dog park is also available for use at Rakaia. The park has separate areas for large and small dogs and Council has provided a dog bag dispenser and waste receptacle.

Dog Registration

12. Following investigations into the number of unreported dead or relocated dogs, the number of active dogs on our data system has decreased by 564 compared to 2021/22.

Dog Education and Obedience Courses

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

Disqualified and Probationary Dog Owners

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

Menacing and Dangerous Dogs

15. Ashburton District Council has 38 dogs classified as menacing and 5 dogs classified as dangerous.

Dog Control Act 1996 Section 10A Statistical Information (Tables 1 and 2)

16. The following Tables show a breakdown of the statistics required under Section 10A of the Act for the registration year 2022/23.

Table 1: Breakdown of registered dogs and complaints received

Category	2021/22	2022/23
1) Total # Registered Dogs	6919	6355
2) Total # Probationary Owners	0	0
3) Total # Disqualified Owners	0	0
4) Total # Dangerous Dogs	9	5
➤ Dangerous by Owner Conviction Under s31(1)(a)	0	1
➤ Dangerous by Sworn Evidence s31(1)(b)	7	3
➤ Dangerous by Owner Admittance in Writing s31(1)(c)	2	1
5) Total # Menacing Dogs	49	38
➤ Menacing s33A(1)(b)(i) - i.e. by Behaviour	33	26
➤ Menacing s33A(1)(b)(ii)- by Breed character	5	3
➤ Menacing under s33C(1) by Schedule 4 Breed.	11	9
6) Total # Infringement Notices.	82	144
7) Total # Complaints Received	602	706
Wandering	145	281
Barking	159	215
Lost	90	111
Welfare	1	7
Attack	28	27
Rushing	13	18
Other (signage issues/dog waste issues/Bylaw clarification)	126	47
8) Prosecutions	0	0

Table 2: List of infringement notices issued during the reporting period:

Serial	Offence	Fine Level	2021/22 Issued	2022/23 issued
1	Failure to Register a Dog (Dog Control Act Sect 42)	\$300	73	120
2	Failure to Advise Change of Address (s.49(4))	\$100	0	0
3	Failure to Keep a Dog Controlled or Confined (s.52A/53(1))	\$200	8	24
4	Failure to Implant a Microchip transponder in a dog (s.36(A)(6))	\$300	0	0
5	Failure to Advise Change of Dog Ownership (s.48(3))	\$100	0	0
6	Failure or Refusal to Supply Information or Willfully Providing False Particulars (s.19 (2)).	\$750	0	0
7	Failure to Comply with menacing classification (s.33EC(1))	\$300	0	0
8	False statement relating to registration (s.41)	\$750	0	0
9	Failure to provide proper care and attention (s.54 (2))	\$300	0	0

10	Falsely notifying the death of dog (s.41 (A))	\$750	0	0
11	Willful Obstruction of a Dog Control Officer (s. 18)	\$750	1	0
12	Failure to Comply with any authorised bylaw (s. 22 (5))	\$750	0	0
13	Failure to comply with barking dog abatement notice (s.55 (7))	\$200	0	0
14	Releasing dog from custody (s. 72 (2))	\$750	0	0

Options analysis

Option 1 - Do not provide a public report on activities

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

Option 2 – Provide a public report on activities (Recommended option)

18. This is the recommended option. This would see Council publicly report on the dog activities for 2022/23.

Legal/policy implications

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

Financial implications

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

Significance and engagement assessment

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

12. District Licensing Committee Annual Report: 1 July 2022 to 30 June 2023

Author	<i>Rick Catchpowle; Environmental Monitoring Manager</i>
Activity Manager	<i>Rick Catchpowle; Environmental Monitoring Manager</i>
GM Responsible	<i>Jane Donaldson; Strategy & Compliance</i>

Summary

- The Sale and Supply of Alcohol Act 2012 (the Act) requires each Territorial Authority to submit its annual report on the proceedings and operations of its District Licensing Committee (DLC) to the Alcohol Regulatory and Licensing Authority (ARLA). This report is for the period **1 July 2022 to 30 June 2023**.
- The Act further requires that reports are submitted within three months of the end of every financial year.

Recommendation

1. **That** the report be received.
2. **That** the report be posted on the Ashburton District Council website.
3. **That** the report be submitted to the Secretary for the Alcohol Regulatory and Licensing Authority by 30 September 2023.

Attachments

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

Background

1. Section 199 of the Act requires every territorial authority to prepare and send to the licensing authority a report of the proceedings and operations of its licensing committee in the set format below.
2. A copy of the report must be made available by the territorial authority for inspection free of charge for a period of not less than 5 years.
3. Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 also requires Territorial Authorities to prepare a report detailing income from fees and licensing costs under the Act. This includes costs relating to DLC functioning, licensing inspectors and enforcement activities relating to the year commencing 1 July 2022. While this additional information is not required to be in the report to ARLA, it must be made publicly available and is therefore included in the overall report.

District Licensing Committee Structure and Personnel

4. The DLC is a combined committee with Selwyn District Council. During the reporting period additional members and commissioners were appointed so that the available pool is increased and better protected against retirements and resignations. The additional appointments also allow any conflict of interest with applications to be addressed as well as any non-availability of panel members for alcohol hearings. The following is a full list of the combined DLC:

Commissioners:

Robin Kilworth
Simon McDonnell
Gregory Clapp
Suzanne Griffin
Simon Moore (new appointment)
Mereylyn Redstone (new appointment)

Members:

Tanya Surrey
Tracy McIlraith
Martin Ferguson (new appointment)
Carl Purcell (new appointment)
Shane Epiha (new appointment)

Secretariat and Support Staff:

Jane Donaldson	Secretary
Rick Catchpowle	Secretary
Julie Clements	Licensing Inspector
Cara Badger	Administration Support/Registrar

Alcohol Licensing and the Fees System

5. Under previous legislation all fees were the same across licensed premises, regardless of the costs and risks the operation might create. Whereas Regulations under the current Act has set default fees for each type of licence.
6. This fee system allows alcohol licensing staff to apply a cost/risk rating based on the style of licence, trading hours and any enforcement that may have occurred in the previous 18 months.
7. In effect, low risk outlets such as winery cellar door sales, and small clubs pay lower fees, while higher risk outlets that typically create higher costs, such as bottle stores and taverns, pay more. The same cost/risk approach is also used when assessing special licences for events.

Workflow 2022/2023

8. In the reporting period the Ashburton DLC received 459 applications of which 135 were subsequently cancelled or withdrawn, leaving a total of **324** licenses issued, which is broken down as follows:

Applications Processed and Licences issued by Category:

Month	On/Off/Club new applications	On/Off/Club renewal applications	Special Licence applications	Managers Certificates (new and renewal)	Temporary Authority
July	0	4	4	19	0
August	2	0	8	13	0
September	0	2	9	14	0
October	0	4	6	14	0
November	0	2	8	27	1
December	0	9	5	11	1
January	0	2	1	7	0
February	0	1	6	19	2
March	1	1	10	11	1
April	0	2	4	18	0
May	4	4	8	22	2
June	1	4	7	23	0

The Risk Category of all applications received for On, Off and Club licences:

Application type	Number received in Fee Category: Very Low	Number received in Fee Category: Low	Number received in Fee Category: Medium	Number received in Fee Category: High	Number received in Fee Category: Very High
On-licence new	0	1	5	0	0
On-licence variation	0	1	1	0	0
On-licence renewal	0	6	18	0	0
Off-licence new	0	1	3	0	0
Off-licence variation	0	0	0	0	0
Off-licence renewal	0	2	7	0	0
Club licence new	0	0	0	0	0
Club licence variation	2	0	0	0	0
Club licence renewal	0	3	2	0	0
Total Number	2	14	36	0	0
Total fee paid to ARLA (GST inc)	\$34.50	\$483.00	\$1863.00	0	0

The annual fees for existing licences received during reporting period:

Licence type	Number received in Fee Category: Very Low	Number received in Fee Category: Low	Number received in Fee Category: Medium	Number received in Fee Category: High	Number received in Fee Category: Very High
On-licence	1	14	42	0	0
Off-licence	0	3	28	0	0
Club licence	12	15	2	0	0
Total Number	13	32	72	0	0
Total fee paid to	\$224.25	\$1104.00	\$3726.00	0	0

ARLA (GST inc)					
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Managers' certificate applications received during reporting period:

	Number received
Managers' certificate new	78
Managers' certificate renewal	127
Total Number	201
Total fee paid to ARLA (GST inc)	\$5778.75

Special licence applications received during reporting period:

	Class 1	Class 2	Class 3
Special licence	30	47	7

Temporary authority applications received during reporting period:

	Number received
Temporary authority	6

Permanent club charter payments received during reporting period:

	Number received
Permanent club charter payments	1

Current Liquor Licences

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

Conferences and Training

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

DLC Hearings

11. During the reporting period the DLC convened for one publicly held hearing concerning an opposed application for a new Off-Licence.

Publication of DLC Decisions

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

Notable Trends or Issues

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

DLC Initiatives

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

Local Alcohol Policy

15. In accordance with Part 2 subpart 2 of the Act, Ashburton District Council developed a Local Alcohol Policy (LAP) which was adopted on 5 April 2017. This policy is currently under review.

Current Legislation

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

Options analysis

Option 1

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

Option 2

18. This is the recommended option. This would see Council submit the annual report to ARLA and publicly report on the DLC activities for 2022/23

Legal/policy implications

The Sale and Supply of Alcohol Act 2012

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

Financial implications

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

Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low; not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2022/23. The report will be made publicly available.
Reviewed by Strategy & Policy	Mark Low , Strategy & Policy Manager

13. Councillor Reports

Deputy Mayor Liz McMillan

13.1 Meetings

In addition to the usual Council meetings and workshops I have attended the following meetings and events:

July 2023

- 26-28 Jul: LGNZ conference
- 28 Jul: MTFJ AGM

August 2023

- 1 Aug: Road Safety Steering Group and PCG meetings
- 3 Aug: ACL candidates meeting / ANZ Business of the year launch
- 8 Aug: Cr chat sessions at the library
- 9 Aug: LTP pre-engagement workshop – Environmental Wellbeing
- 10 Aug: LTP pre-engagement workshop – Cultural Wellbeing
- 14 Aug: ACL director interviews
- 17 Aug: CE review
- 21 Aug: Canterbury Regional Landfill Joint Committee & Canterbury Waste Joint Committee
- 22 Aug: LSV / MTFJ catch up and Age Concern meeting
- 24 Aug: Bike skills park
- 28 Aug: Safer MC Board meeting & site visit
- 31 Aug: MTFJ breakfast / media training

September 2023

- 1 Sep: Kai for Kids site visit / Community awards meeting / Safer Families BBQ
- 4 Sep: Methven Community board meeting and workshops
- 6 Sep: Citizenship Ceremony

13.2 Regional Landfill and Waste joint committee meetings

These were held at Christchurch City Council Chambers. We had an update in public excluded from Transwaste and the following resolution was made (in open meeting).

That the Canterbury Regional Landfill Joint Committee:

1. Approve the 2022/2023 transport cost payments to Ashburton and Selwyn District Councils as set out in the report:
 - a. To Ashburton District Council - \$200,090.51
 - b. To Selwyn District Council - \$54,368.02
2. Request Transwaste Canterbury Limited to implement the payments set out above, by adjusting its dividend payments to the participating territorial authority shareholders.

Councillor Peters/Councillor Barber

Carried

Councillor Gough declared an interest due to his role on the Transwaste Canterbury Limited Board and did not vote.

Councillor McMillan and Councillor Miller noted a conflict given their Councils are to be the recipients of the transport cost payments above.

13.3 LSV / MTFJ catch up

I organised a catch up between Sharon Watson our Youth Co-ordinator for MTFJ and two of the work brokers from MSD who work at Burnham camp with LSV. This will lead to collaboration between the two and hopefully some young people from Mid Canterbury attending the LSV courses in the future.

13.4 Bike Skills Park meeting

A successful meeting was held with several representatives from the service clubs, Safer Mid Canterbury and Sport Mid Canterbury. Ian Soper has agreed to be the Council liaison and Cr Todd and I have indicated we would both like to be part of the group going forward. A suggestion was made to contact the Principal's Association to see how the local children could be involved. We have another meeting in mid-September.

14. Mayor's Report

14.1 Canterbury Mayoral Forum

I, along with CE Hamish Riach, attended the Canterbury Mayoral Forum in Christchurch, 25/26 August 2023.

The Chatham Islands Council has joined the Mayoral Forum as observers and to enable other Councils to connect with the Chathams on various issues.

Affordable water going live was discussed with the date of 1 July 2025 put forward as the date for Entity I. Ashburton District Council continues to be opposed to any date being put forward until after the 2023 General Election.

The Future for Local Government report was discussed and further workshops are to be held in Wellington with all Mayors affiliated to Local Government New Zealand to see what actions from the report need to be moved forward.

The Regional Zone Committee has been disbanded and a review of existing Zone Committees is to be undertaken with a report on the current structure to be completed by 2025.

Councillors can access the full Mayoral Forum agendas and minutes at: <https://www.canterburymayors.org.nz/resources/>

14.2 Meetings

- **Mayoral calendar**

August 2023

- 24 August: RDR meeting
- 24 August: Airport subcommittee
- 24 August: Civil Defence Emergency Management
- 24 August: Regional Transport Committee
- 25 August: Canterbury Mayoral Forum
- 26 August: Celebrating 50 years of Mt Hutt
- 29 August: Mary Ross - Advance Ashburton
- 29 August: Mike Johns, Alan Burgess - FENZ
- 29 August: Water Zone Committee
- 30 August: Rating 101 / Revenue and Financing Policy workshop
- 30 August: Climate Change workshop
- 30 August: Draft Biodiversity Strategy workshop
- 31 August: Mayors Taskforce for Jobs Employment Initiative breakfast
- 31 August: Media Training with Elizabeth Hughes
- 31 August: EA Networks AGM

September 2023

- 1 September: Kai for Kids
- 1 September: Executive Committee – Community Awards
- 1 September: Mid Canterbury Hockey – tournament closing ceremony
- 4 September: Methven Community Board
- 5 September: Library and Civic Centre – media site visit
- 6 September: Citizenship Ceremony
- 6 September: Council meeting

Recommendation

That Council receives the Mayor's report.

Neil Brown

Mayor