

# Ashburton District Council

## AGENDA

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### Notice of Meeting:

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

**Date:** Wednesday 2 June 2021

**Time:** 1.00pm

**Venue:** Council Chamber

### Membership

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

## Meeting Timetable

Time	Item
1pm	Meeting commences
2.50pm	Welcome to new and long-serving staff

### 1 Apologies

### 2 Extraordinary Business

### 3 Declarations of Interest

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

### Minutes

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### Business Transacted with the Public Excluded

<b>15</b>	Council Grants 2021-22	Section 7(2)(h) Commercial activities	<b>PE 1</b>
<b>16</b>	Sport NZ Rural Travel Fund 2020-21	Section 7(2)(h) Commercial activities	<b>PE 4</b>
<b>17</b>	Council – 21/05/21		<b>PE 8</b>
	<ul style="list-style-type: none"> <li>• Rural Transport Ltd</li> <li>• Library &amp; Civic Centre PCG 4/05/21</li> <li>• Caring for Communities Welfare Recovery Group</li> </ul>	<ul style="list-style-type: none"> <li>Section 7(2)(h) Commercial activities</li> <li>Section 7(2)(h) Commercial activities</li> <li>Section 7(2)(a) Protection privacy natural persons</li> </ul>	
	[Now in open meeting]		
	<ul style="list-style-type: none"> <li>• Ashburton Airport – skydiving activities</li> </ul>		
<b>18</b>	Audit & Risk Committee – 13/05/21		<b>PE 10</b>
	<ul style="list-style-type: none"> <li>• Health &amp; Safety</li> </ul>	Section 7(2)(a) Protection privacy natural persons	
<b>19</b>	C-19 Economic Recovery Advisory Group 28/04/21		<b>PE 12</b>
	Section 7(2)(h) Commercial activities		
<b>20</b>	Plains Museum Trust Appointment	Section 7(2)(a) Protection privacy natural persons	<b>PE 15</b>

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## **4. Council Minutes – 19 May 2021**

Minutes of the Council meeting held on Wednesday 19 May 2021, 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, John Falloon, Rodger Letham, Lynette Lovett, Angus McKay, Diane Rawlinson and Stuart Wilson.

### **In attendance**

Hamish Riach (Chief Executive), Paul Brake (GM Business Support), Jane Donaldson (GM Strategy & Compliance), Sarah Mosley (Manager People & Capability), Andrew Guthrie (Assets Manager), Ruben Garcia (Communications Manager) and Phillipa Clark (Governance Team Leader).

Staff present for the duration of their reports: Rick Catchpowle (Environmental Monitoring Manager), Terry O'Neill (District Forester) and Rachel Sparks (Finance Manager).

### **Presentations**

SPARK – 1.15pm to 1.33pm

CDHB – 2.28pm to 3pm

Rural Transport – 3.05pm to 4pm

### **1 Apologies**

Nil.

### **2 Extraordinary Business**

Nil.

### **3 Declarations of Interest**

Nil.

### **4 Confirmation of Minutes – 5/05/21**

**That** the minutes of the Council meeting held on 5 May 2021, be taken as read and confirmed.

McMillan/Rawlinson

Carried

### **SPARK Presentation – landline upgrade**

The Mayor welcomed Leela Gantman, Sam Smith and Janet Lord (*via MS Teams*)

A video gave an overview of the technology change that's happening in Ashburton that will see landlines upgraded through removal of the public switch telephone network via copper lines.

#### *Summary of proposal –*

- Most people have now moved to wireless or fibre and the remaining SPARK customers are to be moved (approx. 1060 customers in Ashburton)
- Landline phones can be retained but will be connected to the internet. SPARK is now at the stage of proactively doing this taking a staged, suburb by suburb approach

- Customers have the choice of wireless or fibre and were given notice on 29 April of changes happening over the next 5 months. There will be a 'soft' disconnection in September which will still allow emergency services calls to be made from existing landlines. A month's notice will be given before final disconnection.
- Most people have now moved to wireless or fibre and the remaining SPARK customers are to be moved. Having mobile phones that are kept charged in case of power outages and emergencies will be encouraged and promoted by SPARK to all customers.
- SPARK are using their local store as an additional means of transitioning the change and are working with aged and disability support agencies to ensure vulnerable people are assisted. In-home visits will be made and special requirements such as financial hardship will be met.
- The suggestion from ADC to include Ashburton's citizens advice bureau and the Library's digital technology service was acknowledged and will be taken up by SPARK.
- Areas within the Ashburton district that don't currently have the option to make the change will be de-prioritised until a solution for that area is found.

The presentation concluded at 1.33pm.

#### **5 Methven Community Board – 3/05/21**

**That** Council receives the minutes of the Methven Community Board meeting held on 3 May 2021.

Cameron/Lovett

Carried

#### **6 Ashburton Road Safety Co-ordinating Committee – 4/05/21**

**That** Council receives the minutes of the Ashburton Road Safety Co-ordinating Committee meeting held on 4 May 2021.

Lovett/Falloon

Carried

#### **7 Ashburton Airport Authority Subcommittee – 10/05/21**

**That** Council receives the minutes of the Ashburton Airport Authority Subcommittee meeting held on 10 May 2021.

Braam/Letham

Carried

- **Airport lease agreements**

**That** Council requires that the full market rates be applied to all new leases at the Ashburton Airport.

Falloon/Braam

Carried

#### **8 Street Plaques highlighting the History of Ashburton District**

Council supported the joint agency approach to look at ways in which the history of Ashburton could be promoted in the town centre. It was further agreed to invite Ashburton resident David Stewart to be involved on the basis that he has expressed interest in this project and has provided some supporting information.

- 1. That** Council, Historic Places Mid Canterbury and Ashburton Museum & Historical Society Inc. work together jointly to further promote the history of Ashburton into the town centre.
- 2. That** a street plaque working group be formed to include Councillors Cameron and Rawlinson, a representative each from Historic Places Mid Canterbury and Ashburton Museum & Historical Society Inc, and Mr David Stewart.

Rawlinson/Cameron

Carried

*Post meeting note:* Mr Stewart has accepted Council's invitation to be involved with the working group.

**9 Dog Control Fees & Charges for Registration Period 1/07/21 – 30/06/22**

1. **That** Council adopts the dog registration and control fees and charges for 2021/22 as set out in Appendix 1.
2. **That** the dog registration and control fees and charges for 2021/22 are publicly notified.

McKay/Falloon

Carried

**10 Section 17A Review of Forestry**

1. **That** Council receives the 2021 Service Delivery Review of Forestry.
2. **That** Council continues to deliver the Forestry activity in-house.
3. **That** Council determines its future strategic approach to the Forestry activity by 30 June 2022.

Falloon/McMillan

Carried

**11 Financial Variance Report**

**That** the financial variance report for 31 March 2021 be received.

Falloon/Lovett

Carried

**12 Mayor's Report**

**That** the Mayor's report be received.

Mayor/Wilson

Carried

Council adjourned from 2.13pm until 2.28pm

**CDHB Presentation – C-19 vaccine roll-out**

Bernie Marra (CDHB), Rachel Eaton (Life Pharmacy) and Tony Dann (Eastfield Health) provided an update on the local response to the vaccine roll-out which will see a joint approach between the CDHB and primary health teams.

*Summary*

- CDHB has a vaccine clinic at Ashburton Hospital and, on a smaller scale, vaccinations are being administered at Life Pharmacy
- The challenge is the management of the vaccine which has a controlled approach with its movement, processes and protocols.
- Licensing a pharmacy to provide the vaccine is complex – Life Pharmacy is currently the only pharmacy in NZ offering the vaccine, working closely with the CDHB team and dealing with the logistics of having sufficient vaccines to meet their bookings . When they find bookings free at the end of the day there's a contingency plan to vaccinate older people and those who have been prioritised
- Using the 0800 national booking system is a requirement – it enables the Ministry of Health to forecast vaccination requirements and may also provide people with a choice of clinics. An online booking system was trialled for CDHB but discounted after a breach occurred
- Planning for rural and remote people is underway looking at the volume of people in rural areas who need to be vaccinated. Consideration is being given to the use of short term, pop-up clinics
- Demand on health workers is high and in this district there will be a call made for people with relevant experience to be taken on and trained to give vaccinations.

The Mayor thanked the presenters who advised that they will continue to keep Council informed of their work and the progress being made with Ashburton’s vaccination roll-out.

### **Business transacted with the public excluded – 3pm**

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:

<b>Item No</b>	<b>General subject of each matter to be considered:</b>	<b>In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:</b>	
<b>14</b>	Council 5/05/21 <ul style="list-style-type: none"> <li>• Freeholding Glasgow lease</li> <li>• Sale of forestry land</li> </ul> <p>[now in open meeting]</p> <ul style="list-style-type: none"> <li>• Contract ROAD0205 – sealed road rehab</li> <li>• EA Shareholders Committee appointments</li> </ul>	Section 7(2)(h) Section 7(2)(h)	Commercial activities Commercial activities
<b>15</b>	Library & Civic Centre PCG 4/05/21	Section 7(2)(h)	Commercial activities
<b>16</b>	Caring for Communities Welfare Recovery Group 20/04/21	Section 7(2)(a)	Protection of privacy of natural persons
<b>17</b>	Ashburton Airport Authority Subcommittee 10/05/21	Section 7(2)(h)	Commercial activities

**That** Mark Wareing is present in the public excluded session for the duration of his presentation.

Braam/Rawlinson

Carried

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

- **Ashburton Airport Skydiving activities**

**That** the Ashburton Airport Subcommittee seeks submissions from airport users on the resumption of skydiving operations at the Ashburton airport, and reviews submissions before making a decision.

McKay/Lovett

Carried

The meeting concluded at 4.43pm.

Confirmed 2 June 2021

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MAYOR

### **5. Audit & Risk Committee Minutes**

Minutes of the Audit & Risk Committee meeting held on Thursday 13 May 2021, commencing at 1pm, in the Council Chamber, 137 Havelock Street, Ashburton.

#### **Present**

Mayor Neil Brown; Councillors John Falloon (Chair), Liz McMillan and Stuart Wilson; Murray Harrington (external appointee).

#### **Also present:**

Councillors Lynette Lovett, Angus McKay and Diane Rawlinson.

#### **In attendance**

Hamish Riach (Chief Executive), Jane Donaldson (GM Strategy & Compliance), Sarah Mosely (Manager People & Capability), Steve Fabish (GM Community Services), Richard Wood (Recreation Services Manager) and Phillipa Clark (Governance Team Leader).

#### **1 Apologies**

Crs Leen Braam and Carolyn Cameron

Sustained

#### **2 Extraordinary Business**

Nil.

#### **3 Declarations of Interest**

Nil.

#### **4 Confirmation of Minutes – 24/03/21**

**That** the minutes of the Audit & Risk Committee meeting held on 24 March 2021, be taken as read and confirmed.

Mayor/Wilson

Carried

#### **5 Audit of Rural Swimming Pools**

The Group Manager Community Services outlined the key issues identified in the consultant's report following a condition assessment of the six community pools located on Council reserve land.

Approximately \$1.4m needs to be spent over the next 15 years to keep the pools at a relevant level of service and to meet legislative requirements. Council's budget in the current year is less than half of what's needed (around \$45k). [Current pool funding provides each pool with \$6k (operational costs / health and safety concerns) and there's an additional \$15,000 which can be shared across all six pools].

Staff will engage with the relevant reserve boards in June / July to get their feedback on the consultant's report and develop work plan which will include looking for external funding.

It's anticipated that the outcome of this will be reported back to Council in November.

**That** the Audit & Risk Committee receives the Ashburton District Council Pools Status Report 2021.

Wilson/McMillan

Carried

### **Business transacted with the public excluded – 1.15pm**

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:

<b>Item No</b>	<b>General subject of each matter to be considered:</b>	<b>In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:</b>	
<b>6</b>	Audit & Risk committee 24/03/21	Section 7(2)(a)	Protection of privacy of natural persons
<b>7</b>	Health & Safety	Section 7(2)(a)	Protection of privacy of natural persons

McMillan/Wilson

Carried

The Committee resumed in open meeting and concluded at 1.46pm.



# Selwyn Youth Council

## 2021 Work Plan

### Mahere Rautaki

#### Our vision | *Tūruapō*

Selwyn is a district where all young people feel connected to their local community.

#### Our approach | *Whakatakanga*

Creating meaningful and relevant opportunities that support young people to participate, engage, overcome barriers and take up new challenges.

#### Our commitment to the articles and principles of Te Tiriti o Waitangi:

- Ensure rangatahi are actively involved in our decision making process, creating opportunities for a wide range of views and voices to be heard.
- Increasing understanding and awareness of the role and aspirations of tangata whenua, in partnership with Te Taumutu Rūnanga.
- Building and maintaining a strong relationship with rangatahi from Te Taumutu Rūnanga.
- Commitment to the articles and principles of Te Tiriti and the principles and requirements in Parts 2 and 6 of the Local Government Act.
- Ensuring responsive service delivery and incorporation of Te Reo, guided by the Crown Language Revitalisation Strategy Maihi Karauna.

#### Shared deliverables:

- Present to Council at least two (2) times per year.
- Attend six (6) formal hui per year to connect as a youth council.
- Managing and monitoring Selwyn Youth social media accounts (Facebook and Instagram) with the aim of extending reach, increasing positive engagement and encouraging participation of a wider network of young people in the district.
- Activity associated with increasing understanding and awareness of the role and aspirations of tangata whenua, in partnership with Te Taumutu Rūnanga. This includes attending two (2) Te Taumutu Rūnanga workshops (Ruahikihikitanga and Taumutu and Te Tiriti).

Our Portfolios:	Finance & funding	Events planning and delivery	Youth engagement and democracy	Welcoming communities	Community programmes and facilities	Mahi
Our Projects:	<p>Review Youth Projects Fund and make initial recommendations.</p> <p>Establishing guidelines and considerations for staff and funding panel to take into account when reviewing Youth Applications to the Selwyn Youth Project Fund.</p> <p>Deliver a Capacity Building resource for youth in Selwyn who would like to apply for the tertiary scholarship fund.</p>	<p>Deliver an event for KidsFest series focused on Youth age bracket.</p> <p>Deliver a consultation on the types of events that young people would like to see in Selwyn to inform event planning by Council staff as well as external event organisers.</p> <p>Create and/or refresh an event focused on youth age bracket to fit in the CultureFest and Summer in Selwyn Series.</p> <p>Present at the Selwyn Event Network Forum –encouraging Event organisers to deliver and involve Youth.</p>	<p>Organising and delivering at least six (6) engagements/ consultations with Selwyn young people on key Council projects and matters that effect local young people.</p> <p>Create and promote a space to share resources and knowledge about civics, democracy and politics (e.g. sharing information online; plan a workshop or event inviting a local MP to speak at a library).</p> <p>Attend civic activities and build a sense of civic pride.</p> <p>Promote clubs across the district to encourage young people to find new passions and increase community connection.</p> <p>Promote and participate in volunteering opportunities.</p>	<p>Identify, develop and activate new and existing projects within the welcoming communities space. This will look like:</p> <ul style="list-style-type: none"> <li>• Input into planned activities</li> <li>• Attend Citizenship Ceremonies and assist in delivery</li> <li>• Planning and delivering a youth focused welcoming communities event</li> <li>• Weaving young people into the planned events</li> <li>• Helping at CultureFest with welcoming communities focus</li> </ul>	<p>Brainstorm, coordinate, deliver and/or market innovative learning programmes at libraries, community facilities and outreach that interest young people.</p> <p>Priority topics include:</p> <ul style="list-style-type: none"> <li>• Digital learning</li> <li>• Literacy</li> <li>• Arts</li> <li>• Inclusion</li> <li>• Environment</li> </ul> <p>Particular consideration to be given to Te Ara Atea and associated opening programmes.</p>	<p>Engage in meaningful consultation, planning and developing upcoming employment events and activities.</p> <p>Projects include:</p> <ul style="list-style-type: none"> <li>• Employment Expo (March)</li> <li>• Mayor's Taskforce for Jobs Workshops</li> <li>• Employment Expo (September)</li> </ul> <p>Evaluate these events and activities and collate findings for discussion and further planning.</p>

Our values | *Ngā tikanga*

Be a good human

Better together

Be brave – think differently

Make it happen for Selwyn

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## 7. *Dog Control Bylaw & Dog Control Policy*

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

### Summary

- The purpose of this report is to recommend that Council adopts the draft Dog Control Bylaw and draft Dog Control Policy for public consultation.
- Council's current Dog Control Bylaw and Dog Control Policy are due for review.
- Officers are proposing some changes, including additional exercise areas and prohibited areas.
- Officers believe that many of the issues addressed by the current bylaw and policy remain current and appropriate for the District today, therefore are proposing to keep the current documents with some changes.
- Changes to both the bylaw and policy are generally minor and intended to improve the clarity and enforceability of the bylaw.

### Recommendation

1. **That** Council adopts the draft Dog Control Bylaw and the draft Dog Control Policy for public consultation.
2. **That** Council adopts the Dog Control Bylaw & Policy consultation document.

### Attachments

<b>Appendix 1</b>	draft Dog Control Bylaw
<b>Appendix 2</b>	draft Dog Control Policy
<b>Appendix 3</b>	Dog Control Bylaw & Policy Consultation Document



## Background

### Current situation

1. Council's current Dog Control Bylaw and Dog Control Policy are due for review September 2021.
2. Officers have undertaken a review of these documents and are proposing some changes. The purpose of this report is to recommend Council adopts this draft bylaw and policy for consultation.
3. The changes that officers are proposing have been included to increase the clarity of the documents, as well as to provide consistency with existing legislation, other documents and current practice. Specific reasoning for these changes is included in the proposed Consultation Document attached in appendix three.
4. Changes to both the bylaw and policy include:
  41. Added definitions for 'dog exercise area' and 'dog park'.
  42. Additional clause stating that owners must ensure that dogs are wearing current registration tags while on any land that is not their own.
  43. Additional clause stating that dog owners or person in charge of dog must carry plastic bags or other effective means to remove and dispose of any fouling produced by their dog when in a public place or land that is not the dog owner's own.
  44. Proposed extension of the current exercise area in Argyle Park.
  45. Addition of proposed exercise area in North East Ashburton.
  46. Addition of Methven Dog Park map.
  47. Addition of proposed prohibited area at Ashton Beach.
  48. Department of Conservation prohibited areas incorporated into schedule 1.
5. Changes made to the bylaw include:
  51. Addition of schedule 2 which lists infringements under the Dog Control Act 1996.
6. Changes made to the policy include:
  61. Added the definition for 'playground'.
  62. Addition of menacing dog registration as a type of registration classification. Our current policy is inconsistent with our registration classifications and fees.
  63. Statement that Council's bylaw requires dog faeces on public land or land that is not the owner's own to be removed immediately. This is already in the bylaw.
  64. Statement to provide clarity that Responsible Dog Owner status is only available for dogs and owners residing within the urban zoning of Ashburton.
  65. Prohibited areas updated to be consistent with Council's Dog Control Bylaw.

## **Ashburton Business Estate**

7. In 2019 Council received a petition from community members opposing signage that was erected in the Ashburton Business Estate signalling that dogs should be on leads. These signs were a reflection of rules that were already in place, which states that dogs must be on leads in all public places (except dog exercise areas and dog parks).
8. In December 2019, Council resolved to accept the petition and review dog exercise areas in 2021 as scheduled.
9. Officers believe that the Ashburton Business Estate is not suitable to be designated as a dog exercise area. This is due to the number of conflicting activities that occur in the area such as running, walking, and cycling, as well as other hazards such as low visibility and children often being present in the area. There have been a number of incidents that have occurred in this location.
10. However, nearby Council-owned land in the North East Ashburton area is proposed to be included in the bylaw and policy as a dog exercise area. Officers propose the alternative location due to the high visibility and openness of the area, reducing the potential for incidents.
11. The proposed exercise area has been included in schedule 1 of the bylaw and policy.

## **Options analysis**

### **Option one – adopt the draft bylaw and policy for consultation (recommended)**

12. This is the recommended option. Public submissions will be invited from 11 June to 11 July and hearings will be held on Thursday 29 July.
13. Advantages:
  131. The issues leading to the 2019 petition may be alleviated.
  132. The improvements identified during officer review are resolved.
  133. Consistency with Department of Conservation prohibited areas.
14. Disadvantages:
  141. There are no disadvantages to this option.

### **Option two – do not adopt the draft bylaw and policy for consultation**

15. This option would see us retaining our current bylaw for either a rollover or another review within the next two years. This option is not recommended.
16. Advantages:
  161. Issues that are currently regulated will continue to be regulated.

17. Disadvantages:

- 171. The issues leading to the 2019 petition are not alleviated.
- 172. The improvements identified during officer review are not resolved.
- 173. Inconsistency with Department of Conservation prohibited areas.

## Legal/policy implications

### Policies and Bylaws

18. The Dog Control Bylaw and Policy are complementary to relevant Council documents including the Open Spaces Bylaw 2016 (currently under review), Cemeteries Bylaw 2017, and Public Places Bylaw 2017.

### Dog Control Act 1996

19. Section 10 of the Dog Control Act 1996 states that councils must adopt a Dog Control Policy, in accordance with s.83 of the Local Government Act 2002 (special consultative procedure).
20. Section 10AA states that a Dog Control Policy must be reviewed at the same time as a Dog Control Bylaw.

### Local Government Act 2002

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

<i>Required determination</i>	<i>Council consideration</i>
Whether a bylaw is the most appropriate way of addressing a perceived problem	Officers have determined that a bylaw is the most appropriate way of addressing the perceived problem. It is a legal requirement for Council to have a Dog Control Bylaw and Policy under the Dog Control Act 1996. When a Dog Control Bylaw is reviewed, the Dog Control Act 1996 requires that the Dog Control Policy is reviewed at the same time.
Whether the bylaw is the most appropriate form of bylaw	Council's draft Dog Control Bylaw is the most appropriate form of bylaw because it meets the following tests:  The bylaw is <ul style="list-style-type: none"><li>• Authorised by statute under the Dog Control Act 1996</li><li>• Not repugnant of the general laws of New Zealand</li></ul>

	<ul style="list-style-type: none"> <li>• Certain and clear</li> <li>• Reasonable</li> <li>• Not overly restrictive, onerous on any person, or impractical.</li> </ul>
Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990	The proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, nor does it impose any restrictions on any of the rights listed in the Act.

## Financial implications

Requirement	Explanation
What is the cost?	There is a cost for undertaking consultation such as printing and advertising. If proposed dog areas are adopted there will be a cost for signage and enforcement etc.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Strategy & Policy budget for consultation costs, Animal Control budget for signage and enforcement
Are there any future budget implications?	There may be increased cost due to the additional prohibited area enforcement, but this will be covered by Animal Control budgets.
Reviewed by Finance	Not required – covered by budgets

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes – greater than 500 people affected
Level of significance	Medium
Level of engagement selected	3. Consult
Rationale for selecting level of engagement	Special consultative procedure required as per section 10(1) of the Dog Control Act 1996 and s. 83 Local Government Act 2002.
Reviewed by Strategy & Policy	Richard Mabon, Senior Policy Advisor

# *DRAFT Bylaw*

## **DRAFT DOG CONTROL**

<b>TITLE:</b>	Ashburton District Council Dog Control Bylaw 2016
<b>GROUP:</b>	Strategy & Compliance
<b>RESPONSIBILITY:</b>	Environmental Monitoring Manager
<b>DATE ADOPTED:</b>	XXX 2021
<b>COMMENCEMENT:</b>	XXX 2021
<b>NEXT REVIEW DUE:</b>	XXX 2026

### **1. Title**

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

### **2. Purpose**

The purpose of this bylaw is to:

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

### **3. Related documents**

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

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## 5. Application

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

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

## 6. Definitions

In this bylaw, unless the context otherwise requires:

**Bylaw** means the Ashburton District Council Dog Control Bylaw 2016.

**Council** means Ashburton District Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## **8. Areas where dogs are prohibited**

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

## **9. Dogs near playgrounds**

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

## **10. Exceptions to prohibited dog control areas**

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

## **11. Dog Exercise Areas**

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

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

- 12.1. Any dog owner that wishes to register any dog at a property smaller than one hectare (<10,000m<sup>2</sup>) where there will, as a result, be three or more dogs registered, must:
- 12.1.1 apply to Council for the relevant licence on the appropriate form
  - 12.1.2 pay the relevant licence inspection or re-inspection fee; and
  - 12.1.3 allow an inspection or re-inspection of their property as to the suitability of the number and type of dogs applied for that are kept there.
- 12.2. A licence relates firstly to the specified property where the dog will be kept on an ongoing basis, to the owner of that dog and the dog registered. A licence is not transferrable to another property, to a new owner at the same property or to different dogs at the same property.
- 12.3. A licence will not expire, but will need to be reapplied for if the dogs registered at that property change.
- 12.4. A licence may be granted, have conditions imposed, or be refused, at the discretion of the attending Dog Control Officer. In considering whether consent should be granted, the attending Dog Control Officer shall have regard to:
- 12.1.4 whether the property size is suitable for the breed and number of dogs;
  - 12.1.5 whether there is adequate fencing;
  - 12.1.6 whether there is dog-free access to the property;
  - 12.1.7 whether the location of kennels is appropriate, and that the kennels are suitable and provide adequate shelter for the breed and number of dogs;
  - 12.1.8 the previous history of the dog owner in relation to complaints or nuisance; and
  - 12.1.9 whether the owner is complying with and familiar with their obligations under the Dog Control Act 1996 and the Ashburton District Council Dog Control Bylaw 2016 and Dog Control Policy 2021.
- 12.5. The licence fee and re-inspection fee will be set annually through the Annual Plan or Long-Term Plan process.
- 12.6. Any licence issued under a previous Ashburton District Council Dog Control Bylaw is deemed to be a licence issued under this bylaw.
- 12.7. Any breach of a licence or of any conditions imposed on a licence is considered a breach of this bylaw. The Council may revoke the licence as a result of a breach, whether or not it prosecutes the breach.

## 13. Dogs on vehicles

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

## 14. Microchipping upon release from pound

14.1. No dog shall be released from any pound either operated by the Council or on behalf of the Council unless:

14.1.1 it has a microchip implanted in that dog and the details of that dog and its ownership have been recorded by the Council

14.1.2 proof of ownership and identity of the dog is established and payment made of:

- a poundage fee as set by Ashburton District Council;
- any boarding and sustenance fee;
- in the case of any unregistered dog of registerable age, the current annual fee payable under this bylaw; and
- any charge in connection with advertising of such dog.

## 15. Welfare of dogs

15.1. Every owner of a dog is required to comply with the obligations as set out in section 54 of the Dog Control Act 1996 and sections 9, 10 and 11 of the Animal Welfare Act 1999.

15.2. Every owner of a dog shall ensure their dog is:

- adequately housed;
- receives proper and sufficient food and water; and
- regularly and adequately exercised.

## 16. Classification of owners

16.1. For the purposes of this bylaw and for the registration of dogs in terms of fees set by Ashburton District Council, the following classifications of owners apply throughout the Ashburton District (the definition of urban and rural as stated in this bylaw apply):

16.1.1 **Urban owners** – means owners of dogs resident within an urban area of the district. An urban area is an area not within rural A, B, and C of the Ashburton District Plan

16.1.2 **Rural owners** – means owners of dogs resident within rural A, B, and C of the Ashburton District Plan

16.1.3 **Responsible dog owners** – means owners of dogs resident within an urban area (as defined by this bylaw) who have demonstrated they have met the terms and conditions of the ‘Responsible Dog Owner’ category defined in the Ashburton District Council Dog Control Policy 2021.

## 17. Neutering of dangerous and menacing dogs

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

## **18. Dogs becoming a nuisance or injurious to health**

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

## **19. Conviction and fines**

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

# Schedule 1

## Part A – Areas where dogs are prohibited

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

### **Explanatory note**

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

## Part B – Dog exercise areas

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

### **Map 1 – Ashburton Dog Exercise Areas**

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

### **Map 2 – Argyle Park Dog Exercise Areas**

### **Map 3 – North East Ashburton Dog Exercise Area**

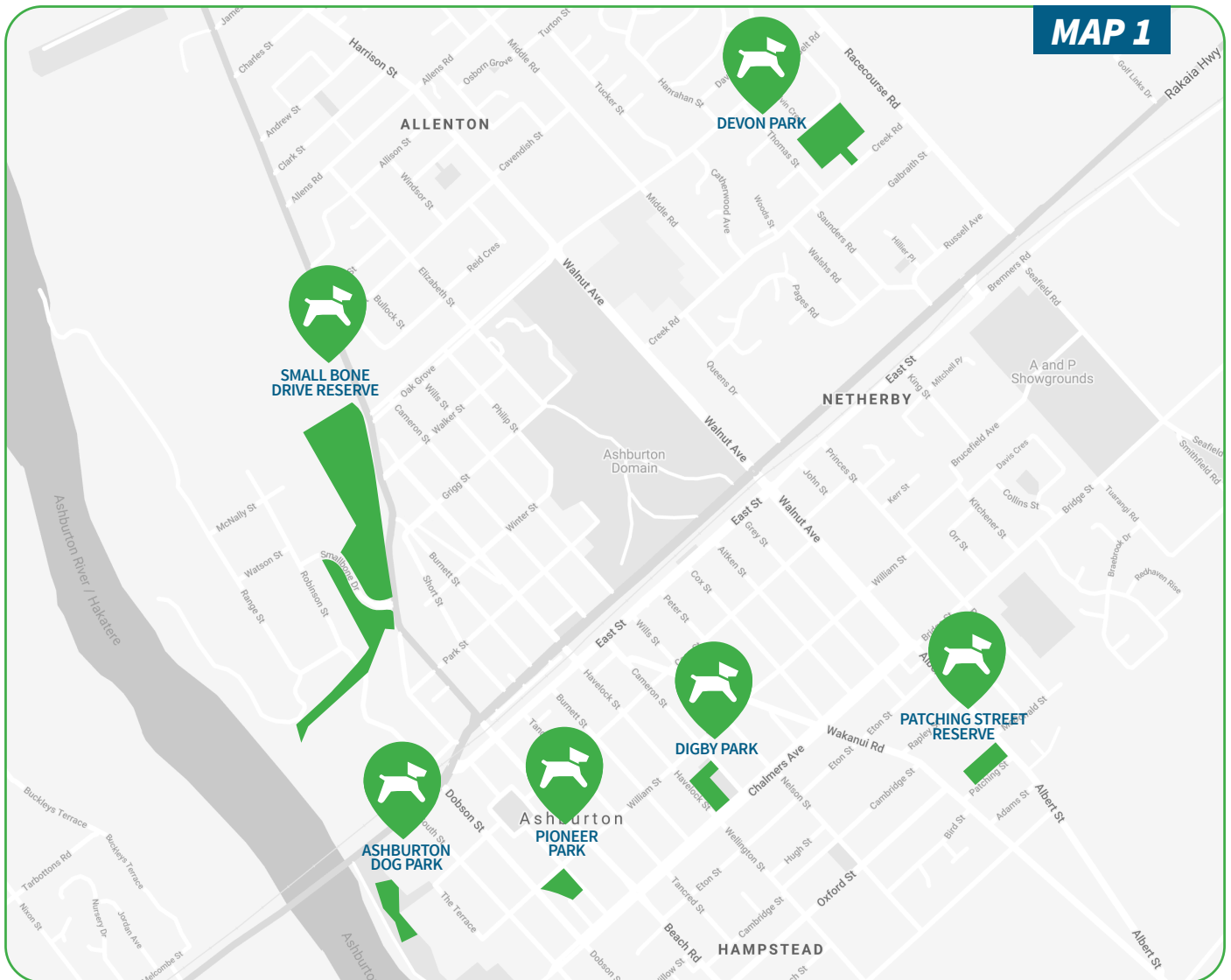
### **Map 4 – Tinwald Dog Exercise Areas**

- The Green
- George Glassey Park.

### **Map 5 – Methven Dog Park**

# Dog Exercise Areas

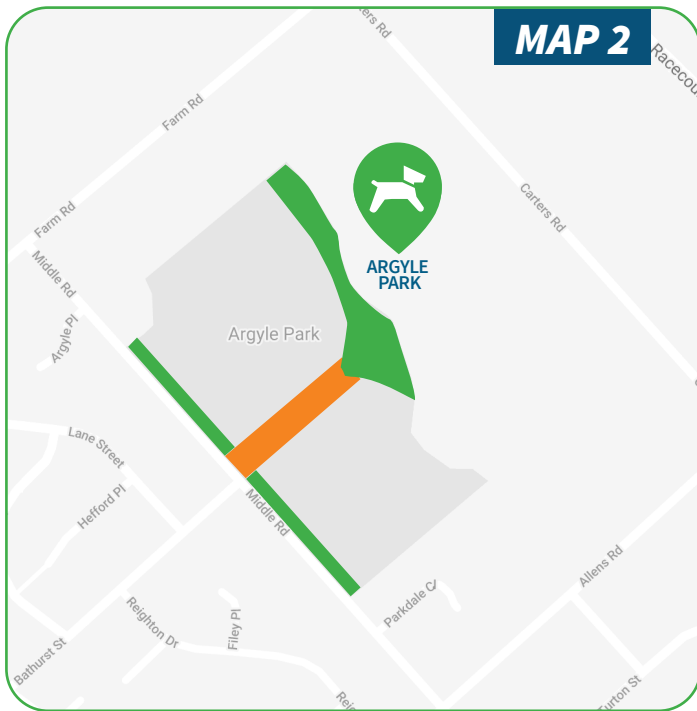
## Ashburton Dog Exercise Areas





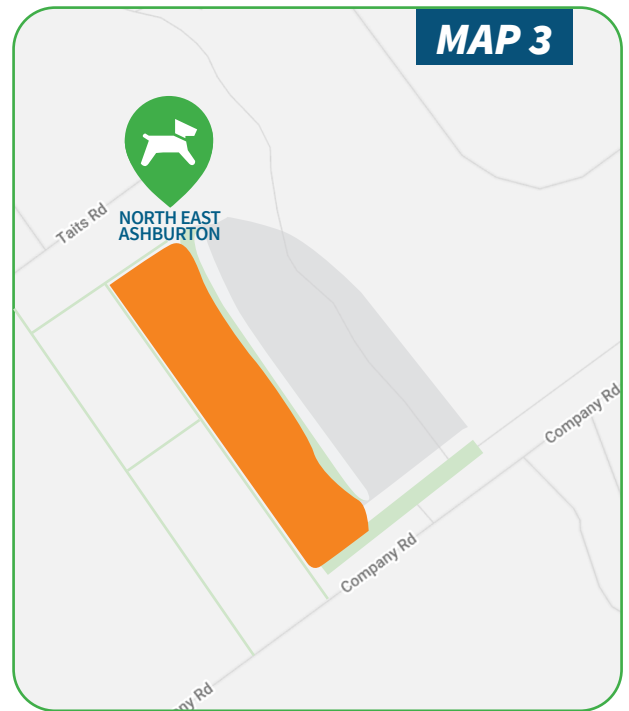
# Dog Exercise Areas

## Argyle Park Exercise Areas



- Current dog exercise areas
- Proposed dog exercise areas

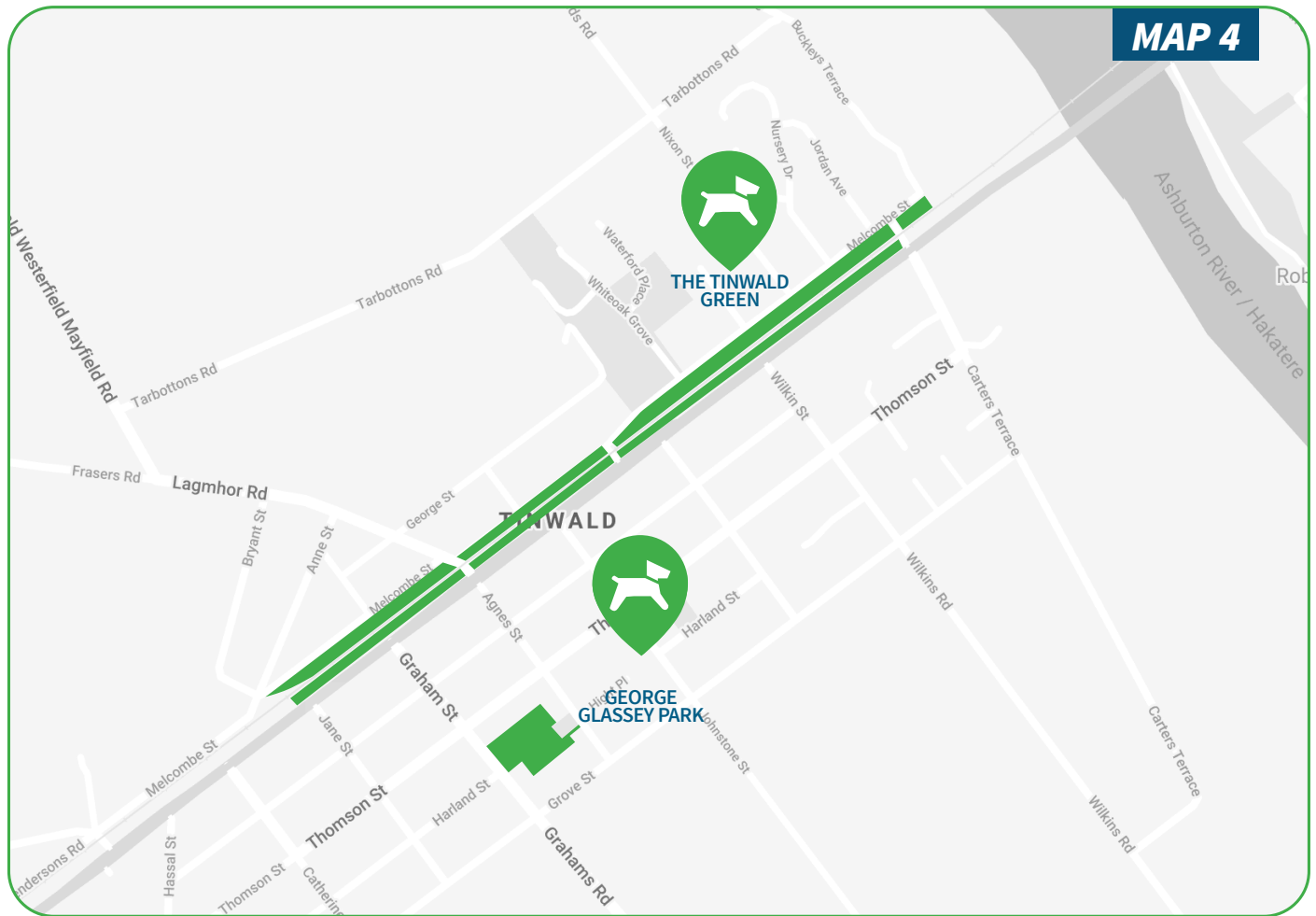
## North East Ashburton Dog Exercise Area



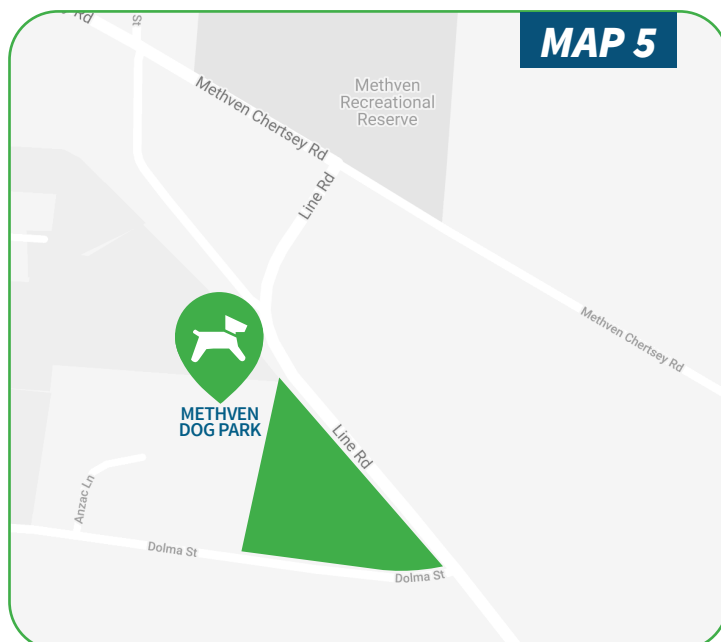
- Proposed dog exercise areas

# Dog Exercise Areas

## Tinwald Dog Exercise Areas

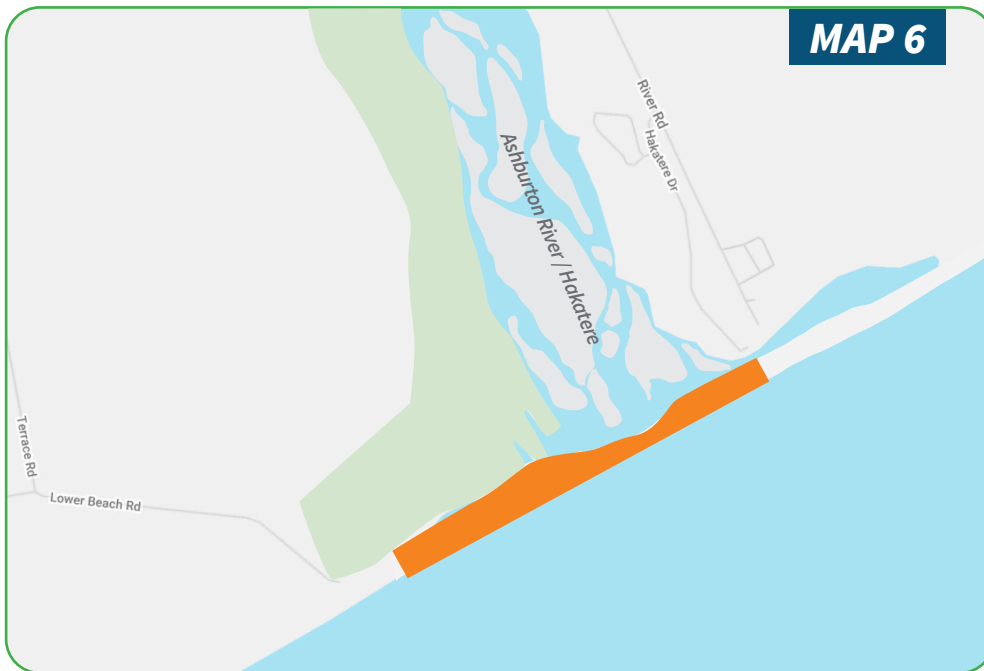


## Methven Dog Park



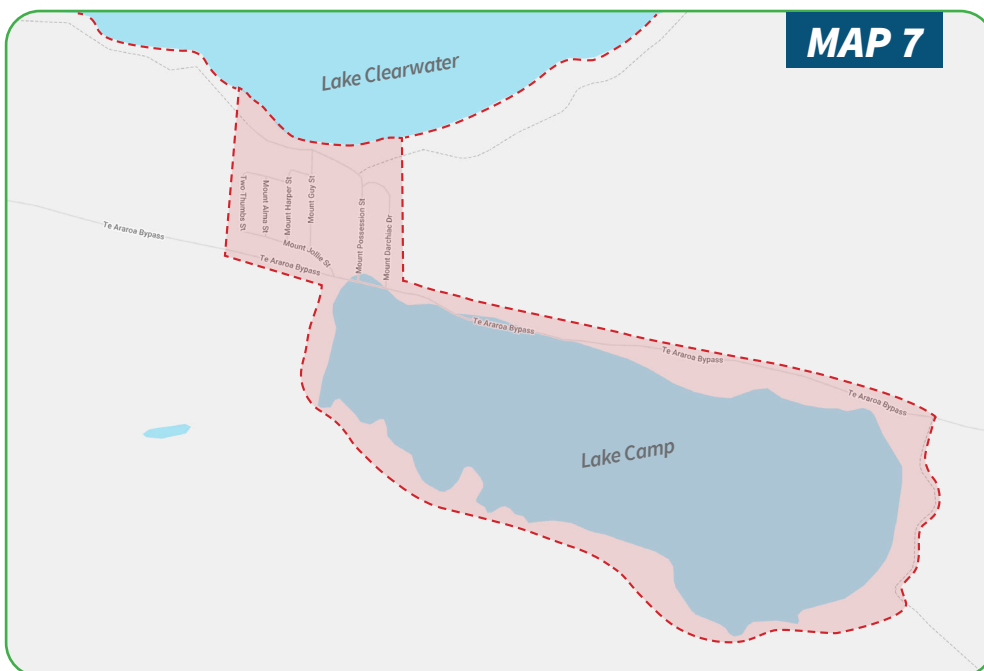
# Prohibited Dog Areas

## Ashton Beach



■ Proposed prohibited area

## Lake Camp & Lake Clearwater Hut Settlement



▭ Prohibited area  
-- Prohibited area

## Schedule 2

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

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

# DRAFT Policy

## DRAFT DOG CONTROL

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

### Policy Objective

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

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## Definitions

**Bylaw** means the Ashburton District Council Dog Control Bylaw 2016.

**Council** means Ashburton District Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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## Policy statement

### 1. Registration

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

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

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

### 2. Dog Control Bylaw

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



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

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

### 3. Obligations of dog owners

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

### 4. Responsible Dog Owner (RDO) status

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

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

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

- 5.1 Owners of three or more dogs must obtain a licence to keep three or more dogs on any property that is under one hectare (10,000m<sup>2</sup>) in size.
- 5.2 The Dog Control Officer has the discretion to grant a licence, refuse a licence or have conditions imposed on a licence i.e. the maximum number of dogs permitted.
- 5.3 A licence to own three or more dogs is not required for dogs registered as working dogs.

## 6. Micro-chipping

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

## 7. Prohibited and leashed areas

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

out its duties).

## 8. Dog Parks and Dog Exercise Areas

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

## 9. Other dog matters

### 9.1 Barking dogs

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

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

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

### 9.2 De-sexing dogs

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

breeding.

### 9.3 Menacing dogs

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

### 9.4 Dangerous dogs

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

## 10. Education and training

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

## 11. Welfare of dogs

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

## 12. Ways of managing troublesome dog owners and dogs

12.1 Under the Dog Control Act 1996, Council can classify an owner as probationary and must classify an owner as disqualified under certain circumstances.

12.2 Council recognises that there are a range of approaches that can be used when dealing with troublesome dogs and/or owners that focus on promoting responsible ownership rather than penalising.

### 12.3 Dog owner status can be restricted due to infringements and offences

12.3.1 When a dog owner has committed a series of dog-related infringement offences (has been ordered to pay a fine) or has been convicted of dog-related (non-infringement) offences, Council may classify that owner as a probationary owner, and in some cases must classify the owner as a disqualified owner.

12.3.2 These dog owner classifications restrict a person's right to own a dog and can last for several years.

12.3.3 Dog owner status applies across the whole country, even if the offender moves outside of Ashburton District.

### 12.4 Probationary dog owners

12.4.1 If a dog owner commits three or more infringement offences within two years they may be classified as a probationary owner (for more information see sections 21-24 of the Dog Control Act).

12.4.2 Probationary dog owner status generally applies for up to 2 years, but may end sooner.

12.4.3 The owner cannot become the owner of any new dogs (but may keep any registered dogs they have).

12.4.4 Probationary owners may be required to undertake dog owner education or a dog obedience course, or both.

### 12.5 Disqualified dog owners

12.5.1 A disqualified dog owner cannot be the registered owner of a dog for a specified period and must dispose of every dog that they own (for more information see sections 26-28 of the Dog Control Act).

12.5.2 Disqualified dog owner status can last up to 5 years.

## 13. Seizing dogs, impounding dogs and adopting dogs

13.1 The Dog Control Act gives warranted Dog Control Officers the legal power to seize dogs that:

- have attacked
- have rushed (dogs in public places that have rushed or startled a person or animal and caused injury, endangerment damage or death)
- are unregistered
- do not have adequate food, water or shelter
- wander and are not under control
- have owners who have not met the obligations for keeping a dangerous or menacing dog.

13.2 Impounding fees will be reviewed on at least an annual basis and stated in the

Ashburton District Council Annual Plan or Long-Term Plan.

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

## 14. The issuing of infringement notices

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

# Schedule 1

## Part A – Areas where dogs are prohibited

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

### **Explanatory note**

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

## Part B – Dog exercise areas

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

### **Map 1 – Ashburton Dog Exercise Areas**

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

### **Map 2 – Argyle Park Dog Exercise Areas**

### **Map 3 – North East Ashburton Dog Exercise Area**

### **Map 4 – Tinwald Dog Exercise Areas**

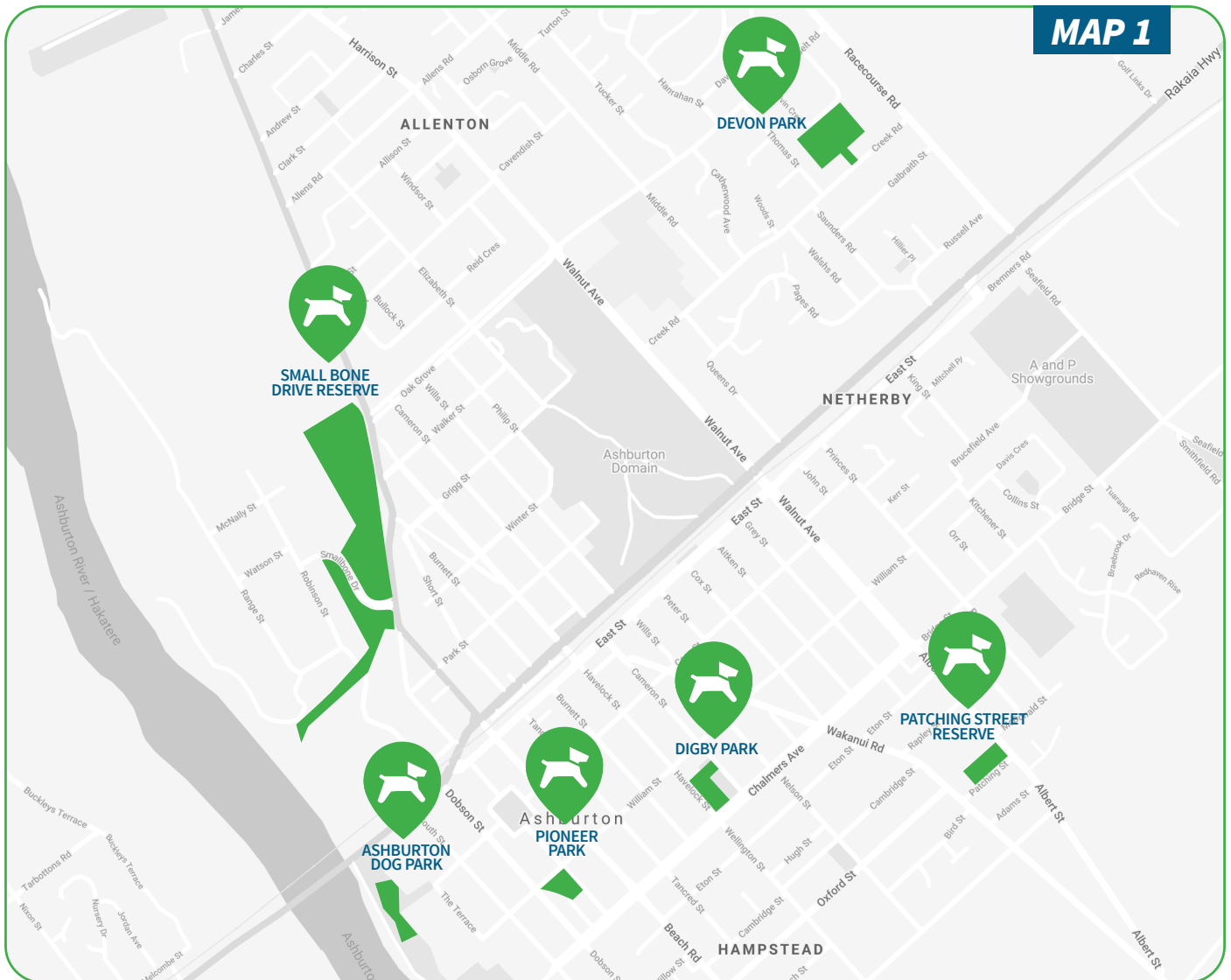
- The Green
- George Glassey Park.

### **Map 5 – Methven Dog Park**



# Dog Exercise Areas

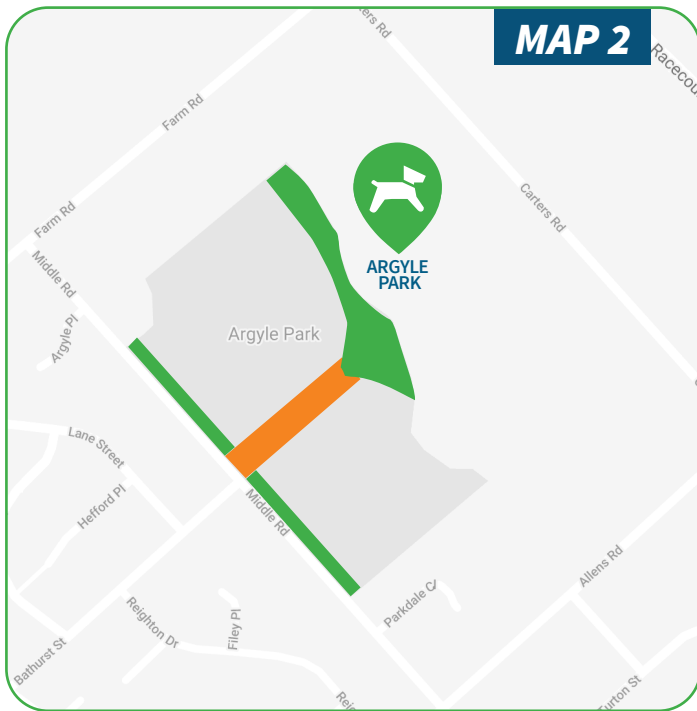
## Ashburton Dog Exercise Areas





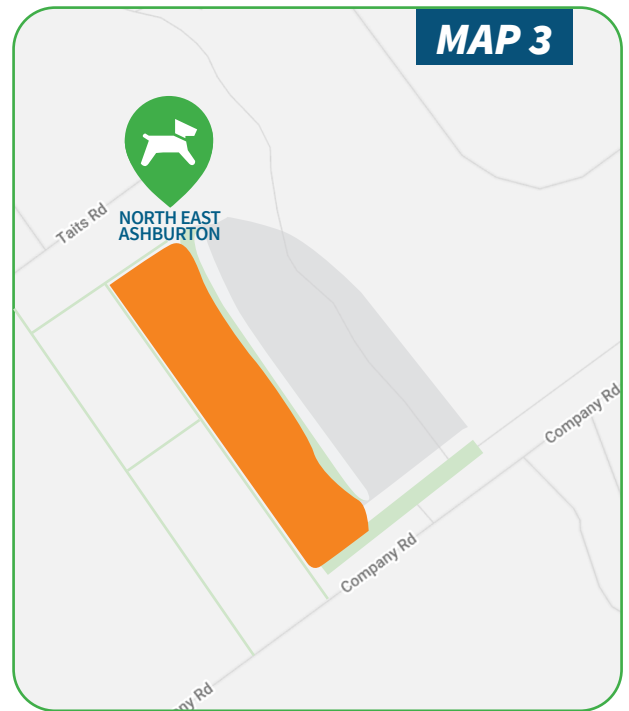
# Dog Exercise Areas

## Argyle Park Exercise Areas



- Current dog exercise areas
- Proposed dog exercise areas

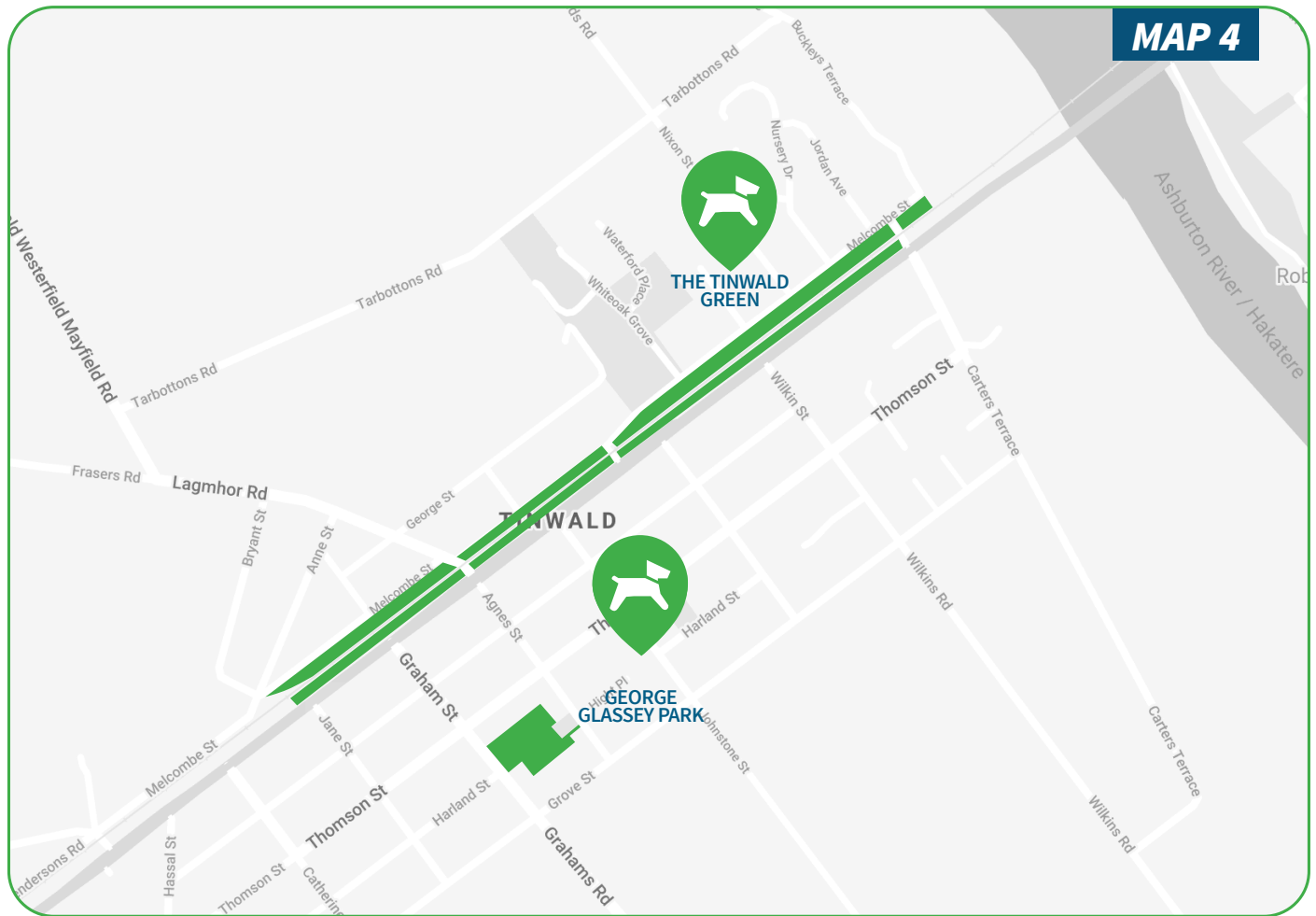
## North East Ashburton Dog Exercise Area



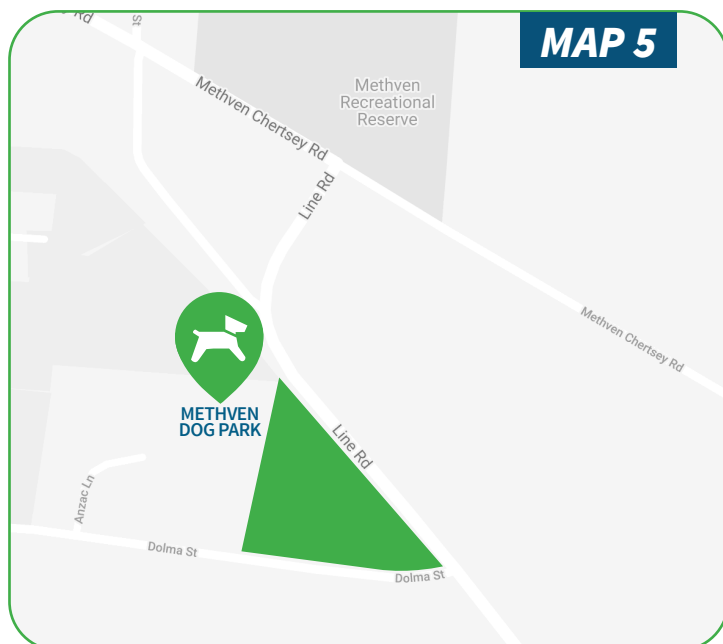
- Proposed dog exercise areas

# Dog Exercise Areas

## Tinwald Dog Exercise Areas



## Methven Dog Park



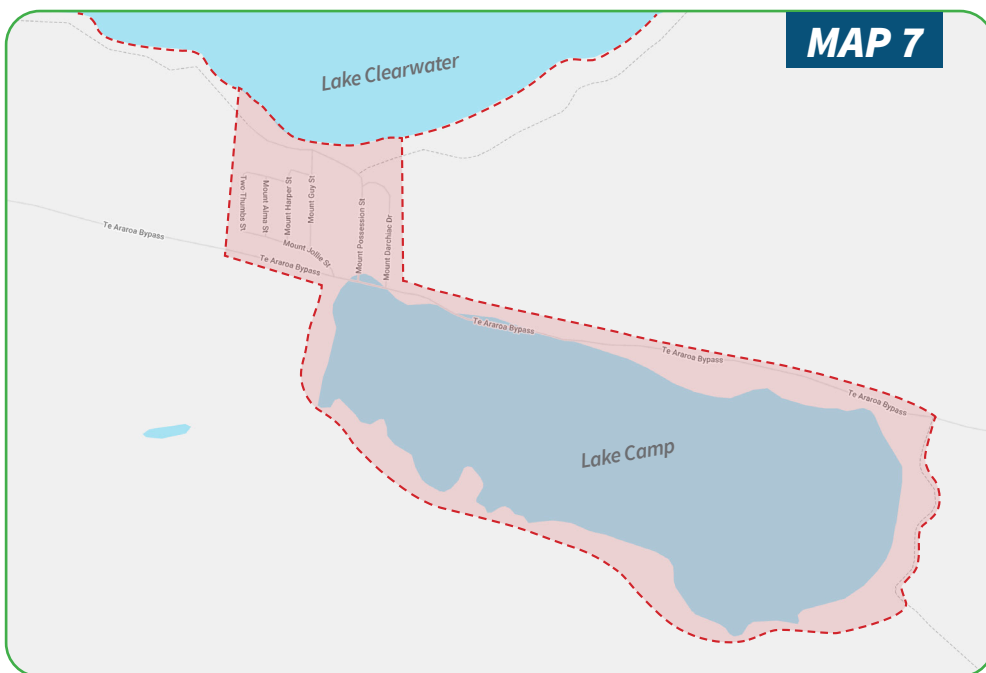
# Prohibited Dog Areas

## Ashton Beach



■ Proposed prohibited area

## Lake Camp & Lake Clearwater Hut Settlement



▭ Prohibited area  
-- Prohibited area

# Dog Control Bylaw & Policy

## Consultation document (statement of proposal)

### Front cover text

We are reviewing our Dog Control Bylaw and Dog Control Policy, and are proposing some changes. We want to hear what you think about these changes.

This document includes information on our proposal and how you can give us feedback.

***We are accepting feedback until 5pm Sunday 11 July 2021.***

### Introduction

Under the Dog Control Act 1996, Council must have a Dog Control Policy, and a Bylaw to enforce this policy.

We are reviewing our Dog Control Bylaw and Policy and want to hear your feedback on the changes we are proposing to make.

The full draft Dog Control Bylaw and Policy are included in this consultation document.

### Why is a bylaw and policy needed?

The policy and bylaw work together to regulate dog control matters in the community. The bylaw enables enforcement of the policy and regulation of dog related matters.

The Dog Control Act 1996 states that we must review both our bylaw and policy at the same time.

***Our bylaw and policy are necessary to minimise the potential for dogs to cause harm, distress or nuisance to the community, animals or wildlife, while also providing for the recreational needs of dogs and their owners. Our documents aim to find a balance between these two objectives.***

### What is our proposal?

We believe that many of the issues addressed by the current bylaw and policy remain current and appropriate for the district today. Because of this, we are proposing to keep our current documents but to make some changes to them. Our bylaw and policy have been updated to ensure consistency with current practice, other Council bylaws and documents and to ensure that the bylaw and policy are relevant for the district today and in the future.

The key changes we are proposing to make to the bylaw and policy are:

### Key change one: Additional clauses

Clauses have been added to the documents stating that:

- owners must ensure that dogs are wearing current registration tags while on any land that is not their own.
- dog owners or persons in charge of a dog must carry a plastic bag or other effective means to remove and dispose of any fouling produced by their dog when in a public place or land that is not the dog owner's own.

### Why?

These clauses have been incorporated into our bylaw and policy in order to provide consistency with the Dog Control Act 1996 and to ensure that dog owners always have effective means to dispose of any fouling when they are not on their own land.

**HAVE YOUR SAY!**

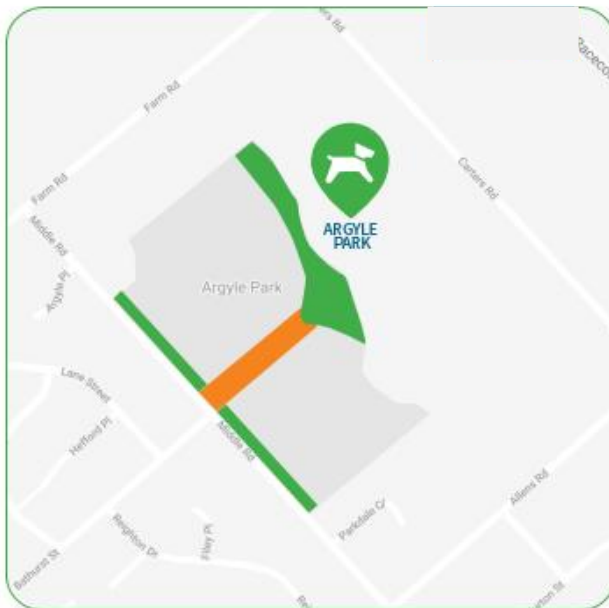
*What do you think of our proposed changes?*

### Key change two: New and extended dog exercise areas

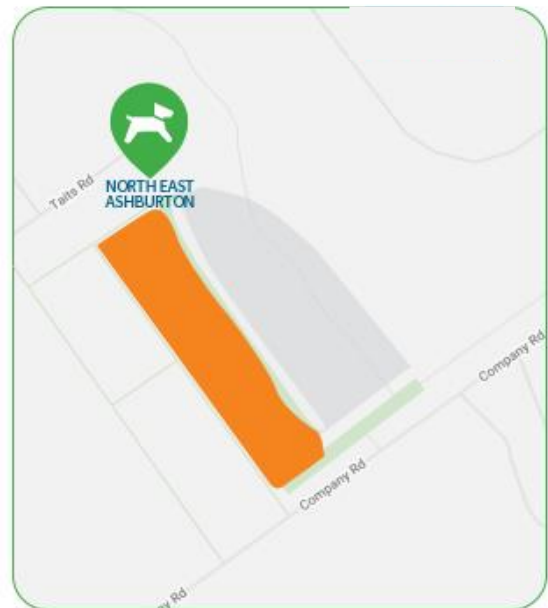
- Extension of Argyle Park exercise area (as below)
- New dog exercise area in North East Ashburton (as below)

*Proposed exercise areas:*

**Argyle Park Exercise Areas**



**North East Ashburton Dog Exercise Area**



- Current dog exercise areas
- Proposed dog exercise areas

- Proposed dog exercise areas





**Why?**

It has been noted that current dog exercise area in Argyle Park is not practical with an area either side of the park, therefore we are proposing to update this by adding a connection between the two areas.

The North East Ashburton exercise area has been proposed in response to a petition received in 2019 requesting Council make the Ashburton Business Estate an off-leash area. We do not believe that the business estate is appropriate for dogs to be off-leash due to the amount of hazards and incidents that have occurred in that location, however the proposed area is close to the business estate and should provide owners with an alternative solution.

### Key change three: Updated prohibited areas

Addition of:

- Ashton Beach
- Lake Clearwater shores
- Lake Heron shores
- Maori Lakes shores
- Explanatory note outlining that Department of Conservation has control over the above areas.

**HAVE YOUR SAY!**

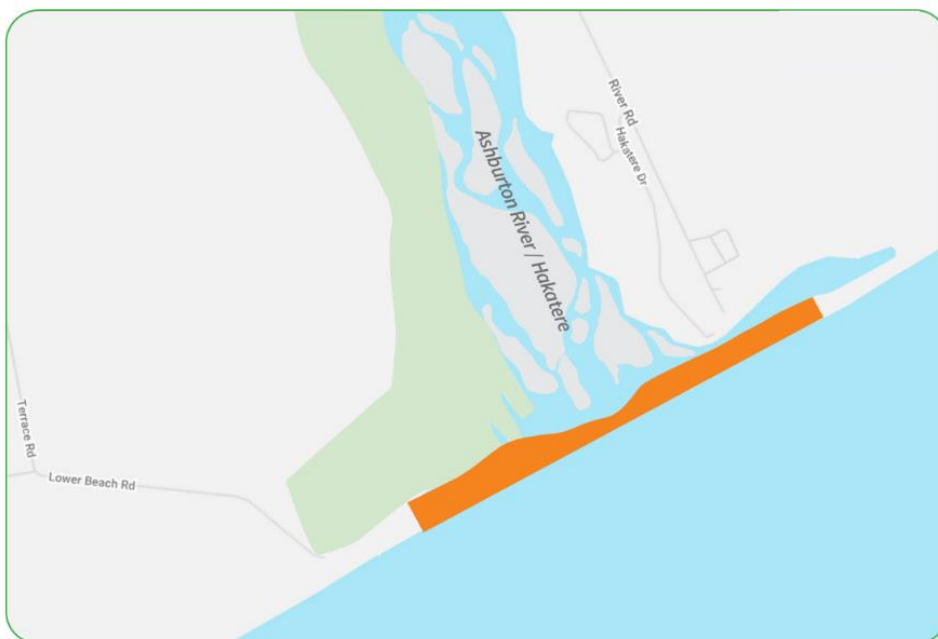
*We are accepting  
feedback until  
Sunday 11 July*

### Why?

Ashton Beach has been added as a prohibited area because this location is considered to have the highest bird species richness of any site within the Ashburton District. It also supports breeding colonies for the world's most threatened gull species, the black-billed gull. There have been incidents of dogs attacking birds in this area, and the presence of dogs also affects the feeding, resting, and breeding behaviours of the birds.

*Proposed prohibited area:*

### Ashton Beach



The other areas added are controlled by the Department of Conservation (DoC), and are identified as prohibited areas. We have included them into our policy and bylaw under schedule 1 in order to provide consistency with DoC and to provide better clarity for dog owners.

## Options Considered

	<i>Advantages</i>	<i>Disadvantages</i>
No change to the bylaw & policy	<ul style="list-style-type: none"> <li>• <i>Issues that are currently regulated continue to be regulated.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Issues leading to the 2019 petition are not alleviated</i></li> <li>• <i>Improvements identified during officer review are not resolved</i></li> <li>• <i>Inconsistency with Department of Conservation prohibited areas.</i></li> </ul>
Adopt the proposed bylaw & policy – <i>our preferred option</i>	<ul style="list-style-type: none"> <li>• <i>Issues leading to the 2019 petition may be alleviated</i></li> <li>• <i>Improvements identified during officer review are resolved</i></li> <li>• <i>Consistency with Department of Conservation prohibited areas.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>There are no disadvantages to this option.</i></li> </ul>

## Relevant determinations

Council is authorised to make this bylaw under section 20 of the Dog Control Act 1996, and section 145 of the Local Government Act 2002 which states that bylaws may be made for:

- protecting the public from nuisance;
- protecting, promoting and maintaining public health and safety; and
- minimising the potential for offensive behaviour in public places.

Under section 155 of the Local Government Act 2002, Council must determine whether or not a bylaw is the most appropriate way of addressing a perceived problem, and whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.



REQUIRED DETERMINATION	COUNCIL CONSIDERATION
Whether a bylaw is the most appropriate way of addressing a perceived problem	Council has determined that a bylaw is the most appropriate way of addressing the perceived problem. It is a legal requirement for Council to have a Dog Control Bylaw and Policy under the Dog Control Act 1996. When a Dog Control Bylaw is reviewed, the Dog Control Act 1996 requires that the Dog Control Policy is reviewed at the same time.
Whether the bylaw is the most appropriate form of bylaw	<p>Council's Dog Control Bylaw is the most appropriate form of bylaw because it meets the following tests:</p> <p>The bylaw is:</p> <ul style="list-style-type: none"> <li>• authorised by statute under the Dog Control Act 1996</li> <li>• not repugnant to the general laws of New Zealand</li> <li>• certain and clear</li> <li>• reasonable</li> <li>• not overly restrictive, onerous on any person, or impractical.</li> </ul>
Whether the bylaw is inconsistent with or gives rise to any implications under the New Zealand Bill of Rights Act 1990	The proposed bylaw is consistent with the New Zealand Bill of Rights Act 1990, and does not impose any restrictions on any of the rights listed in the Act.

### **Draft Dog Control Bylaw 2021**

*\*Bylaw to be inserted here*

### **Draft Dog Control Policy 2021**

*\*Policy to be inserted here*

## Have Your Say

Your views on the proposed Dog Control Bylaw and Policy are important to us, and we encourage you to make a submission. Written submissions can be made to the Council up until 5pm on 11 July 2021.

The easiest way to provide your feedback is to complete it online at [www.ashburtondc.govt.nz](http://www.ashburtondc.govt.nz)

Alternatively, you can provide feedback by filling in the attached submission form and get it back to us using one of the following methods:

- Email: [submissions@adc.govt.nz](mailto:submissions@adc.govt.nz)
- Freepost to: Ashburton District Council  
Freepost 230444  
PO Box 94  
Ashburton 7740
- Drop it off at the Ashburton District Council reception.

**We want to  
hear from  
YOU!**

**Submissions close at 5.00pm on Sunday 11 July 2021.**

## What Happens Next?

Process	Date
<b>Community consultation</b>	11 June – 11 July 2021
<b>Submission hearings</b> Submitters can present their submission to Council in person at a hearing.	29 July 2021
<b>Bylaw finalisation</b> Council will consider and deliberate on submissions, making the necessary changes to the draft bylaw as a result of submissions. This stage may also include further legal review of the proposed bylaw.	18 August 2021
<b>Bylaw adopted by Council</b> The new bylaw is expected to be adopted by Council at this meeting.	1 September 2021

# Submission Form

## SUBMISSIONS CLOSE 5PM SUNDAY 11 JULY

*\*Please note all submissions are public documents and will be made available on Council's website. Submissions presented in the form of a petition or accompanied by multiple signatures will be treated as a single submission.*

First Name

Last Name

Organisation (if appropriate)

Address

Phone

Email

### **Do you wish to speak in support of your submission at the hearing?**

*If no boxes are ticked it will be considered that you do not wish to be heard.*

#### **Yes**

*The hearing is expected to be held in the Council Chamber on Thursday 29 July 2021. Please note that hearings are live-streamed to our online channels.*

#### **No**

*I do not wish to speak in support of my submission and ask that the following written submission be fully considered.*

- 1.** Do you support the Dog Control Policy as presented?  
Yes / No
- 2.** Let us know why:  
Comment box
- 3.** Do you support the Dog Control Bylaw as presented?  
Yes/No
- 4.** Let us know why:  
Comment box
- 5.** Do you have any further comments?  
Comment box

**Signature:**

**Date:**

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## **8. Elderly Persons Housing Policy**

Author	<i>Mel Neumann; Graduate Policy Advisor</i>
Activity Manager	<i>Toni Durham; Strategy and Policy Manager Colin Windleborn; Commercial Property Manager</i>
GM Responsible	<i>Jane Donaldson; Group Manager Strategy and Compliance Paul Brake; Group Manager Business Support</i>

### **Summary**

- The purpose of this report is to recommend that Council adopts the Elderly Persons Housing Policy, following a period of consultation via the draft Long-Term Plan.

#### **Recommendation**

- 1. That** Council adopts the Elderly Persons Housing Policy 2021, to take effect from 2 June 2021.

### **Attachment**

**Appendix 1** Elderly Persons Housing Policy 2021

## Background

### Current situation

1. Our Elderly Persons Housing Policy was last adopted by Council in June 2017, and was due for review in 2020.
2. A section 17A review was undertaken and the report was presented to Council on 3 March. Council resolved to increase rental prices in order to return the service back to a self-sustaining level.
3. The policy was subsequently updated in line with this decision, and in line with changes to legislation through the Residential Tenancies Amendment Act 2020.
4. The public was consulted on this matter via the draft Long-Term Plan consultation period from 19 March – 19 April.
5. The results of the consultation showed that while many were concerned about the affordability of the rental increases, a clear majority preferred that self-sustaining is reached within two years. Feedback received from tenants indicated that the proposed rental increases are acceptable.
6. Four groups and organisations, seven businesses and 112 individual submitters supported Council's preferred option to increase rents in order to reach self-sustaining in two years. One group, one business and 38 individuals preferred the slower rental increases over a period of seven years. One group, two businesses and 40 individual submitters preferred the status quo of rental increases at the rate of inflation and ongoing costs supplemented by the general rate. Seven submitters made comments that did not relate to the rental increase or related directly to the policy.
7. On 12 May Council deliberated on this matter, and indicated that the policy did not require any changes to be made as a result of the submissions received. However, officers have included a definition of smoking to include vapes, cigars, and pipes to provide consistency with our tenancy agreement terms and conditions.

## Options analysis

### Option 1 – adopt the final policy (recommended)

8. This option would see Council adopting the Elderly Persons Housing Policy to take effect 2 June 2021.
9. Advantages:
  - The policy enables the Elderly Persons Housing activity to reach a financially self-sustaining level
  - This decision is in line with the proposal that the community was consulted on

- This option gives staff enough time, as required by legislation, to formally advise tenants of the rental increase before these are implemented on 1 August 2021.

10. Disadvantage:

- there are no disadvantages to this option.

### **Option 2 – do not adopt the policy**

11. This option would see Council maintaining its current policy. This option is not recommended.

12. Advantages:

- there are no advantages to this option.

13. Disadvantages:

- This option does not remedy issues identified by the s17A review
- This option is not in line with Council resolution regarding rental increases and differs to the proposal that the community was consulted on
- Our current policy does not allow for rental increases above the Consumer Price Index from 2020/21, therefore the service will not reach a self-sustaining level.

### **Legal/policy implications**

14. The final Elderly Persons Housing Policy is in line with the Local Government Act 2002, the Residential Tenancies Act 1986, and the Residential Tenancies Amendment Act 2020.

### **Financial implications**

<b>Requirement</b>	<b>Explanation</b>
What is the cost?	There is no cost to adopt the final policy.
Is there budget available in LTP / AP?	Not required
Where is the funding coming from?	Not required
Are there any future budget implications?	No
Finance review required?	No

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered <i>significant</i> ?	Yes
Level of significance	Medium
Level of <i>engagement</i> selected	3. Consult – two way communication. Consultation has already been carried out through LTP consultation.
Rationale for selecting level of engagement	<ul style="list-style-type: none"><li>• High level of impact on those affected</li><li>• Related to strategic asset</li><li>• Potentially high community interest</li></ul>
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

## Next steps

Date	Action / milestone
2024	Policy due for review

# Policy

## ELDERLY PERSONS HOUSING

<b>TEAM:</b>	Commercial Property
<b>RESPONSIBILITY:</b>	Commercial Property Manager
<b>ADOPTED:</b>	2 June 2021
<b>REVIEW:</b>	Three years or as required.
<b>CONSULTATION:</b>	Minimum of Section 82 under the Local Government Act 2002
<b>RELATED DOCUMENTS:</b>	Local Government Act 2002, Residential Tenancies Act 1986.

### Policy Objective

- To provide clear guidelines on tenant eligibility for persons wanting to live in Council owned elderly persons housing.
- To provide guidelines for the level of rental, with the intention of the facilities becoming self-funding.
- To ensure Council meets its statutory obligations with respect to tenancies.
- To outline how Council will provide elderly persons housing in Ashburton District.

### Definitions

**Assets** includes cash, investments, house and other property (but not including a car, furniture, personal effects, and any Kiwisaver or government recognised superannuation funds).

**Council** means Ashburton District Council.

**Council Officer** means any officer of the Council or any other authorised person carrying out work on behalf of the Council.

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

**Elderly** means those people aged 65 or over, but may include persons 60 years and older if they have a medical condition and they are on a permanent invalids benefit or similar.



**Elderly Persons Housing (EPH)** means housing owned and managed by the Council for the purposes of meeting elderly housing needs in Ashburton District. As per national standards, Elderly Persons Housing is not considered social housing.

**Smoking** includes the use of e-cigarettes (commonly known as vaping), cigarettes, cigars, pipes or any other smoking device.

## Policy Statement

### 1. Eligibility criteria

- 1.1 Those applying to reside in elderly persons housing shall meet the following criteria:
- 1.1.1 Be eligible for Government National Superannuation OR aged 65 (for a couple only one applicant).
  - 1.1.2 Not receiving a gross income exceeding the total value of 15 hours per week multiplied by the rate of minimum wage at the time.
  - 1.1.3 Be able to care for themselves independently. The use of home-based support services does not mean applicants are automatically excluded.
  - 1.1.4 Show a housing need which cannot be met adequately elsewhere.
  - 1.1.5 Total assets, including cash, investments, house and other property (but not including a car, furniture and personal effects) should not exceed \$20,000 (single), \$30,000 (couples).
  - 1.1.6 Be compatible with other EPH residents, in the opinion of the Council officer.
- 1.2 Where an application is received for a couple, both applicants must meet the criteria specified in policy 1.1. Where one applicant does not meet the criteria, the application will be considered at the discretion of the Council officer.

### 2. Change in circumstances

- 2.1 All residents shall notify Council on becoming aware of their eligibility criteria changing.
- 2.2 Where it is suspected that there are existing or impending eligibility issues for medical, physical or mental health reasons, the Council will in the first instance seek to facilitate the provision of the appropriate social service support.
- 2.3 Following consultation with the appropriate social service, if the tenant is clearly unable to meet the eligibility on an ongoing basis, the Council will consider giving the tenant the required notice to vacate.

### 3. Priority

- 3.1 Applications will be accepted, and considered in the following priority order:
- 3.1.1 Current residents of Ashburton District
  - 3.1.2 Those with family in the Ashburton District

3.1.3 Past residents of Ashburton District

3.1.4 Other applicants.

#### **4. Application process**

4.1 Council Officers will assess applications for elderly persons housing against the criteria listed in 1.1 and, where applicable, 1.2. Applicants will be required to sign a statutory declaration as part of the application process.

4.2 Applicants will be advised of the outcome within 10 working days of the application being submitted to Council.

4.3 Applicants will be notified of the status of their application by letter as to whether or not a unit is available.

4.4 Where there are no available units, applicants will be added to a waiting list.

#### **5. Dispute resolution**

5.1 In the event of a dispute, resolution will be sought in accordance with the Residential Tenancies Act 1986.

#### **6. Smoking**

6.1 Smoking, including the use of e-cigarettes, is not permitted inside the elderly persons housing units. This applies to both residents and visitors.

##### **6.2 New tenancy agreements**

All new tenancy agreements will contain a clause stating that smoking, including the use of e-cigarettes, is banned.

##### **6.3 Existing tenancy agreements**

Existing tenancy agreements will not be changed to include a smokefree clause as a result of this policy.

#### **7. Animals**

7.1 Council recognises that some tenants may wish to keep small pet animals in their units.

7.2 Council officers will determine if the type of animal is appropriate based on the potential level of nuisance caused by that animal.

7.3 Dogs will not be permitted under any circumstances, excluding disability assist dogs.

7.4 Tenants wishing to keep animals (including cats) in elderly persons housing must make a request in writing to Council.

7.5 Council officers will consider the request and advise the applicant within 10 working days.

7.6 Any animal kept in elderly persons housing must be well behaved and properly cared for so they do not pose a nuisance to other tenants, or neighbours.

7.7 New tenants wanting to keep a cat must provide Council with a copy of a desexing certificate and proof of vaccinations for their cat.

## 8. Rent charges

8.1 Council will review rental costs on an annual basis.

8.2 Rent is charged per unit i.e. there are set rates for a single and double unit. If a single person is occupying a double unit, double unit rates will still apply.

8.3 Rent charges are based on an internationally adopted standard of affordability, which states that residents should pay no more than 30% of their gross household income on housing costs. This has been incorporated into policy 8.4.3, however some single residents choose to live in double units and therefore may pay more than 30% of their income on rent.

### 8.4 New and existing tenants:

8.4.1 All tenants will be subject to progressive rent increases until 2027/28 to meet the rent levies necessary for the elderly persons housing activity to be self-funding.

8.4.2 Once rent levies have progressed to the full amount as set out for 2027/28 in policy 8.4.3, rent levies will increase on an annual basis as per the Consumer Price Index for the previous financial year.

8.4.3 Rent levies for existing tenants are as follows:

	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28
<b>Single</b>	\$110.00	\$120.00	\$130.00	\$140.00	\$150.00	\$160.00	\$170.00
<b>Double</b>	\$130.00	\$140.00	\$150.00	\$160.00	\$170.00	\$180.00	\$190.00

8.5 Any rent increases will take effect in each new financial year, on the date corresponding to when the tenancy agreement was signed.

## 9. Welfare

9.1 Council acknowledges its role as landlord, and as such, will be accessible and diligent towards the general welfare of tenants.

9.2 It is not the responsibility of Council to provide social services to the tenants as these services are better provided by other professional service providers.

9.3 Where Council officers are concerned about the health or welfare of any tenants, the next of kin/emergency contact will be contacted in the first instance.

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## 9. *Open Spaces Bylaw*

Authors	<i>Mel Neumann; Graduate Policy Advisor Richard Mabon; Senior Policy Advisor</i>
Activity manager	<i>Toni Durham; Strategy and Policy Manager Ian Soper; Open Spaces Manager</i>
Group manager	<i>Jane Donaldson; Group Manager Strategy and Compliance Steve Fabish; Group Manager Community Services</i>

### Summary

- The purpose of this report is to recommend Council adopts the draft Open Spaces Bylaw for public consultation.
- Council's current Open Spaces Bylaw is due for review.
- Officers are proposing some changes, including adding some explanatory notes.
- Officers believe that many of the issues addressed by the current bylaw remain current and appropriate for the district today, therefore are proposing to keep the current document with some changes.
- The updates are intended to improve the clarity and enforceability of the bylaw.

### Recommendation

1. **That** Council adopts the draft Open Spaces Bylaw for public consultation.
2. **That** Council adopts the Open Spaces Bylaw Consultation document.

### Attachments

- Appendix 1** draft Open Spaces Bylaw  
**Appendix 2** Open Spaces Bylaw Consultation Document

## Background

### Current situation

1. Council's current Open Spaces Bylaw is due for review by 22 September 2021.
2. Officers have undertaken a review of this bylaw and are proposing some changes. The purpose of this report is to recommend Council adopt this draft bylaw for consultation.
3. The changes that officers are proposing have been included to increase the clarity of the bylaw, as well as to provide consistency with other council documents and current practice. Specific reasoning for key changes is included in the proposed Consultation Document attached in appendix two.
4. Changes made to the bylaw include:
  - Addition of definitions for 'golf' (to include disc golf) and 'scooters' (to include electric scooters). This is to reflect the changing uses of open spaces.
  - Amendment of the definition of 'Open Spaces' to include areas the offer restricted access.
  - New definition for 'authorised officer' which is consistent with legal advice and other Council bylaws.
  - A clause that states erecting or modifying a boundary fence must be approved by Council or Council Officer and comply with the Fencing Act 1978. This addresses a gap in the existing bylaw and aligns the solution with existing law.
  - An edit to allow people riding bicycles and scooters through open spaces, except in areas where signposted as prohibited for such use. This provides some freedom to use cycles and scooters with the flexibility to protect others from nuisance or hazard if necessary.
  - A clause stating that where vehicles are allowed within an open space and no speed limit has been signposted, the speed limit will be 20km per hour. (This clause is already in our Cemeteries Bylaw). This addresses a gap in the existing bylaw and provides for safe use of open spaces.
  - Explanatory note to express where camping is permitted. This explanatory note includes a link to our website which provides more information on camping in the district. This is to improve public information and understanding.
  - The addition of clause 10.2 to give officers the authority to request the removal of any structure from an open space at any time. This addresses a gap in the existing bylaw, which has become evident at Lake Camp.
  - A reference to our Smokefree Outdoor Areas Policy to improve public information and understanding.
  - Explanatory note to express Civil Aviation Rules in regards to the use of a drone or unmanned aircraft. This explanatory note includes a link to the relevant website. This has been added to improve public information and understanding.

## **Freedom Camping**

5. Council has no freedom camping bylaw under the Freedom Camping Act 2011. Council has considered the need for such a bylaw in the past, and has not identified a need. Officers are not proposing to develop a Freedom Camping Bylaw unless instructed by Council.
6. It should be noted that the amendments to the Open Spaces Bylaw are not an attempt to regulate freedom camping by stealth. They simply state how camping on open spaces is currently managed (and has been managed for some time).
7. As Council does not currently have a freedom camping bylaw, the Freedom Camping Act 2011 regulates camping within our district. This Act states that freedom camping is permitted within our district except in restricted or prohibited areas. Section 10 of the draft Open Spaces Bylaw currently prohibits camping in open spaces except areas where camping is expressly permitted or where permission has been granted by a Council officer. This restriction covers reserves and parks, but does not cover road reserves.
8. There is little physical evidence that freedom camping in Ashburton District creates issues of a type and scale that has prompted other Councils to initiate freedom camping bylaws. While Council monitors the situation, there does not appear to be a need for a freedom camping bylaw at this time. In addition, the Ministry of Business, Innovation and Employment (MBIE) is consulting on changes to tighten the rules on freedom camping.
9. If Council wishes to develop a freedom camping bylaw this can be addressed at a later date. It should be noted that section 12 of the Freedom Camping Act 2011 states that a council bylaw must not completely prohibit freedom camping from all areas within the district.

## **Options analysis**

### **Option one – adopt the draft bylaw for consultation (recommended)**

10. This is the recommended option. Consultation will be undertaken from 11 June to 11 July and hearings will be held 29 July.
11. Advantages:
  - Issues and improvements identified by staff will be resolved.
  - Gaps in the existing bylaw that pose a potential nuisance or hazard to public using open spaces can be addressed.
  - Gaps in existing bylaw that enable non-compliant structures including boundary fences will be addressed.

12. Disadvantages:

- Extending the range of matters that are controlled by a bylaw increases (at least in principle) the potential resources required to administer that bylaw. In this case, we estimate that the scale of any additional resources is negligible and clearer rules may make enforcement more efficient.

**Option two – status quo - do not adopt the draft bylaw for consultation**

13. This option would see us retaining our current bylaw for either a roll over or deferred review before expiry in two years. This option is not recommended.

14. Advantages:

- Issues that are currently regulated will continue to be regulated.

15. Disadvantages:

- The review deadline may not be met.
- Issues and improvements identified by staff will not be resolved.

**Option three – revoke the bylaw**

16. There is no legal requirement to have an Open Spaces Bylaw, however this option is not recommended.

17. Advantages:

- Less resources are required for enforcement. However, complaints in relation to behaviour prohibited under the bylaw cannot be easily addressed.

18. Disadvantages:

- Revocation of the bylaw may result in increased incidences of damage, litter, offensive behaviour or nuisance within Council's open spaces.
- Not in the best interests of the community.
- Existing legislation does not cover the same breadth of locations and issues as the bylaw does.
- Alternative non-regulatory measures would be less effective than the bylaw.

## **Legal/policy implications**

19. This bylaw underwent an external legal review in May 2021. No fatal flaws were identified as a result of this review, however minor changes were made to the bylaw as a result of the legal advice.

20. This bylaw is consistent with other relevant council documents including Reserve Management Plans, Dog Control Bylaw and Dog Control Policy 2016 (currently under review), Cemeteries Bylaw 2017, Open Spaces Strategy 2016, and the Public Places Bylaw 2017.

### Local Government Act 2002

21. Sections 145 and 146 of the Local Government Act 2002 (LGA) gives Council the power to make a bylaw for the purposes of:

- protecting the public from nuisance;
- protecting, promoting and maintaining public health and safety; and
- minimising the potential for offensive behaviour in public places.

22. Section 156 of the LGA requires us to consult with the community on the draft bylaw, in accordance with section 82.

23. Section 155 requires Council to make the following determinations:

<i>Required determination</i>	<i>Council consideration</i>
Whether a bylaw is the most appropriate way of addressing a perceived problem	Officers have determined that a bylaw is the most appropriate way of addressing the perceived problem. It is not a legal requirement to have an Open Spaces Bylaw, however there is a need to manage the use of Council’s Open Spaces to minimise damage, loss or destruction of our open spaces and to minimise offensive behaviour and/or nuisance affecting other users’ enjoyment of public parks.
Whether the bylaw is the most appropriate form of bylaw	Council’s draft Open Spaces Bylaw is the most appropriate form of bylaw because it meets the following tests:  The bylaw is <ul style="list-style-type: none"> <li>• Authorised by statute under section 146(b)(vi) of the LGA</li> <li>• Not repugnant of the general laws of New Zealand</li> <li>• Certain and clear</li> <li>• Reasonable</li> <li>• Not overly restrictive, onerous on any person, or impractical.</li> </ul>
Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990	The proposed bylaw is not inconsistent with the New Zealand Bill of Rights Act 1990, nor does it impose any restrictions on any of the rights listed in the Act.



## Financial implications

Requirement	Explanation
What is the cost?	There is a cost for undertaking consultation, such as printing and advertising. There are also costs in administering a bylaw.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Strategy & Policy budget covers the cost of consultation. Administration and enforcement of the bylaw is funded within operating budgets.
Are there any future budget implications?	No
Reviewed by Finance	Not required – no additional funding needed

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes – relates to strategic assets (open spaces)
Level of significance	Medium
Level of engagement selected	3. Consult
Rationale for selecting level of engagement	Special consultative procedure is required as per section 156 (a) of the Local Government Act 2002.
Reviewed by Strategy & Policy	Richard Mabon – Senior Policy Advisor

# *DRAFT Bylaw*

## **DRAFT OPEN SPACES**

<b>TITLE:</b>	Ashburton District Council Open Spaces Bylaw 2016
<b>TEAM:</b>	Open Spaces
<b>RESPONSIBILITY:</b>	Open Spaces Manager
<b>DATE ADOPTED:</b>	XXX 2021
<b>COMMENCEMENT:</b>	XXX 2021
<b>NEXT REVIEW DUE:</b>	XXX 2026

### **1. Title**

The title of this bylaw is the Ashburton District Council Open Spaces Bylaw 2016.

### **2. Purpose**

The purpose of this bylaw is to protect Council's Open Spaces from damage or misuse and to allow for their effective management for the benefit and enjoyment of all users.

### **3. Related documents**

- Ashburton District Council Dog Control Bylaw 2016
- Ashburton District Council Cemeteries Bylaw 2017
- Ashburton District Council Explanatory Bylaw 2016
- Ashburton District Council Open Spaces Strategy 2016
- Ashburton District Council Public Places Bylaw
- Civil Aviation Authority Rules
- Local Government Act 2002
- Reserve Management Plans
- Reserves Act 1977
- Resource Management Act 1991.

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## 5. Application

- 5.1. This bylaw applies to parks, reserves, public gardens and any other Open Space under the control of the Ashburton District Council.
- 5.2. Council has Reserve Management Plans for reserves owned or managed by Council. These do not form part of this bylaw, but should be referred to by any person interested in the management of Council's reserves.
- 5.3. This bylaw does not specifically cover regulation of dogs in Open Spaces. This is dealt with by the Dog Control Bylaw.

## 6. Definitions

In this bylaw, unless the context requires otherwise:

**Aircraft** means any man-made device capable of flight, including, but not limited to aeroplanes, helicopters, gliders, hang-gliders, kites, hot air balloons, and unmanned aircraft such as drones. It

does not include balloons that are controlled from the ground via strings.

**Animal** means stock, poultry and any other animal that is kept in a state of captivity or is dependent upon human beings for its care or sustenance.

**Authorised officer** means any person appointed by the Council to act on its behalf and with its authority.

**Bylaw** means the Ashburton District Council Open Spaces Bylaw 2021.

**Council** means Ashburton District Council.

**District** means the district of the Ashburton District Council.

**Golf** includes traditional golf, disc or frisbee golf, and golf-related practice.

**Nuisance** means to obstruct, annoy or interfere, be it intentionally or unintentionally.

**Open Space** means an area of land or water owned or managed by Ashburton District Council for the use of the public for the purpose of the amenity, recreation or enjoyment of people in the district. This commonly includes (but is not limited to): parks, reserves and public gardens; but excludes buildings, swimming pools, and stockwater races. This includes any land which is vested in or under the control of the Council, whether or not that land has been vested as a reserve under the Reserves Act 1977.

**Parking** means the standing of a vehicle in any place for a period exceeding five (5) minutes and “park” shall have a corresponding meaning.

**Remotely Piloted Aircraft** means an aircraft without a human pilot on board that is piloted from a remote station. These aircrafts can be controlled by computers or by a pilot on the ground or in another vehicle, by remote. They are referred to by several other names, most commonly as a ‘drone’ or unmanned aircraft (UAV).

**Scooters** includes foot-powered scooters and electric scooters.

**Vehicle** has the same meaning as in the Land Transport Act 1998 and generally means a man-made device for land transport, including, but not limited to, cars, trucks, heavy machinery, motorbikes, scooters and bicycles and any other machine with wheels, tracks, rollers or skids; but does not include prams, strollers, wheelchairs or other mobility scooters.

## 7. Entrances and exits

- 7.1. No person shall wilfully obstruct any of the approaches, entrances, exits, thoroughfares, or walkways of any open space.

## 8. Damage and interference

- 8.1. Without the prior written permission of Council or an authorised officer, no person, either personally or through any agent under their control or through omission, may:
- 8.1.1. remove, destroy, damage, deface, obstruct, disturb, or otherwise interfere with any thing, or any part of any thing, in or enclosing any Open Space, including any:
    - (i) structure or fitting;
    - (ii) sign, notice, label, inscription, billboard, or placard;
    - (iii) path, track, step, gravel, sand, soil, or border;
    - (iv) tree, shrub, or plant of any kind, including taking any part of any tree, shrub, or plant of any kind;
    - (v) area prepared for any sport or game;
    - (vi) flora, fish, bird, fauna, or any naturally occurring living thing.
  - 8.1.2. plant any tree, shrub, or plant of any kind, or sow or scatter the seed of any tree, shrub, or plant of any kind, in any Open Space;
  - 8.1.3. deposit offensive or dangerous matter, or cause pollution within any Open Space;
  - 8.1.4. leave any litter within the limits of any Open Space other than in receptacles provided therefor.
  - 8.1.5. pollute or render any open space unfit for purpose or future use, including any stream, dam, pond or fountain in any Open Space;
  - 8.1.6. permit or cause wastage of water or permit any water tap to flow for a longer period than may be reasonably required for the filling of utensils for drinking, cooking, or washing purposes;
  - 8.1.7. bathe, wade or swim in any water in any Open Space where bathing, wading or swimming is prohibited by the Council and a sign or signs to that effect are displayed;
  - 8.1.8. erect, construct, or place in any Open Space any walking track, cycling track or other cycling facility, dam, tree-house, sign, notice, label, inscription, billboard, or placard without the prior written permission of the Council or an authorised officer;
  - 8.1.9. erect, construct or place any fence or structure in any Open Space, except as provided for in 10.1. The erection or modification of any fence on the boundary of an Open Space must be approved by Council or an authorised officer and comply with the Fencing Act 1978.
- 8.2. Any person to whom the Council grants permission under clause 8.1 must comply with any condition imposed by the Council.

## 9. Animals

- 9.1. No person shall bring any animal, or allow any animal to wander or graze or cause damage, within the limits of any Open Space unless:
- 9.1.1. a Council bylaw has allowed the animal in the area, such as through the Dog Control Bylaw and the related Dog Control Policy; or
  - 9.1.2. Council has authorised the presence of animals through a Reserve Management Plan, licence or other similar document; or
  - 9.1.3. permission has been granted by an authorised officer; or
  - 9.1.4. the Open Space has been booked for an event allowing the presence of animals.

- 9.2. In the case of any animal or bird protected by the Wildlife Act 1953, no such permission shall be granted under clause 9.1.3 to bring such animal or bird into any Open Space, unless the provisions of that Act have been complied with.
- 9.3. An authorised officer may seize and confine any loose animal found within any Open Space.

## **10. Vehicles**

- 10.1. No person shall operate, ride or drive, park or utilise any vehicle other than bicycles or scooters on or in any Open Space except:
- 10.1.1. in areas clearly signposted and notified as being available for such use
- 10.1.2. where permission has been granted by an authorised officer.
- 10.2. Persons may ride bicycles or scooters within any Open Space, except in areas signposted as being prohibited for such use.
- 10.3. No person shall ride or drive any vehicle in any Open Space at a speed in excess of the speed indicated on the appropriate sign displayed in the area where the vehicle is being driven or ridden. Where no speed limit has been signposted, no person will drive or ride in any open space at a speed greater than 20km per hour. These speed restrictions may be imposed and varied by the Council from time to time.
- 10.4. No person may operate, use, park or leave any vehicle in any Open Space without due care and attention or without reasonable consideration for other persons using the Open Space.

## **11. Erection of tents and booths**

- 11.1. No person shall camp, place, put up or erect any stall, tent or structure of any kind within an Open Space except:
- 11.1.1. where permission has been granted by an authorised officer, and then only in accordance with conditions attaching to permission granted; or
- 11.1.2. in areas where camping is expressly permitted by Council; or
- 11.1.3. where the temporary structure is intended to assist in protection from weather and sun and will only be in place between 2 hours after sunrise and 2 hours before sunset. The grouping of these structures is permitted so far as they do not create a nuisance, restrict access or impact on the enjoyment of that Open Space by other users.
- 10.2. Authorised officers have the right to request any structure be removed from any open space at any time.

***Explanatory note***

Areas in Ashburton District where Council allows camping are listed on our website. These include:

- Rangitata River Mouth
- Ashburton Holiday Park
- Rakaia Gorge
- Hakatere
- Lake Clearwater
- Kowhai Flat
- Rakaia Huts Reserve
- Taylor Stream
- Bowyers Stream
- Hinds River (North of Mayfield)

For more information please visit [www.ashburtondc.govt.nz/community-facilities/council-campgrounds](http://www.ashburtondc.govt.nz/community-facilities/council-campgrounds)

**12. Misbehaviour**

- 12.1. Within the limits of any Open Space, no person shall act in any way that will cause nuisance to any other person. Such actions can include, but are not limited to: the use of obscene language, being under the influence of drugs or alcohol, playing loud music, disrupting others' use of the Open Space, or misbehaving in any way.
- 12.2. Smoking or vaping is not permitted in some open spaces. These locations are listed in Council's Smokefree Outdoor Areas Policy.

**13. Assemblies**

- 13.1. Assemblies, public meetings, gatherings or other attempts to collect an audience or crowd must be peaceful and not cause any disturbance to any other user of that Open Space; or impact on any closure of that Open Space, or any authorised activity taking place within that Open Space.

**14. Sports and games and other recreational activities**

- 14.1. The Council or an authorised officer may stop or prevent any sport, game, or other recreational activity being undertaken or played on any part of an Open Space where it is liable to cause damage to the Open Space or anything therein.
- 14.2. No person shall play any organised sport in any Open Space (or part thereof) that is not set apart for that purpose.

- 14.3. No person shall play at or engage in or practice sport, game, or other recreational activity on any playing ground or part thereof on any Open Space after being requested by an authorised officer to leave, or when any notice is erected at the main entrance to any Open Space advising that grounds are closed to play.
- 14.4. No person shall play or practice golf in any Open Space except within such part of an Open Space which the Council has by resolution set aside for that purpose and signposted accordingly.

## **15. Aircraft**

- 15.1. No person may take off, fly, or land aircraft, remotely piloted aircraft, or any kind of flying machine or glider within any Open Space except in case of emergency or in accordance with the prior permission of the Council or an authorised officer.
- 15.2. Despite clause 14.1, model aircraft or remotely piloted aircraft may be operated in Council's Open Spaces in compliance with every condition below;
  - 15.2.1. No person shall operate an remotely piloted aircraft:
    - 15.2.1.1. within 50 meters of any playground or paddling pool;
    - 15.2.1.2. in Council cemeteries;
    - 15.2.1.3. in camp ground areas;
    - 15.2.1.4. over a sports field if it is in use by others;
    - 15.2.1.5. without seeking permission of other users of the Open Space at the time of operation where the operator will capture images;
    - 15.2.1.6. when there is booked use of a public area, except where the booking is the user's own;
    - 15.2.1.7. if required by an authorised officer to cease operation.
  - 15.2.2. Unmanned aircraft operators must:
    - 15.2.2.1. comply with the Office of the Privacy Commissioner's guidance on preserving peoples' personal privacy by not flying over other people using the Open Space or over adjoining private property without their consent;
    - 15.2.2.2. Comply with Civil Aviation Authority Rules;
    - 15.2.2.3. Be courteous towards other users who visit the Open Space for quiet enjoyment.



***Explanatory note***

Civil Aviation Authority Rules state that a drone or unmanned aircraft must:

- not exceed 25kg
- only be flown during the day (except for shielded operations)
- fly below 120m above ground level
- give way to all crewed aircraft and land if another aircraft approaches
- be visible (by eye) at all times by the person controlling the aircraft
- stay at least 4kms away from all aerodromes (including helipads at hospitals), unless permission has been granted
- not fly over people or property without consent
- not fly in controlled airspace or special use airspace without permission or clearance.

*For more information please visit [www.aviation.govt.nz/drones/rules-and-regulations-for-drones-in-new-zealand](http://www.aviation.govt.nz/drones/rules-and-regulations-for-drones-in-new-zealand)*

## **16. Public access to open spaces**

- 16.1. Open Spaces will be open to the public at all times except:
- 16.1.1. during such hours as the Council or authorised officers may from time to time determine; or
  - 16.1.2. as otherwise set out in section 16 of this bylaw.
- 16.2. No member of the public will limit any other member of the public's lawful access to any Open Space or part thereof without the prior written permission of the Council or authorised officer.

## **17. Closures and fees**

- 17.1. The Council may close all or any portion of any Open Space, for any period of time it sees fit, for the purposes of limiting public access for a specific purpose or event.
- 17.2. Any such closure by the Council will be notified to the public.
- 17.3. The Council may by resolution, for any Open Space, set or vary the conditions of its use or set any reasonable fee it wishes, either temporarily or permanently. Payment of those fees shall be a condition for access to or use of that Open Space.
- 17.4. Any such variation of conditions or setting of fees by the Council will be notified to the public.
- 17.5. No person other than an authorised officer going about their duties shall enter or remain in any Open Space while it is closed to the public without paying the prescribed fee (where applicable) or without the prior permission of Council or an authorised officer.

- 17.6. Any person who enters an Open Space prior to its closure, and who stays in that place, must either pay the prescribed fee (where applicable) or leave that Open Space for the duration of the closure.

## **18. Breaches of bylaw**

- 18.1. Every person who breaches this bylaw, must on request of an authorised officer immediately stop the activity and leave the Open Space. Any person failing to comply with such a request commits a further offence against this bylaw and may be liable to being served with an Infringement Notice.-
- 18.2. Any person who is suspected by an authorised officer of a breach of the provisions of this part of the bylaw shall immediately supply their full name and residential address upon request by an authorised officer.
- 18.3. Any person who breaches this bylaw may be prohibited from re-entering or returning to the Open Space for such period as the authorised officer shall determine.
- 18.4. Breaches of this bylaw may also result in an application being made to the District Court for an injunction to restrain such from the activity that they have been involved in.
- 18.5. Any person who breaches this bylaw may be prosecuted for any such breach and is liable upon summary conviction to a fine, as provided for under the Local Government Act 2002 (which specifies a fine not exceeding \$20,000), and may also be liable to penalties under other legislation.

# Open Spaces Bylaw

## Consultation document (statement of proposal)

### Front cover text

We are reviewing our Open Spaces Bylaw and are proposing some changes. We want to hear what you think about these changes.

This document includes information on our proposal and how you can give us feedback.

***We are accepting feedback until 5pm Sunday 11 July 2021.***

### Introduction

We are reviewing our Open Spaces Bylaw and want to hear your feedback on the changes we are proposing to make.

The full draft Open Spaces Bylaw is included in this consultation document.

### Why is a bylaw needed?

The bylaw is necessary to address the potential for problems that may arise from the misuse of Council owned or managed parks and open spaces including:

- Damage, loss or destruction to the land, structures or infrastructure associated with parks and open spaces
- Offensive behaviour and/or nuisance, affecting others' enjoyment of public parks and reserves.

#### What is an open space?

**An 'open space' means an area of land or water owned or managed by Ashburton District Council that offers unrestricted access to the public for the purpose of the amenity, recreation or enjoyment of the people in the district. This includes parks, reserves and public gardens.**

### What is proposed?

We believe that many of the issues addressed by the current bylaw remain current and appropriate for the district today. Because of this, we are proposing to keep our current document but to make some changes to it. Our bylaw has been updated to ensure consistency with current practice, other Council bylaws and documents and to ensure that the bylaw is relevant for the district today and in the future.

The key changes we are proposing to make to our Open Spaces Bylaw are:

### Key change one: Additional clauses

Clauses have been added to the bylaw stating that:

- Officers have the authority to request the removal of any structure from an open space at any time.
- Where vehicles are allowed within an open space and no speed limit has been signposted, the speed limit will be 20 km / hr.
- People riding bicycles or scooters are allowed through open spaces, except in areas where signposted as prohibited for such use.
- Erecting or modifying a boundary fence must be approved by Council or a Council Officer, and comply with the Fencing Act 1978.

#### Why?

The first clause has been incorporated into our bylaw to avoid the erection of inappropriate structures in Council's Open Spaces.

The second clause has been included to provide consistency with our Cemeteries Bylaw, but also to regulate the speed of vehicles in our Open Spaces to reduce the potential for damage or health and safety incidents.

The third clause has been added to allow bicycles and scooters within our Open Spaces as we believe they are appropriate, except for the areas specifically prohibited for this use.

The fourth clause has been incorporated to provide consistency with the Fencing Act 1978.

### Key change two: Explanatory notes

Explanatory notes have been added to the bylaw to express:

- Where camping is permitted within the district (see page XXX), and
- Civil Aviation Rules in regards to the use of a drone or unmanned aircraft (see page XXX).

#### Why?

Explanatory notes are often included in policies and bylaws for educational purposes. The camping explanatory note has been included to clearly show where camping is permitted within the district, and the other has been added to express the Civil Aviation Rules that are in place for flying drones.



## Options Considered

	Advantages	Disadvantages
No change to the bylaw	<ul style="list-style-type: none"> <li>• <i>Issues that are currently regulated continue to be regulated.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Improvements identified during officer review are not resolved.</i></li> </ul>
Revoke the bylaw	<ul style="list-style-type: none"> <li>• <i>There are no advantages to this option.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>May result in increased incidences (damage, litter, nuisance)</i></li> <li>• <i>Not in the best interest of the community</i></li> <li>• <i>Existing legislation does not cover the same breadth of location or issues</i></li> <li>• <i>Alternative non-regulatory measures would be less effective.</i></li> </ul>
Adopt the proposed bylaw – <i>our preferred option</i>	<ul style="list-style-type: none"> <li>• <i>Issues Improvements identified during officer review are resolved.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>There are no disadvantages to this option.</i></li> </ul>

## Relevant determinations

Council is authorised to make this bylaw under section 145 of the Local Government Act 2002 which states that bylaws may be made for:

- protecting the public from nuisance;
- protecting, promoting and maintaining public health and safety; and
- minimising the potential for offensive behaviour in public places.

Under section 155 of the Local Government Act 2002, Council must determine whether or not a bylaw is the most appropriate way of addressing a perceived problem, and whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990.

REQUIRED DETERMINATION	COUNCIL CONSIDERATION
Whether a bylaw is the most appropriate way of addressing a perceived problem	Council has determined that a bylaw is the most appropriate way of addressing the perceived problem. It is not a legal requirement to have an Open Spaces Bylaw, however there is a need to manage the use of Council’s Open Spaces to minimise damage, loss or destruction of our open spaces and to minimise offensive behaviour and/or nuisance affecting other users’ enjoyment of public parks.
Whether the bylaw is the most appropriate form of bylaw	<p>Council’s draft Open Spaces Bylaw is the most appropriate form of bylaw because it meets the following tests:</p> <p>The bylaw is:</p> <ul style="list-style-type: none"> <li>• authorised by statute under section 146(b)(vi) of the Local Government Act 2002</li> <li>• not repugnant to the general laws of New Zealand</li> <li>• certain and clear</li> <li>• reasonable</li> <li>• not overly restrictive, onerous on any person, or impractical.</li> </ul>
Whether the bylaw is inconsistent with or gives rise to any implications under the New Zealand Bill of Rights Act 1990	The proposed bylaw is consistent with the New Zealand Bill of Rights Act 1990, and does not impose any restrictions on any of the rights listed in the Act.

**Draft Open Spaces Bylaw 2021**

## Have Your Say

Your views on the proposed Open Spaces Bylaw are important to us, and we encourage you to make a submission. Written submissions can be made to the Council up until 5pm on 11 July 2021.

The easiest way to provide your feedback is to complete it online at [www.ashburtondc.govt.nz](http://www.ashburtondc.govt.nz)

Alternatively, you can provide feedback by filling in the attached submission form and get it back to us using one of the following methods:

- Email: [submissions@adc.govt.nz](mailto:submissions@adc.govt.nz)
- Post: Ashburton District Council  
FREEPOST 230444  
PO Box 94  
Ashburton 7740
- Drop it off at the Ashburton District Council reception



**Submissions close at 5.00pm on Sunday 11 July 2021.**

## What Happens Next?

BYLAW DEVELOPMENT PROCESS	DATE
<b>Community consultation</b>	11 June – 11 July 2021
<b>Submission hearings</b> Submitters can present their submission to Council in person at a hearing.	29 July 2021
<b>Bylaw finalisation</b> Council will consider and deliberate on submissions, making the necessary to the draft bylaw as a result of submissions. This stage may also include further legal review of the proposed bylaw.	18 August 2021
<b>Bylaw adopted by Council</b> The new bylaw is expected to be adopted by Council at this meeting.	1 September 2021

# Submission Form

## SUBMISSIONS CLOSE 5PM SUNDAY 11 JULY

*\*Please note all submissions are public documents and will be made available on Council's website.*

*First Name*

*Last Name*

*Organisation (if appropriate)*

*Address*

*Phone*

*Email*

### **Do you wish to speak in support of your submission at the hearing?**

*If no boxes are ticked it will be considered that you do not wish to be heard.*

#### **Yes**

*The hearing is expected to be held in the Council Chamber on Thursday 29 July 2021. Please note that hearings are live-streamed to our online channels.*

#### **No**

*I do not wish to speak in support of my submission and ask that the following written submission be fully considered.*

- 1.** Do you support the Open Spaces Bylaw as presented?

Yes / No

- 2.** Let us know why:

Comment box

- 3.** Do you have any further comments?

Comment box

**Signature:**

**Date:**



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## ***10. Adoption of PBE IPSAS 41 Financial Instruments***

Author	<i>Hayley Bezuidenhout; Accountant</i>
Activity Manager	<i>Rachel Sparks; Finance Manager</i>
GM Responsible	<i>Paul Brake; General Manager Business Support</i>

### **Summary**

- Council is required to apply the new PBE IPSAS 41 Financial Instruments standard from year two of the 2021-2031 Long-Term Plan, however adopting this standard early in year one of the 2021-2031 LTP would allow for consistent treatment of financial instruments throughout the whole 2021-2031 LTP.

### **Recommendation**

- 1. That** Council adopts PBE IPSAS 41 Financial Instruments in year one of the Long-Term Plan 2021-2031.

## Background

1. Council is required to apply the new financial instruments standard PBE IPSAS 41 Financial Instruments from 1 July 2022, year two of the 2021-2031 LTP.
2. This accounting standard will replace most of PBE IPSAS 29: Financial Instruments: Recognition and Measurement, this is the current accounting standard Council uses for financial instruments for the annual report.
3. PBE IFRS 9 Financial statements has been superseded by PBE IPSAS 41 Financial Instruments. This standard was due for adoption in Year two of the 2021-2031 LTP.
4. The main changes this standard requires to the current treatment is a change in classification of financial assets in the notes to the financial statements. This is simply a change to the groupings of the financial assets, with new names for the groupings.
5. Items that are currently classified as loans and receivables will be required to be classified as amortised cost under the new accounting standard. Loans and receivables currently consists of cash and cash equivalents and trade and other receivables.
6. There is no impact on the accounting treatment of the financial assets that need to be reclassified i.e. no numbers will change.
7. The standard also requires a new method for calculating impairment on trade receivables to be used. The difference in the value for impairment of trade and other receivables using the new calculation method is a nominal amount.
8. The External Reporting Board allows for this standard to be applied before the required implementation date of 1 July 2022.

## Options analysis

### **Option 1 – Adopt PBE IPSAS 41 Financial Instruments in Year One of the 2021-2031 LTP (recommended option)**

9. Approving early adoption of PBE IPSAS 41 Financial Instruments in year one of the 2021-2031 would allow for the consistent accounting treatment of financial instruments throughout the whole LTP.

### **Option 2 – Adopt PBE IPSAS 41 Financial Instruments in Year Two of the 2021-2031 LTP**

10. Adopting the new PBE IPSAS 41 Financial Instruments accounting standard in year two of the 2021-2031 LTP would result in inconsistent treatment of financial instruments in the first year of the LTP.

## Legal/policy implications

11. There are no legal or policy implications should the recommendation in this report be passed

## Financial implications

12. There are no additional financial implications

Requirement	Explanation
What is the cost?	\$0
Is there budget available in LTP / AP?	N/A
Where is the funding coming from?	No additional funding is required
Are there any future budget implications?	No
Finance review required?	A finance review has been completed to determine what changes are required as a result of applying the new accounting standard.

## Significance and engagement assessment

13. The recommendation is not considered to be significant and does not require community engagement.

Requirement	Explanation
Is the matter considered <i>significant</i> ?	No
Level of significance	Low – Not significant
Level of <i>engagement</i> selected	None – Council is required to apply this accounting standard from 1 July 2022
Rationale for selecting level of engagement	Council is required to apply the new accounting standard in year two of the 2021-2031 LTP.
Reviewed by Strategy & Policy	No - Council is required to apply this accounting standard from 1 July 2022.

## **11. Creative Communities Grants Assessment Round 2, 2020-21**

Minutes of a meeting of the Creative Communities Fund Assessment Committee, held in the Mayors Reception 1, 5 Baring Square West, Ashburton, on Thursday 29 April 2021, commencing at 10.00am.

### **Present**

Femke de Sitter - van der Valk (Chair), Peter Muir, Kay Begg, Kate Beaumont-Smith, Dianne Favel, Cr Leen Braam

### **In attendance**

Clare Harden (Community Administration Officer)

#### **1 Apologies**

Nil.

#### **2 Conflict of interest**

- Peter Muir – Ashburton Operatic Society Incorporated
- Dianne Favel - Ashburton Operatic Society Incorporated
- Kate Beaumont-Smith - Hakatere Ceramics

#### **3 Extraordinary business**

Nil.

#### **6 Creative Communities Scheme grant applications**

The merits of each application were discussed and the following funding decisions were made.

##### **Funding**

A total of fourteen applications were received for funding, totalling \$41,800

There was \$30,974.81 available for distribution.

The Committee agreed that the funding be distributed as follows:

<b>No.</b>	<b>Applicants</b>	<b>Amount requested</b>	<b>Amount granted</b>
1	Anna Ngametua Glassie	\$1,866	\$1,480
2	Ashburton Art Gallery	\$3,000	\$3,000
3	Ashburton Embroiderers' Guild	\$1,000	\$1,000
4	Ashburton Indian Multicultural Charitable Trust	\$9,780	\$1,000
5	Ashburton Multi Cultural Trust	\$3,000	\$3,000
6	Ashburton Operatic Society Incorporated	\$304	\$304
7	Ashburton Performing Arts Theatre Trust	\$1,911	\$1,536
8	Ashburton Writers Group	\$390	\$340
9	CanInspire Trust	\$700	\$700

10	Connecting Mid Canterbury Charitable Trust	\$3,285	\$3,285
11	Hakaterere Ceramics	\$2,500	\$2,500
12	Hannah Kidd	\$5,336	\$5,336
13	Kristin Anne Dunne	\$3,876	\$1,600
14	Little Green Man Productions	\$4,852	\$1,800
15	Ashburton Society of Performing Arts Inc.	\$2,000	2,000
	<b>Total</b>	<b>\$43,800</b>	<b>\$28,881</b>

The balance of funds available in Round 1 (August 2021) will be \$2,093.81.

## 7 **Communication to Grant Recipients**

Letters will be sent to the groups to inform them of the outcome of their application.

### **Recommendation to Council**

**That** Council receives the minutes of the Creative Community Fund Assessment Committee meeting held on 29 April 2021.

The meeting concluded at 11.45pm.

## 12. Mayor’s Report

### 12.1 Remuneration Authority

The Remuneration Authority has started to review the remuneration settings for local government elected members. The three yearly reviews generally begin in the year before the local elections are held so that any changes can be introduced in the new term.

A significant part of the review will be a reassessment of the size index that was established after the 2018 review. The size index informs the Authority’s decisions on councillor pay and is based on a range of factors which each have weightings applied.

As shown in the Remuneration Authority’s June 2018 Information Paper (*copy previously circulated*) the 2017-18 review was comprehensive and involved significant input from the local government sector. When considering weightings and how they would be allocated, the Authority took into account inherent differences between councils and the need to avoid advantaging or disadvantaging some councils. Ultimately it was a matter of judgement, informed by extensive consultation and work undertaken by the Authority, and the weightings agreed were an informed call.

Size Factors Weightings

Authority Type	Population	Total Assets	Total Operating Expenditure	Socioeconomic Deprivation	Geographic Area	Passenger Boardings
Territorial	50%	15%	20%	15%	n/a	n/a
Regional	25%	25%	20%	n/a	20%	10%
Unitary	25%	10%	20%	15%	20%	10%

The Remuneration Authority has shared the size index<sup>1</sup> and would be interested in hearing Council’s views on the above weightings. I support the approach that the Authority has taken, however Council may wish to give further consideration to this through a working group.

### 12.2 Salvation Army’s Community Driver Mentoring Programme

I attended the graduation ceremony for the Salvation Army’s Community Driver Mentoring Programme on Monday 24 May. It was very pleasing to attend this graduation and see the joy shown by the people who have obtained either their restricted or full licence. Many had overcome various barriers which had previously prevented them from obtaining their licence. Their success will make such a difference in their lives going forward, whether it be for employment or for social reasons. And ensuring more people are licenced makes the roads safer for us all.

<sup>1</sup> Auckland Council and Chatham Islands Council excluded from the size index due to their extreme sizes

## 12.3 Meetings

- **Mayoral calendar**

### May 2021

- 18 May: LTP Deliberations
- 19 May: Pendarves area visit with CE Hamish Riach
- 20 May: LTP Deliberations
- 20 May: Braided Waters Trust
- 20 May: Aqualine Ashburton Office Opening – Cr McKay deputised
- 21 May: Eastfield Health representatives with CE Hamish Riach
- 24 May: Lake Hood representatives with CE Hamish Riach
- 24 May: Salvation Army Community Driver Mentor Programme graduation ceremony
- 25 May: Waka Kotahi Consultation on Setting of Speed Limits Rule – Cr Wilson deputised
- 25 May: CDHB Chair Sir John Hansen and CE Peter Bramley with Cr Cameron and CE Hamish Riach
- 25 May: Ashburton Water Management Zone Committee
- 26 May: Treaty of Waitangi Workshop
- 27 May: Te Āhuru Mōwai o Aotearoa Intake Farewell – Deputy Mayor McMillan and Cr Cameron deputised
- 27 May: Canterbury Mayoral Forum meeting with Minister Megan Woods
- 27 May: Canterbury Mayoral Forum meeting with Minister Michael Wood
- 27 May: Regional Transport Committee
- 27 May: Canterbury Mayoral Forum working dinner
- 27 May: Three Waters Update (Zoom meeting)
- 28 May: Hokonui Radio Interview
- 28 May: Canterbury Mayoral Forum
- 28 May: Civil Defence Emergency Management
- 28 May: Climate Change – What will this mean for Canterbury

### Recommendation

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

Neil Brown

**Mayor**

## 13. Councillor Reports

### Councillor Lynette Lovett

#### 13.1 Canterbury Biodiversity Champions 2021

I attended the meeting, hosted by Environment Canterbury and held in Christchurch on Friday 14 May. The meeting provided an opportunity for councils to catch up on where we are each at with our Long Term Plans, particularly in respect to Biodiversity.

From this meeting participating councils have been asked for feedback on the following questions –

Advocacy within Communities	
What does success in our role look like in the community?	
What is our community asking for? (in relation to biodiversity)	<i>e.g. multi-year funding of community initiatives / projects</i>
What needs to <b>change</b> in our community?	

Advocacy within our Region	
What can we do together as councils?	<i>e.g. regional spatial tool to support a co-ordinated approach to biodiversity management</i> <i>e.g. investigate options to map public land and facilitate community-led use of public land for biodiversity outcomes</i>
How can we provide support from a governance perspective?	

Advocacy within New Zealand	
What's our role at the national level?	<i>e.g. how do we think 'bigger' in terms of attracting international funders for our iconic ecosystems such as braided rivers?</i>

#### Recommendation

**That** Council receives the report and refers the Canterbury Biodiversity Strategy Group's advocacy questions to the Biodiversity Advisory Group for response.



## Deputy Mayor *Liz McMillan*

### 13.2 Meetings attended

- 18 May: New social / emergency housing working group. Met with 20 other interested parties to discuss the social and emergency housing needs in the district.
- 27 May: Te Aahuru Moowai o Aotearoa – refugee resettlement farewell ceremony, Mangere, Auckland. Cr Cameron and I attended the ceremony and met the family that will settle in Ashburton.
- 28 May: Safe Communities steering group meeting. Wendi Stewart from ACC presented on the child injury statistics for the Mid Canterbury area.
- 28 May: Safer Mid Canterbury Board meeting.

### Recommendation

**That** Council receives the reports.

## ***14. Economic Development Quarterly Report***

Author *Richard Fitzgerald; Acting Economic Development Manager  
Janice McKay, Welcoming Communities Advisor*

General Manager *Steve Fabish, GM Community Services*

### **Summary**

- The purpose of this report is to provide Council with a high-level update on Economic Development through the first quarter of 2021, January to March.
- The report is framed around the seven pillars included in Council's adopted Economic Development Strategy and Action Plan.
- Richard Fitzgerald, has undertaken the role of Acting Economic Development Manager in a part time capacity alongside his existing responsibilities. The new Economic Development Manager will start with Council on 31 May 2021.

### **Recommendation**

- 1. That** Council receives the Economic Development Quarterly update.

### **Attachment**

**Appendix 1** Infometrics Quarterly Economic Report – Ashburton District, March 2021

## Strategy and Development Plan Update

1. Businesses are reporting a lingering effect of Covid-19 which is having variable impacts on their performance. Some sectors report solid performances e.g. agriculture in general, and construction, with other sectors reporting continued challenging conditions e.g. tourism and retail.
2. Two general themes across all sectors is ongoing difficulty in attracting and placing suitably qualified personnel and increasingly more significant supply chain issues. These factors are contributing to a decline of 2.1% in economic performance of the District over the quarter.

### **Pillar 1: Signalling Council is Open for Business**

**This pillar relates to Council setting up, establishing its position, and delivering its services in a way that supports economic development.**

#### Update

3. Council has experienced very high numbers of building consent applications numbering 284 compared to 167 at the same time last year. The Council has issued 236 compared to 161 last year and LIM's are up 50% on the previous year. These figures reflect significant interest in both residential and commercial building.
4. The Infometrics report (appendix 1) does not show this level of activity due to the timing of the consent process in relation to the timing of the Infometrics report. While the level of enquiry and consenting is high, there are significant capacity issues within building and construction businesses which is likely to cause a bottleneck in construction. In addition to this, shortages in materials are emerging across a number of product lines. This will extend the build times and is likely to create a backlog of building.

### **Pillar 2: Placemaking and Branding**

**Placemaking is about creating the space(s) where people want to live, work and play – places where people and business want to be.**

#### Update

5. The contract for district promotion is under review with ChristchurchNZ who have been identified as the Council partner for delivering the service. Particular consideration is being given to defining the KPI's and the approach for district promotion in a Covid-19 affected industry.
6. The Welcoming Communities programme implementation in the Ashburton District continues to be recognised as an exemplar case at a national level which contributes to the positive branding of Ashburton as a space where people want to live, work, play and do business.

### **Pillar 3: Unlocking Latent Potential**

#### **Developing a mechanism to deal with projects that come to Council.**

##### **Update**

7. Officers continue to respond to new business and development enquires. These enquiries have involved coordinated responses inclusive of several departments across Council.
8. Officers have initiated new links via the Canterbury Employers Chamber of Commerce between New Zealand Trade and Enterprise and a private equity firm with the intention to support export businesses requiring seed capital for growth.

### **Pillar 4: Agriculture and Technology**

#### **Assisting the agriculture and technology sectors' existing industry bodies to assimilate technology into the sector.**

##### **Update**

1. The primary sector has experienced a satisfactory quarter with dairy prices firm and arable business having an average harvest season. Sheep prices are firm. Despite the satisfactory market conditions, there is a general level of anxiousness about external factors. The concern of the National Policy Statement on Freshwater management is well publicised and the Green House Gas issue is gaining more profile.
2. Employment of migrant and overseas workers on farm (particularly dairy farming) and support business such as contractors has been challenging. In addition, rising costs (potential 24% increase in ECAN rates) and supply chain issues (12 month wait time for new tractors) are making the business of farming increasingly more complicated. This is leading to a steady rise in mental health and wellbeing issues on farm.
3. The Nitrate report is currently being drafted and is due in mid-June.
4. The Resilient Business project is in the development phase with the establishment of a farmer driven working group guiding the draft project proposal, which is currently being peer reviewed. This project will help farmers identify options for alternative land use into the future, should they consider it appropriate.
5. The Council has been liaising with the Rural Support Trust which are undertaking a social impact analysis which will be drafted into a report by Dr Heather Collins and due for completion in June.

### **Pillar 5: Natural Resource Management (a) water and (b) tourism and events**

#### **Protecting and enhancing the district's natural capital, particularly recognising water as a crucial resource.**

##### **Update**

9. The Regional Event Fund (MBIE funded) which the Council is facilitating on behalf of ChristchurchNZ, aims to increase the visitor spend in the District through increasing event attendances, greater out of district visitation and increased overnight stays.

For example, the South Island Secondary Schools Mountain Biking competition, which were held at Mt Hutt Bike Park and were supported by the REF, had approximately 85% of participants come from outside of the district to compete.

10. The first round of deliberation and funding of the REF has been allocated and has identified the need for capability development of event managers in order for them to increase the scale and reach of their events. In addition to receiving an allocation of funding, the event managers are required to attend training funded by the REF.
11. The contract for district promotion is under review with ChristchurchNZ who has been identified as the Council partner for delivering the service. Particular consideration is being given to defining the KPI's and the approach for district promotion in a Covid-19 affected industry.

### **Pillar 6: Start-up, SMEs and Business Support**

**Lobbying, advocacy and influencing policy settings important to business.**

#### **Update**

12. Most sectors have reported difficulty in securing sufficient staff with the right qualifications. Long recruitment campaigns and even roles remaining unfilled are a current issue. The Ashburton District unemployment rate is 3.2%, well below the Canterbury average of 4.3%, and the national average of 4.7%.
13. The Council approach to addressing this issue is to work closely with Ministry of Social Development (MSD) on a range of initiatives. Within this quarter, this has included advocating for businesses (Talleys) directly with MSD for them to initiate recruitment initiatives, and to support MSD and CECC initiatives with people on the Job Seeker programme.
14. The My Next Move programme is in the final stages of planning. This initiative will help business and senior school students connect, to help with careers guidance or even direct recruitment. A key goal of the My Next Move programme is to support youth retention in the district and the connection between individual students and the business is key to this strategy. The main My Next Move event, Pathways, is due for delivery in early May.

### **Pillar 7: Connecting and Supporting Infrastructure**

**Acknowledging Ashburton District's reliance on key infrastructure like roading and telecommunications.**

#### **Update**

15. The Covid Recovery Group have met and provided an overview of the District. Two challenges were highlighted by the group; difficulties with recruitment and supply chains issues were noted by all group members. While the current performance of the district economy is sound, these two issues pose a future risk to local economy. Importantly, these issues are not just associated with Ashburton District but are a nationwide issues.

16. Council continues to oversee implementation of a number of projects in relation to the provincial growth fund while reporting back to the Provincial Development Unit of government. These projects are progressing well & nearing completion.
17. Ashburton District's status as a refugee resettlement location has led to Kāinga Ora committing to provide an extra 46 houses in the District by 2023.

## Legal/policy implications

18. This report directly relates to the 7 pillars agreed to and set under the *Economic Development Strategy and Action Plan*.

## Financial implications

Requirement	Explanation
What is the cost?	Covered within operating budgets and grant funding received.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	'My Next Move' Transition to work funding is supplied by MSD. PGF express funding is supplied by MBIE. Economic Development is 100% funded by General Rates.
Are there any future budget implications?	No
Reviewed by Finance	No; not required.

## Significance and engagement assessment

19. The report discusses matters that are of significance to economic development, however, this report does not require any decision of Council.

### Overview of Ashburton District

Ashburton's economy declined 2.1% over the year to March 2021, according to Infometrics provisional GDP estimates. This decline comes from both a loss of activity during the June 2020 quarter lockdown, and declines in the December 2020 and March 2021 quarters. This is consistent with the national economy, which has experienced faltering growth in the March 2021 quarter in particular.

Employment of Ashburton residents has declined too, down 1.4% over the year to March 2021, led by decline in agriculture, manufacturing and transport. This translated to a near-doubling in the number of Jobseeker Support recipients, however there are signs that the number of recipients is starting to ease, showing that the jobless are making their way back into employment.

An increased dairy payout is forecast to yield an additional \$91m for Ashburton dairy farmers over the current season. This should positively impact both farmers and their suppliers, and may be behind Ashburton's very strong commercial vehicle registrations. Commercial vehicles registrations are up 15.5% in Ashburton, in contrast to the national decline of 16.5% - reflective of businesses being confident to invest in their future.

Ashburton's population has picked up since the pandemic, with 1.4% growth in health enrolments over the year to March 2021. Growth in population tends to drive growth in consumer spending; however, Ashburton's spending has dipped down 2.5%. Car registrations have been particularly strong in Ashburton, which does point to a degree of consumer confidence in the District.

Renewed interest in the national housing market post-pandemic has been encouraged by low interest rates, driving the strongest price growth seen in Ashburton in over a decade. Growth of 14.2% over the past year brings Ashburton's average house value to \$429,000, around half of the national average. Higher house values are yet to translate into more building in Ashburton, with residential building consents running at steady levels. Non-residential building consents have jumped up strongly, driven by consenting of the \$42m library and civic centre.

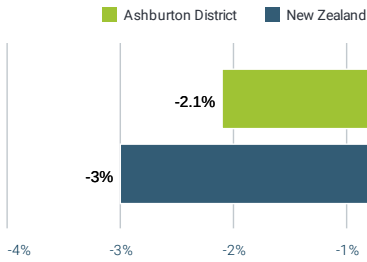
Indicator	Ashburton District	Canterbury Region	New Zealand
<b>Annual Average % change</b>			
Gross domestic product (provisional)	-2.1 % ▼	-2.0 % ▼	-3.0 % ▼
Traffic flow	-7.3 % ▼	-8.6 % ▼	-9.6 % ▼
Consumer spending	-2.7 % ▼	-2.0 % ▼	-3.8 % ▼
Employment (place of residence)	-1.4 % ▼	-1.1 % ▼	-0.2 % ▼
Jobseeker Support recipients	47.4 % ▲	48.2 % ▲	39.8 % ▲
Tourism expenditure	-15.2 % ▼	-14.1 % ▼	-16.6 % ▼
Health enrolments	1.4 % ▲	2.0 % ▲	1.6 % ▲
Residential consents	0.7 % ▲	11.7 % ▲	9.1 % ▲
Non-residential consents	56.9 % ▲	-30.6 % ▼	5.3 % ▲
House values *	14.2 % ▲	14.8 % ▲	18.2 % ▲
House sales	5.7 % ▲	14.5 % ▲	13.4 % ▲
Car registrations	0.5 % ▲	-42.8 % ▼	-19.2 % ▼
Commercial vehicle registrations	15.5 % ▲	-30.6 % ▼	-16.5 % ▼
<b>Level</b>			
Unemployment rate	3.2 %	4.3 %	4.7 %

\* Annual percentage change (latest quarter compared to a year earlier)

# Gross domestic product

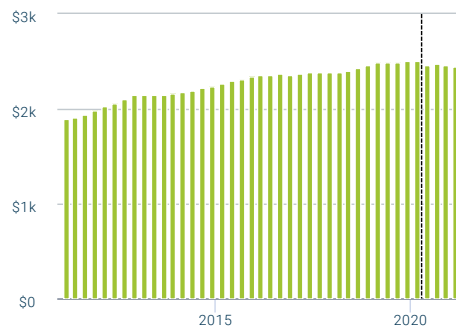
## Gross domestic product growth (provisional)

Annual average % change March 2020 - March 2021



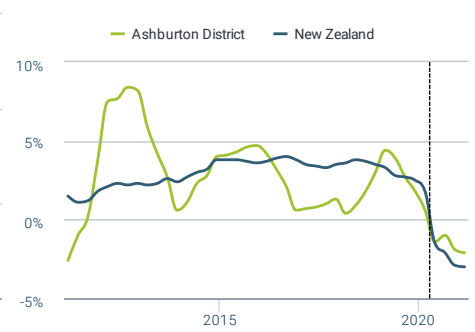
## Gross domestic product (\$m)

Annual level, Ashburton District



## Gross domestic product growth

Annual average % change



## Highlights for Ashburton District

- GDP in Ashburton District was provisionally down 2.1% for the year to March 2021 compared to a year earlier. Growth was higher than in New Zealand (-3.0%).
- Provisional GDP was \$2,454 million in Ashburton District for the year to March 2021 (2020 prices).
- Annual GDP growth in Ashburton District peaked at 8.4% in the year to September 2012.

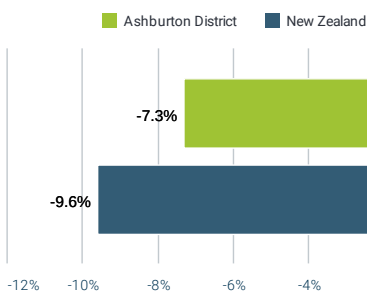
## National overview

New Zealand's economic recovery likely faltered slightly at the start of 2021, as the loss of international tourists over the usual "peak" season combined with Alert Level changes to keep activity lower. Provisional estimates from Infometrics point to economic activity falling 0.3%pa in March 2021, following a surprisingly weak result in December, keeping the annual decline to 3.0%pa. More sluggish spending activity and a fall in the total number of hours worked reinforce this slightly weaker view. Although 2021 is set to show volatile economic data, better global economic activity and a domestic vaccine rollout in the second half of the year means there are solid expectations for a more upbeat path ahead.

## Traffic flow

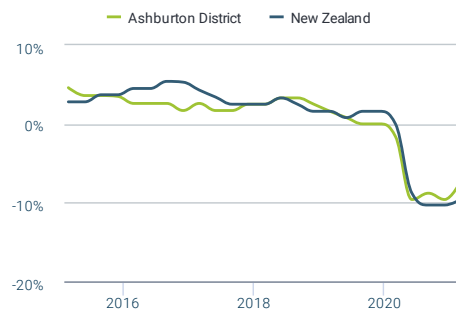
### Annual change in traffic flows

Annual average % change March 2020 - March 2021



### Traffic volume growth

Annual average % change



## Highlights for Ashburton District

- Traffic flows in Ashburton District decreased by 7.3% over the year to March 2021. This compares with a decrease of 9.6% in New Zealand.

## National overview

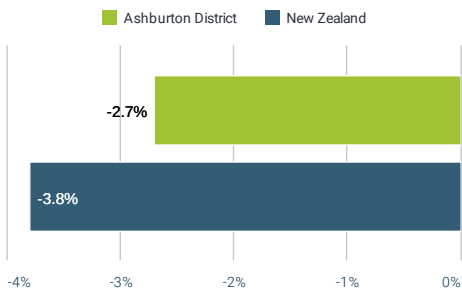
March 2021 quarter traffic activity lifted 2.4% from a year earlier to leave year-end traffic movements down 8.9%pa. Stronger traffic activity over the past six months has seen a change in traffic momentum, although traffic volumes are still lower than 2019 levels. Lower traffic flows on the West Coast and in Otago underscores lower tourism activity, but higher traffic across the central North Island and in the Wairarapa is encouraging.



# Consumer spending

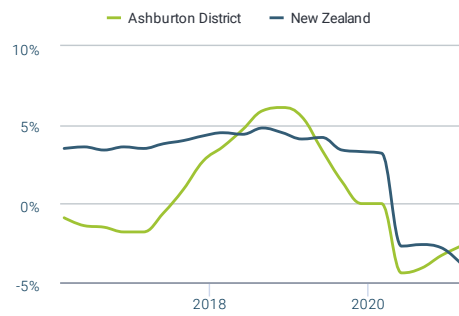
## Growth in consumer spending

Annual average % change March 2020 - March 2021



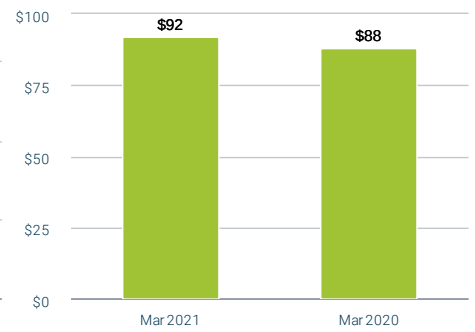
## Consumer spending

Annual average % change



## Consumer spending

Quarterly spending (\$m), Ashburton District



## Highlights for Ashburton District

- Electronic card consumer spending in Ashburton District as measured by Marketview, decreased by 2.7% over the year to March 2021 compared to the previous year. This compares with a decrease of 3.8% in New Zealand.

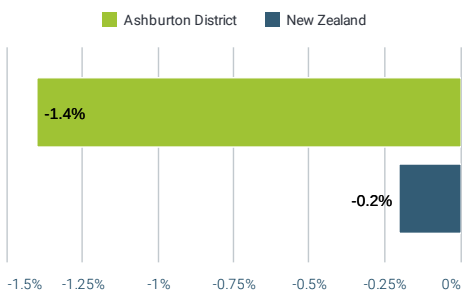
## National overview

Consumer spending in the March 2021 quarter was down 1.4%pa, while year-end spending activity was 3.8% lower than a year earlier. Lower spending in the March quarter was driven by the continued lack of international tourism spending and the ten days that Auckland spent at COVID-19 Alert Level 3 in February and March. Spending in areas with higher exposure to international tourism was considerably lower, but areas close to urban centres and with strong primary sectors saw spending rise. A stronger labour market will boost spending activity going forward, although the timing of the vaccine rollout could limit spending intentions in the short term until public immunisations get going.

## Employment (place of residence)

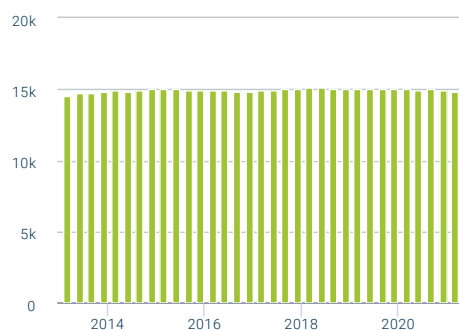
### Employment (place of residence) growth

Annual average % change March 2020 - March 2021



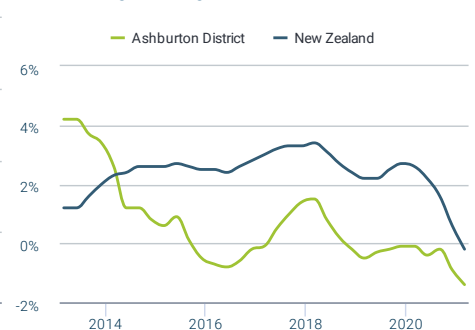
### Employment (place of residence)

Annual level, Ashburton District



### Employment (place of residence) growth

Annual average % change



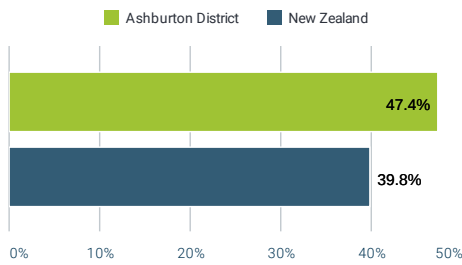
## Highlights for Ashburton District

- Employment for residents living in Ashburton District was down 1.4% for the year to March 2021 compared to a year earlier. Growth was lower than in New Zealand (-0.2%).
- An average of 14,811 people living in Ashburton District were employed in the year to March 2021.
- Annual employment growth for Ashburton District residents peaked at 4.8% in the year to September 2012.

# Jobseeker Support recipients

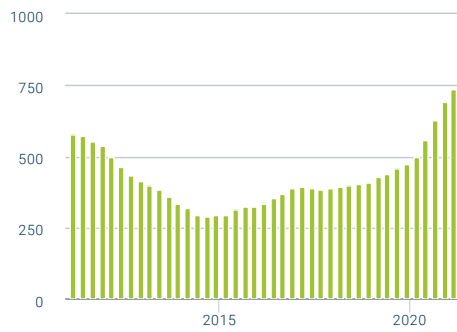
## Annual change in Jobseeker Support recipients

Annual average % change March 2020 - March 2021



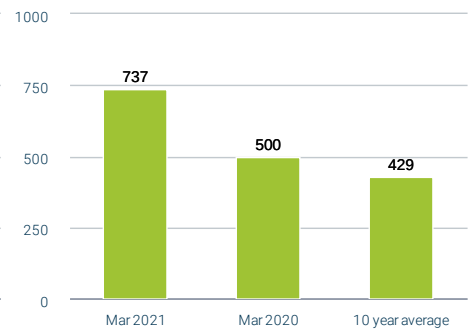
## Jobseeker Support recipients

Annual average, Ashburton District



## Jobseeker Support recipients

Annual average, Ashburton District



## Highlights for Ashburton District

- Jobseeker Support recipients in Ashburton District in the year to March 2021 increased by 47.4% compared with previous year. Growth was higher relative to New Zealand (39.8%).
- An average of 737 people were receiving a Jobseeker Support benefit in Ashburton District in the 12 months ended March 2021. This compares with an average of 429 since the start of the series in 2012.

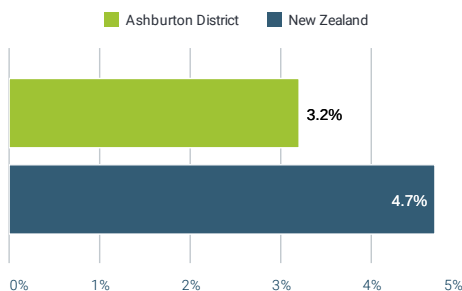
## National overview

Average Jobseeker Support recipient numbers over the 12 months to March 2021 topped 202,000 – up 40% from a year earlier – but the tide is starting to turn. Jobseeker Support numbers have been trending down over the first few months of 2021, providing encouraging signs of a stronger jobs market. Benefit numbers usually fall between the December and March quarters as the summer peak rolls off, but the fall in 2021 has been more pronounced than normal, supporting more upbeat views. Jobseeker Support levels still remain significantly higher than pre-pandemic and will take time to go back to those levels, but the trend is moving in the right direction.

# Unemployment rate

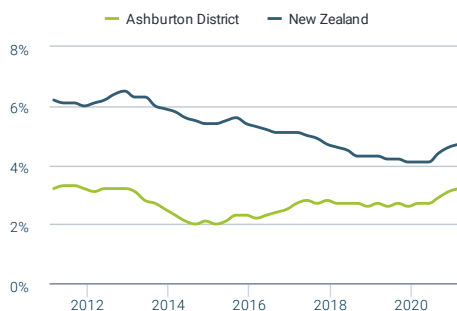
## Unemployment rate

Annual average % change March 2020 - March 2021



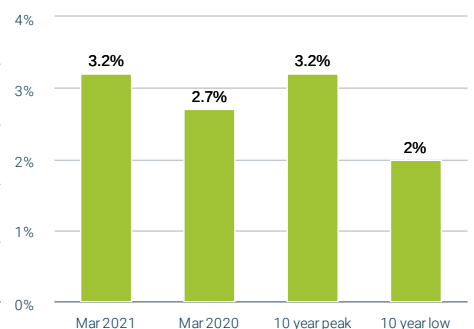
## Unemployment rate

Annual average rate



## Unemployment rate

Annual average, Ashburton District



## Highlights for Ashburton District

- The annual average unemployment rate in Ashburton District was 3.2% in March 2021, up from 2.7% 12 months earlier.
- The unemployment rate in Ashburton District was lower than in New Zealand (4.7%) in March 2021.
- Over the last ten years the unemployment rate in Ashburton District reached a peak of 3.2% in March 2021.

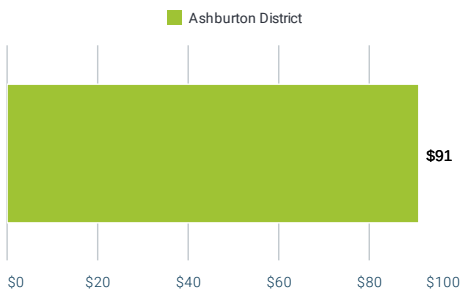
## National overview

The unemployment rate fell further at the start of 2021, down to 4.7% on a seasonally adjusted basis and steady at 4.9% unadjusted. A more upbeat labour market will support local economies heading forward, although the hit to international tourism centres is also clear in the data. Higher underutilisation means more people are in work but want to be doing more, revealing that there is still spare resource in the economy. This view is supported by the 2.3% (seasonally adjusted) fall in total hours worked, as economic activity remains below pre-pandemic levels. Full-time employment dropped 0.2% in the March 2021 from December, countered by a 3.6% rise in part-time employment, and total hours.

# Dairy payout

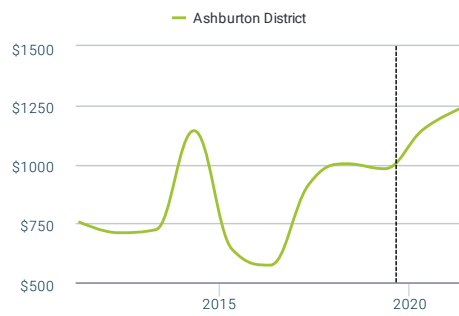
## Total dairy payout (provisional)

Change (\$m) between 2019/2020 and 2020/2021 seasons



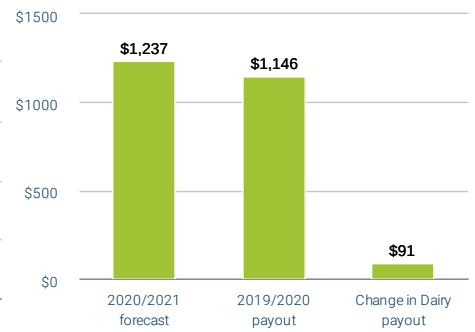
## Total dairy payout

\$m each season, Ashburton District



## Total dairy payout

\$m each season, Ashburton District



## Highlights for Ashburton District

- Ashburton District total dairy payout for the 2019/2020 season is estimated to have been approximately \$1,146 million.
- Ashburton District's dairy payout for the 2020/2021 season is expected to be approximately \$1,237 million, \$91 million higher than last season, assuming that production levels from last season are maintained.
- The total dairy payout for New Zealand is estimated to have been approximately \$13,537 million in the 2019/2020 season, and is expected to be \$1,080 million higher in the 2020/2021 season.

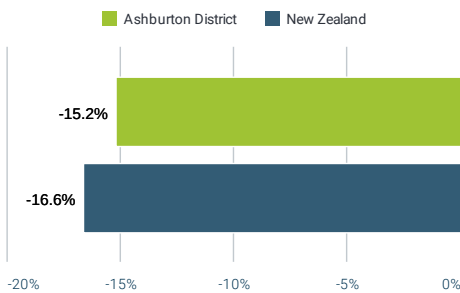
## National overview

Dairy sector activity remains strong in the first quarter of 2021, with a total pay-out of just over \$14.6b possible this season – nearly \$1b higher than our previous estimate. Overall dairy production is higher, with milk solid volumes sitting 1.0% higher than our previous expectations after strong collections in the last few months. Fonterra have raised their farmgate milk price higher to a midpoint of \$7.60/kgms (from a \$7.20 midpoint). Our internal estimates suggest that the milk price could push higher, although we also expect prices to be tempered back later in 2021. Overall, the forecast pay-out nationally is now sitting 6.7% higher than what we last reported in February and is sitting at 95% of 2008's record pay-out.

## Tourism expenditure

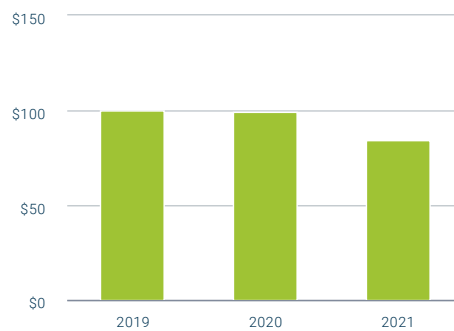
### Tourism expenditure

Annual average % change March 2020 - March 2021



### Tourism expenditure

Annual total, Ashburton District (\$m)



## Highlights for Ashburton District

- Total tourism expenditure in Ashburton District decreased by 15.2% in the year to March 2021. This compares with a decrease of 16.6% in New Zealand.
- Total tourism expenditure was approximately \$84 million in Ashburton District during the year to March 2021, which was down \$99 million a year ago.

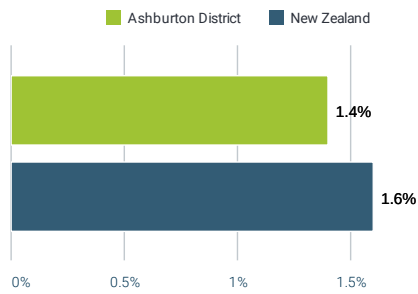
## National overview

Annual tourism expenditure fell further over the year to March 2021, with domestic tourism unable to make up for the massive spending hole left by the lack of international arrivals through the tourism high season. Total tourism spending for the year declined by 16.6% nationally, with Auckland and key international tourism centres hardest hit. The opening of the trans-Tasman travel bubble may provide some relief to these regions, with the possibility of Australian tourists returning to New Zealand for the upcoming ski season. The decline in tourism spend is also likely to be less pronounced through the middle of 2021, as these are traditionally the low season for international tourism.

# Health enrolments

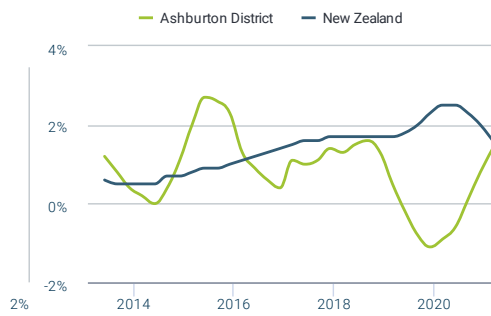
## Annual change in health enrolments

Annual average % change March 2020 - March 2021



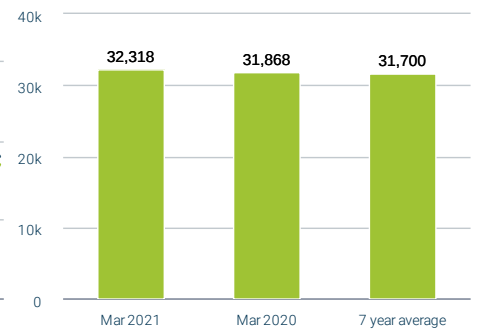
## Health enrolments

Annual average % change



## Health enrolments

Annual average, Ashburton District



## Highlights for Ashburton District

- The number of people enrolled with a primary health organisation in Ashburton District in the year to March 2021 increased by 1.4% compared with previous year. Growth was lower relative to New Zealand (1.6%).
- An average of 32,318 people were enrolled with primary healthcare providers in Ashburton District in the 12 months ended March 2021. This compares with an average of 31,514 since the start of the series in 2014.

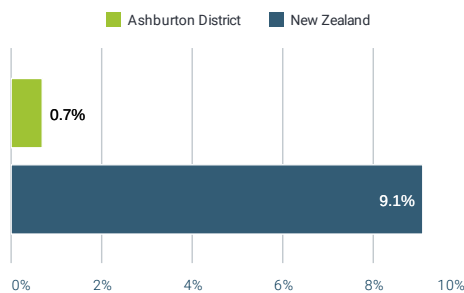
## National overview

Health enrolment numbers show a continued slowdown in population growth across New Zealand as the plummet in net migration becomes clearer. Health enrolment growth slowed further to 1.1%pa in the March 2021 quarter, slowing average growth back to 1.6%pa over the last 12 months. Quarterly health enrolment growth is now the slowest since the end of 2015, which will drag annual growth lower over the next few quarters. Slower population growth provides some breathing room for stretched resources across New Zealand getting even more stretched but is also seeing some industries challenged by the lack of skilled workers coming into New Zealand.

# Residential consents

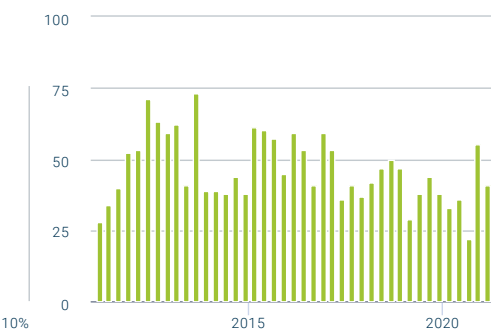
## Growth in number of new dwelling consents

Annual average % change March 2020 - March 2021



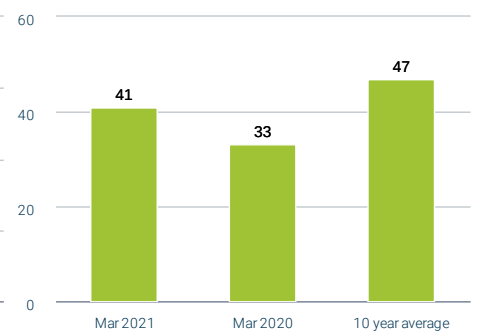
## Residential consents

Quarterly number, Ashburton District



## Number of new dwelling consents

Quarterly number, Ashburton District



## Highlights for Ashburton District

- A total of 41 new residential building consents were issued in Ashburton District in the March 2021 quarter, compared with 33 in the same quarter last year.
- On an annual basis the number of consents in Ashburton District increased by 0.7% compared with the same 12-month period a year ago. This compares with an increase of 9.1% in New Zealand over the same period.

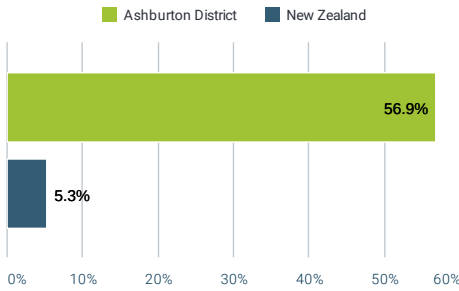
## National overview

Annual residential building consents climbed to a record high, lifting 9.1% from a year prior to 41,028 new dwelling consents in the year to March 2021. Townhouses remain the driving force behind consent growth, with the number of townhouses approved climbing 40% over the year to March 2021. It is too early to ascertain for certain how the government's housing package will impact residential consents, with the package both incentivising investors to move to new builds, but also likely taking some of the heat out of house price growth that was encouraging record high consents.

# Non-residential consents

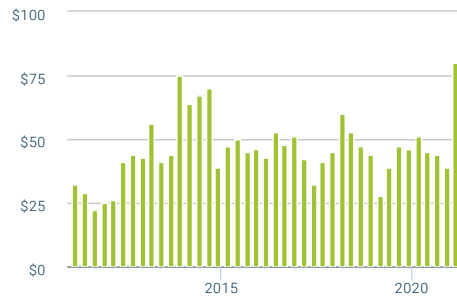
## Growth in value of consents

Annual average % change March 2020 - March 2021



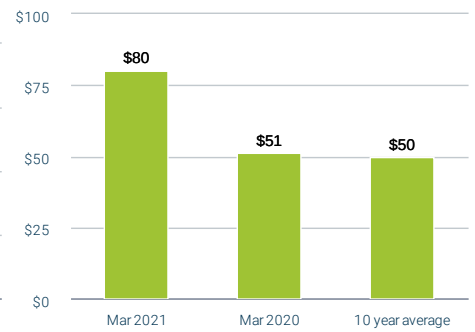
## Non-residential consents, Ashburton District

\$m, annual running total, Ashburton District



## Non-residential consents

Annual value (\$m), Ashburton District



## Highlights for Ashburton District

- Non-residential building consents to the value of \$80 million were issued in Ashburton District during the year to March 2021.
- The value of consents increased by 56.9% over the year to March 2021. By comparison the value of consents increased by 5.3% in New Zealand over the same period.
- Over the last 10 years, consents in Ashburton District reached a peak of \$80 million in the year to March 2021.

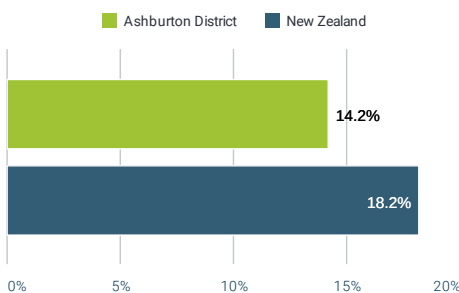
## National overview

Non-residential building consent values grew 5.3% over the year to March 2021, driven by growth in education, warehouse, and factory consents (up 46%, 26%, and 24% over the year, respectively). Consents have been stronger in recent months, particularly as we compare to March 2020, when the uncertainty of COVID-19 was starting to hamper new investment. The non-residential construction industry has begun to gain back significant confidence and momentum as the economic outlook has improved. However, capacity constraints and increasing cost pressures could limit future growth investment decisions.

## House values

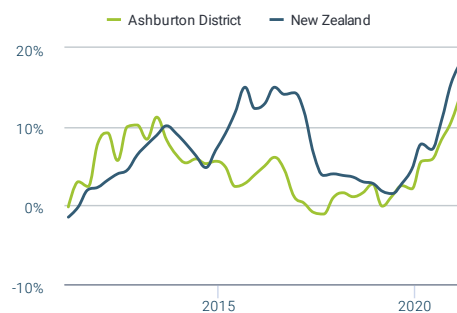
### Annual change in house value

Annual % change in house value March 2020 - March 2021



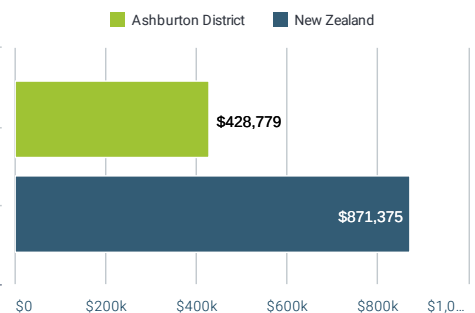
### House value growth

Annual % change



### Average current house value

Average house value in March 2021



## Highlights for Ashburton District

- The average current house value in Ashburton District was up 14.2% in March 2021 compared with a year earlier. Growth underperformed relative to New Zealand, where values increased by 18.2%.
- The average current house value was \$428,779 in Ashburton District in March 2021. This compares with \$871,375 in New Zealand.

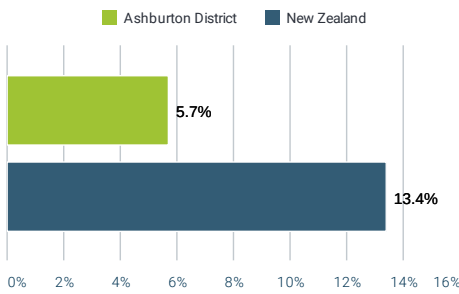
## National overview

House values across New Zealand rose 18% in the March 2021 quarter, with strong growth across all regions and values in all regions now sitting at record highs. This wide-spread growth has been largely driven by incredibly low interest rates, coupled with a shortage of housing. House price growth remains particularly strong in Gisborne and Hawke's Bay, with values up 32% and 27% on average over the last 12 months. This growth has made it increasingly difficult for first home buyers without financial backing to enter the housing market. However, the government's Housing Package is expected to help slow growth by reducing investor demand and ability to pay.

# House sales

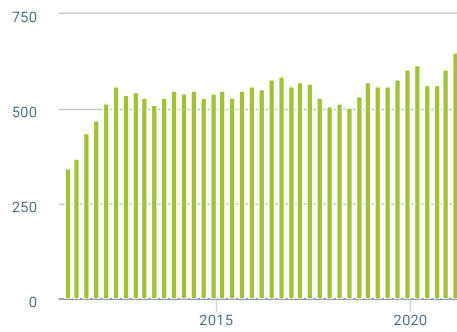
## Annual change in house sales

Annual average % change March 2020 - March 2021



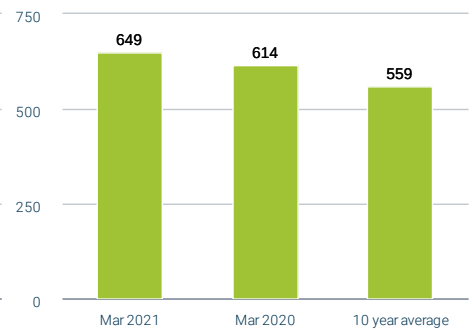
## House sales

Annual number, Ashburton District



## House sales

Annual number, Ashburton District



## Highlights for Ashburton District

- House sales in Ashburton District in the year to March 2021 increased by 5.7% compared with the previous year. Growth underperformed relative to New Zealand, where sales increased by 13.4%.
- A total of 649 houses were sold in Ashburton District in the 12 months ended March 2021. This compares with the ten year average of 559.

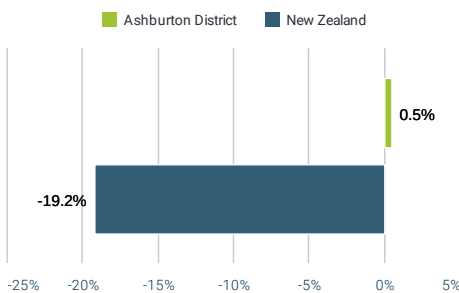
## National overview

The number of houses sold in New Zealand grew 13% over the year to March 2021. This annual result has been bolstered by incredibly strong sales growth over the last six months, driven by record low interest rates and hot prices encouraging buyers, although momentum has slowed recently. Sales growth has been particularly strong in both the West Coast and Auckland regions. We expect the government's new housing package will decrease investor demand for existing property, and sales volumes looking forward. This package, coupled with the reintroduction of loan to value ratio (LVR) restrictions will limit investor activity.

# Car registrations

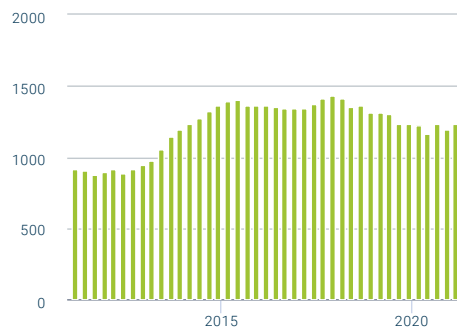
## Car registrations

Annual average % change March 2020 - March 2021



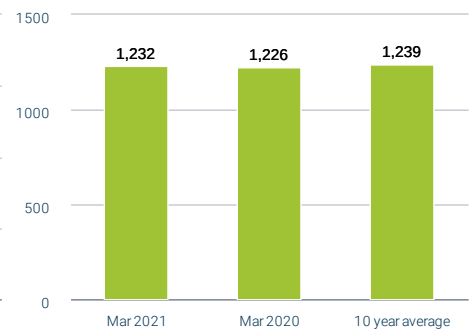
## Car registrations

Annual number, Ashburton District



## Car registrations

Annual number, Ashburton District



## Highlights for Ashburton District

- The number of cars registered in Ashburton District increased by 0.5% in the year to March 2021 compared with the previous 12 months. Growth was higher than in New Zealand (-19.2%).
- A total of 1,232 cars were registered in Ashburton District in the year to March 2021. This compares with the ten year average of 1,239.

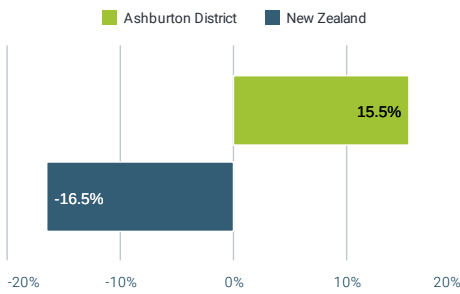
## National overview

Car registrations recovered some ground in the March 2021 quarter, up 8.9%pa. Higher import numbers boosted vehicle availability, and rental registrations saw an uptick. Comparative March 2020 quarter figures were likely affected by the early stages of the pandemic, but registrations are still sitting 12% below March 2019 levels. Over the year to March 2021, registrations were 19% down on the previous year. Car stocks remain low despite the recent increase in car import numbers, meaning that there could be more strength in registrations going forward if supplies hold up. However, a shift in spending priorities towards overseas travel could also dampen enthusiasm for further spending on cars.

# Commercial vehicle registrations

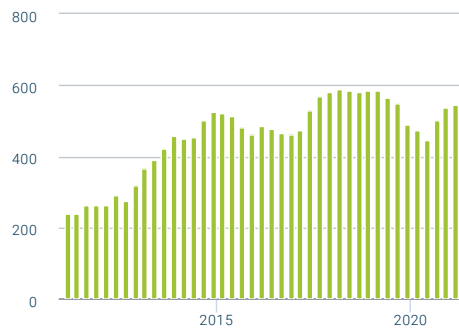
## Commercial vehicle registrations

Annual average % change March 2020 - March 2021



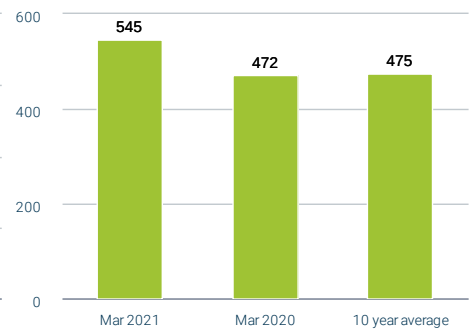
## Commercial vehicle registrations

Annual number, Ashburton District



## Commercial vehicle registrations

Annual number, Ashburton District



## Highlights for Ashburton District

- The number of commercial vehicles registered in Ashburton District increased by 15.5% in the year to March 2021 compared with the previous 12 months. Growth was higher than in New Zealand (-16.5%).
- A total of 545 commercial vehicles were registered in Ashburton District in the year to March 2021. This is higher than the ten year annual average of 475.

## National overview

Commercial vehicle registrations in the March 2021 quarter climbed sharply, up 17%pa, to see the highest number of quarterly registrations since the September 2019 quarter. This increase likely reflects of continued strength in the construction industry and primary sectors, particularly over the harvest season. However, the effects of the June 2020 quarter lockdown remain with registrations over the year to March 2020 down by 16.5% compared to the previous year. Commercial registrations strength is expected to continue, driven by increased availability of commercial vehicle stock, along with continued construction activity and international demand for New Zealand's primary products.

# Technical Notes

## Building Consents

Building consents data is sourced from Statistics New Zealand. The number of residential consents issued for new dwellings is the measure for residential consents. For non-residential consents, the measure is the value of both new buildings and alterations.

## Consumer Spending

The consumer spending data is sourced from Marketview. It measures total electronic card spending using spending through the Paymark network and adding to it an estimate of non-Paymark network spending using the pattern of BNZ card holder spending at non-Paymark retailers. For further breakdown of the data by storetype and other variables contact Marketview.

## Employment (place of residence)

Employment data is based off a range of Stats NZ employment datasets, and represents the number of filled jobs, based on the area of residential address for the employee (rather than workplace address). This place of residence location means that the employment series reflects trends in employment of an area's residents, which may be different to trends in employment at businesses in an area, particularly when there are strong commuting flows. The most recent quarter is based off the average of Monthly Employment Indicator (MEI) filled jobs from Statistics New Zealand for the past three months, with previous quarters being backcasted using the percentage change in the quarterly Business Data Collection dataset published by Statistics New Zealand.

## Gross Domestic Product

Gross Domestic Product is estimated by Infometrics. A top down approach breaks national industrial production (sourced from production based GDP measures published by Statistics New Zealand) is broken down to TA level by applying TA shares to the national total. Each TA's share of industry output is based on earnings data from LEED. GDP growth in recent quarters is based on a model which uses the various partial economic indicators presented in this report as inputs. Estimates of GDP for these most recent quarters are provisional until Infometrics updates its annual GDP series in the Regional Economic Profile at the beginning of each year. Gross domestic product is measured in 2020 dollar terms.

## Health Enrolments

Health enrolments are sourced from the Ministry of Health. They record the number of people in each area who are enrolled with a Primary Health Organisation (PHO). Enrolment is voluntary, but most New Zealanders enrol at a general practice for health reasons and for the benefits of enrolment, such as cheaper doctors' visits and reduced costs of prescription medicines. Changes to how the Ministry of Health recorded this data led to Infometrics revising our approach to health enrolment figures for the March 2019 Quarterly Economic Monitor onwards. Our new approach completely revises our timeseries of health enrolments, so care should be taken when comparing the March 2019 report with previously downloaded reports.

Previously, the data provided was only for those people whose addresses are able to be accurately recorded by the Ministry of Health. We have now switched to breaking down TA-level health enrolments based on trends in stated health enrolments by area, to ensure that the total number of enrolees published in the Monitor align with the national-level figures published by the Ministry of Health. A new system for classifying and recording health enrolment addresses from March 2019 onwards by the Ministry means significantly higher numbers of unallocated enrolees, resulting in the need to review our model.

## House Sales

The number of house sales is sourced from REINZ. The indicator measures the number of house sales at the point when the sale becomes unconditional. The unconditional date is the date when all the terms of an agreement have been satisfied and the sale and purchase can proceed to settlement.

## House Values

House values (dollar value) are sourced from QVNZ. The levels quoted in the report are average current values over the past 12 months. An average current value is the average (mean) value of all developed residential properties in the area based on the latest house value index from QVNZ. It is not an average or median sales price, as both of those figures only measure what happens to have sold in the period. These average current values are affected by the underlying value of houses (including those not on the market) and are quality adjusted based on the growth in each house's price between sales.



## Jobseeker Support Recipients

In July 2013 the New Zealand's welfare system changed to better recognise and support people's work potential. As part of this the Jobseekers Support benefit was introduced. This benefit is for people who can usually look or prepare for work but also includes people who can only work part-time or can't work at the moment, for example, because they have a health condition, injury or disability.

Data presented for the September 2013 quarter onwards is provided by the Ministry of Social Development (MSD). Data prior to September 2013 are Infometrics estimates based on re-grouping pre-July 2013 benefit categories to be consistent with the post-July 2013 benefit categories. The pre-July 2013 benefit categories used to estimate the number of Jobseekers Support recipients are: Unemployment Benefit and Unemployment Benefit Hardship; Unemployment Benefit Training and Unemployment Benefit Hardship Training; Sickness Benefit and Sickness Benefit Hardship; Domestic Purposes Benefit - Sole Parent (if youngest child is 14 or over); Women Alone and Widow's Benefit (without children or with children 14 or over)

## Tourism Expenditure

New Tourism Electronic Card Transactions (TECTs) are an interim replacement for the Monthly Regional Tourism Estimates (MRTes). We have removed our previous timeseries of MRTes and published the three annual snapshots provided in the TECTs. The TECTs reflect the expenditure for all electronic card transactions (ECTs) in New Zealand related to tourism. Marketview use a base of spending on the Paymark network (approximately 70 per cent of total ECT spend) to scale up to total ECT spend.

## Traffic Flow

Traffic flow growth rates are calculated from the number of vehicles passing approximately 110 sites monitored by New Zealand Transport Agency. Each of the sites has been mapped to a territorial authority.

## Unemployment Rate

Regional level unemployment rates are sourced from Statistics New Zealand's Household Labour Force Survey. Trends in the number of Jobseekers are used to break down regional unemployment rates to TA levels. The TA level unemployment rates are benchmarked on census following the release of each census. To reduce volatility the unemployment rate is presented as an average for the last four quarters.

## Vehicle Sales

Car and commercial vehicle sales data are sourced from New Zealand Transport Authority. Sales are based on new registrations which include the first time registration of new vehicles and used vehicles imported from overseas.

## Weekly Rents

Rents (\$ per week) are averaged across the quarter in question from monthly rental data sourced from MBIE. Rental data pertains to averages from data collected when bonds are lodged and does not control for specifications of the home (eg. size, number of bedrooms, age of home, etc).