

# Ashburton District Council

## AGENDA

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### Notice of Meeting:

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

**Date:** Wednesday 16 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
2.30pm	Acton Farmers Irrigation Co – Steve Booker
2.50pm	Welcome to new and long-serving staff
3.15pm	Waitaha Primary Health (Georgie McLeod, ADC Board appointee and Bill Eschenbach, CEO)

### 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

<b>4</b>	Council – 2/06/21	<b>3</b>
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### Reports

<b>5</b>	Rates Remission Policy	<b>6</b>
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<b>12</b>	Draft Recovery Action Plan	<b>88</b>

### Business Transacted with the Public Excluded

<b>13</b>	Council – 2/06/21 <ul style="list-style-type: none"> <li>• Council grants 2021-22</li> <li>• C-19 Economic Recovery Advisory Group</li> </ul> [Now in open meeting] <ul style="list-style-type: none"> <li>• Sport NZ Rural Travel Fund 2020-21</li> <li>• Plains Museum Trust appointment</li> </ul>		<b>PE 1</b>
<b>14</b>	Library & Civic Centre PCG – 8/06/21 Section 7(2)(h) Commercial activities		<b>PE 2</b>

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## **4. Council Minutes – 2 June 2021**

Minutes of the Council meeting held on Wednesday 2 June 2021, commencing at 1.00pm, via Zoom.

### **Present**

His Worship the Mayor Neil Brown; Deputy Mayor Liz McMillan; Councillors Carolyn Cameron, John Falloon, Rodger Letham, Lynette Lovett, Diane Rawlinson and Stuart Wilson.

### **In attendance**

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

Staff present for the duration of their reports: Richard Mabon (Senior Policy Advisor), Mel Neumann (Policy Advisor), Rachel Sparks (Finance Manager), Hayley Bezuidenhout (Accountant) and Clare Harden (Community Administration Advisor).

### **1 Apologies**

Cr Angus McKay for lateness (on Council business) and Cr Braam Sustained

### **2 Extraordinary Business**

Nil.

### **3 Declarations of Interest**

Nil.

### **4 Confirmation of Minutes – 19/05/21**

**That** the minutes of the Council meeting held on 19 May 2021, be taken as read and confirmed.

Rawlinson/Lovett Carried

### **5 Audit & Risk Committee – 13/05/21**

**That** Council receives the minutes of the Audit & Risk Committee meeting held on 13 May 2021.

Falloon/Wilson Carried

### **6 Ashburton Youth Council – 5/05/21**

**That** Council receives the minutes of the Ashburton Youth Council meeting held on 5 May 2021.

Lovett/Wilson Carried

### **7 Dog Control Bylaw and Policy**

**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.

Cameron/Rawlinson Carried

## 8 **Elderly Persons Housing Policy**

Reference to Council Officer was clarified. The policy will show that assessment of eligibility is the joint responsibility of Council officers.

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

Wilson/Lovett Carried

## 9 **Open Spaces Bylaw**

The Policy Advisor reported that clause 18.1 has been amended to include provision for infringement notices which may be served on persons who fail to comply.

It was noted that the helipad area in the Domain requires further work. This provision will be developed during the bylaw consultation period and considered before Council adopts the final Bylaw.

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

McMillan/Cameron Carried

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

**That** Council adopts the PBE IPSAS41 Financial Instruments in year one of the Long Term Plan 2021-2031.

Falloon/Cameron Carried

Cr McKay joined the meeting at 1.32pm.

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

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

McMillan/Lovett Carried

## 12 **Mayor's Report**

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

Mayor/McMillan Carried

The Deputy Mayor recorded Councillors' thanks to the Mayor and acknowledged the work he and the Chief Executive are doing in response to the flooding emergency. Council agreed that communications have been good and well received.

## 13 **Councillor Reports**

### • **Canterbury Biodiversity Champions**

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

Cameron/Lovett Carried

**That** Council receives the Councillors' reports.

McKay/Cameron Carried

## 14 Economic Development Quarterly Report

It was reported that the new Economic Development Manager, Simon Worthington has started in his role with ADC this week.

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

Rawlinson/Falloon

Carried

## Business transacted with the public excluded – 1.45pm

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

Item No	General subject of each matter to be considered:	In accordance with Section 48(1) of the Act, the reason for passing this resolution in relation to each matter:	
15	Council Grants 2021-22	Section 7(2)(h)	Commercial activities
16	Sport NZ Rural Travel Fund 2020-21	Section 7(2)(h)	Commercial activities
17	Council 19/05/21 <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 Group [now in open meeting]</li><li>Ashburton airport skydiving activities</li></ul>	Section 7(2)(h) Section 7(2)(h) Section 7(2)(a)	Commercial activities Commercial activities Protection of privacy of natural persons
18	Audit & Risk Committee <ul style="list-style-type: none"><li>Health &amp; Safety</li></ul>	Section 7(2)(a)	Protection of privacy of natural persons
19	C-19 Economic Recovery Advisory Group 13/05/21	Section 7(2)(h)	Commercial activities
20	Plains Museum Trust Appointment	Section 7(2)(a)	Protection of privacy of natural persons

Cameron/Lovett

Carried

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

### • Plains Museum Trust Appointment

**That** Council appoints Alden Thomas to the Plains Museum Trust, until the next Local Government elections in 2022, and encourages the Trust to investigate other avenues whereby the knowledge, skills and experience of the unsuccessful applicants can be utilised by the Trust.

McKay/Rawlinson

Carried

### • Sport NZ Rural Travel Fund 2020-21

**That** Council allocates \$14,171 in Sport NZ Rural Travel Fund funding for 2020/21.

McKay/McMillan

Carried

The meeting concluded at 2.34pm.

Confirmed 16 June 2021

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MAYOR

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## 5. *Rates Remission Policy 2021*

Author *Richard Mabon, Senior Policy Advisor*  
Activity manager *Rachel Sparks, Finance Manager*  
General manager *Paul Brake, General Manager Business Support*

### Summary

- This report is to adopt a Rates Remission Policy 2021 after public consultation.
- Two submissions were received. One supported the draft policy as presented. One noted an issue outside the scope of the policy.
- Officers noted the need to clarify the memorial and community halls covered by the policy. This is proposed as a schedule attached to the policy.
- The report recommends the Rates Remission Policy 2021 be adopted.

### Recommendation

1. **That** Council adopts the Rates Remission Policy 2021, attached as Appendix One.

### Attachment

**Appendix 1** Rates Remission Policy 2021

## Background

### The current situation

1. For more detailed background, please see the earlier report to Council on 3 March 2021.
2. Council reviews the Rates Remission Policy (RRP) every three years alongside the long-term plan.
3. A draft Rates Remission Policy was approved for consultation on 3 March and submissions were received over a month closing on 19 April 2021. Submissions were heard and deliberated upon between 11 and 18 May 2021.
4. Two submissions were received. One supported the draft policy as presented. One noted an issue outside the scope of the policy.
5. Officers noted the need to clarify which memorial and community halls are covered by the policy. This is proposed as a schedule attached to the policy.
6. Council resolved, on 18 May 2021, to adopt the Policy subject to advice clarifying the coverage of the policy. This report provides that advice.

## Options analysis

### Option one – Adopt the draft Rates Remission Policy 2021 including a schedule of community and memorial halls.

7. This option is the **RECOMMENDED** Option.
8. Officers favour this option because:
  - It provides clarity about which memorial and community halls will receive remissions;
  - It is consistent with Council’s resolution of 18 May 2021; and
  - It addresses the improvements identified in the report to Council on 3 March 2021.

### Option two – Adopt the draft rates remission policy as consulted upon.

9. This option is **NOT RECOMMENDED**.
10. This option is partly consistent with Council’s resolution of 18 May 2021 and addresses the improvements identified in the report of 3 March 2021.
11. **It is NOT RECOMMENDED** because it does not resolve concerns about which memorial and community halls are covered.

## Legal/policy implications

12. Both options are lawful. Option One is favoured as it provides greater policy clarity for Council, officers and the community.

## Financial implications

Requirement	Explanation
What is the cost?	Council currently budgets \$130,000 annually for rates remissions.
Is there budget available in LTP / AP?	Yes.
Where is the funding coming from?	The work of the Finance Team is funded from overheads allocated across activities which in turn are funded from a mixture of rates, debt, fees, charges and grants as set out in the Revenue & Financing policy.
Are there any future budget implications?	No. The recommendations proposed do not materially affect the overall sum of remissions.
Reviewed by Finance	Review not required

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	The matter is assessed as having medium significance.
Level of engagement selected	Consult – formal two-way consultation
Rationale for selecting level of engagement	Changes to the RRP require consultation that complies with section 82 of the Local Government Act 2002. This consultation has been completed.
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager

## Next steps

13. This table describes governance actions relating to this policy. The highlighted row is the current and final step in the process.



Date	Action / milestone	Comments
3 March 2021	Council adopts draft RRP 2021 for consultation.	Decisions made by Council
19 March 2021	Draft RRP 2021 publicly notified for consultation.	First day for public submissions
19 April 2021	Period for making submissions ends	Last day for public submissions
11-12 May 2021	Submission hearings	Submissions considered by Council
18-20 May 2021	Deliberations and decisions on policy	Decisions made by Council
16 June 2021	Adoption of RRP	Decisions made by Council

# Draft Policy *for adoption*

## RATES REMISSION

<b>TEAM:</b>	Finance
<b>RESPONSIBILITY:</b>	Finance Manager
<b>ADOPTED:</b>	16 June 2021
<b>REVIEW:</b>	Every three years
<b>CONSULTATION:</b>	Consultation under section 82 of the Local Government Act 2002
<b>RELATED DOCUMENTS:</b>	Local Government Act 2002 Local Government (Rating) Act 2002

## Policy Objective

1. This policy aims to:
  - define the objectives sought to be achieved by the remission of rates;
  - set out the conditions and criteria to be met in order for rates to be remitted;
  - support the overall objectives of prudent financial management and Council's finance, funding and rating policies
  - promote the economic, social, cultural and environmental wellbeing of the Ashburton district by:
    - facilitating the provision of community services and recreational opportunities, including community and memorial halls;
    - encouraging the protection of land for natural, historic or cultural purposes;
    - providing an equitable rate impost on separately inhabited dwellings;
    - responding appropriately through the rating system to internal reticulation leaks affecting properties on water by meter charges; and
    - aligning where practicable, with other Council strategies, plans and policies.

## Definitions

**Council** means Ashburton District Council.

**Community facility** is a facility which is open to and provided for the benefit of the public

**Memorial and community halls** are the halls listed in Appendix 1 to this Policy

## Policy Statement

### Community Facilities

2. Council provides for the remission of rates payable by qualifying community organisations if the property is used exclusively to provide community services, facilities and recreational opportunities for the residents of the Ashburton District.
3. To qualify for the remission of rates the property must be owned by one of the following:
  - Ashburton District Council
  - A registered charitable trust or incorporated society.
4. A remission of rates will not be granted to organisations operated for private pecuniary profit.
5. The maximum rate remission for qualifying community facilities will be 50% of total rates (including targeted rates such as water and sewerage, but excluding water by meter charges and stockwater rates).

### Separately Inhabited Dwellings

6. Council provides for the remission of rates payable on residential rating units which include a separately inhabited part that is occupied by a dependent family member of the owner of the rating unit.
7. The owner of the rating unit must complete and provide to Council a statutory declaration outlining the conditions above, and this declaration will be effective for three years or until the conditions cease, whichever is earlier. The owner must provide a fresh declaration after each three year period.
8. The remission will be for a maximum of the additional inhabited unit (the minor flat or other residential accommodation unit) and includes targeted rates such as water and sewerage.

### Memorial and Community Halls

9. Memorial and community halls are considered non-rateable land by the Local Government (Rating) Act 2002, provided they fall within the categories of non-rateable land listed in Schedule 1 to the Local Government (Rating) Act 2002
10. Some memorial and community halls do not fall within those definitions. Council wishes to treat them on the same basis as other memorial and community halls.
11. Council will provide 100% remission of rates for all memorial and community halls including 100% remission of service rates (targeted rates such as water and sewerage but excluding water by meter charges and stock water rates).

### **Properties Protected for Natural, Historic or Cultural Conservation Purposes**

12. Council provides for the remission of rates on land or buildings with cultural, natural or historic heritage that is recognised in the Ashburton District Plan or legally protected by:
- A heritage covenant under the Historic Places Act 1993
  - A heritage order under the Resource Management Act 1991
  - An open space covenant under the Queen Elizabeth the Second National Trust Act 1977
  - A protected private land agreement or conservation covenant under the Reserves Act 1977
  - Any other covenant or agreement entered into by the owner of the land with a public body for the preservation of existing features of land, or of buildings, where the conditions of the covenant or agreement are registered against the title to the land and are binding on subsequent owners of the land.
13. The maximum rate remission for qualifying properties will be 50% of the rates payable on the protected portion of the land only (including targeted rates such as water and sewerage, but excluding water by meter charges and stock water rates).

### **Remission and Postponement of Rates on Māori Freehold Land**

14. Council does not provide for the remission or postponement of rates on Māori freehold land, unless the application qualifies under another remission provision detailed in this policy.

### **Remission on Water Rates**

15. Council may agree to a remission or part remission of water by meter charges in situations where the amount due is clearly the result of a fault (leak) in the internal water reticulation serving the rating unit.
16. The ratepayer will remain liable for the full charge of their normal water consumption based on past water consumption.
17. A remission may be made on excess charges due to leakage for one billing period only. The applicant must provide evidence that that the leak has been fixed

### **Remission of Rates Penalties**

18. Council may agree to the remission of rates penalties (excluding annual penalties) where payment has been late due to significant family disruption, death, illness, accident or genuine mistake.
19. Rates penalties on single rates instalments (excluding annual penalties) may also be remitted as part of an agreed repayment plan for ratepayers with significant arrears as a result of financial hardship or difficulties.

20. Council will only consider one remission of rates penalties per applicant within a 24 month period, applicable to a single rates instalment (three-monthly).
21. Penalties resulting from Council error will be remitted.

### **Application and Consideration**

22. 28. Applications (other than those under clause 23) received during a rating year will apply to the following rating year, and such applications will not be backdated. Applications under clause 23 will apply to the rating year where leakage has occurred. Where leakage has spanned two rating years, Council may remit excess charges in two years but in no case for a period greater than twelve months.
23. Council will grant a maximum of one rates remission for any one rating unit, in any one financial year, unless there has been a Council error. This does not apply to remission of rates penalties.
24. Applications for the remission of rates must be made either in writing, via an online form, or over the phone. Evidence or additional documents may be required. Applications may require a statutory declaration.
25. Decisions on the remission of rates will be made by officers with the appropriate delegations. Applicants will be notified of any decision in writing within 30 days of application.
26. In granting remissions under this policy, Council may specify certain conditions before a remission will be granted. Applicants must pay any remitted rates if the applicable conditions are not met.

### **Monitoring and Review**

27. Remissions granted under this policy will be reviewed at least once every three years as part of the Councils Long Term Plan.
28. Ratepayers receiving rates remission under this policy must notify Council of any changes in their situation that may alter their eligibility for ongoing remission.
29. Council will cancel a remission granted under this policy if it is found a property no longer qualifies for rates remission.

## **Appendix 1 – List of Memorial and community halls**

### **Memorial halls**

Lagmhor Westerfield War Memorial Hall  
Mayfield War Memorial Hall  
Mt Hutt Memorial Hall  
Mt Somers War Memorial  
Rakaia War Memorial Community Hall  
Tinwald War Memorial Hall

### **Community halls**

Alford Forest Hall  
Ashburton Centennial Sports Hall  
Barrhill Hall  
Carew Hall  
Chertsey Hall  
Dorie Hall  
Ealing Hall  
Eiffleton Hall  
Fairton Hall  
Flemington Hall  
Greenstreet Hall  
Highbank Hall  
Hinds Community Centre  
Lake Clearwater Hall  
Lauriston Hall  
Lowcliffe Hall  
Lyndhurst Reserve  
Lynnford Hall  
Maronan Community Hall  
Oval Pavilion  
Pendarves Hall  
Rokeby Hall  
Ruapuna Community Hall  
Seafeld Hall  
Staveley Hall  
Wakanui Hall  
Willowby Hall  
Winchmore Hall

## **6. Adoption of Development and Financial Contributions Policy 2021**

Author	<i>Richard Mabon</i>
Activity manager	<i>Toni Durham, Strategy and Policy Manager</i>
General manager	<i>Paul Brake, General Manager, Business Support Manager Jane Donaldson, General manager, Strategy and Compliance</i>

### Summary

- The purpose of this report is to present the 2021 Development and Financial Contributions Policy (DFC Policy 2021) for adoption following consultation under S. 82 of the Local Government Act 2002.
- Council consulted on four changes to the policy, these being to:
  - align development contribution \$ values with long-term plan expenditure
  - introduce a wastewater development contribution in Rakaia township
  - enable Council to collect a development contribution at service connection when a building consent is not issued by Council
  - provide clearer and stronger reasons for collecting community infrastructure DCs
- Submitters opposed the first bulleted change and were silent on the rest.
- Submitters also raised five new issues. Council accepted one of those issues relating to ambiguity between Appendices 1 and 6.
- Council decided to make no change in respect of the other new issues, because that change was not supported, not necessary, and/or not practicable without further consultation.
- This report captures edits to the DFC Policy 2021 arising from the new submission supported by Council and recommends adoption of the policy.

#### **Recommendation**

- 1. That** Council adopts the Development and Financial Contributions Policy 2021 as contained in Appendix One.

### Attachment

**Appendix 1** Development and Financial Contributions Policy 2021 (for adoption)

## Background

### The current situation

1. Council adopted the draft DFC Policy 2021 as a draft for public consultation on 17 March 2021 and notified it for public submissions for a month ending on 19 April 2021.
2. Council received five submissions including a submission by Paul Dixey as agent for 64 other persons, principally Methven ratepayers.
3. Council heard and considered all submissions on 11 and 12 May 2021 and deliberated on the submissions on 18 May 2021.
4. The recommendations in this paper are in line with the outcome of Council's deliberations.

### Previous Council decisions

#### *Decisions in 2020*

5. Council consulted on earlier changes to the DFC Policy in 2020. The DFC Policy 2021 incorporates those previously consulted changes.

#### *Adoption of draft policy*

6. The draft DFC Policy 2021 included four changes to the policy adopted in 2020, namely:
  - align development contribution \$ values with long-term plan expenditure
  - introduce a wastewater development contribution in Rakaia township
  - enable Council to collect a development contribution at service connection when a building consent is not issued by Council
  - provide clearer and stronger reasons for collecting community infrastructure DCs
7. As noted, this was adopted as a draft for consultation on 17 March 2021.

#### *Deliberations on Submissions*

8. Five submissions, representing the views of 69 submitters, were received. One related to the alignment of development contributions to long-term plan expenditure. The submissions were silent on the other three change proposals.
9. Submitters also raised five new matters. These were:
  - Collect DCs from subdivider not at building consent
  - Lower HUEs for retirement units and aged care rooms
  - Correct ambiguity between Appendix 1 and Appendix 6
  - Provide information on assessment and payment of DCs for large, staged projects.
  - Shift timing for paying DCs from building consent to code compliance certificate
10. Council agreed it should correct the ambiguity between Appendices 1 and 6. Changes are shown in Appendix 1.



11. Council made no change to the collection of DCs at the time of subdivision, noting that this change could not be made without being a topic of consultation (given its significant financial impacts on the cost of development) and to avoid discouraging development.
12. Council noted the submissions in regard to lower HUEs for retirement units and aged care rooms. Council does not support introducing an additional level of complexity into its policy such as that suggested here.
13. Council notes that the remaining two points are both enabled by the existing policy wording and hence no change is necessary.

## Options analysis

### **Option one – Adopt DFC Policy 2021 as per Council deliberations**

14. This is the recommended option, as it takes into consideration matters raised by submitters, and Council’s deliberations on those matters.

### **Option two – Adopt DFC Policy 2021 as per draft**

15. This option is not supported as it fails to take into consideration the Council’s deliberations on matters raised in submissions.

### **Other Options**

16. There are no other reasonably practicable options to achieve the objective of this decision, which is to review and adopt a lawful and fair DFC Policy consistent with Council’s revenue and financing policy and the content of the 2021-31 Long-Term Plan.

## Legal/policy implications

17. The Policy presented for adoption is lawful and consistent with related council policies and previous Council decisions.

## Financial implications

Requirement	Explanation
What is the cost?	The costs of the Policy are the indirect costs of administration. The Policy also enables Council to receive income. The long-run average has been over \$800,000 per annum.
Is there budget available in LTP / AP?	Costs and income are budgeted in the long-term plan.
Where is the funding coming from?	Administration costs are funded primarily in the building costs centre, from building consent fees and rates. Some Assets and Strategy and policy staff time is also budgeted for and funded from overheads and rates.
Are there any future budget implications?	Income forecasts are dependent on levels of building activity, and these may exceed or fall short of budget expectations.
Reviewed by Finance	Not required

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes
Level of significance	High
Level of engagement selected	4. Involve – Participatory process
Rationale for selecting level of engagement	Consultation is required under S. 82 of the Local Government Act 2002. Council has followed a special consultative procedure.
Reviewed by Strategy & Policy	Toni Durham, Strategy and Policy Manager

## Next steps

18. There are no further Governance actions required to adopt this Policy.
19. Council will next review this policy following decisions on a potential “super-scheme” for water treatment facilities to service Methven, Methven/Springfield, Montalto and Mount Somers.

## Significance and engagement assessment tool

Criteria	Explanation		Assessment Rating (L, M or H)
1. Strategic asset?	<i>Low</i>	No	
	<i>Medium</i>	No	
	<i>High</i>	Yes	
2. Number of people affected	<i>Low</i>	Less than 100	
	<i>Medium</i>	Less than 500	
	<i>High</i>	Greater than 500	
3. Level of impact on people affected	Criteria 3-9 require qualitative assessment. Refer to 'Suggested thresholds for determining significance' (Report Writing 101) Remember: <ul style="list-style-type: none"> <li>- Front page newspaper test</li> <li>- Impact on individuals and group</li> <li>- Potential benefits versus risks</li> <li>- Financial cost of the outcome</li> <li>- Potential precedent set</li> <li>- Related to land or water?</li> <li>- Of political interest?</li> </ul>		
4. Level of <i>current</i> community interest			
5. Level of <i>potential</i> community interest			
6. Of political interest to Te Rūnanga o Arowhenua as mana whenua?			
7. Cost of proposal			
8. Impact on rates			
9. Impact on levels of service			
10. Overall assessment of risk	Risk level to be determined by Corporate Risk Policy as L, M or H		
11. Overall assessment of health and safety considerations	Assessment to be determined by considering health and safety implications		
<i>Total</i>	<i>Low</i>		
	<i>Medium</i>		
	<i>High</i>		
Significant issue?	If the score for 'high' is one or more then the issue is 'significant'		
Level of significance	<i>Low</i>	Score of 33% or below	
	<i>Medium</i>	Score between 34% and 67%	
	<i>High</i>	Score of 68% or above	

## Risk assessment

Risk	Probability of occurrence (high, medium, low)	Impact / importance of risk if it occurs (high, medium, low)	Response / action to mitigate risk	Risk owner
Community safety				
Operational				
Reputational				
Financial				
Environmental				
Our people				
Legal				

# Policy *for adoption*

## DEVELOPMENT & FINANCIAL CONTRIBUTIONS 2021

<b>TEAM:</b>	Assets
<b>RESPONSIBILITY:</b>	Assets Manager
<b>ADOPTED:</b>	16 June 2021 (effective 1 July 2021)
<b>REVIEW:</b>	Every three years or as required
<b>CONSULTATION:</b>	Special Consultative Procedure undertaken
<b>RELATED DOCUMENTS:</b>	Ashburton District Council Long-Term Plan 2021-31, Building Act 2004, Local Government Act 2002, Local Government (Rating) Act 2002, and Resource Management Act 1991.

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## 1. Introduction

### 1.1 Background

The population of Ashburton District is growing and is expected to continue to grow in the future. Council must plan for this growth by investing in infrastructure that will enable new homes and businesses to connect to Council water and wastewater infrastructure, and provide the opportunity for new residents to use community facilities.

Development contributions enable Council to charge developers of new residential and business units a share of the cost of providing capacity to cater for growth.

This policy sets out the development contributions payable; how and when these are calculated and paid, and includes a summary of the methodology used to calculate contributions.

### 1.2 Policy Objectives

This policy is intended to assist Council to achieve the following objectives:

- enable Council to plan for and fund infrastructure and facilities provision that meets the anticipated growth requirements of the district,
- provide predictability and certainty regarding the infrastructure required to cater for growth,
- enable a share of the costs Council incurs to provide infrastructure to cater for growth to be fairly and equitably recovered from those directly benefiting from Council infrastructure – i.e. developers,
- provide for the wider ratepayer base to contribute to funding infrastructure provision that raises service standards, and
- to promote understanding and awareness of what Council intends to fund and how this applies to a particular development.

### 1.3 Legislative context

Local authorities are required, under section 102 of the Local Government Act 2002, (“the Act”) to adopt funding and financial policies as part of their financial management obligations. As part of the requirements for funding and financial policies, section 102(4)(d) of the Act requires a policy on development contributions or financial contributions.

The purpose of the development contributions provisions in the Act is to enable territorial authorities to recover from those persons undertaking development a fair, equitable, and proportionate portion of the total cost of capital expenditure necessary to service growth over the long term.

The Act requires any development contributions policy to be prepared taking into account principles detailed in section 197AB. In summary these are:

- development contributions should only be required if the effects or cumulative effects of developments will create or have created a requirement for provision of new or additional assets, or assets of increased capacity,
- development contributions should be determined in a manner that is generally consistent with the capacity life of the assets for which they are intended,
- cost allocations used to establish development contributions should be determined according to, and be proportional to, the persons who will benefit from the assets to be provided (including the community as a whole) as well as those who create the need for those assets,
- development contributions must be used for or towards the purpose of the activity or the group of activities for which the contributions were required, and for the benefit of the district or the part of the district that is identified in the development contributions policy in which the development contributions were required, and
- territorial authorities should make sufficient information available to demonstrate what development contributions are being used for and why they are being used.

### 1.4 Financial management policies

This policy has been prepared within the wider context of the Council’s overall financial management policies.

This policy is consistent with the provisions of Council’s Revenue and Financing Policy and provides for development contributions and financial contributions to be used as part of Council’s overall approach to funding capital expenditure.

### 1.5 Funding to provide for growth

Development contributions and financial contributions are used by Council to fund some of the costs associated with providing infrastructure that caters for demand from growth. Council aims to take a balanced and fair approach to how it raises funding required for new developments. Other sources of funding of capital expenditure may include:

- outside sources such as New Zealand Transport Agency (NZTA) subsidies, grants, regional council or central government funding; and
- borrowing, rates, reserves and sale of assets.

## 2. Policy on Development Contributions

### 2.1 Requirement for a development contribution

Under section 198 of the Act, Council may require a development contribution to be made when:

- resource consent is granted under the Resource Management Act 1991 for a development in Ashburton District,
- building consent is granted under the Building Act 2004 for building work situated in Ashburton District,
- authorisation for a service connection is granted without a building consent being issued\*, and
- a change in use of a business unit.

\*An example of this is where a tap is connected to the piped water system for watering or a temporary connection to the sewer system is made. In both cases the connection can be used without a building consent but requires a development contribution to be made.

Development contributions can only be required where a development as defined by section 197 of the Act is to occur. Under section 197, development means:

- a) any subdivision, building (as defined in section 8 of the Building Act 2004), land use, or work that generates a demand for reserves, network infrastructure, or community infrastructure; but
- b) does not include the pipes or lines of a network utility operator."

On receiving an application for subdivision consent, resource consent, building consent or service connection<sup>1</sup>, Council will first:

- a) test that the application represents a development under section 197,
- b) determine whether alone or in combination with other developments the application under consideration will have the effect of requiring new or additional assets or assets of increased capacity and, as a consequence, the council will incur capital expenditure to provide appropriately for this, and
- c) ensure that any development contribution that may be required, is provided for in this policy.

If Council is satisfied that the application meets the legal requirements above, it will assess contributions following the process set out in the Assessment section.

#### 2.1.1 Exceptions: For clarity, development contributions are not required for:

- an addition or alteration to a residential unit that does not result in any additional unit or units
- an addition or alteration to a non-residential unit that does not result in any additional unit or units and the development does not result in an increase in demand on the water or wastewater schemes servicing the property

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<sup>1</sup> Service connection is defined in clause 2.6 of this policy as "service connection for an existing residential or non-residential unit, which has been added to the network as a consequence of Council approving an extension to the water or wastewater network"



- change of use for a non-residential unit that does not result in an increase in demand on the water or wastewater schemes servicing the property
- a new or replacement out-building or ancillary building servicing a non-residential unit that does not result in any additional unit or units and the development does not result in an increase in demand on the water or wastewater schemes servicing the property.
- a new residential or business unit that is replacing like with like.
- a Crown development - the Crown is exempt from the provisions of this policy by virtue of section 8 of the Local Government Act 2002.

## 2.2 Activities

Council requires a development contribution for the following infrastructure services:

- **Drinking water** – applies to Council drinking water supplies where Council has incurred or plans to incur capital expenditure to cater for growth.
- **Wastewater**– applies to Council wastewater schemes where Council has incurred or plans to incur capital expenditure to cater for growth.
- **Community infrastructure** - applies to Council community infrastructure projects where Council has incurred or plans to incur capital expenditure to cater for growth –Ashburton Art Gallery and Heritage Centre, Ashburton Library and Civic Centre and EA Networks Centre

## 2.3 Catchments

A catchment is the area served by the network infrastructure or community infrastructure asset where common benefits are received. The following are treated as catchments for the purposes of assessing development contributions:

- **Drinking Water** – each of the Council’s drinking water supplies is a separate catchment.
- **Wastewater** – each of the Council’s wastewater schemes is a separate catchment.
- **Community Infrastructure** – the district as a whole is treated as a single catchment.

## 2.4 Units of demand

### Drinking water and wastewater

The calculation of the development contribution required for water and wastewater is based on the average demand of a single residential housing unit using the average household size of 2.5 residents (based on 2018 Census data for Ashburton District). This unit of demand is referred to as a “Household Unit Equivalent” or HUE.

### Residential

Each single residential unit (regardless of size or number of occupants) is treated as being 1 HUE for assessing drinking water, and wastewater development contributions.

## Non-residential

Each single non-residential unit will be assessed for the demand it is expected to place on the water and wastewater networks based on the type of business. This assessment will determine demand relative to a residential unit and a HUE derived from that assessment. The assessment uses the information in the Water Consumption Non-residential Properties table in Schedule 4 of this policy as the base line demand for various uses.

## Community Infrastructure

For assessing community infrastructure development contribution each household unit is treated as being 1 HUE. Accommodation units and other forms of residential development will be assessed for the demand they are expected to place on the community infrastructure based on the type of business. This assessment will determine demand relative to a household unit and a HUE derived from that assessment.

Non-residential development attracts no HUE for community infrastructure.

## 2.5 Capacity Credit

Where a new development is replacing an existing residential or non-residential unit the demand on infrastructure generated by the previous use will be recognised in any assessment of development contributions with units of demand from existing development deducted from the total units of demand assessed to be generated by the new development.

This credit applies to:

- a building which has been inhabited or used for the stated purpose within the last five years, or
- a building which has been used as a place of business within the last five years; or
- a vacant site from which a building meeting either of the above descriptions has been removed or demolished

A credit can be transferred from one property title to another as long as the two properties are regarded as contiguous (effectively operating as a single property) as described in section 20 of the Local Government (Rating) Act 2002.

Requests to extend a capacity credit beyond five years will be considered by Council or a standing committee with appropriate delegated authority.

## 2.6 Calculation of development contribution

An assessment of requirement to pay development contribution will be made at the time Council receives an application for:

- building consent for a new residential or non-residential unit;
- building consent or resource consent for an addition, alteration, or change of use for a business unit;
- Service connection for an existing residential or non-residential unit, which has been added to the network as a consequence of Council approving an extension to the water or wastewater network; or
- Service connection for a new residential or non-residential unit where the building consent for the development has been issued by a building consent

authority other than the Ashburton District Building Consent Authority

If a development meets the requirement for a development contribution detailed in section 2.1 of this policy, Council will undertake a development contribution calculation using the calculations detailed in Schedule 3 of the Policy.

## 2.7 Limits on Development Contributions

As part of seeking a balanced and fair approach to funding capital expenditure required to cater for growth, Council may decide to limit the level of development contributions for a particular contribution. Any such limit will be detailed in the section of the Policy regarding calculation of development contributions. Where a limit is in place the funding that would normally come from development contributions is instead funded by rates collected under Council's revenue and financing policy.

## 2.8 Reconsideration of requirement for development contribution

An applicant may request Council to reconsider a requirement to make a development contribution if the applicant has grounds to believe that:

- a) the development contribution was incorrectly calculated or assessed under this policy,
- b) Council incorrectly applied provisions of this policy, or
- c) the information used to assess the applicant's development, or the way Council has recorded or used information when requiring the development contribution, was incomplete or contained errors.

A request for reconsideration must be made within 10 working days after the date on which the applicant receives notice from Council (invoice) of the level of development contribution required.

A reconsideration cannot be requested if an objection under section 199C and Schedule 13A of the Act has already been lodged.

A request for reconsideration must be made in writing to the chief executive and identify the basis on which the reconsideration is sought together with, as appropriate, the legal and evidential grounds supporting the application.

Council may, within 10 working days of receiving the request for reconsideration, request further information from the requester to support the grounds stated in the reconsideration.

Council will proceed to determine the request for reconsideration if:

- a) it has, in its view, received all required information relating to the request; or
- b) the requester refuses to provide any further information requested by Council (as set out above).

In considering the request for reconsideration, Council will make its decision without convening a hearing.

In all cases, Council will give written notice of the outcome of its reconsideration to the applicant within 15 working days after:

- a) the date the application for reconsideration is received, if all required information is provided in that application; or
- b) the date the application for reconsideration is received, if the applicant refuses to provide further information; or
- c) the date the further information is received from the applicant.

An applicant requesting a reconsideration may object to the outcome of that reconsideration by lodging an objection under section 199C of the Act.

## 2.9 Objection to assessed amount of development contribution

An applicant may object to the assessed amount of development contribution required.

An objection may be made only on the following grounds:

- a) Council has failed to properly take into account features of the development that, on their own or cumulatively with those of other developments, would substantially reduce the impact of the development on requirements for community facilities in the district or parts of the district; or
- b) Council has required a development contribution for network infrastructure and/or community facilities not required by, or related to, the objector's development, whether on its own or cumulatively with other developments; or
- c) Council has required a development contribution in breach of section 200 of the Act; or
- d) Council has incorrectly applied its development contributions policy to the objector's development.

An objection may be lodged irrespective of whether a reconsideration of the requirement for a development contribution has been requested.

The right of objection does not apply to challenges to the content of this policy.

Schedule 13A of the Act details the procedure relating to development contribution objections.

Council may (under section 252 of the Act) recover actual and reasonable costs from an applicant lodging an objection that relate to the following costs it incurs:

- a) the selection, engagement, and employment of the development contributions commissioners; and
- b) the secretarial and administrative support of the objection process; and
- c) preparing for, organising, and holding the hearing

## 2.10 Postponement of development contribution payment

Postponements may be allowed for substantial developments at the discretion of Council. A request for postponement must be made in writing to the Chief Executive stating the reasons why a postponement is sought. Requests for postponement will be considered on a case by case basis by Council or a standing committee acting under delegated authority.

## 2.11 Refund of development contribution

A development contribution will be refunded if:

- i. the building consent or resource consent that triggered the requirement for a development contribution lapses or is surrendered
- ii. the development does not proceed
- iii. Council does not provide infrastructure for which a development contribution was required.

An administration fee of \$150 will be charged in the case of (i) and (ii) above.

## 2.12 Payment of development contribution

Following assessment of the requirement for a development contribution and a calculation of applicable development contribution required an invoice will be issued at the time of:

- a building consent being uplifted
- a resource consent for a change in use deemed to result an increase in demand for service for water or wastewater services being granted
- a service connection being granted for a residential or non-residential unit, which has been added to the network as a consequence of Council approving an extension to the water or wastewater network
- A service connection being granted for a new residential or non-residential unit where the building consent for the development has been issued by a building consent authority other than the Ashburton District Building Consent Authority

Payment is treated as any Council charge and is due by the 20th of the following month.

Non-payment of development contributions will be treated the same as other Council debt and will result in penalties, debt collection fees and court costs as applicable.

In addition, in situations of non-payment Council may take the following actions:

- Code of Compliance Certificate (section 95 of the Building Act 2004) will not be issued
- Network connections will not be completed
- Statutory Land Charge may be lodged against the property.

## 2.13 Development contribution for Council development

Development carried out by Council will be subject to any applicable development contribution except for any required for the same activity as the development.

## 2.14 Private development agreements

Council may enter into private development agreements in circumstances where there is a need to allocate responsibility between developers and Council for the construction and funding of public works associated with a development.

This policy is a funding policy for planned capital expenditure on community facilities. Private development agreements will not be used to reduce the amount of any contribution charge calculated under this policy.

Any private development agreement entered into must show how costs payable to a developer for public works will be funded.

## 2.15 Financial contributions

The Resource Management Act 1991 (RMA) authorises local authorities to require financial contributions from developers in certain situations.

Council's District Plan provides for developments to be assessed for financial contributions at the resource consent application stage. In particular, Council can require developers to provide cash or land for the provision of open space and recreation areas for the following purposes:

- provision of new neighbourhood parks in areas where there are existing or potential deficiencies in the provision of local parks,
- development of neighbourhood and District parks to a level at which they are usable and enjoyable for children's play, general recreation and visual amenity, and
- provision and development of neighbourhood walking and cycling linkages.

The full provisions relating to financial contribution requirements are contained in section 9 (policy 9.3C) of the Ashburton District Council District Plan.

Council cannot require a development contribution to fund an asset for which a financial contribution has been paid.

Council's District Plan is available for inspection from:

- Council's website [www.ashburtondc.govt.nz](http://www.ashburtondc.govt.nz)
- Council offices, 5 Baring Square West, Ashburton.

Please note – Council will no longer be able to require financial contributions to be paid under the Resource Management Act from 18 April 2022. Government has introduced the Resource Management Amendment Bill to repeal this provision, and the Bill is part way through parliamentary process. If it does not pass into law, Council will need to review whether it introduces a development contribution for Open Spaces.

## 2.16 Limitations applying to requirement for development contribution

Council must not require a development contribution for a reserve, network infrastructure, or community infrastructure if:

- it has, under section 108(2)(a) of the Resource Management Act 1991, imposed a condition on a resource consent in relation to the same development for the same purpose;
- the developer will fund or otherwise provide for the same reserve, network infrastructure, or community infrastructure;
- Council has already required a development contribution for the same purpose in respect of the same building work, whether on the granting of a building consent or a certificate of acceptance; or
- a third party has funded or provided, or undertaken to fund or provide, the same reserve, network infrastructure, or community infrastructure.

## 2.17 Public inspection of development contributions policy information

This policy and its supporting information is available on Council's website [www.ashburtondc.govt.nz](http://www.ashburtondc.govt.nz) or on request from the Council offices.

## 2.18 Policy Review

This policy will be adopted in conjunction with Ashburton District Council's Long Term Plan 2021-31.

The policy must be reviewed at least every three years and may be amended at any time if required. Any review of the policy must be undertaken using a consultation process that gives effect to the requirements of section 82 of the Act.

This policy has been prepared to comply with relevant legislation including the requirements of the Local Government Act 2002 and all subsequent amendments

## Appendix 1. Definitions

**Accommodation unit:** means units, apartments, rooms in one or more buildings, or cabins or sites in camping grounds and holiday parks, for the purpose of providing overnight, temporary, or rental accommodation. Accommodation unit includes boarding houses, home stays, recreation lodges and visitor accommodation.

**Act:** means the Local Government Act 2002.

**Activity:** means a good or service provided by Council (as per section 5 of the Local Government Act 2002), and for which development contributions are collected.

**Allotment:** has the meaning given to it in section 218(2) of the Resource Management Act.

**Authorised Officer:** is an officer authorised in accordance with Council’s delegations register to carry out functions under this policy.

**Catchment:** is a defined area of the district that receives a discrete service subject to development contributions as detailed in this policy.

**Business property:** a non-residential development using land or buildings for the provision of services in the course of a trade or business.

**Community facilities:** reserves, network infrastructure, or community infrastructure for which development contributions may be required in accordance with section 199 of the LGA

**Community infrastructure:** means land, or development assets on land, owned or controlled by the Council for the purpose of providing public amenities; and includes land that the Council will acquire for that purpose.

**Development:** means any subdivision, building (as defined in section 8 of the Building Act 2004), land use, or work that generates a demand for reserves, network infrastructure, or community infrastructure; but does not include the pipes or lines of a network utility operator

**Development agreement:** is a voluntary contractual agreement made (under sections 207A to 207F of the LGA) between one or more developers and one or more territorial authorities for the provision, supply, or exchange of infrastructure, land, or money to provide network infrastructure, community infrastructure, or reserves in one or more districts or a part of a district.

**Development contribution:** a contribution—

- a) provided for in a development contribution policy of a territorial authority; and
- b) calculated in accordance with the methodology; and
- c) comprising—
  - i. money; or
  - ii. land, including a reserve or esplanade reserve (other than in relation to a subdivision consent), but excluding Māori land within the meaning of Te Ture Whenua Maori Act 1993, unless that Act provides otherwise; or
  - iii. both.

**Development contribution objection:** an objection lodged under clause 1 of Schedule 13A of the LGA against a requirement to make a development contribution.

**Development contributions commissioner:** a person appointed under section 199F of the LGA.

**District Plan:** means the Operative Ashburton District Plan including any proposed plan change or variation.



**Household unit:** is a building or part of a building capable of being used as an independent residence and includes apartments, semi-detached or detached houses, units, town houses, granny flats (or similar), and caravans (where used as a place of residence or occupied for a period of time exceeding six months in a calendar year).

**Household Unit Equivalent (HUE):** is a unit of demand representing one average household unit.

**Methodology:** is the methodology for calculating development contributions set out in Schedule 13 of the LGA.

**Network infrastructure:** means the provision of roads and other transport, water, wastewater, and stormwater collection and management.

**Network utility operator:** has the meaning given to it by section 166 of the Resource Management Act 1991.

**Non-residential development:** any development that is not for residential or accommodation purposes. This includes:

- ~~• all buildings that are a fundamental place of work such as dairy milking sheds, shearing sheds and indoor farming facilities such as for chickens or pigs~~
- all buildings for the provision of sport, recreation or entertainment
- all buildings for the provision of social or cultural pursuits.

**Objector:** means a person who lodges a development contribution objection.

**Residential development** use of land and buildings by people for the purpose of permanent living accommodation in a household unit where the majority of occupiers intend to live at the site for a period of one month or more of continuous occupation per annum and will generally refer to the site as their home and permanent address. Residential development includes household units, elderly persons' homes, and worker accommodation.

It includes accessory buildings and leisure activities associated with needs generated principally from living on the site.

**Resource consent:** has the meaning given to it in section 2(1) of the Resource Management Act 1991 and includes a change to a condition of a resource consent under section 127 of that Act.

**Service connection:** means a physical connection to a service provided by, or on behalf of, Council.

## Appendix 2. Key assumptions

The following assumptions have been used in the preparation of this policy:

### Capital expenditure

Future capital expenditure costs are based on the best available knowledge at the time of preparation. These take into account known or likely construction costs and assumed inflation rates.

### Population growth

Due to the delay from Statistics New Zealand with the 2018 data, Council has applied population growth forecasts developed by .id and based on the 2013 Census data. Information such as historical trends, resource consent numbers and factors that affect population change such as suburb life cycle were incorporated into the modelling for the projections.

### Inflation

All project costs in the Development Contributions Policy are based on current estimates of infrastructure construction prices in 2020 dollars with inflation of all capital costs over the period using local government cost adjusters supplied by BERL.

### Cost of capital

No cost of capital (including interest) is included in the cost of providing for growth and therefore is not included in development contribution calculations. The cost of capital is carried by the relevant set of ratepayers who fund the rates for that activity under Council's revenue and financing policy.

### Residential household size and household demand

Each residential unit is assumed to have the same number of residents living at the property. This is the average household size in Ashburton District from the 2018 Census – 2.5 residents (1 HUE).

Each household is assumed to place the same demand on Council infrastructure.

## Appendix 3. Calculation methodology

### Development contribution for residential unit for water and wastewater

1. Determine the overall growth capacity of the applicable scheme

$$\begin{aligned} & \text{Maximum connections (HUEs) - current connections (HUEs)} \\ & = \text{Growth Capacity (GC) (HUEs)} \end{aligned}$$

GC as a ratio of maximum connections = Scheme Growth Factor (SGF %)

2. Identify capital projects (and the cost of those projects) that include a cost to provide capacity for future growth = Capital Expenditure (CE).

The projects identified will be:

- completed capital projects with identified residual growth capacity and which are not fully paid for – i.e. have an outstanding loan
- current capital projects with identified cost component to provide growth capacity
- planned capital projects included in the Council's Long Term Plan with identified cost component to provide growth capacity and that will be given effect to within the next 10 years

3. Identify the proportion of CE for each project that is provided to cater for growth to get a Project Growth Factor (PGF%)

Scheme Growth Factor (GF%) is used for completed projects and a project growth factor (PGF%) is used for current and future projects.

The lower of the project growth factor or the scheme growth factor is used for calculations – Applied Growth Factor (AGF%).

Cost associated with component capacity over and above current scheme capacity will be recovered when the scheme capacity is increased or will be funded by the scheme as a whole.

4. Multiply capital expenditure identified in step 2 by the Applied Growth Factor = Net Growth Expenditure (NGE \$)

5. Divide Net Growth Expenditure (NGE) by the Excess Capacity in Household equivalents (EC) = Development Contribution to be levied per household equivalent.

- The cost of maintaining or increasing capacity within each scheme for development growth is shared equally among the household equivalents which are able to connect to the scheme.

$$\text{CE} \times \text{GF\%} \text{ EC} = \text{development contribution amount.}$$

### Calculation methodology to determine non-residential development contribution for water and wastewater (HUEs)

The demand impact of a non-residential unit for both water and waste water is determined by assessed water consumption.

1. Determine water consumption per person per day based on the use of the property.

Water consumption is determined by typical water consumption based on the property uses listed in Appendix 6.

If there is no suitable property use listed in Appendix 6 on which to make a fair assessment, the developer will be requested to provide an assessment of water consumption.

If this assessment is not deemed appropriate the assessment will be determined by a Council officer with delegated authority.

2. Determine the expected maximum occupancy of the property (persons)

This assessment is based on information and design drawings submitted as part of the development approval process i.e. management plans, bed or seating plans or other such plan as agreed by Council, or where not available fire service occupancy rates may be used.

3. Determine total water consumption

$$\begin{aligned} \text{Total Water Consumption (litres per day)} = \\ \text{water consumption per person (litres per day)} \\ \times \\ \text{maximum occupancy (persons)} \end{aligned}$$

4. Convert to household unit equivalent (HUEs)

$$\begin{aligned} \text{Demand Impact (HUEs)} = \\ \text{Total Water Consumption (litres per day)} / \\ \text{HUE consumption} \end{aligned}$$

Household Unit Equivalent water consumption is 550 litres per day

- Assumed water demand of 1 person = 220 litres per day
- Assumed household of 2.5 persons

Normal rounding protocols shall be applied to the result to yield a whole number.

5. Determine non-residential development contribution for applied property

$$\begin{aligned} \text{Non-residential development contribution} = \\ \text{Demand Impact (HUEs)} \times \text{Development Contribution (per HUE)} \end{aligned}$$

### **Calculation methodology to determine development contribution for community infrastructure – per HUE**

The development contribution for community infrastructure is levied on all new residential and accommodation developments within the district.

#### **Methodology**

1. Determine the growth capacity of each asset to be levied that is designed to accommodate future development growth = Growth Factor (GF%).
  - District population for which the asset has been designed minus current district population = Excess Capacity (EC) in household equivalent units
2. Identify capital expenditure which has a growth component = CE.
  - Any capital expenditure which maintains Excess Capacity (EC) has a growth component equal to the Growth Factor. If the capital expenditure results in an increase in Excess Capacity then the Growth Factor will also increase proportionately.
3. Multiply capital spending identified in Step 2 by the Growth Factor = Net Growth Expenditure (NGE).
  - The growth related component of the capital expenditure in dollars is identified

4. Divide Net Growth Capital Expenditure (NGE) by the Excess Capacity in Household equivalents (EC) = Development Contribution to be levied per household equivalent
  - The cost of maintaining or increasing capacity within each scheme for development growth is shared equally among the household equivalents which are able to connect to the scheme.

$$CE \times GF\% \text{ EC}$$

5. Each residential unit will be levied 1 HUE. Accommodation units will be assessed based on the maximum occupancy of the development. This assessment is based on information and design drawings submitted as part of the development approval process i.e. management plans, bed or seating plans or other such plan as agreed by Council, or where not available fire service occupancy rates may be used. Convert the maximum total occupancy to household unit equivalents.

A household is 2.5 persons. So, for example, a 16 unit motel development that has maximum total occupancy of 48 persons attracts a DC of  $48/2.5 = 19.2$  HUE which rounds to the nearest full HUE i.e. 19 HUE.

**Important Note:** The above methodology has been applied to establish the maximum development contribution for community infrastructure.

Council has decided that the community infrastructure development contribution will be capped at \$4,892 (including GST) per HUE. This limit has been introduced to ensure the level of development contributions does not inhibit development, therefore promoting the economic well-being of the district.

## Appendix 4. Development contributions by location

### 1. Development contributions by location

This table shows the development contributions by location under the proposed policy. Figures shown are inclusive of GST.

Catchment	Water (\$)	Waste Water (\$)	Community Infrastructure (\$)	Total (\$)/HUE Draft 2021/31 LTP
<b>Ashburton *</b>	840.00	3,637.00	4,892.00	9,369.00
<b>Methven</b>	2,182.00	303.00	4,892.00	7,377.00
<b>Rakaia</b>	0.00	107.00	4,892.00	4,999.00
<b>Hinds</b>	1,400.00	0.00	4,892.00	6,292.00
<b>Fairton</b>	1,911.00	0.00	4,892.00	6,803.00
<b>All Other</b>	0.00	0.00	4,892.00	4,892.00

\*Ashburton includes Lake Hood.

### 2. Schedule of assets for which a development contribution is required

Details of the community facility assets for which development contributions are required are included in Appendix 5 of this policy.

## Appendix 5. Development contribution by activity and location

### Development contribution - Ashburton water supply

#### HUE calculation

Maximum connections 10,197  
 Current connections 9,165  
 Growth capacity 1,032  
 (HUEs)

**Scheme growth factor** 10.12%%

Ashburton water supply development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Cost of providing for growth (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2004/20	5,726,157	22.22%	12.77%	4,994,927	731,230	708.56
<b>Current</b>	No growth related expenditure							0.00
<b>Future LTP- 2021-31</b>	Chalmers Ave water main renewal (Dobson St to River)	2022-24	228,400	15.59%	10.12%	205,286	23,114	22.40
<b>Ashburton water supply - development contribution (excl. GST)</b>								<b>730.95</b>
<b>GST</b>								<b>109.64</b>
<b>Ashburton water supply - development contribution (incl. GST)</b>								<b>840.60</b>

### Development contribution - Methven water supply

<b>HUE calculation</b>	Maximum connections	1,136	<b>Scheme growth factor</b> 6.33%
	Current connections	990	
	Growth capacity (HUEs)	67	

Methven water supply development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Cost of providing for growth (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2004/20	1,318,416	12.34%	8.70%	1,203,714	114,702	785.63
<b>Current</b>	Reservoir Upgrade	2020/21	222,000	7.51%	7.51%	205,328	16,672	114.19
<b>Future LTP- 2021-31</b>	McKerrow St watermain renewal	2021/22	155,800	5.00%	5.00%	148,010	7,790	53.36
	Raw water trunkmain renewal	2021/22	535,700	5.00%	5.00%	508,915	26,785	183.46
	Main St watermain renewal	2022/23	66,700	5.00%	5.00%	63,365	3,335	22.84
	Mackie St watermain renewal	2023/24	123,600	5.00%	5.00%	117,420	6,180	42.33
	Spaxton St (Carr/Alford) renewal	2024/25	130,000	5.00%	5.00%	123,500	6,500	44.52



	Reservoir Upgrade Phase 2	2024/26	550,000	12.00%	12.00%	484,000	66,000	452.05
	Cameron St watermain renewal	2026/27	138,600	5.00%	5.00%	131,670	6,930	47.47
	Jackson St watermain renewal	2027/28	142,800	5.00%	5.00%	135,660	7,140	48.90
	Spaxton St (Alford/Blackford) watermain renewal	2028/29	123,600	5.00%	5.00%	117,420	6,180	42.33
	Spaxton St (Blackford/Main) watermain renewal	2029/30	76,700	5.00%	5.00%	72,865	3,835	26.27
	Farquhar Place watermain renewal	2030/31	49,700	5.00%	5.00%	47,215	2,485	17.02
	Talbot Place watermain renewal	2030/31	49,700	5.00%	5.00%	47,215	2,485	17.02
<b>Methven water supply – development contribution (excl GST)</b>								<b>1,897.39</b>
<b>GST</b>								<b>284.61</b>
<b>Methven water supply – development contribution (inc GST)</b>								<b>2,182.00</b>

## Development contribution - Rakaia water supply

**HUE calculation**

Maximum connections	682
Current connections	586
Growth capacity	96

(HUEs)

**Scheme growth factor** 14.08%

Rakaia water supply development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2004/20	0.00					0.00
<b>Current</b>	No growth related expenditure							0.00
<b>Future LTP- 2021-31</b>	No growth related expenditure							0.00
<b>Rakaia water supply - development contribution (excl GST)</b>								<b>0.00</b>
<b>GST</b>								<b>0.00</b>
<b>Rakaia water supply - development contribution (inc GST)</b>								<b>0.00</b>

## Development contribution - Hinds water supply

**HUE calculation**  
 Maximum connections 147  
 Current connections 139  
 Growth capacity 8  
 (HUEs)

**Scheme growth factor** 5.44%

Hinds water supply development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2004/20	176,217	17.81%	5.53%	166,472	9,745	1,218.10
<b>Current</b>	No growth related expenditure		0.00					0.00
<b>Future LTP- 2021-31</b>	No growth related expenditure		0.00					0.00
<b>Hinds water supply – development contribution (excl GST)</b>								1,218.10
<b>GST</b>								182.72
<b>Hinds water supply – development contribution (inc GST)</b>								1,400.82

## Development contribution - Fairton water supply

### HUE calculation

Maximum connections 84  
 Current connections 79  
 Growth capacity 5  
 (HUEs)

**Scheme growth factor** 5.95%

Fairton water supply development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2008/20	150,286	17.81%	5.53%	141,975	8,311	1,662.16
<b>Current</b>	No growth related expenditure		0.00					0.00
<b>Future LTP- 2021-31</b>	No growth related expenditure		0.00					0.00
<b>Fairton water supply - development contribution (excl GST)</b>								<b>1,662.16</b>
<b>GST</b>								<b>249.32</b>
<b>Fairton water supply - development contribution (inc GST)</b>								<b>1,911.49</b>

## Development contribution - Ashburton wastewater (Includes Lake Hood)

<b>HUE calculation</b>	Maximum connections	10,159	<b>Scheme growth factor</b>	9.29%
	Current connections	9,215		
	Growth capacity (HUEs)	944		

Ashburton wastewater development contribution calculation									
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other council sources (\$)	Funding from 3rd parties	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loan	2005/20	16,980,000	22.22%	12.77%	0.00	14,811,654	2,168,346	2,296.98
							0		
<b>Current</b>	Ashburton relief sewer	2020/21	2,400,000	25.00%	9.29%	1,995,000	368,469	36,531	38.70
<b>Future 2021/31 LTP</b>	NW Ashburton wastewater servicing (Farm, Allen, Carters, Racecourse Roads)	2021/22	1,802,200	100%	9.29%	0.00	1,639,642	167,424	177.36
	Ashburton relief sewer	2021/22	7,200,000	25.00%	9.29%	5,985,000	1,105,407	112,874	119.57
	Sewer main renewal (Cameron St)	2021/22	277,100	5.00%	5.00%	0.00	252,106	13,855	14.68

Sewer main renewal (Chalmers St)	2021/22	541,800	5.00%	5.00%	0.00	492,930	27,090	28.70
Sewer main renewal (William St)	2021/23	1,274,800	5.00%	5.00%	0.00	1,159,813	63,740	67.52
Grit Chamber	2021/23	2,986,000	5.00%	5.00%	0.00	2,716,663	269,337	285.31
Sewer main renewal (Kermode St)	2025/26	270,000	5.00%	5.00%	0.00	245,646	13,500	14.30
Sewer main renewal (West St)	2025/27	449,000	5.00%	5.00%	0.00	408,500	22,450	23.78
Tuarangi Road servicing	2026-28	979,000	100%	9.29%	0.00	890,694	90,949	96.34
<b>Ashburton Wastewater Scheme – development contribution (excl GST)</b>								<b>3,163.24</b>
<b>GST</b>								<b>474.49</b>
<b>Ashburton Wastewater Scheme – development contribution (inc GST)</b>								<b>3,637.72</b>

## Development contribution - Methven wastewater

### HUE calculation

Maximum connections 1,454  
 Current connections 1,081  
 Growth capacity 373  
 (HUEs)

**Scheme growth factor** 25.65%

Methven wastewater development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2005/20	271,669	29.09%	27.25%	197,639	74,030	198.47
<b>Current</b>			0				0	0.00
	Mt Hutt College sewermain	2021/22	240,267	5.00%	5.00%	228,235	12,032	32.26
<b>Future LTP- 2021-31</b>	McDonald St Sewermain Renewal	2022/23	141,540	5.00%	5.00%	134,463	7,077	18.97
	Cameron Street Rear Sewermain Renewal	2023/24	106,509	5.00%	5.00%	101,183	5,325	14.28
	<b>Methven Wastewater Scheme – development contribution (excl GST)</b>							<b>263.98</b>
							<b>GST</b>	<b>39.60</b>
	<b>Methven Wastewater Scheme – development contribution (inc GST)</b>							<b>303.57</b>

## Development contribution - Rakaia wastewater

**HUE calculation**  
 Maximum connections 682  
 Current connections 528  
 Growth capacity 124  
 (HUEs)

**Scheme growth factor** 22.58%

Rakaia wastewater development contribution calculation								
Period of CAPEX	Project description	Year incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from other sources (\$)	Funding from development contributions (\$)	Development contribution per HUE (\$)
<b>Recent</b>	Loans	2005/20	0				0	0.00
<b>Current</b>	No capital expenditure for growth	2017/20	0				0	0.00
<b>Future LTP- 2021-31</b>	Rakaia WWTP sludge disposal area extension	2022/23	63,800	25.00%	22.58%	0	14,406	93.55
<b>Rakaia Wastewater Scheme – development contribution (excl GST)</b>								<b>93.55</b>
<b>GST</b>								<b>14.03</b>
<b>Rakaia Wastewater Scheme – development contribution (inc GST)</b>								<b>107.58</b>



## Development contribution – Ashburton District community infrastructure

<b>HUE calculation</b>	Projected population	38,619 <sup>2</sup>	Persons per household	2.5	Projected households	15,448
	Less current population	35,779 <sup>3</sup>			Less current households	14,312
	Growth capacity (residents)	2,840			Growth capacity (HUEs)	1,136
					<b>District growth factor</b>	<b>7.35%</b>

Ashburton District community infrastructure development contribution calculation									
Period of CAPEX	Project description	Years incurred / proposed	Amount (\$)	Project growth factor	Applied growth factor	Funding from third parties (\$)	Funding from other ADC sources (\$)	Funding from development contributions (\$)	DC per HUE (\$)
<b>Recent</b>	Loan - Ashburton Art Gallery and Heritage Centre	2005/20	2,473,795	11.50%	11.50%	0.00	2,189,309	284,486	250.43
	Loan - EA Networks Centre	2009/20	26,074,186	11.50%	11.50%	0.00	23,075,655	2,998,531	2,639.55
<b>Current</b>	Ashburton Library & Civic Centre	2019/20	873,000	14.16%	7.35%	362,976	472,537	37,487	33.00
		2020/21	6,097,000	14.16%	7.35%	2,535,011	3,300,183	261,806	230.46
<b>Future</b>	Library & Civic Centre	2021/22	42,714,000	14.16%	7.35%	15,922,295	24,822,515	1,969,190	1,733.44
	Library & Civic Centre	2022/23	7,066,000	14.16%	7.35%	2,633,966	4,106,280	325,754	286.76

<sup>2</sup> Source: Statistics New Zealand Population Projections for 2028 (2018 Census as a base – medium population projection)

<sup>3</sup> Source: Statistics New Zealand Population Estimates for 30 June 2020

<b>LTP- 2021-31</b>	Ashburton Library - Capital	2021/29	95,000	7.35%	7.35%	0	88,018	6,983	6.15
	Ashburton Museum - Capital	2021/31	201,300	7.35%	7.35%	0.00%	186,504	14,796	13.02
	EA Networks - Capital	2021/31	369,000	7.35%	7.35%	0.00%	341,879	27,122	23.87
<b>Uncapped Ashburton community infrastructure - development contribution (excl GST)</b>									<b>5,216.69</b>
<b>GST</b>									<b>782.50</b>
<b>Uncapped Ashburton community infrastructure - development contribution (incl GST)</b>									<b>5,999.19</b>
<b>Capped Ashburton District community infrastructure - development contribution (excl GST)</b>									<b>4,253.91</b>
<b>GST</b>									<b>638.09</b>
<b>Capped Ashburton District community infrastructure - development contribution (incl GST)</b>									<b>4,892.00</b>

**Notes:**

With a cap on the amount of development contributions able to be charged set at \$4,892 (including GST) the amount of funding coming from development contributions for the projects captured is 81.54% of the full contribution, compared with 85% in the 2020 schedules..

## Appendix 6. Water consumption of non-residential properties by functional use

Property Use	Water Consumption (Litres / Person / Day)	Property Use	Water Consumption (Litres / Person / Day)
<b>Household (per person)</b>	220	<b>Offices, Shops or Dry Industries</b>	
<b>Boarding Houses / Homestays</b>		• Per staff member	40
• Per bed	220	<b>Public Toilets (incl. hand wash)</b>	
<b>Camping Grounds (Per guest)</b>		• Per person	20
• Fully serviced	130	<b>Restaurants/ Bars/ Cafes (per customer)</b>	
• Recreation areas	65	• Dinner	30
<b>Community Halls (Per person)</b>		• Lunch	25
• With banquet facilities	30	• Bar	20
• Meetings	15	<b>Rest Home (Per bed + per staff member)</b>	
<b>Hospitals (Per bed + per staff member)</b>		• Per bed	250
• Per bed	250	• Per staff member	60
• Per staff member	60	<b>Retirement Home (self-contained units)</b>	
<b>Lunch Bars (Per customer + per staff member)</b>		• Resident	220
• With restroom facilities	25	• Staff	50
• Without restroom facilities	15	<b>School (per pupil + per staff member)</b>	
• Per staff member	40	• No gym, showers or cafeteria	20
<b>Motels / Hotels</b>		• Gym, showers and cafeteria	100
• Guests, resident staff	220	• Boarding	250
• Reception rooms	30	<b>Shopping Centre</b>	
• Restaurant (per customer)	30	• Per customer	25
• Bar (per customer)	20		

Note: Typical water consumption figures based on examples contained in “On-site Wastewater Systems: Design and Management Manual”, Auckland Regional Council technical publication No.58, third edition, August 2004.

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## 7. *Community Engagement Policy*

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

### Summary

- The purpose of this report is to recommend Council adopts the final Community Engagement Policy 2021 following a period of public consultation.

### Recommendation

1. **That** Council adopts the Community Engagement Policy to take effect 1 July 2021.

### Attachment

**Appendix 1** Final Community Engagement Policy 2021

## Background

### Current situation

1. The Local Government Act 2002 requires all councils to adopt a 'Significance and Engagement Policy'.
2. Council practice is to review the policy every three years. The review of this policy began in October 2020.
3. Officers presented a report to Council on 3 March 2021 with proposed changes our current policy, including the proposal to rename the policy as the 'Community Engagement Policy'.
4. Council consulted with the community on the changes to the policy from 19 March to 19 April. Council received three submissions on the proposed policy, all of which supported the policy as presented and made some additional suggestions.
5. Following deliberations on 18 May, Council indicated that no changes were required to be made to the policy as a result of submissions received.

## Options Analysis

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

6. This option would see Council adopting the final policy to take effect 1 July 2021. This is the recommended option.
7. Advantages:
  - Consistent with what was proposed to the community
  - Addresses the issues identified during officer review.
8. Disadvantages:
  - There are no disadvantages to this option.

### Option two – do not adopt the final policy

9. This option leaves the current policy in place and is not recommended.
10. Advantages:
  - There are no advantages to this option.

## 11. Disadvantages:

- Does not address the issues identified during officer review
- Does not take into account submissions received.

## Legal/policy implications

### Local Government Act 2002

12. The final Community Engagement Policy and this report meet the requirements of the Local Government Act 2002.

## Financial implications

Requirement	Explanation
What is the cost?	Adopting the final policy has no cost.
Is there budget available in LTP / AP?	Not required
Where is the funding coming from?	Not required
Are there any future budget implications?	No. It is not expected that Council will incur extra costs as a result of this policy.
Reviewed by Finance	Not required

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	Yes, this is considered significant under our current policy.
Level of significance	High
Level of engagement selected	Level 3 – Consult Public consultation was carried out from 19 March to 19 April.
Rationale for selecting level of engagement	Council must consult using a process that meets s. 82 of the Local Government Act 2002.
Reviewed by Strategy & Policy	Richard Mabon

# Policy

## COMMUNITY ENGAGEMENT POLICY

*(This policy meets the legal requirements for a Significance and Engagement Policy)*

<b>TEAM:</b>	Strategy and Policy
<b>ADOPTED:</b>	16 June 2021
<b>DATE EFFECTIVE:</b>	1 July 2021
<b>REVIEW:</b>	Every three years, or as required
<b>CONSULTATION:</b>	Section 82, Local Government Act 2002
<b>RELATED DOCUMENTS:</b>	Civil Defence Emergency Management Act 2002 Local Government Act 2002 Reserves Act 1977 Resource Management Act 1991.

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## Glossary and definitions

**Arowhenua** are mana whenua of Ashburton District.

**Community engagement** is any process of involving the community in Council decisions. This will involve providing and seeking information to inform and assist decision making.

**Consultation** is one form of community engagement. Consultation can involve the exchange of information or views between decision-makers and those affected/interested before a decision is made.

**Council** means Ashburton District Council.

**Engagement Scale** is a scale based on the International Association for Public Participation (IAP2) principles of public participation that sets out different types of engagement Council may utilise. This scale is described in section 5.

**Kaitiaki** means a guardian, steward or keeper.

**Kaitiakitanga** means guardianship or stewardship.

**Mana whenua** means a tribe who has the right to manage a particular area of land.

**Mātauranga** is Māori knowledge or wisdom.

**Significance** has the meaning described in s.5 of the Local Government Act 2002 (LGA).

### ***Explanatory Note***

Section 5 of the LGA describes '**significance**' as:

in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for,—

(a) the current and future social, economic, environmental, or cultural well-being of the district or region:

(b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter:

(c) the capacity of the local authority to perform its role, and the financial and other costs of doing so

**Significance Scale** is a scale that identifies the point where an issue may be considered 'significant'. This scale is shown in section 5.

**Significance Tool** is a tool that Council officers can use to determine the level of significance for an issue. This tool is described in Appendix 1.

**Significant** has the meaning described in s.5 of the LGA.



**Explanatory Note**

Section 5 of the LGA describes '**significant**' as:

in relation to any issue, proposal, decision, or other matter, means that the issue, proposal, decision, or other matter has a high degree of significance.

**Strategic Asset** has the meaning described in s.5 of the LGA.

**Explanatory Note**

Section 5 of the LGA describes a '**strategic asset**' as:

an asset or group of assets that the local authority needs to retain if the local authority is to maintain the local authority's capacity to achieve or promote any outcome that the local authority determines to be important to the current or future well-being of the community; and includes—

- (a) any asset or group of assets listed in accordance with s.76AA(3) by the local authority; and
- (b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and
- (c) any equity securities held by the local authority in—
  - (i) a port company within the meaning of the Port Companies Act 1988:
  - (ii) an airport company within the meaning of the Airport Authorities Act 1966

**Rohe** is a boundary, for example a district or a region.

**Rūnanga** is an iwi authority or council.

**Tangata whenua** are local people, hosts or indigenous people – people born of the whenua (Māori).

**Taonga** means something that is treasured or something that is culturally valuable. Taonga can be an object, resource, phenomenon, idea or technique.

**Te Tiriti (o Waitangi)** is the Treaty of Waitangi.

**Wāhi tapu** is a sacred place or site, for example a burial ground or a battle site where sacred objects were placed.

## 1. Introduction

### 1.1. Why do we have this policy?

- To help Council make well-informed decisions by having the right conversations, with the right people, about the right issues at the right time;
- to provide clarity around how and when Council will engage with communities;
- to support and promote community involvement in decision-making;
- to build positive relationships with all interested and affected parties, including but not limited to, Ngāi Tahu, stakeholders and the wider community;
- to encourage co-operation, respect and understanding of other points of view;
- to provide clarity about what significance is and how it affects the way we engage with the community;
- to establish a process for determining how significant a decision is and the corresponding level of resource required;
- to ensure that Council meets its legal duties under s.76AA of the LGA to adopt a significance and engagement policy; and
- to identify what Council deems to be 'significant assets'.

## 2. Community engagement and consultation

### 2.1. What do we mean by community?

A community can be defined in many ways. For example, a community can be people within a geographical area (e.g. Tinwald), people with the same interests (e.g. sports groups), people of a particular ethnicity (e.g. Ngai Tahu or other communities), or people of the same economic sector (e.g. construction).

In order to identify the communities to best engage with, it is important to look through the lens of the issue or issues being considered.

Our aim is to continue to enjoy a strong appreciation of groups that we have a good relationship with; and to grow better relationships with groups that we don't know so well.

### 2.2. What do we mean by engagement?

Engagement provides an opportunity for the community to present their views on a Council issue, decision or proposal. The aim is to talk with the right people at the right time about the right issues, for the right reasons. The community views expressed through an engagement process will be considered and discussed, along with other information, when decisions are made.

Engagement may not result in consensus between the community and Council. It should allow for an exchange and examination of information and views between the community and decision-makers, before a decision is made. Engagement ensures that decisions are informed and improved by the community's involvement. It will often be necessary to provide the community with access to information to enable them to bring an informed viewpoint. It will always be necessary for Council to keep an open mind for the different perspectives the community can bring.

### 2.3. When will Council engage?

Council will engage when any or all of the following apply:

- a matter is deemed significant (as explained in section 4);
- we need community input to ensure we make the right decision for the community;
- we want to build and maintain relationships; and/or
- when there is a statutory requirement.

### 2.4. When might Council not engage?

There is a time and financial cost required to explore options and obtain the views of the community. The level of engagement needs to be appropriate to the decision or action to be taken by Council. There will be rare occasions when a decision is so urgent that it is unreasonable to engage, or where the options are so limited that Council only has one reasonable and practicable option.

Examples of when we won't engage include:

- Organisational decisions that do not reduce level of service
- Emergency management activities during a state of emergency
- Decisions which are:
  - Urgent (managing an urgent issue)
  - Commercially sensitive
  - Made under approved policies
  - Made by delegation/sub-delegation to officers
  - Related to regulatory and enforcement activities
- Decisions where public consultation would cause a privacy breach
- Decisions to act where it is necessary to:
  - Comply with the law;
  - Save or protect life, health or amenity;
  - Prevent serious damage to property;
  - Avoid, remedy or mitigate an adverse effect on the environment.

### 2.5. How will Council engage with the community?

Council will undertake engagement in a variety of ways, through multiple channels. Identifying the significance of a proposal or decision via the procedure laid out in section 4.4 of this policy helps Council to determine the type of engagement required. The method of engagement will be dependent on the type of conversation needed, the community who we are engaging with, the time and cost allowed for the engagement, and any legislative requirements.

The type of engagement should correspond with the level of significance of the decision or proposal. Council has developed an engagement scale to clearly set this out (see section 5).

### 2.6. What is the Special Consultative Procedure?

The Special Consultative Procedure (SCP) is a formal consultation process that can be triggered when a decision is deemed significant. The LGA requires councils to use the SCP when:

- adopting and amending our Long-Term Plan;
- adopting and amending an Annual Plan (if it includes significant proposals not included in the Long-Term Plan);
- making, amending or revoking a bylaw of significant interest;

- transferring ownership or control of a significant strategic asset;
- constructing, replacing or abandoning a strategic asset.

When using the Special Consultative Procedure, Council must develop a statement of proposal and summary and make it widely available, allow a minimum feedback period of one month, and hold a hearing to ensure the community is given the opportunity to present their view to elected members.

For more information on the SCP please refer to the Local Government Act 2002.

## 2.7. What is section 82?

Section 82 of the LGA, refers to the principles of consultation. The Local Government Act 2002 requires Councils to consult in a manner that gives effect to s.82 when consulting on decisions to adopt certain policies or to make decisions on bylaws that are not considered significant enough to use the SCP. This allows Council to design a consultation process that is fit for purpose without initiating a full SCP.

Council must give effect to s.82 when adopting the following plans, policies or decisions, where the matters are not assessed to be significant:

- an annual plan
- a revenue and financing policy
- a policy on development contributions or financial contributions
- a policy on the remission and postponement of rates on Māori freehold land
- a rates remission policy
- a rates postponement policy
- prescribing fees
- making, amending or revoking bylaws
- allowing bylaws to continue without amendment

For more information on s.82, please refer to the LGA.

Council also notes that the LGA or other Acts may prescribe a minimum process for consultation that is not in proportion to the significance of the matter. Council may exceed, but cannot do less than the minimum.

## 2.8. What is the difference between consultation and engagement?

Consultation is a form of engagement, and involves obtaining feedback on proposals. Council will use consultation for significant decisions (under the LGA), and can also decide to consult on a decision where it considers appropriate. There are times when we must consult with the community, even if it is not required, as a result of the significance assessment laid out in section 4.5.

Engagement is a broader and ongoing process of sharing information with the community and seeking its feedback in order to involve the community in the process of decision making.

Legislation requires councils to consult and engage with communities on particular matters. Many Council decisions will be made through consultation and decision making procedures that are required by legislation. Key legislation includes (but is not limited to) the Local Government Act 2002, the Resource Management Act 1991, the Reserves Act 1977, and the Civil Defence Emergency Act 2002. We will consult when there is a legal requirement, even if there is no other reason.

## 2.9. What is pre-engagement?

Pre-engagement is another form of engagement that Council may sometimes use before a proposal is prepared. It is a way of engaging with the community before a plan or proposal is written, to ensure that our approach is consistent with the community's priorities. Pre-engagement can be in the form of a survey, an informal conversation with affected stakeholders, or with the whole community. There will generally be a formal engagement process undertaken after the plan or policy has been drafted.

One example of pre-engagement is the survey that we usually undertake before preparing the Long-Term Plan, to make sure that we understand what activities the community would like us to focus on.

## 2.10. How will Council engage with diverse communities?

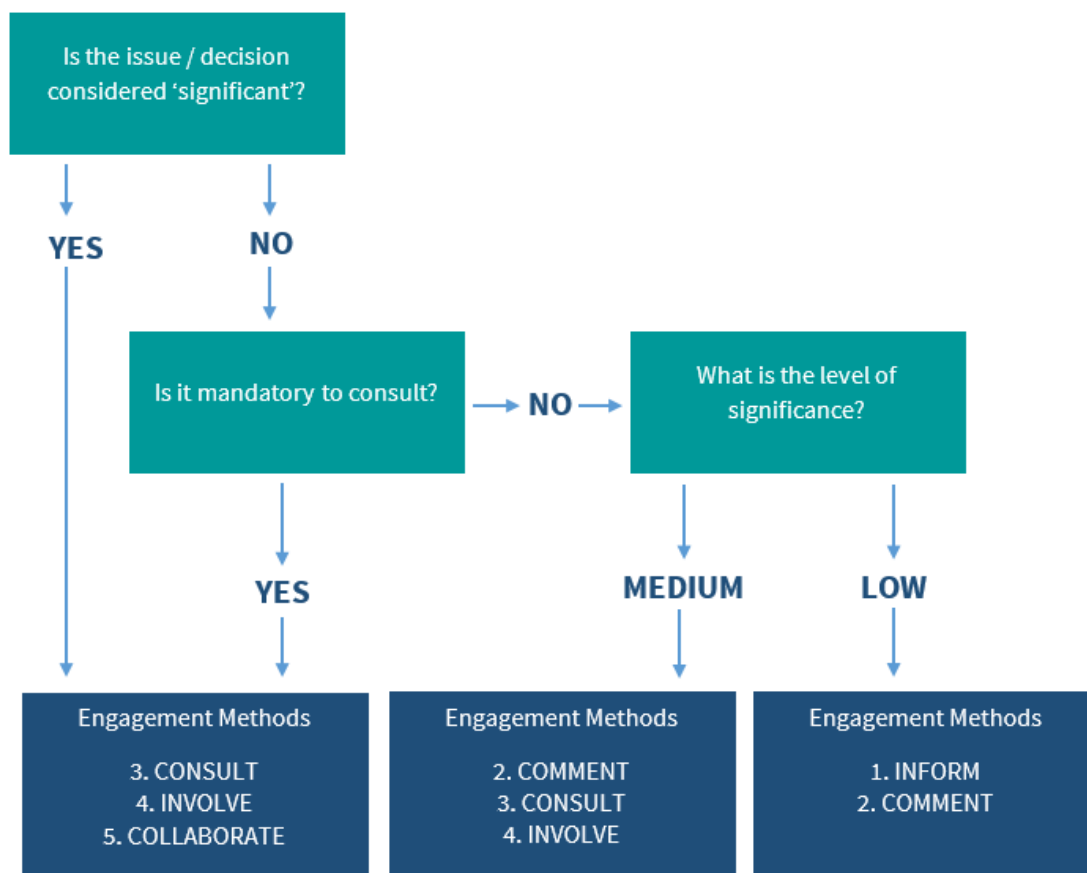
Social inclusion enriches the economic, social and civic wellbeing of everyone, and we recognise that it is important all people feel encouraged and welcome to participate in community engagement. Because of this, Council will ensure that all groups within the district are made aware of engagement opportunities.

Diversity is about what makes each person unique. This can be along the dimensions of race, ethnicity, gender, socio-economic status, age, physical abilities, religious beliefs and other factors. Because of our growing diversity, we need to constantly improve the ways we engage with our different communities. There may be times where specific engagement processes will be appropriate to recognise and enable different groups within the community to participate in engagement.

Although diversity can mean many different things, it is important to note the likelihood that Ashburton is more ethnically diverse now than at any time in its past. We are an accredited Welcoming Community and our ethnic and cultural diversity is continually growing.

Council will consider how to meet the needs of our communities in respect of language, accessibility and cultural expectations. Council will also ensure that multiple tools are used for engagement, in order to include those who speak English as a second language, as well as those with specific requirements and/or visual, hearing or literacy impairments.

**Figure one** – Selecting the type of engagement



### 3. How will Council engage with Ngāi Tahu and Mana Whenua?

He honoka motuhake tō te iwi o Kāi Tahu ki te Kaunihera hei haumi i ruka i Te Tiriti o Waitangi me ōhona whakaturetaka. E oati nei te Kaunihera ki te whakatinana i ā mātou kaweka i raro i Te Tiriti me ōhona whakaturetaka, kia whai take anō te mahi tahi hai paika mō te Māori.

Kai roto i Te Ture Kāwanatanga ā-Rohe 2002 kā mātāpono me kā hereka mā kā kāwanataka ā-rohe e aro ana ki te whakatinana ki te whakautē hoki i te haepapa ki te Karauna ki te whaiwhakaaro ki kā mātāpono o Te Tiriti o Waitangi, ki te tiaki, ki te whakapakari anō i kā āheitaka e whai wāhi ai te Māori ki kā tukaka whakatau whakaaro. Ahakoa ko te aroka matua o te Ture Kāwanatanga ā-Rohe ko te iwi Māori whānui, kai te takiwā o Waitaha, ko Kāi Tahu ake te takata whenua. Kai te noho te takiwā o Hakatere i te rohe o ēnei papatipu rūnaka o Kāi Tahu – Te Rūnanga o Arowhenua, ko Te Ngāi Tūāhuriri Rūnanga, ko Te Taumutu Rūnanga anō hoki.

Hai āpititaka ki kā hereka i raro i Te Ture Kāwanatanga ā-Rohe, kai roto i Te Ture Whakatau Kerēme a Ngāi Tahu 1998 he whakapūmautaka o tō Kāi Tahu āheika ki te whakatinana i ōhona honoka tuku iho hai kaitiaki o te taiao.

I raro i Te Ture mō te Whakahaere Rawa 1991 (RMA) ka whai takeka a Kāi Tahu ki kā wāhi tīpuna, kā wai, kā wāhi tapu, kā tipu me kā kararehe, kā taoka atu anō, ka noho aua pāka hai take whakahirahira ki te motu. E tohu hoki ana te RMA kia whai whakaaro nui te Kaunihera ki te kaitiakitaka, ki kā mahere ā-iwi mō te whakahaere taiao, arā ki kā mātāpono o Te Tiriti. Ka aro hoki te RMA ki tā te Māori whai takeka ki kā rawa ōkiko, ki kā rawa taiao, nā, he whakariteka motuhake mō te kōrero tahi me te mahi tahi ki te takata whenua.

Ngāi Tahu has a unique relationship with Council as partners through Te Tiriti o Waitangi (the Treaty of Waitangi) and supporting legislation. Council is committed to meeting our obligations under Te Tiriti and other legislation, and ensuring that engagement is meaningful and leads to positive outcomes for Māori.

The Local Government Act 2002 provides principles and requirements for local authorities that intends to recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi, and to maintain and improve opportunities for Māori to participate in decision-making processes. While the LGA relates to all Māori, it is recognized that within the Canterbury region, Ngāi Tahu are the tangata whenua. Ashburton District falls within the rohe of Ngāi Tahu papatipu rūnanga – Te Rūnanga o Arowhenua, Te Ngāi Tūāhuriri Rūnanga and Te Taumutu Rūnanga.

In addition to the Local Government Act obligations, the Ngāi Tahu Claims Settlement Act 1998 includes confirmation of the ability for Ngāi Tahu to express its traditional kaitiaki relationship with the environment.

The Resource Management Act 1991 (RMA) recognises Ngāi Tahu interests in ancestral lands, water sites, wāhi tapu, flora and fauna, and other taonga as matters of national importance. The RMA also requires the Council to have particular regard to kaitiakitanga and iwi environmental management plans and to take into account the principles of Te Tiriti. The RMA further recognises Māori interests in natural and physical resources, and contains specific requirements for consulting and working with tangata whenua.

Council recognises Aoraki Environmental Consultancy (AEC) as the assigned organisation for Arowhenua Rūnanga, for matters relating to the natural environment. Council will engage with AEC in the first instance.

On matters of social wellbeing, the Council also engages with the Hakatere Marae Komiti which is the governing organisation for the maata waka marae located north of the Ashburton town.

Council is committed to having a successful and enduring partnership with Mana Whenua as we know that it is important to seek the expertise and wisdom of those with inherited kaitiaki responsibilities and mātauranga.

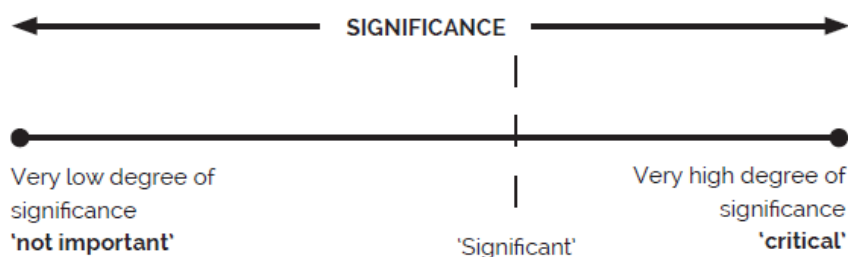
## 4. Significance

### 4.1. What do we mean by significance?

Significance is a measure of how important a decision is for the community.

As shown by figure two, *significance* for any decision will be a point on a scale from very low significance to very high significance. *Significant* is any matter at or beyond a point on the scale where there is a high degree of significance.

**Figure two:** Significance vs significant



The level of significance of the issue, proposal or decision will determine how much resources Council will invest in obtaining the views of the community and studying different options.

This helps Council to make sure we do not waste resources on less important decisions, and that we do not make bad decisions on important matters by failing to consider good alternative options or failing to take community views into account.

### 4.2. General approach to determining significance and making decisions

Council will comply with its decision-making duties under the LGA.

Council will apply the criteria and thresholds set out in section 4.5 to decide the overall level of significance for every decision.

Council will consider the significance of the issue and methods of engagement from the earliest possible stages of a proposal or process. If necessary, the significance and engagement will be reviewed as the proposal develops and as community views, and reasonably practicable options, become better known.



When making a decision, Council will:

- be clear about the issues involved and why it is making a decision;
- consider all reasonably practicable options for achieving the objective for which the decision is being made;
- invest appropriate time, money and effort into studying the issues and options, in proportion to the significance of the matter;
- have appropriate regard to community views in proportion to the significance of the matter; and
- comply with the LGA, RMA and Ngāi Tahu Claims Settlement Act 1998.

Before making any decision Council will ensure that it has sufficient information on the issues and options as well as the views of the community, and that these have been given adequate consideration.

The duty to explore options and obtain the views of the community in proportion to the significance of a matter, is not a duty to consult with the community for every decision Council makes.

Council decisions will consider a range of information sources, considerations and perspectives, including existing local, regional or national policy, technical information, legal requirements, financial costs and risks. Council will balance these factors in coming to an overall decision.

#### **4.3. Other uses of significance – strategic assets**

Under s.97 of the LGA, any decision to transfer the ownership or control of a strategic asset to or from Council, requires engagement. This requirement also relates to decisions to construct, replace or abandon a strategic asset. Any of these decisions, whether they are provided for in the Long-Term Plan or through an amendment to the Long-Term Plan, require engagement processes that comply with the SCP, at a minimum.

The strategic assets of Ashburton District Council are listed in Schedule 1 of this policy.

#### **4.4. How will Council assess significance?**

Where a decision is required, Council officers will use the Significance Tool (Appendix 1), to decide the level of significance.

Council officers will write a report to Council, a Committee, or Subcommittee proposing the decision. These reports will include:

- an outline of how Council has complied with its legal duties as a decision-maker;
- a statement of the overall significance of the matter, including whether the matter is significant; and
- a recommendation of further actions required, if any, to meet its legal duties.

While Council officers are responsible for assessing the significance of an issue, decision or proposal to meet duties under the LGA and this policy, elected members can make their own significance assessment and may resolve that any matter has a higher or lower level of significance.

#### **4.5. Significance assessment criteria**

Several criteria will be used to determine the level of significance of the issue, decision or proposal

being considered by Council. All criteria are considered. In different circumstances, certain criteria may carry greater or lesser weight in the overall decision.

Where the significance of a proposal or decision is unclear against any of the below criterion, Council will assess the matter as being more rather than less significant.

When considering the significance of an issue, proposal or decision, Council officers will consider the following factors. Each criterion will be assessed by Council officers and will be assigned a significance level of low, medium or high.

### Assessment criteria

Criteria	Factors to consider	High significance example	Medium significance example	Low significance example
<b>1. Strategic assets</b>	Does the proposal involve the sale or transfer of a strategic asset that is not covered in an LTP?	Sale or transfer of water supply networks	Transfer or sale of part of a strategic asset or all of a non-strategic asset of moderate to high value	Sale or transfer of low value assets that are not strategic
<b>2. Impact on the community</b>	What is the number of people affected? What is the level of impact?	More than 500 people. Peoples' daily lives are affected or they face a cost that is high relative to their means	Less than 500 people affected. Community is impacted to a medium degree	Less than 100 people. Minor cost, access to an activity or service is temporarily disrupted
<b>3. Community interest</b>	Is there current and / or potential community interest?	High and known community interest. Likely to attract regional or national news media attention. Social media interest is sustained and intense	Medium community interest. Likely to trigger community interest to a medium level. Local news media front page coverage. Short-term social media interest that may be intense	Low / no community interest. Not likely to trigger community interest or be on local news front page. No/low social media interest
<b>4. Impact on Te Rūnanga o Arowhenua</b>	Is the decision of interest of Te Rūnanga o Arowhenua as mana whenua? If so, what is the level of impact?	Yes /High Issue/proposal relates to land or a body of water	Of interest but not to a high degree. Issue/proposal does not relate to land or a body of water	No/Low Issue/proposal does not relate to land or a body of water
<b>5. Financial cost</b>	What is the unbudgeted cost of proposal? What will the impact on rates, fees and charges, reserves and/or debt be?	High unbudgeted cost, high impact on rates, fees, debts and/or reserves	Medium unbudgeted cost, medium impact on rates, fees, debts and/or reserves	Low unbudgeted cost, low impact on rates, fees, debts and/or reserves
<b>6. Levels of service</b>	What effect will the decision have on Council's levels of service?	High impact on levels of service. New service created or old service removed. High number of customers affected	Medium impact on levels of service. Moderate change to level of service increase or decrease. Medium number of people affected	Little to no impact on levels of service. Minor service level increase or decrease. Low number of customers affected
<b>7. Overall risk</b>	What is the overall risk of the proposal? (Including health and safety, reversibility, adverse impacts etc.)	High overall risk. Not reversible, significant effects, high / medium health and safety risk	Medium overall risk. Reversible, medium effects, medium/low health and safety risk	Low overall risk. Easily reversible, low impact / no adverse effects, no / low health and safety risk

### Significance thresholds

This is a three-step process.

**Step one:** For each of the seven assessment criteria, Council officers will determine whether the significance of the proposal or decision is high, medium, or low. Where the issue sits on the cusp of two levels, the default position is to the higher level.

**Step two:** Council officers will then apply the following formula:

- The significance of decision or proposal will be deemed **high** when four or more criteria are determined to be highly significant;
- The significance of a decision or proposal will be deemed **low** when five or more criteria are determined to be of low significance.
- The overall significance of a decision or proposal will be deemed **medium** when the proposal or decision does not meet the threshold of either high or low significance.

**Step three:** Council officers should consider the assessment as a whole when determining the significance of the issue, proposal or decision. This consideration will include the matters outlined under s. 79 of the LGA. If, in the judgement of officers, the step two formula produces a result that seems a poor fit with officers' "assessment in the round", officers may submit an alternative assessment and must give reasons for their findings.

## 5. Significance and engagement scale

Once the level of significance has been determined, this scale can be used to identify which level of engagement is the most appropriate.

← Level of significance →					
Low significance – methods 1 or 2			Medium significance – methods 2, 3 or 4		High significance – methods 3, 4 or 5
Level of engagement	1. Inform	2. Comment	3. Consult	4. Involve	5. Collaborate
<b>What does it involve?</b>	<u>One-way communication</u> to provide the community with balanced, objective information to assist them in understanding problems, alternatives, opportunities and/or solutions.	<u>Informal two-way communication</u> to obtain selected feedback on alternatives. Asking the community for information to seek ideas, opinions and information in the development process.	<u>Formal two-way communication</u> to obtain public feedback on analysis, alternatives and/or decisions.	<u>A participatory process</u> to work with the community to ensure that public concerns and aspirations are consistently understood and considered.	<u>Working together to partner</u> with the community in each aspect of the decision including the development of alternatives and identifying the preferred solution.
<b>When might Council use this?</b>	<ul style="list-style-type: none"> <li>Annual Report</li> <li>Changes to policy or bylaw schedules</li> <li>Low significance policies</li> <li>Decisions to award grants funding.</li> </ul>	<ul style="list-style-type: none"> <li>Development of a timing schedule for a project, e.g. a 'Main Street upgrade'</li> <li>Annual Residents Survey.</li> </ul>	<ul style="list-style-type: none"> <li>Long-Term Plan (LTP)</li> <li>Annual Plan (where there are significant changes from the LTP)</li> <li>New or amended bylaws</li> <li>High significance policies</li> <li>District plan changes</li> <li>Open spaces strategy</li> <li>Waste minimisation plan.</li> </ul>	<ul style="list-style-type: none"> <li>Development of options for policy change for a significant issue</li> <li>Large capital projects (EG – new administration building)</li> <li>Stock water closures.</li> </ul>	<ul style="list-style-type: none"> <li>Large community focussed capital project (EG – new stadium).</li> </ul>
<b>How might Council engage?</b>	<ul style="list-style-type: none"> <li>Media release</li> <li>Website</li> <li>Brochure/flyers</li> <li>Public notices</li> <li>Communication to key stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>Informal meetings with affected groups</li> <li>Informal gatherings</li> <li>Telephone surveys.</li> </ul>	<ul style="list-style-type: none"> <li>Formal submissions and hearings (Special Consultative Procedure, likely to incur cost)</li> <li>Social media</li> <li>Email</li> <li>Focus groups</li> <li>Phone surveys.</li> </ul>	<ul style="list-style-type: none"> <li>Workshops</li> <li>Focus groups</li> <li>Interviews</li> <li>Targeted surveys.</li> </ul>	<ul style="list-style-type: none"> <li>External working groups</li> <li>Open surveys</li> <li>Involving Mana Whenua in decision making processes.</li> </ul>
<b>When will the community be involved?</b>	When a decision is made.	After the development of options but prior to the final decision by Council.	When a draft decision has been made, or 'adopted for consultation' by Council.	At the refining stage of options.	At the development stage of options.

## Schedule 1 – Strategic assets

The strategic assets of Ashburton District Council are listed below. Decisions that involve the transfer of ownership or control of an element of a group strategic asset where the remaining assets of the group still enable the Council to meet its strategic outcome will not on their own be regarded as a strategic asset.

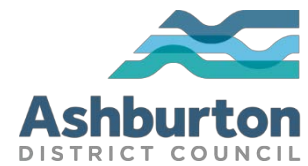
Activity / group of activity	Council assets	Trigger
<b>Investments</b>	<ul style="list-style-type: none"> <li>• Shareholding in Electricity Ashburton</li> <li>• Shareholding in Transwaste Canterbury Ltd</li> <li>• Shareholding in Rangitata Diversion Race Management Ltd</li> <li>• Shareholding in Ashburton Contracting Ltd</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of any portion of Council's shareholding</li> </ul>
<b>Drinking Water</b>	<ul style="list-style-type: none"> <li>• Council's water supply and reticulation networks as a whole</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of control or ownership of the networks as a whole</li> </ul>
<b>Wastewater</b>	<ul style="list-style-type: none"> <li>• Council's wastewater infrastructure as a whole</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of control or ownership of wastewater infrastructure as a whole</li> </ul>
<b>Transportation</b>	<ul style="list-style-type: none"> <li>• Council's road network as a whole</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of control or ownership of the road network as a whole</li> </ul>
<b>Open Spaces</b>	<ul style="list-style-type: none"> <li>• Council cemeteries</li> <li>• The land comprising the inner of Baring Square Ashburton, including the Ashburton Town Clock and the Cenotaph.</li> <li>• Reserve lands as a whole including land held under the Reserves Act 1977 and land used for parks, gardens, sports field and recreation areas</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of control or ownership</li> </ul>
<b>Community Services</b>	<ul style="list-style-type: none"> <li>• Council's Elderly Persons Housing stock</li> </ul>	<ul style="list-style-type: none"> <li>• An increase or decrease of 50% or more of elderly persons housing stock</li> </ul>
<b>Facilities</b>	<ul style="list-style-type: none"> <li>• Ashburton Airport</li> </ul>	<ul style="list-style-type: none"> <li>• Transfer of control or ownership of Ashburton Airport</li> </ul>

## Appendix 1 – Significance tool

Criteria	Factors to consider	High	Medium	Low	Assessment
<b>Strategic assets</b>	Does the proposal involve a strategic asset that is not covered in an LTP?	Sale or transfer of a strategic asset; e.g. water supply networks	Transfer or sale of part of a strategic asset or all of a non-strategic asset of moderate to high value e.g. sale of non-strategic property asset	Sale or transfer of low value assets that are not strategic; e.g. road stopping and associated transfer of closed road to adjoining owner	
<b>Impact on the community</b>	What is the number of people affected? What is the level of impact?	More than 500 people. Peoples' daily lives are affected or they face a cost that is high relative to their means; e.g. proposed Methven/Mt Somers/Montalto Water upgrade	Less than 500 people affected. Community is impacted to a medium degree e.g. extensions to the solid waste collection network	Less than 100 people. Minor cost, access to an activity or service is temporarily disrupted e.g. implementation of Smokefree Outdoor Areas Policy	
<b>Community interest</b>	Is there current and/or potential community interest? Is the issue likely to be on the front page of a newspaper?	High and known community interest. Likely to attract regional or national news media attention. Social media interest is sustained and intense. e.g. resource consents for water bottling	Medium community interest. Likely to trigger community interest to a medium level. Local news media front page coverage. Short-term social media interest that may be intense. E.g. Walking and Cycling Strategy	Low / no community interest. Not likely to trigger community interest or be on local news front page. No/low social media interest. E.g. technical changes to rates remission policy	
<b>Impact on Te Rūnanga o Arowhenua</b>	Is the issue of interest of Te Runanga o Arowhenua as mana whenua? If so, what is the level of impact? Does the issue or proposal relate to land or a body of water?	Yes /High Issue/proposal relates to land or a body of water e.g. water quality in Lake Clearwater	Of interest but not to a high degree. Issue/proposal does not relate to land or a body of water e.g. Council policy on climate change	No/Low Issue/proposal does not relate to land or a body of water e.g. Review of Dog Control Bylaw	
<b>Financial cost</b>	What is the unbudgeted cost of the proposal? What will the impact on rates, fees and charges, reserves, and/or debt be?	High unbudgeted cost, high impact on rates, fees, debts and/or reserves e.g. Library & Civic Centre consultation over extra \$30M in budget (LTP amendment)	Medium unbudgeted cost, medium impact on rates, fees, debts and/or reserves e.g. Review of development contributions policy	Low unbudgeted cost, low impact on rates, fees, debts and/or reserves e.g. any CPI-indexed fee increase	
<b>Levels of service</b>	What effect will the decision have on Council's levels of service?	High impact on levels of service. New service created or old service removed. High number of customers affected. E.g. large scale stockwater race closures	Medium impact on levels of service. Moderate change to level of service increase or decrease. Medium number of people affected. E.g. moderate scale stock water race closures	Little to no impact on levels of service. Minor service level increase or decrease. Low number of customers affected. E.g. 2021 Treasury Management Policy Review	
<b>Overall risk</b>	What is the overall risk of the proposal? (Including health and safety, reversibility, adverse impacts etc.)	High overall risk. Not reversible, significant effects, high / medium health and safety risk e.g. Capital works to meet NZ Drinking Water Standards.	Medium overall risk. Reversible, medium effects, medium/low health and safety risk e.g. Ashton Beach donga fencing	Low overall risk. Easily reversible, low impact / no adverse effects, no / low health and safety risk e.g. Review of Pole-Mounted Banners Policy	
<b>THRESHOLDS</b>				<b>Total HIGH</b>	
				<b>Total MEDIUM</b>	
				<b>Total LOW</b>	
				<b>Overall level of significance</b>	
<p>Four or more high = <b>HIGH</b>            Five or more low = <b>LOW</b>            Neither threshold met = <b>MEDIUM</b></p> <p><b>HIGH</b> = significant – consultation is required unless good reason exists under s.79  <b>MEDIUM</b> = not significant  <b>LOW</b> = not significant</p>					<b>SIGNIFICANT?</b>

**Council**

16 June 2021



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***8. Financial Variance Report – 30/04/21***

Circulated with this agenda.

## **9. Submission to Waka Kotahi NZ Transport Agency – Speed Limit Setting Rule 2021**

Author	<i>Richard Mabon, Senior Policy Advisor</i>
Activity manager	<i>Toni Durham; Strategy &amp; Policy Manager Brian Fauth, Roading Manager</i>
General manager	<i>Jane Donaldson; Group Manager, Strategy &amp; Compliance</i>

### **Summary**

- The purpose of this report is for Council to consider a submission to the Waka Kotahi NZ Transport Agency on its review of the Speed Limit Setting Rule 2021.
- Today is Council’s last meeting before submissions close on 25 June 2021.
- Officers have prepared a draft submission based on
  - their knowledge and experience of the current arrangements; and
  - Council views on speed limits expressed during previous debates
- Officers have informed the Ashburton Road Safety Committee and local schools of this draft submission and invited feedback to Council.
- Feedback will be presented to Council at a Workshop scheduled for the morning of 16 June 2021 and formally tabled at the Council meeting. Officers will bring possible changes to the submission to the full Council meeting.
- The submission addresses:
  - improving how speed management changes are planned for, consulted on and implemented; and
  - lowering speed limits around schools to improve safety and encourage more children to use active modes of transport

### **Recommendation**

**That** Council approves the submission to Waka Kotahi NZ Transport Agency on the review of the Speed Limit Rule 2021.

### **Attachment**

**Appendix 1** Ashburton District Council draft submission



## Background

### The current situation

1. Waka Kotahi NZ Transport Agency (Waka Kotahi) is currently consulting on its review of the Speed Limits Setting Rule 2021.
2. The consultation material is available at [Land Transport Rule: Setting of Speed Limits 2021 consultation | Waka Kotahi NZ Transport Agency \(nzta.govt.nz\)](https://www.nzta.govt.nz/consultation/land-transport-rule-setting-of-speed-limits-2021-consultation)
3. The review addresses:
  - improving how speed management changes are planned for, consulted on and implemented; and
  - lowering speed limits around schools to improve safety and encourage more children to use active modes of transport
4. The proposed Rule includes:
  - requiring Council to include their proposed speed limit changes and safety infrastructure treatments (including proposed placement of road safety cameras) for the coming 10 years into speed management plans
  - regional transport committees will coordinate input from road controlling authorities in their region to create and consult on a regional speed management plan, aligning with the regional land transport planning process
  - giving the new Director of Land Transport (within Waka Kotahi) the responsibility for certifying regional speed management plans
  - establishing an independent Speed Management Committee to certify the Waka Kotahi State highway speed management plan, and to oversee the information and guidance on speed management Waka Kotahi (as regulator) provides to road controlling authorities (RCAs)
  - introducing a new process for setting speed limits outside of speed management plans, and for road controlling authorities that are not territorial authorities
  - requiring all speed limits, other than temporary speed limits, to be entered into a national register to give legal effect to all speed limits, other than temporary speed limits. Waka Kotahi (as regulator) will be the Registrar of the register
  - requiring road controlling authorities to reduce speed limits around:
    - urban schools to 30 km/h (variable or permanent speed limits), with the option of implementing 40 km/h speed limits if appropriate
    - rural schools to a maximum of 60 km/h (variable or permanent speed limits)
  - introducing a target of 40% of school speed limits to be reduced by 30 June 2024, and all remaining speed limits by 31 December 2029.

## Options analysis

### Option one – Do nothing

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

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

6. This option would see Council officers lodge the appended submission with Waka Kotahi.

### Option three – Approve an amended submission taking into account stakeholder feedback (not recommended option)

7. This option would see Council approve an amended version of the submission currently appended, and submit that document to Waka Kotahi. At the time of preparing this report, Officers do not know how councillors will respond to the draft submission or to any views expressed by the road safety committee or local schools. Nor do we know what that stakeholder feedback will be. For these reasons we cannot recommend this option at this time.
8. Officers recognise that useful points of improvement often arise from elected member input and input from other stakeholders, and this option may well be the most likely outcome for those reasons.

## Legal/policy implications

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

## Financial implications

10. There are no immediate financial implications in making this submission. The financial implications of changes to the Rule are discussed in the draft submission.

Requirement	Explanation
What is the cost?	Officer resource in preparing the submission. This has been met from within existing operating budgets.
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Strategy & Policy
Are there any future budget implications?	There may be, depending on the decisions made by Waka Kotahi and the Minister of Transport. This is discussed in the submission and is not easily quantified at this time..
Reviewed by Finance	No

## Significance and engagement assessment

- 11.** The overall significance level in regards to the preparation of this submission is considered low.

Requirement	Explanation
Is the matter considered <i>significant</i> ?	No
Level of significance	Low, not significant
Level of <i>engagement</i> selected	<b>1.</b> Comment – informal 2-way communication with stakeholders
Rationale for selecting level of engagement	The rationale for selecting the ‘comment’ level of engagement is because the submission was proposed for adoption after consideration of informal feedback from stakeholders. Consultation timeframes did not allow time for a more formal process.
Reviewed by Strategy & Policy	,

# Submission

## Land Transport Rule: Setting of Speed Limits 2021

PREPARED BY: Ashburton District Council  
PO Box 94  
ASHBURTON 7774

SUBMITTED TO: Waka Kotahi NZ Transport  
Agency

Senior Policy Advisor  
[richard.mabon@adc.govt.nz](mailto:richard.mabon@adc.govt.nz)

[rules@nzta.govt.nz](mailto:rules@nzta.govt.nz)

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## Introduction

1. Ashburton District Council (Council) welcomes the opportunity to submit on the proposed new rule notified by Waka Kotahi NZ Transport Agency – *Land Transport Rule: Setting of Speed Limits 2021*.
2. Located an hour's drive south of Christchurch, more than 35,300<sup>1</sup> residents live in the district, with the main town of Ashburton accounting for over 50% of residents. The rest of our residents live rurally or in smaller towns or villages across the District.
3. Ashburton district has experienced moderate and sustained population increase since the mid-1990's, increasing by 23% between 2006 and 2013 (a 3.3% increase per year). This growth, however, is now slowing, with an average growth of 1.3% per year since 2013. The expansion of irrigation and agricultural diversification on the Canterbury Plains have been major factors in this growth.
4. Our population is forecast to continue to grow at around 1.0% per annum to reach 43,449 by 2048.<sup>2</sup>
5. There are 19 primary schools, one intermediate school, two secondary schools and one composite (Year 1-13) school in the Ashburton District, serving over 5,700 school-aged children.

## Key Submissions

6. Council supports the overall goals of the wider *Tackling Unsafe Speeds* package of:
  - Improving how local authorities plan and implement speed limit changes; and
  - Lowering speed limits around urban and rural schools
7. We are generally supportive of the proposals as presented.

---

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

<sup>2</sup> Source [Draft-Significant-forecasting-assumptions.pdf \(itsourplace.nz\)](#)

## Impacts of the proposals

8. We recognise that the creation of speed management plans will require more resources, and this will be compounded if the timing of speed management plans is aligned with the preparation of regional land transport programmes and Council long-term plans. This is a potentially negative impact for taxpayers and ratepayers.
9. Council favours separating the preparation of speed management plans from regional land transport programmes temporally, which will require the RTLP to provide an indicative fiscal envelope for at least one of the three years for speed management investment.
10. We believe that speed management plans will be an effective mechanism for resolving cross-boundary speed limit issues and for making for more effective speed management by integrating limit changes with physical infrastructure changes. This will be a positive impact for ratepayers, taxpayers and road users.

## Disadvantaged and advantaged groups

11. We note the proposal to introduce a target of 40% of school speed limits to be reduced by 30 June 2024, and all remaining speed limits by 31 December 2029. Council is keenly aware of community support for these changes and questions why these targets appear to be relatively unambitious.
12. To the extent that some schools might expect they may not see a speed limit change for more than eight years, we would identify those school communities as disadvantaged groups.
13. We would query why the timeframes are so long, what obstacles you foresee to bringing them forward and how you believe those obstacles may be overcome.
14. On the reverse side of the coin, we see all measures that result in the improved management of speed as benefitting all ratepayers, taxpayers and road users, and the sooner those benefits can be realised, the better.
15. Another improvement presented in the proposal is in clause 3.7 of the proposed rule, specifically clauses 3.7(2)(c), 3.7(2)(e) and 3.7(2)(f). We think these will, over time, enhance accountability, project planning and project delivery.

## Implementation Issues

16. We have already noted one implementation issue in paragraph 9 in relation to the timing of speed management plans.
17. We would also highlight an improvement presented in the proposal, specifically clauses 3.7(2)(c), 3.7(2)(e) and 3.7(2)(f). We think these will enhance accountability, project planning and project delivery.
18. The balance of this submission is in Appendices 1-4 which reply to the survey questions presented on your website.
19. Thank you for the opportunity to respond to this proposal.

**Mayor Neil Brown**

**Appendix 1 – Speed Management Plans and Speed Management Committee**

**Appendix 2 – Speed limits around schools**

**Appendix 3 – Use and lodgement of speed limits**

**Appendix 4 – Other proposals**

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## Appendix 1 - Speed Management Plans and Speed Management Committee

**1. Do you think the proposed Speed Management planning process should replace the existing bylaw process? If not, why not?**

Yes. It will streamline the current process which includes bylaw-making, reducing the amount of administrative work required. It is needed to achieve cross-boundary consistency and integrated speed management. This will enhance road safety. A national register will provide “one source of the truth” and improve efficiency.

**2. How do you think the timing of the Speed Management Plans should fit with the National Land Transport Programme process and Regional Land Transport Plans? For example, do you think the Speed Management Plans should be prepared at the same time as the Regional Land Transport Plans?**

We believe that the preparation of speed management plans needs to be separated temporally from the national land transport programme process and regional land transport plans. We think it should take place at least a year earlier. RLTPs already coincide with the preparation of council long-term plans, creating a major peak of work in the review of asset management plans, budget preparations, and review of infrastructure strategies and so on. Adding speed management plans into the mix at the same time will place additional constraints and demands on existing local authority resources. The primary beneficiaries will be private engineering consultancies, rather than ratepayers, taxpayers and road users.

This timing may also challenge Waka Kotahi resources.

**3. Do you support the proposed joint consultation process for State highway and Regional Speed Management Plans? If not, why not?**

We support some aspects of the process, and disagree with others.. We note that the process enables territorial authorities to have input on submissions relating to roads under its control, while still subject to RTC overview and Director certification.

We also note that the work of the RTC does not include state highways in the region, which are addressed separately by Waka Kotahi. Many state highways run through urban townships and cities and form an integral part of the local road network. We believe that all state highway speed limits should fall within the ambit of the RTC, subject to review from Waka Kotahi.

**4. Do you think the content requirements are appropriate, both for full and interim Regional Speed Management Plans? If not, why not?**

Yes. Proposed clauses 3.7(2)(c)(ii), 3.7(2)(e) and 3.7(2)(f) will, over time, strengthen accountability, project planning and project delivery.

**5. Do you support the proposed approach for the transitional period prior to 2023? If not, why not?**

Yes. The interim plan will be a substantial piece of work, as would any substantive review of existing speed treatments. This may challenge sector resources as previously noted.

**6. Do you think the respective roles of RCAs and RTCs proposed under the new rule are appropriate? If not, why not?**

Yes. Respective roles are appropriate.

**7. Do you support the proposed approach for consultation, including the separate requirement for Māori? If not, why not?**

Yes. The requirement for Maori consultation reflects expectations that have been business as usual for local authorities for almost twenty years.

**8. Do you think the Speed Management Plan certification requirements are appropriate? If not, why not?**

Yes. It is essential to ensure that planning aligns with the intentions of Government.

**9. Do you think the scope of the Speed Management Committee's role is appropriate? If not, why not?**

Yes. It removes Waka Kotahi from the untenable position of approving its own work.

**10. Do you think the Speed Management Committee member requirements are appropriate? If not, why not?**

Yes. Skillset requirements are appropriate and alignment of governance arrangements with other state entities is sensible.

**11. Do you think the settings for when to use the alternative process for making speed management changes are appropriate? If not, why not? Are there any other situations where the alternative process could be helpful?**

Yes, the settings are appropriate.

**12. Do you think the process for RCAs that are not territorial authorities to make speed management changes is appropriate? If not, why not?**

Council supports integration of speed management changes from all RCAs, including those that are not territorial authorities. Council has no view on the process from the perspective of those organisations.



## Appendix 2 – Speed limits around Schools

- 1. Do you support the timeframes for introducing safer speed limits around schools (an initial 40% of changes to be completed by 30 June 2024 and the remaining by 31 December 2029)? If not, what do you think would be more suitable timeframes?**

If these timeframes are for setting speed limits only, then in our view they seem too long. If they are for speed limits and associated speed management infrastructure such as kea crossings or raised platforms, they are more acceptable.

It would be helpful for Waka Kotahi to explain why such a long timeframe is expected. If it is related to funding, then Council would call on government to fund this work in a manner that enables a more responsible timeframe.

From 2017-2019 speed was recorded as a contributing factor in 28% of fatal crashes.<sup>3</sup> In 2019, 352 people died on NZ roads and 87 of those were in crashes due to excessive speed.<sup>4</sup> Every extra year it takes to bring in effective speed controls sees another 89 people die in fatal crashes where speed is a contributing factor.

- 2. Do you support the proposal that RCAs would designate rural areas? If not, why not?**

Yes. This is supported.

We have one school in our District which we would currently designate as a rural school. It is foreseeable within a decade that development may begin to encompass this site to the extent it should be redesignated as an urban school. It is not clear how this would be addressed under the proposal.

- 3. Do you think the presence of a school nearby meets the 'point of obvious change in the roadside development' requirement for a change in speed limit? If not, why not?**

Yes – This will make it more straightforward for councils to reduce speeds around schools, especially rural schools.

There will still be cases where the physical characteristics of the road and the school site will not provide obvious cues for the driver and these cases will require extra efforts to bring speed down. A case in point in this district is Lagmhor School, which is beside a long straight stretch of road. The school buildings are set back from the road and in recent times the school has moved roadside parking into the school grounds to improve safety. This means that there are fewer cues for drivers to understand the need to slow down.

It seems self-evident that a school will meet the point of obvious change in the roadside development.

- 4. When setting variable speed limits around schools, do you support RCAs having the ability to determine school travel time periods (whilst having regard to guidance from Waka Kotahi)? If not, why not?**

In principle, yes, although this will depend on the level of discretion afforded by the guidance from Waka Kotahi. Council would also expect to have regard to the views of the school community.

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<sup>3</sup> Ministry of Transport website data. [Safety — Annual statistics | Ministry of Transport](#)

<sup>4</sup> Ministry of Transport website data. [Safety — Road deaths | Ministry of Transport](#)

Council recognises that safety issues around schools are not restricted to drop off and pick-up at the beginning and end of the school day. Some school grounds are used for weekend sport. Children and traffic may enter and leave school grounds at any time throughout the day. Schools hold events that create other traffic issues. There needs to be a wide level of flexibility in the guidance to take these factors into consideration.

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## Appendix 3 – Use and lodgement of speed limits

**1. Do you support the proposed approach for creating an emergency speed limit? If not, why not?**

Yes. The approach needs to be able to respond quickly to severe weather events such as floods.

**2. Do you see any issues with temporary speed limits sitting outside the Register for the time being? If so, what are these?**

No issues are foreseen.

**3. Do you think it is clear how the Register should be used? If not, why not?**

Yes, this is clear in the proposed rule. The ease of use of the register remains to be demonstrated and will have no small bearing on its success.

**4. Do you support RCAs being able to set 70 and 90 km/h speed limits without approval from Waka Kotahi? If not, why not?**

No. Council understood that Waka Kotahi was moving in the direction of reducing the range of speed limits between 50 and 100 km/h to 50, 60, 80 and 100. This is in the interests of more consistent standards around the country. We do not understand the rationale for what appears to be a policy u-turn.

**5. Do you think RCAs should only have the ability to use 70 and 90 km/h speed limits as interim speed limits (as opposed to permanent speed limits)? If so, would three years be an appropriate term for these speed limits?**

No. Stick to the original intention of 50, 60, 80 and 100 km/h.

**6. Do you support RCAs being able to set variable speed limits without approval from Waka Kotahi? If not, why not?**

Yes, within the parameters set out in clause 4.8(1)

**7. Do you think the circumstances for setting variable speed limits without Waka Kotahi approval are appropriate? If not, why not?**

Yes, they are appropriate.

**8. Do you think there are any situations where Waka Kotahi approval should be sought? If so, what are these?**

Any situation where clause 4.8(1) does not apply. At first thought, nothing comes to mind.

**9. Do you support the proposal to replace urban traffic areas with speed limits areas? If not, why not?**

Yes.

**10. Do you think it is appropriate to use speed limits areas to set any speed limit (up to 100 km/h)? If not, why not?**

Yes. We have already implemented this sort of approach in some parts of Ashburton Township.

## Appendix 4 – Other proposals

- 1. Do you agree RCAs should not be able to change a speed limit for a period of five years, if directed to change the original speed limit by Waka Kotahi? If not, what do you think would be a more appropriate timeframe?**

No. 1-2 years is appropriate. Five years is too long.

- 2. Do you think the minimum length and signage requirements for speed limits should sit in guidance provided by Waka Kotahi? If not, why not?**

No. This information should sit in regulations.

- 3. Do you think the use of mean operating speed should sit in guidance provided by Waka Kotahi? If not, why not?**

Yes, it should sit in the Guidance, with final decisions resting with the RTC. There is value in the rigour of analysis which underpins the guidance. In our view however, no amount of desktop study of statistics will ever surpass the study and experience of local conditions and driver behaviour on the ground.

## **10. Mayor's Report**

### **10.1 Local State of Emergency**

On 30 May 2021, I declared a local state of emergency for the district for a seven day period, due to the severe weather event that was impacting the district.

The declaration came after a review of the district's roads and bridges, and concerns over potential significant flooding had the Ashburton River stopbanks breached.

An Emergency Operations Centre was set up in the Council Chamber building to oversee the emergency management plan.

On Tuesday 1 June the Ashburton/Hakatere bridge was deemed compromised and was closed to all traffic. Engineers confirmed there is significant damage and there were reduced hours for heavy traffic implemented. Following monitoring by Waka Kotahi NZ Transport Agency data analysis showed, as of 10 June, it was safe for trucks to resume 24 hour travel over the bridge.

An Emergency Relief Fund has been established for people and families in Mid Canterbury who are experiencing financial hardship as a result of the floods.

Application forms and criteria are available on the Council website: [Emergency Relief Fund | Ashburton DC](#)

Two donations channels have also been established for people who are interested in making a financial donation, they can do so via an official flood relief Westpac bank account (03-1592-0521970-04) or through the Givealittle page: [Ashburton Emergency Relief Fund - Givealittle](#)

The past two weeks have been extremely demanding on all involved in the operation of the Civil Defence Emergency. There were a lot of agencies involved and I was impressed to see them all working together to achieve the best result possible for the district under the trying conditions. A big thank you to all those involved, your time and dedication is greatly appreciated.

In addition I would like to extend thanks to the Hakatere Marae Komiti for making their facilities available and establishing a refuge centre for those in need.

### **10.2 Environment Canterbury**

CE Hamish Riach and I met with ECan's CE Stefanie Rixecker, Chair Jenny Hughey, Deputy Chair Peter Scott and Councillors Ian Mackenzie and John Sunckell to discuss the district's needs following the floods. There will be a joint approach to submit an application to central government for more assistance around funding to repair stop banks and remediate farm land.

### **10.3 Rural and Provincial**

Along with Councillors John Falloon, Lynette Lovett and CE Hamish Riach I attended the Rural and Provincial sectors meeting in Wellington, 10/11 June.

Topics presented on included 3waters, biodiversity particularly around significant natural areas, Resource Management Act reforms, drinking water regulators, Covid 19 vaccine rollout and housing.

## 10.4 Meetings

- **Mayoral calendar**

### May 2021

- 30 May: Civil Defence Emergency declared
- Visits to the district from Rt Hon. Jacinda Ardern, Hon. Damien O'Connor, Hon. Kris Faafoi

### June 2021

- 1 June: Three Waters
- 2 June: Council Meeting
- 3 June: Minister Michael Wood
- 3 June: Civil Defence Emergency Management Group Joint Committee
- 7 June: National MPs Nicola Grigg and Matt Doocey
- 8 June: Library & Civic Centre Project Control Group meeting and site visit
- 9 June: Diane McDermott, Regional Commissioner MSD
- 10 June: LTP Workshop
- 10 June: Housing and Business Capacity Assessment Workshop
- 10 June: ECan representatives with CE Hamish Riach
- 10 June: Civil Defence Emergency transition to recovery signed off
- 10-11 June: Rural and Provincial, Wellington with Councillors Falloon and Lovett and CE Hamish Riach
- 11 June: Hokonui Radio Interview
- 11 June: Three Waters (via Zoom)
- 14 June: Methven Community Board
- 14 June: M. Bovis Advisory Group – Independent Review
- 14 June: Daryl Holden and Adam Burns - Ashburton Guardian
- 15 June: Zone 5 Ministerial meeting and Future for Local Government Workshop
- 15 June: Hon. Michael Wood (via Zoom)

## Recommendation

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

Neil Brown  
**Mayor**

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## ***11. Councillor Reports***

### ***Councillor Carolyn Cameron***

#### **11.1 Covid-19 Pasifika Meeting**

Deputy Mayor Liz McMillan and I attended the Covid-19 Pasifika meeting on Saturday afternoon (29/5/21), hosted by Jo Luxton and attended by invited guests Hon. Aupito William Sio and Dr Api Talemaitoga and Geraldine Clifford-Lidstone, Director Pacific Health.

The meeting started with an opening prayer before talks from Minister Sio and Dr Talemaitoga. The meeting was to inform people of the vital role the Covid-19 vaccine will play in the health of the Pasifika community and encourage people to get a vaccine. There was a beautiful singing performance by the Ashburton College singing group. This was followed by a Q and A session with most questions asking about the safety and efficacy of the vaccine. Many people were seeking reassurance that it actually works as some feel that 5% of people will not get a benefit and may be exposed to the risk associated with vaccination. Dr Api Talemaitoga explained how messenger RNA vaccines work (and you cannot get the virus from the vaccine). He also discussed the clinical trial process for the vaccine and how nothing in medicine is 100% certain. He emphasised that this vaccine has been tested in clinical trials, and the data has been scrutinised and approved by the Ministry of Health. The other vaccine alternatives have yet to be approved but are in the approval process.

The afternoon finished around 6pm with a blessing for the food and a lovely meal and conversation.

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## ***12. Draft Recovery Action Plan***

Activity manager      *Toni Durham; Recovery Manager*  
Group manager        *Hamish Riach; Chief Executive*

### **Summary**

- The purpose of this report is for Council to receive the Recovery Action Plan for the May 2021 Flood Event.
- The purpose of the Draft Recovery Action Plan is to establish and plan effective recovery arrangements for the consequences of the flood event on our community.
- The plan will be iterative and updated regularly.

### **Recommendation**

- 1. That** Council receives the draft Recovery Action Plan for the May 2021 flood.



## Background

### The current situation

1. The May 2021 flood event has been unprecedented for our district. With record levels of rain falling, the impacts on our community are wide-reaching and will be felt for some time to come.
2. The declaration of a local state of emergency was a first for the district in recent times, and the associated response included a range of partner organisations including the New Zealand Defence Force, NZ Policy, Fire and Emergency New Zealand, St Johns, Mid Canterbury Rural Support Trust, Environment Canterbury, ACL and the Ministry of Primary Industries.
3. Having the partner agencies in the Emergency Operations Centre enabled a sound flow of information and assisted quality decision-making.
4. On Thursday 10 June at 4pm, the Mayor notified a transition to recovery under the Civil Defence Emergency Management Act 2002. In doing so, this shifted the event from a 'response' phase and into a 'recovery phase', which is the reason for this information report to Council.

## Legal/policy implications

### Legislation

5. Under the [Civil Defence and Emergency Management Act 2002](#), recovery includes:
  - (a) *the assessment and ongoing monitoring of the needs of a community affected by the emergency; and*
  - (b) *the co-ordination and integration of planning, decisions, actions, and resources; and*
  - (c) *measures to support—*
    - (i) *the regeneration, restoration, and enhancement of communities across the 4 environments (built, natural, social, and economic); and*
    - (ii) *the cultural and physical well-being of individuals and their communities; and*
    - (iii) *government and non-government organisations and entities working together; and*
  - (d) *measures to enable community participation in recovery planning; and*
  - (e) *new measures—*
    - (i) *to reduce risks from hazards; and*
    - (ii) *to build resilience*

## Financial implications

Requirement	Explanation
What is the cost?	There is no cost associated with receiving the draft plan
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Officer time and resource is being met from within existing budgets
Are there any future budget implications?	No
Reviewed by Finance	Not required as no funding is being sought

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Medium – not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	Receiving the draft plan is not in itself considered significant. The flood event is of high public interest to the community and ongoing regular communication will be undertaken throughout the recovery phase. Collaboration with partnering agencies will be important to ensuring a positive outcome for the community.
Reviewed by Strategy & Policy	Toni Durham; Strategy & Policy Manager



# Canterbury Flood May 2021

## Recovery Action Plan



Event:	Canterbury Flood	
Regions/Districts/Wards affected:	Ashburton District	
Prepared by:	Toni Durham; Recovery Manager	
Handover from:	Jim Henderson	Signature:
Handover to:	Toni Durham	Signature:
CE	Hamish Riach	Signature:
Date of handover from Controller to Recovery Manager:	10 June 2021	
Status:	Version 1.0	

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Draft

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## Section 1 Executive summary

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The purpose of this Recovery Action Plan is to establish and plan for effective recovery following the 30 May 2021 Canterbury flood event. It outlines the principle aspects of the transition from response to recovery, establishes timeframes for implementing recovery activities and assigns responsibilities.

The Recovery Action Plan is a living document. This initial version has been written towards the end of the response phase and is aligned with the Transition Recovery Report. It provides more detail on projects, updates issues and opportunities and identifies any emerging risks. As recovery progresses and more information is gathered, the plan will be regularly reviewed and is likely to become simpler and shorter.

While the event has caused significant damage to the physical environment in some areas, the initial focus of recovery will be on the social and economic environments. The Welfare and Social Group will focus on coordinating welfare support services at the local level.

The Rural Economy Group will focus on coordinating the impact of the flood on the economic health within the district, as farming is a major contributor to the local economy. Coupled with this, the flood has also damaged the Ashburton Bridge on State Highway 1, which was already facing increasing traffic and constrained capacity. The damage has resulted in reduced speeds across the bridge for all traffic, and over-size and over-weight vehicles having to use alternate routes.

The Built Environment Group will be largely focused on returning damaged infrastructure and property to pre-event condition, or in some instances an improved condition from pre-event. This includes, but is not limited to roads, water and wastewater assets, Ashburton Bridge and individual homes and properties throughout the district.

The Natural Environment Group is focused on the resolving the effects of the event on the land, water and air in the district.

All groups will be working alongside a range of stakeholders and agencies to ensure positive and enduring outcomes for our community.

## Section 2 Emergency and response summary

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### 2.1 Summary of the event

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Canterbury experienced a significant rainfall event between 29–31 May 2021. The flood was the result of a deep low pressure system, an ‘atmospheric river’ and dry soils which couldn’t absorb the deluge. MetService had issued a ‘red alert warning’ for heavy rainfall on Friday 29 May, so the event had been pre-warned to an extent, however in some instances the rainfall exceeded forecasts.

Within the Ashburton District, 540mm<sup>1</sup> of rainfall was recorded at the ECan Mount Somers weather station (approx. 800m above msl) with 185mm<sup>2</sup> of rainfall being recorded at the ECan Hinds Plains weather station (approx. 90m above msl) over the course of the three day event.

This rainfall resulted in the highest flows on record in the Upper Hinds and Ashburton/Hakatere river catchments. While ECan river flow gauges inland were damaged during the event, data recorded at the Ashburton SH1 Bridge peaked at 1,542cumecs at 2000, May 30<sup>3</sup>, an increase of 1521cumecs in 24h.

Ashburton District Mayor, Neil Brown declared a Local State of Emergency at 1010, May 30. A notice to prepare to evacuate was made for the Allenton and Netherby communities at 1542, May 30. The official evacuation notice was not enacted due to the Ashburton River breaching upstream which relieved the pressure on the river closer to Ashburton however some residents from both the Hinds Township as well as the banks of the major and subsidiary rivers within the District self-evacuated. The NZDF assisted in the evacuation of 30 people and 12 pets on 31 May<sup>4</sup>.

Civil Defence Centres were set up at the Hakatere Marae while an Animal Welfare Centre was set up at the Ashburton A&P Showgrounds.

Roads throughout the district were inundated by the weather event. Several key routes were closed and Ashburton residents were urged to stay home and avoid all unnecessary travel. After the Ashburton Wastewater Treatment Facility flooded downstream of Wilkins Road, Tinwald at 0809 May 31, the public were informed of the public health risk and advised to avoid all contact with floodwater on the assumption that it would be contaminated.

KiwiRail halted all trains between Christchurch and Timaru for 48 hours initially before extending this indefinitely after a series of washouts and areas requiring urgent repair were identified.

Boil water notices were issued for the Methven, Montalto, Methven-Springfield and Mt Somers water supplies. Water tankers were delivered to Methven and Mount Somers on 31 June with the understanding that these boil water notices were likely to be in place for at least a week.

Power was temporarily lost in Mount Somers and Methven between 0242 and 0420 May 31.

All schools in the District were closed on Monday, May 31 and due to a lack of potable water and surface flooding in Methven and Mount Somers, some remained closed until Friday 4 May.

On Tuesday, June 1 at 0630 a pier of the Ashburton Bridge - State Highway 1 slumped, causing the bridge to be closed at a time when there were no alternate routes through the District available. High river flows and

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<sup>1</sup> <https://www.ecan.govt.nz/data/rainfall-data/sitedetails/316310>, 07 June 2021

<sup>2</sup> <https://www.ecan.govt.nz/data/rainfall-data/sitedetails/319602>, 07 June 2021

<sup>3</sup> <https://www.ecan.govt.nz/data/riverflow/sitedetails/68801>, 07 June 2021

<sup>4</sup> <http://www.nzdf.mil.nz/nzdf/news/nzdf-support-to-canterbury-floods>, 07 June 2021



debris build-up beneath the Bridge delayed initial inspections. An alternate inland route via SH77 was established and publicised at 2040 June 1 with traffic quickly backing up around the one-way bridges. Temporary traffic light signals were ineffective and had to be replaced by stop/go signalling due to the high volume of vehicles on the roads.

Waka Kotahi – NZTA temporarily reopened the Ashburton Bridge to light vehicles travelling 30km/h at 2325, June 1. Planned Bridge closures followed between 1000 and 1400 on June 2 to conduct weight testing and following this, heavy vehicle use was able to resume at the reduced speed limit, during daylight hours (0700-1900) from 1015 June 3. Ongoing monitoring of the Bridge by NZTA is expected to continue.

At 1533 June 3, the Ashburton River came close to breaching the stop bank at River Road. Residents of the 12 properties nearby were alerted however while the stop bank was eroded, this river breach event did not eventuate and properties were not evacuated.

Assistance throughout the Flood Event was provided to the staff of the Ashburton District Council in the EOC by NZDF, NZ Police, FENZ, St John, Federated Farmers, Rural Support Trust, Civil Defence NZ, Christchurch City Council, Kaikoura District Council, Emergency Management Canterbury, Emergency Management Otago, Hurunui District Council, MPI and Canterbury CDEM Group.

## 2.2 Extraordinary powers

Declaration/ Notice	Start date	Expiry date	Given by	Area covered	Comments (include reason for declaration / notice)
State of Local Emergency – Ashburton District	30.5.2021 1010		Neil Brown Mayor ADC	Ashburton	Severe weather event impacting the district
State of Local Emergency – Canterbury	30.5.2021 1645		Lianne Dalziel Chair of the Joint Committee	Canterbury	To ensure all of the regions resources are available to respond to the event
Extension of State of Local Emergency – Ashburton, Selwyn and Waimakariri Disticts	3.6.2021 1600	10.6.2021 1600	Lianne Dalziel Chair of the Joint Committee	Ashburton, Selwyn and Waimakariri Disticts	To enable the districts most affected to continue their response
Notice of Local Transition Period – Ashburton District	10.6.2021 1600	08.07.2021 1600	Neil Brown Mayor ADC	Ashburton	To enable the Ashburton District to transition to recovery with legislative powers

## 2.3 Ongoing need for extraordinary powers

While it is not expected that there will be a need for continued powers during the transition to recovery, but giving notice of the local transition period, then these are available should they be required.

## Section 3 Recovery arrangements

### 3.1 Group structure

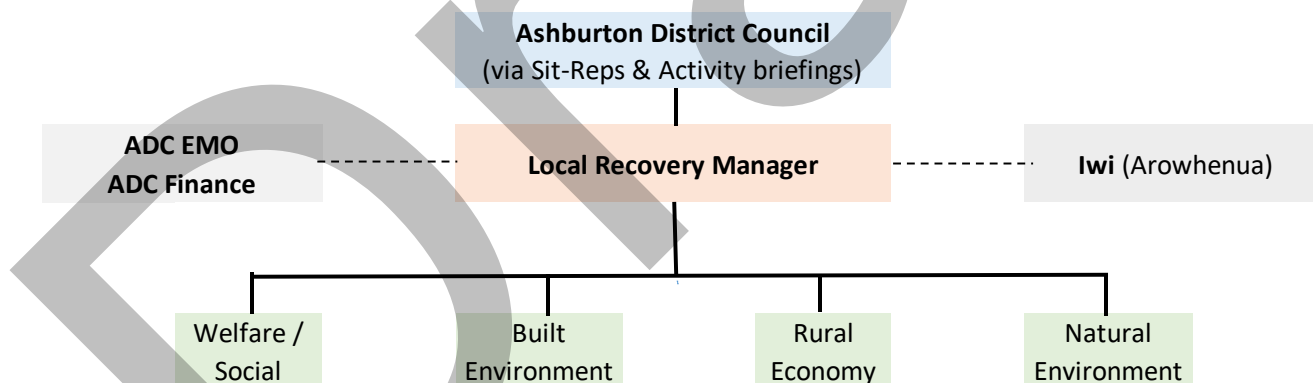
TBC

### 3.2 Recovery Managers

	Name of Recovery Manager	Contact Details
Local Recovery Manager	Toni Durham	0272562930 Toni.durham@adc.govt.nz
Group Recovery Manager	Baden Powell	TBC
National Recovery Manager	TBC	TBC

### 3.3 Local Recovery Structure

The following recovery structure has been established for the event. This shows the involvement of governance in the recovery model and how the progress of the action plan will be reported to Elected Members via weekly Sit-Reps and the Activity Briefings. Where a Council decision is required, a report will be brought to Council.



### 3.4 Recovery Leads

Project/Environment	Name of Lead	Agency
Welfare / Social	Crissie Drummond / Janice McKay	ADC
Built Environment	Chris Stanley	ADC
Rural / Economy	Simon Worthington	ADC
Natural Environment	Ian Hyde	ADC
Admin Support	Jamie Grant	ADC

EMO support & guidance	James Lamb	ADC
Financial Support	Paul Brake / Rachel Sparks	ADC

It is expected that apart from the Recovery Manager (who will focus full-time on RM initially for 1-2 weeks) that the staff listed will be able to lead these work streams as a part of their BAU, on the proviso that some existing work may need to be reprioritised.

## 3.5 Ongoing support

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TBC

## 3.6 Expenditure and funding

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### 3.6.1 Expenditure

TBC

### 3.6.2 Funding

TBC

### 3.6.3 Government assistance

TBC

## 3.7 Information management

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The EOC response to the event has been run through the D4H system. This contains the task log, Sit-Reps, action plans and function reports.

The Needs Assessments have been recorded in a GIS layer, which has fed into the central database coordinated by the ECC and MPI.

The recovery phase will be managed through Council's electronic record management system, THOR.

### Challenges and issues:

- Ensuring that the Needs Assessment data is responded to by RST & MPI in a timely manner
- Recording the outcome of responses back into the central database
- Using a secondary system for recovery with Council's THOR isn't ideal, but given the limited knowledge and understanding of D4H at this point in time it is considered the most suitable solution

## 3.8 Plans

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TBC

## 3.9 Reporting

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TBC

### 3.10 Meetings and Forums

Lead organisation	Who attends	Dates
Welfare / Social	Welfare Group (details from Crissie) Primary Health meeting (Waitaha Health)	WG – Friday AM PH – Thursday AM
Built Environment	Council Assets & Roothing Waka Kotahi EA Networks Kiwi Rail NZ Trucking (?) ECan (?)	TBD
Rural Economy	MPI Fed Farmers Econ Dev. Advisory Group (?) Insurance Council	TBD
Natural Environment	Iwi DOC ECan Fish & Game	TBD

# Section 4 Recovery goals, principles and objectives for this recovery

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## 4.1 Recovery principles

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Recovery consists of the coordinated efforts and processes to affect the short, medium- and long-term holistic regeneration and enhancement of a community after an emergency and requires that agencies work together in establishing shared goals, priorities, strategies and information needs.

Recovery involves the community and activities across the following 4 environments:

- Social
- Economic
- Natural
- Built

Recovery should be flexible and scalable to meet the needs of the community. Recovery measures should be pre-planned and implemented (with necessary modifications) from the first day of the response (or as soon as practicable) and should be co-ordinated and integrated with response actions.

The aim of immediate recovery activity is to enable individuals to continue functioning as part of the wider community.

## 4.2 Recovery goal

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To provide an effective and timely recovery from the May 2021 flood event in the Ashburton District

## 4.3 Recovery strategy

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To work alongside key stakeholders and partners to provide ongoing social support to those affected by the flood and manage the economic impacts of the event on the affected communities.

## 4.4 Recovery objectives

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The objectives of this plan are that:

1. Those affected by the flood have access to appropriate psychosocial and financial support services throughout the recovery phase.
2. The district community feels reassured and supported throughout the recovery phase.
3. All stakeholders are kept up to date on the recovery phase and the plan moving forward.
4. The economic impacts of the event are understood and managed.
6. The partnership between Te Rūnanga o Arowhenua, ADC, the Canterbury CDEM Group and other agencies continues to be enhanced throughout recovery.

## 4.5 Reporting

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The plan has been prepared based on the following assumptions.

- Recovery Manager reports directly to the CEO
- Weekly sit-rep reports to the Executive Team of ADC
- Reporting 6 weekly via the activity briefing
- Weekly updates to stakeholder and partner organisations of recovery progress and emerging issues

## 4.6 Indicators

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TBC.

Draft

# Section 5 Recovery actions

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## 5.1 Recovery priorities

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The following tables are the assessment of recovery priorities using the following 'lenses':

- **Built environment:** refers to the physical setting for human activity, including buildings and their supporting infrastructure.
- **Economic environment:** this broadly includes the production, distribution and consumptions of goods and services, and financial assets that have a direct role in supporting incomes and material living conditions.
- **Natural environment:** incorporates ecosystems and their constituent parts that support life and human activity, including natural and physical resources, the qualities and characteristics of areas and features, and their amenity value.
- **Social environment:** incorporates individuals, whānau and common-interest groups, and the relationships, communication and networks between them.

## 5.2 Welfare / Social

Short Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
1	Regular meetings and conversations to be led by ADC in the transition to recovery.	ADC			
2	Coordination of community groups, organisations, agencies and volunteers required moving forward	MPI, RST, FF			
3	Offers of assistance and anyone with needs to be sent to MPI encourage all registrations via these platforms.	MPI			
4	Keep community informed and engagement with any updates via social media, ADC website, text alert system.	ADC			
5	Temporary accommodation – currently not providing any accommodation and anyone with accommodation is working independently with insurers.	MBIE			
6	MSD payments available if people need it, communicate directly with MSD	MSD			
7	Co-ordination of needs with response from the needs assessments	MPI & RST			

Medium Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
7	Regular communication to keep community informed of recovery work	ADC	Recovery Manager		
8	Social recovery / welfare coordinating committee meets regularly.	ADC			
9	Psychosocial needs may start to emerge as a result of frustration of farm damage, delays in clearing, getting farms up and running and being overwhelmed at the scale of the clean-up.	Health (RST, Waitaha, etc)			
10	If community need arises host community events, conversations, shed meetings etc.	RST			
11	Oversight of insurance challenges for affected properties. Advocacy of our district needs	ADC			
12	Ashburton bridge closures for repairs may increase anxiety for urban residents – continued comms and reassurance				



Long Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
	TBC				

Draft

## 5.3 Built Environment

Short Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
1	Complete interim assessment (and repairs) to affected roads to stabilise until programmed for rehab.	<a href="#">ADC - Roading</a>			
2	Complete interim assessment (and repairs) to affected bridges	<a href="#">ADC - Roading</a>			
3	Council water supplies monitored to remove BWN	<a href="#">ADC - Assets</a>			
4	Council wastewater treatment facilities assessed	<a href="#">ADC - Assets</a>			
5	Complete initial assessments of stockwater race networks	<a href="#">ADC – Open Spaces</a>			
6	Complete investigations of Ashburton Bridge	<a href="#">Waka Kotahi</a>			
7	Complete interim repairs of stop-banks	<a href="#">ECan</a>			
8	Flood damaged homes assessed	<a href="#">ADC - Building</a>			
9	Private septic tank and potable water issues referred to insurers or RST (if no insurance)	<a href="#">Insurance or RST, MPI</a>			
10	On-farm infrastructure damage referred to insurers or RST (if no insurance)	<a href="#">Insurance or RST or MPI</a>			

Medium Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
	<a href="#">Programmed rehabilitation of affected roads</a>	<a href="#">ADC Roading</a>			
	<a href="#">Programmed reconstruction of affected bridges</a>	<a href="#">ADC Roading</a>			
	<a href="#">Riverbed and stop-bank remediation</a>	<a href="#">Ecan</a>			
	<a href="#">Ashburton urban bridge - repairs</a>	<a href="#">Waka Kotahi</a>			
	<a href="#">Stockwater network remediation</a>	<a href="#">ADC</a>			
	<a href="#">Restore fibre network to full capacity lower South Island</a>	<a href="#">Chorus / EA Networks</a>			
	<a href="#">On-farm infrastructure (fencing, tracks, stockwater, irrigation) repairs</a>	<a href="#">Insurance or RST or MPI</a>			

	Repairs of flood damaged homes & housing for evacuees	<u>Insurers, MBIE</u>			
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Long Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
	Improve water supply and treatment resilience	<u>ADC Assets</u>			
	Improve wastewater treatment resilience ?	<u>ADC Assets</u>			
	Return roading network to pre-flood condition	<u>ADC Roothing</u>			
	Allow river system to maintain its natural water course	<u>ECan</u>			
	Second Ashburton – Tinwald bridge constructed	<u>Waka Kotahi</u>			
	Stop banks & flood banks throughout the district returned to pre-flood condition	<u>ECan</u>			

## 5.4 Rural Economy

Short Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
1	Initial assessment of economic impact of event on rural sector	<u>Infometrics Fed Farmers Dairy NZ MPI</u>			
2	Identification of key recovery steps (and issues / challenges) for the local economy	<u>ADC</u>			
3	Restore key South Island transportation links	<u>Waka Kotahi KiwiRail</u>			
4	Understand impact on CBD redevelopment project	<u>ADC</u>			

Medium Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
5	Impact of event on stocking rates, calving, feed supply, harvest	Fed Farmers Dairy NZ MPI			
6	Repair key South Island transportation links as required	Waka Kotahi <u>KiwiRail</u>			
7	Identify supply and demand implications should non-local workers are required for recovery efforts.	ADC			

Long Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
8	<u>Farmers returned to full production</u>	Fed Farmers Dairy NZ MPI			
9	Railway use increased with Railway Siding Project	<u>Kiwi Rail</u>			
10	Second urban Ashburton bridge constructed, reducing network connectivity issues	Waka Kotahi, <u>ADC</u>			

## 5.5 Natural Environment

Short Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
1	Burial of dead stock	Rural Support, MPI, ADC			
2	Wastewater contamination east of Tinwald (Wilkins Rd, Boundary Rd)	ECan & ADC			
3	Impact of grazing stock on land affected by flooding – wet ground, stock locations limited	ECan & MfE			

Medium Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
4	Remediating farmland affected by floodwaters	Landowner (Public or Private)			

Long Term Actions					
Action	Response Action	Organisation	Person Responsible	Target Date	Status
5	Land remediated or retired	Landowner (Public or Private)			