



**AGENDA FOR THE**

**ORDINARY MEETING OF**  
**SELWYN DISTRICT COUNCIL**

**TO BE HELD IN THE**  
**COUNCIL CHAMBERS**

**SELWYN DISTRICT COUNCIL**  
**ROLLESTON**

**WEDNESDAY 12 JUNE 2024**

**COMMENCING AT 1PM**

## Council 12 June 2024 - PUBLIC AGENDA

Attendees: Mayor Sam Broughton, Councillors, P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, G S F Miller, R H Mugford, E S Mundt & N C Reid & Ms M McKay

12 June 2024 01:00 PM

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Public portions of this meeting are audio-recorded and livestreamed via the Council's YouTube channel.

The Severe Weather Emergency Legislation Bill has, until October 2024, suspended the requirement for members to be physically present to count as 'present' for the purposes of a quorum. Members attending by means of audio link or audiovisual link are therefore able to be counted as present for the purposes of a quorum and able to vote. The recently enacted Local Government Electoral Legislation Act has made these emergency provisions permanent, but this only comes into effect in October 2024. Standing Orders will be amended in 2024 to reflect any changes.



## Opening Karakia

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the sea
E hī ake ana te atakura	Let the red-tipped dawn come with a sharpened air
He tio, he huka, he hau hū	A touch of frost, a promise of a glorious day
Tīhei mauri ora!	

## **COUNCIL AFFIRMATION**

Let us affirm today that we as Councillors will work together to serve the citizens of Selwyn District.

To always use our gifts of understanding, courage, common sense, wisdom and integrity in all our discussions, dealings and decisions so that we may solve problems effectively.

May we always recognise each other's values and opinions, be fair minded and ready to listen to each other's point of view.

In our dealings with each other let us always be open to the truth of others and ready to seek agreement, slow to take offence and always prepared to forgive.

May we always work to enhance the wellbeing of the Selwyn District and its communities.

## REPORT

**TO:** Sharon Mason, Chief Executive Officer  
**FOR:** Council  
**FROM:** Steve Gibling, Executive Director – People, Culture and Capability  
**DATE:** 12 June 2024  
**SUBJECT:** **LINCOLN UNIVERSITY STRATEGIC PARTNERSHIP**

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### RECOMMENDATION

*‘That Council receive the “Lincoln University Strategic Partnership” report.*

*“That Council approve the signing of the Strategic Memorandum of Understanding between Selwyn District Council and Lincoln University”.*

#### 1. PURPOSE

The purpose of this report is to present the draft Memorandum of Understanding that has been developed between Selwyn District Council and Lincoln University.

#### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Based on the level of significance of the matter, the decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy.

#### 3. HISTORY/BACKGROUND

Lincoln University have been a significant driver of education and economic development within the Selwyn District for many years. However, there has been no formal nor strategic relationship between the University and Selwyn District Council and any interactions have been undertaken on an ad-hoc and transactional basis.

#### 4. PROPOSAL

The Draft Memorandum of Understanding seeks to establish a more formal commitment between the two organisations and to create a more strategic and enabling relationship to harness the skills, expertise, and opportunities that each organisation brings for the benefit of the district and region.

The Memorandum is set to cover an initial five-year term, with a focus on firstly establishing a more formal and strategic relationship, led through a steering group of senior leaders from both organisations. Tactically the Memorandum will seek to align

the strategic opportunities identified through Future Selwyn and the Selwyn economic Development Strategy.

## **5. VIEWS OF THOSE AFFECTED / CONSULTATION**

### *(a) Views of those affected and Consultation*

The draft Memorandum of Understanding has been developed in partnership with Lincoln University and key staff from each organisation have been consulted on the immediate opportunities.

This Memorandum of Understanding is a strategic partnership that is proposed between the two organisations and no other consultation is required.

### *(b) Māori and Treaty implications*

The draft Memorandum of understanding contains reference to each individual organisations' special partnership with mana whenua. Nothing in this agreement between Selwyn District Council nor Lincoln University will detract from that obligation to Mana Whenua.

### *(c) Climate Change considerations*

There are no climate change considerations associated with this draft Memorandum of Understanding.

## **6. FUNDING IMPLICATIONS**

There are no budget considerations associated with the recommendations of this report.



Steve Gibling  
**Executive Director – People, Culture and Capability**

# Memorandum of Understanding

12 June 2024



**LINCOLN  
UNIVERSITY**  
TE WHARE WĀNAKA O AORAKI



# Memorandum of Understanding

**Memorandum of Understanding (MOU) dated 12 June 2024**

## **Parties**

1. **Lincoln University**, an educational body incorporated under the Lincoln University Act 1961, having its offices at Ellesmere Junction Road, Lincoln, Canterbury (**Lincoln University**)
  2. **Selwyn District Council**, a territorial authority governed by The Local Government Act 2002, having its offices at Norman Kirk Drive, Rolleston, Canterbury (**Selwyn District Council**)
- together called the **Parties** and each a **Party**.

## **Background**

- A. Lincoln University is a New Zealand university with a focus on land-based education and research.
- B. The Selwyn District Council is the local government organisation for the Selwyn District.
- C. Lincoln University and the Selwyn District Council are experiencing a period of growth, and the parties are desirous of forming a strategic partnership to capitalise on and promote a sustainable future for Selwyn.
- D. Any collaboration between the Parties must have respect for the character, organisation, available resources, corporate planning processes and statutory functions of each of the Parties.
- E. The Parties recognise and respect that each organisation also has a valued and important partnership with Mana Whenua and nothing in this agreement will serve to compromise that.

- F. This MOU records the intentions and agreement of the Parties relating to their cooperation in supporting regional development opportunities for Lincoln University and the Selwyn District. It is not intended to signal an exclusive arrangement but rather help focus the parties interests towards enabling the sustained growth and prosperity of the Selwyn District.

## **Agreement**

### **1. Areas of Cooperation**

- 1.1 The Parties envisage, without limitation, collaborating in the following key areas:
- 1.1.1 establishment of an enhanced partnership model, where:
    - (a) Lincoln University becomes the University Partner of Selwyn District Council.
    - (b) Selwyn District Council becomes a Strategic Partner to Lincoln University.
  - 1.1.2 facilitation of economic opportunities (local, regional, national and international) to support the achievement of actions within Future Selwyn and the Selwyn District Council's Economic Development Strategy.
  - 1.1.3 staffing exchanges and student opportunities including internships and professional development opportunities between Lincoln University and Selwyn District Council
  - 1.1.4 leveraging existing strategic relationships and partnerships for mutual benefit.
- 1.2 The terms of any activity implemented under this MOU shall be agreed in writing by the Parties.

### **2. Steering Group**

- 2.1 The Parties will establish a steering group comprising the following (or their delegates):
- 2.1.1 for Lincoln University: the Vice-Chancellor, Provost, Deputy Vice- Chancellor, Student Life; and
  - 2.1.2 for Selwyn District Council: the Chief Executive Officer, Executive Director People, Culture and Capability and Executive Director - Development and Growth.
- 2.2 The Steering Group will meet quarterly or otherwise as required at the request of either party. The Steering Group will be accountable for effective reporting back to their respective organisations on progress and future actions.

- 2.3 The Steering Group will develop a programme of work (refer to schedule one) and in delivering this programme the group may establish and oversee various working groups to investigate, operationalise and report on agreed areas of collaboration.

**3. General**

- 3.1 **Duration:** This MOU shall commence on the date the last Party signs this MOU and continue for five years (Term).
- 3.2 **Extension:** The Term of this MOU may be extended for such further period and on such terms as the Parties may agree in writing.
- 3.3 **Termination:** Either Party may terminate this MOU at any time without need of prior notice.
- 3.4 **Confidentiality:** Any confidential information concerning the business or affairs of either Party coming to the knowledge of the other Party as a result of any of the matters contemplated by this MOU shall, except to the extent (if any) required by law, be kept confidential by such Party until such time as the information enters the public domain (other than through any unauthorised disclosure) or the Party to whom the information relates consents in writing to its disclosure. The contents, and existence, of this MOU, and all information disclosed by either Party to the other in connection with this MOU, are confidential and may only be disclosed by the Parties to their respective executive leadership, directors, advisers, and employees on a need-to-know basis.
- 3.5 **Communication:** The parties agree to maintain open and regular communication to ensure the success of the collaboration contemplated by this MOU.
- 3.6 **Disputes:** Any issues or disputes arising from this MOU will endeavour to be resolved through amicable and good faith discussions between the parties.
- 3.7 **Publicity:** Neither Party shall make any public announcement relating to this MOU or any other matter contemplated by this MOU without the prior written consent of the other Party.
- 3.8 **Variations:** Any amendments to this MOU must be made in writing and signed by both parties.
- 3.9 **Relationship:** Nothing in this MOU shall constitute any Party an agent of the other Party. No Party shall have any authority to incur any obligations or liabilities for or on behalf of, or to otherwise bind (whether legally or equitably) or act on behalf of, the other Party. The presence of this MOU does not negate the need for effective competitive procurement and tendering practices within each organisation.
- 3.10 **Governing Law:** This MOU shall be governed by the laws of New Zealand. The parties submit to the non-exclusive jurisdiction of its courts.
-



- 3.11 **Counterpart Signature:** This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Electronic or scanned copies of signatures shall be deemed as valid and binding as original signatures.
- 3.12 **Non-binding:** This MOU is not intended to be legally binding on the Parties except for the terms stated in this clause 3. There will be no obligation related to any proposed cooperation between the Parties until a binding formal agreement is signed by the parties.

Signed by )  
**Lincoln University** )  
 ) Authorised Signatory

Signed by )  
**Selwyn District Council** )  
 ) Authorised Signatory

## SCHEDULE ONE

The following actions will guide the Steering Group over the first three months of this MOU.

It is intended that, at the conclusion of the first three months, a revised Schedule will be presented to the Steering Group and then to the Party's for awareness and feedback.

### ***Steering Group:***

- Terms of Reference developed that reflects the approach to working in collaboration.
- Meeting cycle and secretariat support confirmed.

### ***Selwyn Knowledge Hub and Living Laboratory***

- Integration of the University's Knowledge Hub focus combined with Future Selwyn's needs to foster closer integration of future research and innovation opportunities. These initially will focus on the following:
  - Future land-use considerations for the district
  - Transportation and connectivity within the district and across the region
- Identification of leverage opportunities, utilising each organisations range of strategic relationships and partnerships, for mutual benefit towards the purpose of this MOU.

### ***Selwyn Future Workforce***

- Work programme on the future workforce needs for the district are identified and linked to the Economic Development Strategy.
- Identify potential range of bilateral internships and training opportunities which include:
  - developing and enhancing learner and graduate profiles from Lincoln University and improving the employee experience within both organisations.



**LINCOLN  
UNIVERSITY**  
TE WHARE WĀNAKA O AORAKI



Schedule 2

# Lincoln University – Selwyn District Council Partnership

## Steering Group Terms of Reference

### 1 INTRODUCTION

Lincoln University (LU) and Selwyn District Council (SDC) have formally agreed to engage in establishing an enhanced partnership model where Lincoln University becomes the official University Partner of Selwyn District Council and Selwyn District Council becomes a Strategic Partner of Lincoln University.

### 2 PURPOSE OF THE LU SDC STEERING GROUP

The key objectives of the LU - SDC Partnership are to mutually agree:

- Initiatives to facilitate of economic opportunities (local, regional, national and international) to support the achievement of actions within Future Selwyn and the Selwyn District Council's Economic Development Strategy
- staffing exchanges and student opportunities including internships and professional development opportunities between Lincoln University and Selwyn District Council
- leveraging existing strategic relationships and partnerships for mutual benefit

The LU - SDC Partnership Steering Group (Group) will initially focus on:

- **LU SDC Steering Group operations**
  - Terms of Reference developed that reflects the approach to working in collaboration
  - Meeting cycle and secretariat support confirmed
- **Selwyn Knowledge Hub and Living Laboratory**
  - Integration of the University's Knowledge Hub focus combined with Future Selwyn's needs
    - Land-use
    - Transportation
- **Selwyn Future Workforce**
  - Work programme on the future workforce needs for the district are identified and linked to the Economic Development Strategy.
  - Identify potential range of bilateral internships and training opportunities

### 3 MEETINGS

In general, the Group will meet quarterly, preferably face to face.

Hosting the meeting shall alternate between LU and SDC.

A member of the Group may convene a special meeting if an issue arises that might affect or has affected LU or SDC ability to achieve a target or milestone, and/or the member considers that an issue is significant and needs to be considered before the next scheduled meeting of the Group.

The Group is bound by the LU SDC Memorandum of Understanding (MOU) including but not limited to:

**Confidentiality:** Any confidential information concerning the business or affairs of either Party coming to the knowledge of the other Party as a result of any of the matters contemplated by this MOU shall, except to the extent (if any) required by law, be kept confidential by such Party until such time as the information enters the public domain (other than through any unauthorised disclosure) or the Party to whom the information relates consents in writing to its disclosure. The contents, and existence, of this MOU, and all

Schedule 2

information disclosed by either Party to the other in connection with this MOU, are confidential and may only be disclosed by the Parties to their respective executive leadership, directors, advisers, and employees on a need-to-know basis.

**4 GROUP MEMBERSHIP**

As provided in the MOU, the Parties will establish a Group comprising the following (or their delegates):

- for Lincoln University: the Vice-Chancellor, Provost, Deputy Vice-Chancellor Student Life; and
- for Selwyn District Council: the Chief Executive Officer, Executive Director People, Culture and Capability and Pou Kaiāwhā - Executive Cultural Advisor

Chairing of meetings will alternate between the Vice Chancellor of LU and the CEO of SDC (aligned to meeting location).

A quorum for meetings should be no less than two members from each organisation. A quorum can include delegates with the approval of either the Vice-Chancellor or the Chief Executive Officer.

**5 DECISION-MAKING PROCESS:**

Decisions within the Group shall require consensus.

**6 CONFLICT OF INTEREST**

Members of the Group shall disclose any potential conflicts of interest and may be precluded from participating in discussions or decisions where a conflict exists.

**7 MONITORING**

If the Group considers that it requires expert advice, or an external review to monitor the University or SDC progress to meet a Target or Milestone, the Group may invite a mutually agreed expert adviser to participate.

**8 PROCEEDINGS OF GROUP**

The Group may regulate its own procedures in respect of any matters not referred to in these terms of reference.

**MINUTES OF AN ORDINARY MEETING OF THE  
SELWYN DISTRICT COUNCIL  
HELD IN THE COUNCIL CHAMBER  
ON WEDNESDAY 8 MAY 2024 COMMENCING AT 1.00PM**

**PRESENT**

Mayor S Broughton; Councillors P M Dean, S N O H Epiha, L L Gliddon, D Hasson, M B Lyall, S G McInnes, G S F Miller, E S Mundt and N C Reid (via Zoom)

**IN ATTENDANCE**

Mrs S Mason (Chief Executive); Messrs. T Harris (*Acting* Executive Director Enabling Services), S Gibling (Executive Director People, Culture & Capability), T Mason (Executive Director Infrastructure & Property), B Baird (Acting Head of Strategy & Policy), and A Long (Urban Designer); Mesdames D Kidd (Executive Director Community Services & Facilities), S Carnoutsos (Acting Head of Marketing & Communications), S Atherton (Head of Regulatory), G Wolfer (Urban Design Lead), P Stephens (LTP Coordinator), A Prince (Acting Revenue Manager), D Prendergast (EA to ED Infrastructure & Property) and C Bennet (Governance Coordinator)

*The meeting was livestreamed.*

**APOLOGIES**

Apologies were received in respect of Councillor Mugford and Ms McKay.

**Moved** – Councillor Epiha / **Seconded** – Councillor Mundt

*‘That the Council receive the apologies from Councillor Mugford and Ms McKay, for information.’*

**CARRIED**

**IDENTIFICATION OF ANY EXTRAORDINARY BUSINESS**

None.

**CONFLICTS OF INTEREST**

None.

## **PUBLIC FORUM**

### **Mr Bill Bradley**

*Overpayment of Rates, Water Races, Roothing & Dunsandel Fire Water Tank*

Mr Bill Bradley spoke in Public Forum at this afternoon's meeting. There were several issues he wanted to raise with Council, the first being the payment of his rates. He stated he has been rated for two dwellings on his property however he reports there is only one. He is seeking a refund of the rates paid since the second dwelling was decommissioned in 2011.

He then spoke about his concerns regarding a water race that runs alongside his property. He is seeking clarification on water race consents.

Mr Bradley queried if Council staff check the roading contractor's work; particularly when they are engaged to complete a maintenance task. He raised a concern regarding the quality of the completed work.

In closing Mr Bradley raised the maintenance of the old fire water tank in Dunsandel near the water race. He asked if this can be investigated. He is concerned if the water tank deteriorates then it could become a hazard. The water tank has been a feature in the local area for many years. Mr Bradley believes it is of historical significance and should be maintained.

The Mayor thanked Mr Bradley for attending and speaking to Council. The Chief Executive will speak with Mr Bradley regarding his concerns and staff will be asked to investigate. The outcome of the investigations will be communicated with him, and Council updated.

## **CONFIRMATION OF MINUTES**

- 1. Minutes of the ordinary meeting of the Selwyn District Council held in the Council Chamber on Wednesday 10 April 2024.**

**Moved** – Councillor Lyall / **Seconded** – Councillor Hasson

*'That the Council confirms the amended minutes of the ordinary meeting of the Selwyn District Council held on Wednesday 10 April 2024.'*

**CARRIED**

## **MATTERS REQUIRING ATTENTION**

None.

## **REPORTS**

- 1. Mayor**  
*Mayor's Report*

The Mayor commented the number of Long Term Plan Submissions received. He thanked the communication and media teams for the work they have done around this. He said they have worked hard to increase engagement and connection with the community. The

communication and consultation process continues with Upper Selwyn Huts owners and residents.

**Moved** – Mayor Broughton / **Seconded** – Councillor Lyall

*‘That Council receives the Mayor’s Report for information.’*

**CARRIED**

## **2. Chief Executive**

### *Chief Executive’s Report*

The Chief Executive spoke to her report. She highlighted the amended timeline for the issuing of Deed of Licences for the Upper Selwyn Huts. Included in her report is a letter to Council from Canterbury Regional Council regarding their representation review. A reply will be prepared after feedback from staff and Councillors has been received. This will be brought back to Council before the final submission is sent.

Correspondence has been received from Department of Internal Affairs (DIA) regarding Transitioning Better Off Funding for 3 Waters. There was a discussion around the options included in the CE report.

**Moved** – Councillor Lyall / **Seconded** – Councillor Miller

*‘That Council receives the Chief Executive’s Report for information.’*

**CARRIED**

## **3. Council Submission on other Council’s Long-Term Plans**

### *Acting Executive Director Development and Growth*

**Moved** – Councillor McInnes / **Seconded** – Councillor Dean

This report was taken as read. The Mayor commented that the Selwyn Youth Council did an excellent job presenting their submission at the Ecan hearing. He noted that their telling of their own stories had real impact.

*‘That the Council:*

- a. Receives this report;*
- b. Retrospectively endorses the attached submission on:*
  - I. Canterbury Regional Council’s Long-Term Plan; and*
  - II. Christchurch City Council’s Long-Term Plan.’*

**CARRIED**

## **4. Council Submission on the Proposed Fast Track Approvals Bill 2024**

### *Policy Planner*

This report was taken as read.

**Moved** – Councillor Hasson / **Seconded** – Councillor Lyall

*‘That the Council:*



- a. *Received this report; and*
- b. *Retrospectively endorses the attached submission on the Proposed Fast Trace Approvals Bill 2024.'*

**CARRIED**

## **5. SDC Residential Development Design Guidelines**

*Urban Design Lead*

The Urban Design team presented their report and answered questions from Councillors. The Urban Design team noted that they have sought advice with the Water Services team regarding the inclusion of the One Water Strategy. Councillors asked how much consultation has taken place between Council and developers. In reply staff said there has been extensive consultation and they are confident that the right people have been spoken too. The team will be working hard to promote the document. There was a discussion about Selwyn's heritage and cultural buildings. Staff are happy to have Councillors email them information.

There was a discussion around the enforceability of the guidelines. Staff advised these are non-statutory. The hope is that with pre application and design meetings there will be an increased desire for developers to meet or exceed the guidelines.

**Moved** – Councillor Epiha / **Seconded** – Councillor Lyall

*'That Council:*

- a) *Receives the report on the Selwyn District Council Residential Development Design Guidelines (design guidelines) and Selwyn District Council Residential Development Design Guidelines – Summary (summary); and*
- b) *Adopts the design guidelines and summary.'*

**CARRIED**

## **6. Licensing Reports**

*Joint District Licensing Committee and Chief Inspector*

**1.34pm** – Councillor Epiha stepped away from the table

Staff spoke to the report. Conversations continue with LUSA regarding the students Garden Party. Councillors asked for an update on the application for another off licence for the Rolleston town centre. In reply staff said the public consultation period had closed and reports are being prepared. There is potential for a hearing into the application.

**Moved** – Councillor Dean / **Seconded** – Councillor Lyall

*'That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for February 2024.'*

*'That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for January 2024.'*

**CARRIED**

**1.39pm** – Councillor Epiha came back to the table

**GENERAL BUSINESS**

None.

**MATTERS RAISED IN PUBLIC FORUM**

None.

**RESOLUTION TO EXCLUDE THE PUBLIC****Moved** – Councillor Miller / **Seconded** – Councillor Epiha

*‘That the public be excluded from the following proceedings of this meeting. The general subject matter to be considered while the public is excluded, the reason of passing this resolution in relation to the 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:*

General subject of each matter to be considered		Reasons for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution	Date information can be released
1.	Minutes	Good reason to withhold exists under Section 7	Section 48(1)(a)	
2.	Endorsement of the Appointment of CORDE Limited Chairman			

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

1	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial	Section 7(2)(i)
1 - 2	Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

*that appropriate officers remain to provide advice to the Committee.'*

**CARRIED**

The public meeting moved into Public Excluded at 1.40pm. The meeting resumed in open meeting at 1.52pm.

With no further business being discussed, the meeting closed at 1.53pm.

DATED this                      day of    2024

\_\_\_\_\_  
**CHAIRPERSON**

## REPORT

**TO:** Council

**FOR:** Council Meeting – 12 June 2024

**FROM:** Mayor Sam Broughton

**DATE:** 30 May 2024

**SUBJECT:** MAYOR'S REPORT – JUNE 2024

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## RECOMMENDATION

*'That Council receives the Mayor's Report for June 2024 for information.'*

### 1. Overview

The first part of May was largely focused around Long Term Plan deliberations and hearings considering feedback received from the community. Thank you to everyone who submitted and the staff who worked diligently throughout the length of the process.

On Saturday 25 May as part of the celebration at the Rewi Alley Memorial Park in Springfield, I met with Minister Liu Jianchao, Minister of the International Affairs of CPC Central Committee and Chinese Consul General Madam He, where we were also joined by Rewi Alley's great-grand daughter Duan Luyi who was visiting New Zealand.

I visited Ararira Springs Primary School on Thursday 30 May to discuss with the Principal, board members and other staff, their concerns around the Ministry of Education's decision to halt building extensions to their growing school. This is an ongoing issue for many schools in our district with our growing population. I will continue to work with all the Lincoln schools in advocacy to the Ministry of Education as we have for the other pressure points on education in our District.

This work is symptomatic of the lack of government investment in Selwyn in health and education and housing. Sharon and I continue to work with Ministers and Ministry staff to address these issues.

On Thursday 30 May I attended the Civil Defence Emergency Management meeting and the Canterbury Regional Transport meeting, followed by the Canterbury Mayoral Forum held in Ashburton.

On Sunday 2 June, it was great to welcome and start the Selwyn Marathon at Lincoln Events Centre with 656 participants competing from around Aotearoa New Zealand. I have already started training so I can compete next year.

## 2. Meetings

1 May	Councillor briefing
2 May	Meeting Mikey Lee – Swift Movers
2 May	Meeting Jacoba Vaessler – West Melton Vet Centre
3 May	Meeting with Adia McKay, Tuia Mentoree
3 May	Record Road Safety Video
8 May	Council briefing and Council Meeting
9 May	Environment Canterbury CWMS Meeting
10 May	LTP hearings
13 May	LTP hearings
14 May	LTP hearings
15 May	Finance and Performance committee
15 May	LTP hearings
16 May	Meeting Matt Dodson – Selwyn Waihora Zone Committee
21 May	Meeting Daryl Holden – Ashburton Guardian
21 May	Meeting with James Caygill, NZTA Waka Kotahi
22 May	LTP deliberations
23 May	LTP deliberations
25 May	Minister from China – Minister Liu Jianchao
28 May	Nga Tuahuriri and Council Relationship Discussion
29 May	Temple Studios presentation
29 May	Meeting with Logan Williams, local entrepreneur
30 May	Visit to Ararira Springs Primary School
30 May	CMTE Civil Defence Emergency Management Joint Committee
30 May	Canterbury Regional Transport Committee
31 May	Canterbury Mayoral Forum Meeting
31 May	Unlock Innovation Ltd – Dorenda Britten meeting

## 3. Events attended by Councillors on behalf of the Mayor

18 May	Mr & Mrs MacBeth of Heathcote Valley Road Opening Night – Cr Reid
27 May	CIAL Meeting – Cr Lyaall



Sam Broughton  
**MAYOR**

// **SUBMISSION**



# LGNZ four-monthly report for member councils

// March-June 2024





## Ko Tātou LGNZ.

This report summarises LGNZ's work on behalf of member councils and is produced three times a year. It's structured around LGNZ's purpose: to serve local government by **championing, connecting** and **supporting** members.

Many councils have found it useful to put this report on the agenda for their next council meeting so that all councillors have the opportunity to review it and provide feedback. Sam and Susan are also happy to join council meetings online to discuss the report or any aspect of it, on request.

This report complements our regular communication channels, including *Keeping it Local* (our fortnightly e-newsletter), providing a more in-depth look at what we do.

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## Introduction

National Council reset LGNZ's strategy at our 1 March 2024 meeting. LGNZ's purpose is now to serve members by championing, connecting and supporting local government.

**Champion** means we advocate for local government on critical issues, build relationships with ministers and officials, and use media to amplify member voices and stories.

**Connect** means we bring members together at zone, sector and conference events or via networks like Te Maruata, Young Elected Members and our community boards network, and that we create strong feedback loops between members and LGNZ's work.

**Support** means we provide professional development uniquely tailored to local government, support councils and elected members when they are stuck, and support elected members to deal with pressure and harassment.

Everything LGNZ does comes under these pillars – and that's why they form the structure of this report. I hope reading this report stresses the breadth and depth of LGNZ's work. Our small team is dedicated to delivering for members and this period has been both intense and rewarding.

This four-monthly period has also included LGNZ's annual membership invoicing. We never take members for granted, and during this time there's been really constructive conversations with councils considering their membership. Grey and Westland have chosen not to stay members, and we're sorry to see them go.

As always, we welcome your feedback. The purpose of sharing this detailed report is to give you an opportunity to share your views, and we look forward to hearing them, whether that's in person, via email or a phone conversation. We're always keen to hear from you.

Ngā mihi  
Sam and Susan



## Champion

### Advocacy work programme

In March we shared [a document outlining our next steps on our Future by Local Government work](#) with members. It sets out the things we'll advocate for now, the work that local government can collectively start doing to shift towards a new future, and the things that will be longer-term advocacy priorities. This has been the foundation for National Council's work to confirm LGNZ's broad and targeted advocated priorities.

At the Combined Sector meeting in April, we asked members to rank our five broad advocacy areas in terms of priority. These were the resulting rankings:

1. Funding and financing
2. Water (including freshwater)
3. Resource Management Reform
4. Transport
5. Climate change

We also asked members to rank targeted advocacy priorities, with the results as follows:

1. Toolbox approach to funding and financing
2. Four-year term for local government
3. Development of a framework around city/regional deals
4. Changes to Regulatory Impact Statements to consider the impact of decisions on local government
5. Opposing changes to Māori ward/constituency referendum requirements.

Off the back of this ranking exercise, we have finalised our advocacy work programme. This has been shared with members and added as a third page to our 2024 [LGNZ A3](#).

We are now in the process of developing more detailed work plans for each of the five broad advocacy areas, setting out what we're trying to achieve under each area and the work we'll do. We plan to share these work plans with members soon.

### Rates rise conversation

LGNZ has generated hundreds of stories and op-eds via all major media outlets this year on rates rises, the cost pressures facing councils and what's driving them. We generated 52 media items alone on the Infometrics report we launched in mid-March, which analysed increases in local government infrastructure costs that are driving rates rises.

Our March rates rise toolkit included:

- [Key messages](#)
- [Powerpoint](#)



- [Infometrics report](#)

We had overwhelmingly positive feedback on this toolkit and how useful members found it. Councils have been using the data we've provided on increasing cost pressures in their own engagement with media and in their LTP consultation documents. Regional journalists have made good use of the research LGNZ commissioned in their pieces, giving a national perspective on local rates rises.

We launched our second rates rise toolkit at the Combined Sector meeting on 11 April. This covered tax vs rates, how rates compare to other bills, and how we fund infrastructure:

- [Key messages](#)
- [Powerpoint](#)
- [Social assets](#)

Again we have had a very positive response to this work and it was well used by members. For example, our social media posts and assets are being repurposed in councils' own accounts, and attracting some positive engagement from the public, and the information we've shared has been used in some councils' LTP consultation documents.

Our third toolkit will launch in late June and feature research we've commissioned by NZIER on the costs of central government reforms on local government. It looks at a basket of primary and secondary legislation (introduced by different governments) to quantify the cost impact of unfunded mandates on councils and communities. The specific areas (National Policy Statement for Freshwater Management, National Policy Statement on Urban Development and Medium Density Residential Standards, Local Alcohol Policies, improving recycling and food scrap collections) have been chosen to be representative of reforms with a range of impacts on councils.

Our social media rates rise series highlighting the difference between central government income and local government income has had strong engagement. This campaign aims to explain why rates rises occur, especially in the face of rising living costs, and to highlight that this is a widespread systemic issue. Through this series, we've explored how councils are financed, the services they offer, and the benefits residents receive from their investment in rates. The series overall has received over 60,000 impressions across platforms.

## City and regional deals

The Government has strongly signalled interest in long-term city and regional deals as a way to partner with local government to create pipelines of regional projects.

We have released a proposal that sets out the key things councils need to see reflected in city and regional deals, and how these will support better alignment between central and local government. This proposal has supported our ongoing engagement with DIA and Ministers on the development of the Government's city and regional deals framework, which we expect to be released around August.



We shared [the proposal](#), as well as a [factsheet](#) and [range of international examples](#), with members in late May.

Our Policy Team is meeting with DIA officials to discuss our proposals in more detail, and we have been approached by the New Zealand Initiative to speak about our work on their podcast. The Initiative's view is that our proposals are worth promoting as a way forward.

### Local government funding and financing

We are in the process of developing a local government funding and financing policy and advocacy work plan to be shared with members. This will be a high-level plan setting out key policy, media and government relations actions and objectives. We have also begun work on a 'long list' of funding and financing tools that could form part of a funding and financing toolbox, which will include policy analysis of options. We plan to engage members on that as our work progresses.

Mayor Campbell Barry and Policy Manager Simon Randall recently met with the Local Government Business Forum (which contains representatives from organisations like Federated Farmers, the New Zealand Initiative, Hospitality New Zealand and Business New Zealand) to talk about local government's funding and financing challenges. We are pleased to be having ongoing engagement with the Forum.

### Māori wards

In May we released a toolkit to support media engagement on this topic – based on our position that councils should make these decisions as they do on other wards and constituencies.

On 24 May, the Government introduced legislation to the House on reforms to Māori wards and constituencies. Submissions on this legislation were due by 29 May. Our submission was developed with input from Te Maruata Rōpū Whakahaere and was consistent with LGNZ's position that decisions on whether a community has Māori wards or constituencies should be made in the same way as other ward/constituency decisions – by councils with community and iwi consultation.

Thanks to a suggestion from Mayor Grant Smith, we developed a letter that Mayors and Chairs could choose to sign, opposing the Government's changes for the reason set out above. The letter reflected LGNZ's consistent position on this issue since 2018. Fifty-three Mayors/Chairs have now signed the letter, plus our Te Maruata Co-Chairs, and many spoke up in the media.

### Budget 24

We were inside the Budget lockup on 30 May and produced [analysis for members](#) that was shared that evening, as well as media engagement that highlighted the Budget's impact on local government.



## Government relations

We are continuing our work to develop a strong partnership with the Government and other politicians building on our regular formal meetings with the Prime Minister, Ministers and key officials with additional informal meetings. We have made changes to our approach to political engagement which has seen us:

- Be part of political events such as Waitangi Commemorations, where it's possible to speak to a broader range of Ministers in formal and informal settings;
- Host a localism briefing with National Party MPs and provide follow up support to showcase examples of localism in action in their role; and
- Host a pizza and drinks night for Members of Parliament who were previously local government elected members or staff.

These types of engagements help build a broader cohort of central government politicians who understand and can advocate for local government from within.

On 3 April we had one of our regular quarterly meetings with Local Government Minister Simeon Brown. We discussed our desire to see changes to the rates rebate scheme, our work to support councils with the rates rises conversation, and the need for a broader range of funding and financing tools.

Mayor Neil Holdom (in his capacity as Chair of the LGNZ Transport Forum) and Mayor Campbell Barry were invited to meet with Transport Minister Simeon Brown in late March and provided feedback on the draft GPS, including signalling ways in which they thought it could be adjusted to provide councils with greater flexibility.

We have also secured quarterly meetings with Infrastructure Minister Chris Bishop. We had our first regular meeting with Minister Bishop on 16 April, and covered a wide range of topics including infrastructure, housing, local government funding and financing, resource management reform and how the Minister engages with local government.

The Minister agreed with our request for local government representation on his expert ministerial advisory group that is being set up to support phase 3 of the resource management reform programme, and we have put forward names for consideration.

Toby Adams, Mike Theelen and Nigel Corry (supported by Grace) have also recently met with Minister Bishop to discuss how he might engage with the Local Government Steering Group (LGSG) and/or a variation of this going forward. There are positive indications that the Minister is prepared to engage with a smaller, nimble group, so the larger LGSG has been put on hold and a smaller local government reference group formed for this purpose. Thanks to everyone who's contributed energy and expertise to this group over the past three years.

During May we met with Minister Shane Jones to discuss regional economic development and city/regional deals; Max Baxter, MTFJ Chair and the MTFJ team has met with Social Development Minister Louise Upston; and Susan attended a pre-Budget lunch event with the Prime Minister in Auckland.



In late May, we were invited to present to the Governance and Administration Select Committee on LGNZ's work, with Sam and Susan spending a productive hour explaining what LGNZ does on behalf of members and fielding questions.

In June we have regular meetings with Infrastructure and RMA Reform Minister Chris Bishop (our focus will be on housing and the discussion will involve Mayor Sandra Hazlehurst and Nigel Bickle, CE Hastings District Council), Local Government Minister Simeon Brown, and Regional Development Minister Shane Jones.

## Media

Our most visible media work during this period has been the rates rise conversation discussed above, and we have overall had a significant lift in engagement and profile.

To support the toolkit work discussed above, in early May, Infometrics crunched the numbers on GST from rates being returned to councils and we arranged a joint press conference. Sam and Infometrics CE Brad Olsen spoke to media on Parliament's steps, and Mayors across the motu have used the figures in their own discussions. This was covered extensively, and Sam also spoke about the research and rates rises on [Nine to Noon](#). NBR also ran a feature piece on key issues facing local government, including funding and financing and the expected city/regional deals.

Another major piece of advocacy through media is four-year-terms for local government. Sam has used every opportunity to talk about the efficiencies we'd gain by implementing longer electoral terms. This has led to stories in local papers as well as in-depth coverage by RNZ's political reporter, Russell Palmer. We have kept this conversation alive, having publicly launched the LGNZ Electoral Reform Group on 4 June and supported Chair Nick Smith with media engagement, including [1News](#) and breakfast media.

Leveraging the discussions at the Combined Sector meeting in April, we put the spotlight on city/regional deals, featuring in [pieces by Newsroom](#) and [The Spinoff](#). We had coverage by NBR on the link between tourism and local government in Minister Doocey's session. This media furthers our advocacy priority for new funding and financing tools.

We've been working in with some local papers on stories – including in Ashburton Guardian about how [constant Government reforms cause headaches for councils](#), and in ODT on the power of localism – featuring some of our members highlighting why localism matters.

Earlier this year, LGNZ ran a session for Mayors Taskforce for Jobs supporting individual council programmes to better tell their story of localism and council delivery. Since March, this has spurred an uptick in local media coverage positively highlighting the programme. A highlight was a [Seven Sharp](#) piece brokered by LGNZ on the only Windmill in the Southern Hemisphere, which aired in March.

Our city/regional deals proposal was [previewed by Newsroom](#), with Sam also appearing on the AM Show and [Mike Hosking's Breakfast](#).



The Māori wards/constituencies letter received strong coverage on [OneNews](#) and in [Stuff](#). The day before the Budget, we had an [op ed by Sam](#) published in Stuff's The Post and The Press, and our Budget comments gained good traction.

### Water services reform

The repeal of the previous government's water services legislation gave councils an additional three months to adopt their LTPs, an ability to forgo the audit of the consultation document, and to reduce consultation requirements on subsequent amendments. Alternatively, councils have been able to defer development of their LTP for 12 months if they produce an enhanced Annual Plan. We advocated for this relief and were pleased to see the Government make it available.

The replacement approach for water services will be rolled out in two parts. A first bill, the Local Government (Water Services Preliminary Arrangements) Bill, was introduced to the House in late May and LGNZ will be submitting on it to highlight councils' commonly held concerns with the bill and suggestions for improvement. This bill will be passed by the middle of the year and will require the development of service delivery plans (which will be the vehicle to self-determine future service delivery arrangements). This bill also puts in place transitional economic regulation and provides a streamlined process for establishing joint water services CCOs.

A second bill will be introduced at the end of the year and will set out provisions relating to long-term requirements for financial sustainability, provide for a complete economic regulation regime, and introduce a new range of structural and financing tools, including a new type of financially independent council-controlled organisation.

A technical advisory group has been formed to support the development of the legislation and related policy. We recommended two names for this technical group – one of them was selected (Mark Reese, Chapman Tripp).

LGNZ has been advocating for updates to the mandatory performance measures for water so that councils don't have to report against both the Taumata Arowai Drinking Water Standards and the now-replaced Ministry of Health Drinking Water Standards. We've been successful in securing this change, which has gone to councils for your feedback. Final changes should be in place by mid-June.

Taumata Arowai is starting to develop regulations for storm water and wastewater, and attended recent sector meetings. We are also engaging with Taumata Arowai on new wastewater and stormwater standards.

### Resource management reform

The Government repealed the Natural and Built Environments and Spatial Planning Acts prior to Christmas. It then worked at pace to develop a new fast-track consenting regime. We made a joint submission on the new legislation with Taituarā and on 4 June we will appear before the



Environment Committee with Taituarā in support of our submission. Our submission acknowledged the need for a fast-track process but identified a number of improvements that our members want to see including better alignment with councils' planning documents and processes, more time for engagement with councils and more of a focus on sustainable development. Our submission was informed by workshops that we held at each of our April sector meetings.

The new Government is working quickly to make a number of changes to national direction, including the NPS-Freshwater Management. We're monitoring these changes closely along with Taituarā and Te Uru Kahika.

Grace and Susan meet regularly with the MfE leadership team. These meetings are constructive and positive.

As noted above, we've worked closely with Mayor Toby Adams, in his role as Co-Chair of the Resource Management Reform Local Government Steering Group, to support him to engage with Minister Bishop on options for engaging with local government on changes to the resource management system. And we've recommended local government representatives to sit on an expert ministerial working group that Minister Bishop is planning to establish to support his reform programme.

## Transport

The LGNZ Transport Forum, chaired by Mayor Neil Holdom, worked closely with our policy team to pull together our submission on the draft Land Transport GPS. We had good engagement with our draft submission, with 18 councils providing constructive feedback.

The Transport Forum had its second meeting of the year on 23 May, which covered off a range of key issues including the NZTA emergency works review, the Road Efficiency Group's (REG) ongoing efforts to improve the collection and presentation of transport data, and progress on the Government Policy Statement on Transport and National Land Transport Programme.

Our Transport Forum is continuing to progress its work programme and engage with members. Immediate priorities for LGNZ in the transport space include considering the impacts of the upcoming Budget, completing our submission on the emergency works review, and reviewing the finalised GPS when it is completed (the draft of which we submitted on earlier this year).

## Climate change

We welcomed the Government's announcement that the Finance and Expenditure Committee will be continuing the inquiry into climate change adaptation that was started by the previous government. We're pleased that the Government's announcement has received cross-party support and in our press release emphasised the importance of engagement with local government given its role in adaptation, the urgent need to address adaptation funding arrangements and the need for thought to be given to the framework for managed retreat.





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The submission that we made to the earlier inquiry will be considered by the Finance and Expenditure Committee and we're planning to provide the Committee with some additional comments.

We were pleased to be able to suggest Aileen Lawrie, CE of Thames-Coromandel District Council, as local government representative on the expert reference group that the Ministry for the Environment has established to support its climate adaptation work.

### **Support for Cyclone-affected councils**

The Policy Team has met with the secretariat of the Cyclone Gabrielle Recovery Taskforce to support development of their insights framework, which seeks to capture the lessons learned from their work. We have also started engagement with the Department of Prime Minister and Cabinet on their next steps on their critical infrastructure framework and minimum standards.

The report on the Government Inquiry into the Response to the North Island Severe Weather Events was released in April. We understand that consideration of the Emergency Management Bill (which we submitted on in October 2023) is on hold until the release of this report, so the Select Committee can consider it and any changes needed to the Bill. This may involve further submissions or engagement.

We worked with Mayor Rehette Stoltz, CE Nedine Thatcher-Swann and the team at Gisborne District Council to write a letter to Ministers and officials raising concerns with the process that was adopted for the Ministerial Inquiry into Land Use that Gisborne District Council was subject to last year. The purpose of the letter was to highlight that we don't want similar process issues repeated in any future inquiries that local government may be subject to.

### **Localism**

We are developing our Choose Localism toolkit, which will be released at our SuperLocal Conference. The toolkit sets out a wide range of tools and approaches councils can use to make a localist future a reality and apply a localism lens across their day-to-day work. The toolkit has four broad headings: collaboration and input; place-based empowerment and devolution; planning, budgeting and resource allocation; and growing and developing local economic and social success.

We have also worked with Curia to poll members of the public on local government issues. The data will look at perceptions around the effectiveness of councils, how councils could improve their effectiveness and who is best placed to make certain decisions/deliver certain services out of central and local government or a combination of both. We are planning to release the findings and supporting work and recommendations at SuperLocal.



### **Electoral Reform Working Group**

As part of our broader work on Choose Localism, we are looking at ways to tackle the issue of mandate for local government. There have been several reviews and numerous calls for local government electoral reform over the years, with no progress being made. Only four out of ten eligible voters have their say in local elections, compared with eight out of ten for central government.

Mayor Hon Dr Nick Smith, who has been part of a number of Justice Select Committees looking into this, will be leading an LGNZ working group to get some traction on the issue. The working group will have a very clear purpose: to drive LGNZ's advocacy work to strengthen the democratic mandate for local government to advocate for and meet the needs of communities, with a particular focus on increasing participation.

As well as Mayor Nick, other members of the group are Mayors Rehette Stoltz, Susan O'Regan and Campbell Barry, and Toni Boynton (Te Maruata Co-Chair). The group is meeting shortly to finalise its Terms of Reference and confirm its work programme. We'll keep members informed as this work progresses.

### **Measuring councils' collective scale and impact**

We are holding a zoom on 6 June to support this data-gathering project, initiated by National Council member Mayor Neil Holdom, which aims to consolidate key local government expenditure into a collective national database. The purpose of this is to enable easy comparison between councils and to have data to support key conversations with central government on infrastructure and investment.

### **Freedom camping**

The Policy Team have released updated guidance and a model bylaw that reflect recent amendments to legislation and case law, to support councils to develop, review, and administer bylaws relating to the Freedom Camping Act 2011 (FCA). Amendments to the FCA came into force on 7 June 2023, but there is a transitional period before the new certification for self-contained motor vehicles and related provisions come into force.

The Ministry of Business, Innovation and Employment and the New Zealand Motor Caravan Association part funded this work, and we worked with them and Taituarā to develop it.

### **Rates rebates**

The Minister for Local Government announced an increase to the rates rebate scheme, shortly after we met Ministers Brown and Costello in early April and talked about the need for these changes to



support low-income households. We've advocated strongly on this issue for several years off the back of remits put forward by Whanganui District Council (2020 AGM) and Horowhenua District Council (2023 AGM). However, the increases are only in line with inflation, not the Local Government Cost Index, which is the core ask of the remit put forward by Horowhenua District Council in 2020. We'll continue to advocate for increases to be in line with the LGCI.

## Remits

We're continuing to make progress on remits where we can – though as is always the case following a General Election, progress slowed while the new government bedded in and we developed an understanding of how our remits relate to its priorities.

Remit	Progress update
<b>Allocation of risk and liability in the building sector</b>	We're yet to start substantive work to progress this remit. However, we did raise the issues that this remit addresses through our involvement in a working group that was reviewing the building consent system in 2023.
<b>Rates rebates</b>	As noted above, the Minister for Local Government announced an increase to the rates rebate scheme, shortly after we met Ministers Brown and Costello in early April and talked about the need for these changes to support low-income households.
<b>Roading/transport maintenance funding</b>	Our Transport Forum is leading work on this remit. Our submission to the draft Government Policy Statement advocated for increased investment in road maintenance.
<b>Local election accessibility</b>	We're yet to start substantive work to progress this remit.
<b>Ability for co-chairs at formal meetings</b>	Guidance on how to introduce co-chairs, which has been informed by legal advice, has been incorporated into our revised Guide to the LGNZ Standing Orders Template, which was published in early February 2024.
<b>Parking infringement penalties</b>	We're yet to start substantive work to progress this remit.
<b>Rural and regional public transport</b>	This remit is being progressed through the work that our Transport Forum is leading. Our submission to the draft GPS Land Transport advocated for increased investment in rural and regional public transport.
<b>Establishing resolution service</b>	We have built work on developing a resolution service into the refreshed LGNZ strategy.
<b>Earthquake prone buildings</b>	As championed by Manawatū District Council (the mover of this remit), a review of the current earthquake strengthening requirements has been announced. Our Policy Team has been working with Manawatū District Council and officials at MBIE to ensure the review meets the needs of local government, and that



	there is strong local government input into it. There has been good media coverage of this review, and the role Manawātū District Council has played in pushing for it.
<b>KiwiSaver contributions for elected members</b>	We have engaged with Minister Brown on this issue, and he expressed some interest in it. We have engaged Simpson Grierson to provide detailed advice on options for providing KiwiSaver contributions for elected members – including drafting of relevant legislative clauses, so that we’re able to present a package of options for reform to the Government.
<b>Scope of audits and audit fees</b>	Part of the approach to reduce fees is to ensure that the legislative requirements and scope (and resulting repetition and complexity) of Long-term Plans and Annual Plans and reports are reduced to be better aligned with needs and cost less to audit. A workshop with Audit NZ, Taituarā and the Office of the Auditor General has been organised for July to review the current requirements of long-term planning and associated reporting.

Remit applications for the 2024 AGM close on Tuesday 18 June. Currently no remits have been received, although we know of at least three in development. The remit committee (President, Vice-President, CEO, and Director Policy & Advocacy) will consider these on 1 July, with the approved remits being circulated to members on 3 July.



## Connect

### Member visits

Rates rises are top of mind for all councils so our work on this issue has been front and centre in our discussions with councils over the past four months.

As well as Sam, Campbell and representatives from LGNZ's leadership team being at zones 2, 1, 3 and 5-6, Sam and Susan visited councils in Otago and Southland, the wider Wellington region and Northland in March/April. We then visited the West Coast councils on 17-18 April and attended a WCRC meeting on 9 April after conversations about the value they derived from regional sector meetings. Since the start of May, we've visited councils in Manawātū, Whanganui, Upper Hutt, Horowhenua and Canterbury (including Christchurch). All these visits are incredibly valuable in terms of connecting councils with our work and receiving feedback. We are now planning visits over the next few months and post-conference towards the goal of visiting or scheduling visits with all members in Sam's first year as President.

### Combined Sector meeting

Our Combined Sector meeting on Thursday 11 April featured a strong range of speakers, with a focus on rates rises, the cost of infrastructure and the fast-track consenting legislation. Speakers included Mayor of Greater Manchester Andy Burnham, Brad Olsen (Infometrics), Dr Eric Crampton (NZ Initiative), Philippa Fourie (Fonterra), Jade Wikaira (Wikaira Consulting Ltd), Richard Capie (Forest & Bird), Geoff Cooper (New Zealand Infrastructure Commission, Te Waihangā) and the team from Simpson Grierson who talked about fast-track consenting.

We've had very positive feedback on the day, with an average rating overall by survey respondents of 4.5/5, with the programme getting 4.6/5 and the overall organisation 4.8/5. Comments included:

- *Really happy with the new direction of LGNZ and the consultative approach - enjoy the interactive sessions (using SLIDO)*
- *Very worthwhile day. Stakeholder event was excellent*
- *In my opinion, this was one of the best LGNZ events I have ever attended. Topics were spot on, plenty of time to network (which is a huge benefit that comes from these events), great speakers, kicking off with the Manchester Mayor really set the scene. Well done to the organisers!*

Sector meetings the following day also ran well.



## Te Uru Kahika and Regional Sector

The Regional Sector and Te Uru Kahika's priorities – climate resilience, resource management system, Te Ao Māori, the Government's reform agenda in freshwater, water services regulation, and transport – align closely with LGNZ's advocacy priorities, providing a wide range of opportunities for collaboration. This includes our recent participation in Te Uru Kahika's Climate Workshop.

Our team is meeting regularly with Te Uru Kahika to ensure we are joined up in our support for the Regional Sector. We continue to work together closely on submissions and engagement on central government reforms.

## Infrastructure Symposium

We're looking forward to this Combined Sector event on 13/14 June and have secured another strong line-up of speakers, with the [finalised programme available here](#). Infrastructure Minister Chris Bishop will speak at the networking event on the Thursday night, and Sir Bill English is one of our keynote speakers on 14 June. Other speakers include Opposition Local Government spokesperson Hon Kieran McAnulty, Peter Nunns (Director Economics, Te Waihangā Infrastructure Commission), Simon Dyne (COO, Fulton Hogan), Councillor Linda Scott (via zoom, President, Australian Local Government Association), Malcolm Smith (Australasian Cities Leader, Arup) plus expert panels and more. Registrations are tracking well.

## Conference and Awards update

Planning is well advanced for both SuperLocal 2024 and the Community Boards conference, along with additional events for Te Maruata and Young Elected Members, LGNZ's Annual General Meeting, the Mayors for Taskforce breakfast and numerous networking events across the three days.

In early April we launched SuperLocal24 to members and opened registrations. This followed the earlier launch of the SuperLocal 24 Awards.

We will exceed our sponsorship target for SuperLocal, which is a real achievement in the current climate.

We have finalised the programme, which has a dynamic line up of speakers, and registrations are on track.

## Women in local government

Following on from our 13 February zoom for women in local government, we are planning a lunch immediately before the SuperLocal conference, which will feature Finance Minister Nicola Willis as the opening speaker.



## Te Maruata update

Te Maruata held its first whānui hui online on 14 March to reset priorities for the remainder of the triennium. The hui included a kōrero with MP Marama Davidson, the election of new members for the Roopu Whakahaere as well as opportunity to meet with Mereana Taungapeau, LGNZ's recently appointed Kaitohutohu Matua Māori. Aubrey Ria was elected as the Rural & Provincial representative, and Keri Brown was elected as the at-large representative.

Te Maruata held its monthly online wānanga on 24 April. Te Whatu Ora provided updates on the Sale and Supply of Alcohol Amendment Act – specifically around the incorporation of Tikanga Māori into licensing hearings. There was also broad discussion about Māori wards and the Fast-Track Amendment Bill.

A key issue for Te Maruata is strong advocacy on retaining current arrangements for the establishment of Māori wards and constituencies.

At the Te Maruata Rōpū Whakahaere hui on 9-10 May, kaupapa included Māori wards, Te Maruata membership, the programme for the Te Maruata Hui at conference and the Hutia te Rito strategy – the LGNZ Te Ao Māori approach. The in-person hui included the member now representing Community Boards, Jock Martin (who represents the Lawrence/Tuapeka ward for Clutha District Council).

The Rōpū Whakahaere have been conscious of ensuring Te Maruata members are supported during the debates around Māori wards, which has been a difficult time for many. Regular comms, information sharing and opportunities for kōrerō have been activated so that Te Maruata members feel supported and connected. Equally it's important that the voices of Māori ward councillors and Māori elected members are uplifted. Te Maruata Rōpū Whakahaere made a submission on the Bill in support of LGNZ's submission that also spoke to personal experiences and the critical role Māori councillors play at decision-making tables across Aotearoa.

## Hutia te Rito: LGNZ Māori Strategy

Our Kaitohutohu Matua Māori Mereana Taungapeau led the organisation of a staff wānanga at Raukawa Marae in Ōtaki on 1-2 May. Its purpose was to introduce staff to Hutia te Rito and the Te Ao Māori work programme for LGNZ which is currently in development.

## Young Elected Members

The YEM Committee are keen to continue holding annual YEM Hui, and are well underway with planning for this year's event. The Committee has confirmed dates for this year's Hui (16-18 October) and will be holding it in Christchurch. In response to member feedback, we've brought the Hui forward and shared the dates early so people can get it in their diaries.

The YEM Committee met online in March and in person at the end of May. As well as discussing the next Hui and their pre-SuperLocal gathering, the Committee has refined the YEM Strategy and Kaupapa based on feedback received from the network at the end of last year.



Petone Community Board member Kaz Yung has been elected to the YEM Committee as the community boards representative, and the Committee has also welcomed new member Councillor Deon Swiggs (Environment Canterbury), who has replaced Deputy Mayor of Westland Ash Cassin, following Westland's decision to withdraw from LGNZ membership.

### Community Boards Executive Committee

Over the last few months CBEC has been actively involved in a number of initiatives:

- **Satisfaction survey of community boards and mayors:** CBEC commissioned FrankAdvice to undertake a survey of community boards and mayors to better understand the mood of community boards, and relationships between councils and community boards, as well as identify areas for improvement, with particular emphasis on roles, remuneration and relationships with councils. The final report, with recommendations, was released in late February. The findings will be used for ongoing advocacy by CBEC and to inform updates to the Governance Guide for Community Boards.
- **Community Boards Conference:** CBEC is well underway with planning for the 2024 Community Boards Conference, which is being held as part of SuperLocal. CBEC members have been working hard with the LGNZ team to pull together a programme, and seek speakers and sponsorship.
- **Declarations:** the Committee has discovered that some councils do not require appointed board members to make a community board declaration – creating a potential risk to councils should a board decision be challenged on the basis that some members were ineligible to vote. CBEC sought legal advice, which confirmed that all appointed members should make a community board declaration as well as their council declaration. That advice has been sent to all councils with community boards.
- **Remuneration:** CBEC is working with the Remuneration Authority to improve the basis on which community board remuneration is set. The Authority has not been able to resolve how to remunerate boards with additional responsibilities (member pay is based on population without any consideration of the level of responsibility). The Committee has been engaging regularly with the Remuneration Authority on options. It's meeting in June to develop a work programme to deliver on recommendations resulting from its survey of community board members and Mayors.

Kaz Yung (who was elected to the Young Elected Members Committee) has joined our Community Boards Executive Committee. Jock Martin has also been elected to CBEC and Te Maruata, as noted above.

CBEC held a zoom for all community board members in late March, where they discussed the results of the survey of community board members and mayors, and options for remunerating community board members. The zoom was attended by around 40 members.





## Support

### Ākona

On 3 April, we gave all elected members access to Ākona, following National Council's decision that subscription should be rolled into the member fee.

The number of logins continues to grow, with 50-60 learners being added each week. Engagement with Ako hours already exceeds expectations, and registrations for next month's Climate Change Adaptation Ako hour are climbing quickly.

Sector engagement with Ākona has also significantly increased. Last week's bi-monthly hui with Council L&D staff (which would previously attract 10 or less participants) had almost 30 participants. There were also multiple requests for the hui to be recorded and sent to those who could not attend. Hui participants expressed their support of the system, including the new skills analysis tool. There was also keen interest in working with LGNZ to build elected member engagement through coaching sessions, to develop learning programmes, and to develop learning policy based on Ākona content.

The Induction 2025 Project has commenced with the development of a triennial calendar of learning linked to key sector milestones. This calendar will be tested by a group of sector representatives over the next few weeks, with a view to complete induction design by the end of October. The purpose and approach to Induction hui is being refined based on member input and feedback from the 2022 events.

Discussions have begun with Taituarā to develop an induction pack that will include pre-elected learning resources, (as per the framework). A pre-candidacy package of learning will also soon be developed to support the promotion of local governance participation in our communities.

There are new courses recently released or nearing release include:

- Climate Change
- Te Reo
- Decision Making
- The CE Relationship
- Leading diverse communities

In addition, the tīma worked with PD Training to contextualise a Critical Thinking workshop which was delivered at Napier District Council in late February. A targeted workshop focused on Chairing Meetings/Standing Orders has also been developed. Both options will become a permanent part of Ākona offerings.



## Guidance and advisory for members

We've updated our [Guide to the LGNZ Standing Orders Templates](#). The updates provide councils with guidance on how to amend their standing orders to incorporate changes to the definition of a quorum (for those joining by audio visual means). They also provide guidance on the Ombudsman's recent report on public access to workshops.

We're working with the Taituarā Democracy and Participation Working Group to fine tune our Standing Orders Template, with a focus on readability. The updated version will be available to councils in early 2025, giving plenty of time to be prepared ahead of the 2025 local body elections. The new template will also reflect legislative changes made since mid-2022 when the current template was drafted.

## Elected member safety and security

We held a zoom on safety and security on 18 April, with 60 people attending. Panel members Mayor Dan Gordon, Deputy Mayor Angela O'Leary and Mayor Len Salt spoke eloquently about the difficult and disturbing experiences they had had, followed by representatives from NZ Police and Netsafe. This was the start of a conversation and there's clearly more LGNZ can do to support members experiencing this harassment, which is also a threat to local democracy.

At the Combined Sector meeting, we asked attendees about their experiences and the results were:

- 74% had face aggressive, abusive or offensive behaviour as an EM in public meetings
- 65% had faced it online
- 39% had faced it at community events
- 33% had faced in doing every day activities like shopping or collecting children from school

In terms of the levels of behaviour:

- 53% thought it was worse than a year ago
- 41% thought it was similar
- 9% thought it was better.

Our second zoom in this series will be in mid-June, to focus on "sovereign citizens" and vexatious requests, and we've secured a range of panellists/speakers. This topic was suggested in the first zoom, and the third zoom will focus on physical security for EMs. All these zooms are recorded and available to elected members in Ākona, along with related resources. [You can log into Ākona here](#).

## Te Korowai

Our continuous improvement programme, previously known as CouncilMARK, has undergone significant evolution over the past year in response to feedback from the sector. These changes aim to increase programme participation and deliver greater value to participating councils.



Renamed 'Te Korowai', the programme has extended its focus beyond independent assessments to support councils throughout their continuous improvement journey, both before and after assessment.

Te Korowai emphasises a wraparound support for councils, the establishment of development benchmarks and aligning council performance with priorities. The introduction of additional development pathways facilitates the translation of assessment findings into actionable plans, enabling councils to optimise their performance.

We have collaborated closely with Waikato Regional Council, which served as the pilot for the new programme. Following their successful on-site assessment, they have transitioned into the development phase. Initial feedback from Waikato Regional Council has been overwhelmingly positive, highlighting how the programme provided valuable insights and confidence to progress along their development journey.

We are currently engaged with several other councils, including as Central Hawkes Bay District Council, Ōtorohanga District Council, and Otago Regional Council, as they prepare to join the revamped programme. Additionally, efforts are underway to align the programme's performance assessment framework with Ākōna, fostering continuous improvement through a culture of learning and development.

### **Mayors' Taskforce for Jobs**

Mayors' Taskforce for Jobs (MTFJ) core group has signed off a refreshed five-year strategic plan. The plan reconfirms the focus of the MTFJ kaupapa firmly on rangatahi, particularly those youth who are NEET (Not in Employment, Education or Training).

LGNZ supported Mayor Max Baxter, MTFJ Chair, to secure a meeting with the Social Development Minister Louise Upston, which the MTFJ team of Maree and Tammie attended, along with Scott.

Max also met with Minister Upston while attending a joint visit to Waimate to hear firsthand how the programme has delivered better employment outcomes there. The Minister is joining MTFJ for their annual breakfast meeting at SuperLocal.

The MTFJ Governance Group, which oversees MTFJ's strategy and delivery, met in April and May and the Core Group is meeting on 7 June.

Huge credit to the MTFJ council teams who nationally have exceeded their MSD-contracted CEP outcomes, achieving 1,111 employment outcomes for year one well ahead of the due date. This positions the MTFJ MSD employment contract for continued success as it rolls over into year 2, although with reduced contracted funding from (\$10 million to \$8 million).

LGNZ ran an impactful session for MTFJ in February supporting individual council programmes to better tell their story of localism and council delivery, as discussed in the media section above, and reflected in the uptick of media around MTFJ in recent weeks.



### Road Efficiency Group (REG)

LGNZ has been a long-standing partner and supporter of REG and we are pleased to see REG feature in the draft Transport GPS. This includes direction from the Minister that REG, as part of a wider expectation for improved sector performance and efficiency, is to focus on ensuring that all investment in maintaining and improving resilience on the state highway, local and rural road networks is spent in the most efficient manner.

Key focus areas for REG include:

- Finding efficiency in road maintenance spend to deliver more for road users and taxpayers' investment;
- Standardising maintenance protocols and processes to find efficiency where efficiencies can be found;
- Reducing expenditure on temporary traffic management (TTM), which is adding significant cost to road maintenance and reducing efficiency of spend;
- Reviewing Network Outcomes Contracts (NOC) with a focus on achieving long-term maintenance outcomes of 2 percent rehabilitation and 9 percent resurfacing per year, ensuring a proactive approach to road maintenance.

REG is currently reviewing its term of reference and governance arrangements, which will see two independent appointments by the Minister to the REG governance group.

### Moata Carbon Portal

Recently we've provided a demo of the portal and had conversations on carbon accounting with Central Otago District Council. We have also supported Mott MacDonald to attend zone meetings to provide an overview of the carbon portal as well as some findings from the carbon baseline completed on Queenstown Lakes LTP in 2023.

The findings from this baseline were that water projects accounted for 55% of QLDC's total capital carbon, with transport accounting for 24% and built environment 21%. Over the course of their LTP, their highest carbon peaks were predicted for 2023 and 2030, with recommendations provided on integrating carbon assessments into their approval and delivery processes.

### Ratepayer Assistance Scheme (RAS)

With Auckland and Tauranga confirming support to establish the RAS, we have secured \$1.2 million of the estimated \$3 million required to complete the development work to establish the RAS. On establishment, we would need circa \$23 million establishment capital.

As a reminder, the RAS is a special purpose tool that would provide support to ratepayers to finance any local authority charge. With balance sheet separation, and proximity to both local and central



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government, it would have a very high credit rating and therefore be able to provide the cheapest possible financing terms to ratepayers.

The Ratepayer Financing Scheme's flexibility would enable it to support:

- Development contributions to enable housing development.
- Home improvement policy to meet healthy homes, earthquake strengthening, home insulation and solar panel installation, water separation and storage etc.
- Rates postponement to provide relief to ratepayer experiencing affordability pressures.

A detailed business case supporting the RAS's viability has been completed with the support of Auckland, Hamilton, Tauranga, Wellington, Christchurch councils alongside the LGFA and LGNZ. We have had recent positive engagement the new governments policy advisors. The RAS could provide financing for future water charges which would assist with affordability.

The Steering Group have engaged with the Government's water Technical Advisory Group to discuss funding and financing more broadly, including the possible role the RAS could play supporting ratepayers and funding infrastructure.

Scott and selected members of the Steering Group met Simon Court (Parliamentary Under-Secretary to the Minister for Infrastructure and the Minister Responsible for RMA Reform) on 3 April and Minister Simeon Brown has expressed interest in learning more about it.

### **Libraries partnership**

Our Libraries Advisor is continuing to deliver the work programme that has been agreed to with DIA and the New Zealand Libraries Partnership Programme, and will be with LGNZ until the end of June 2024, when the project funding comes to an end. This was a Covid-19 recovery initiative so there isn't ongoing funding for this role.

At the end of the project, we'll receive a report that will outline all the key trends identified and findings made across the three years of the project.

Despite local government funding challenges, a large number of councils have supported the removal of fines to improve access to their library resources. Over 60% of councils are fully fines free and 92% are fines free for children and young people.

## REPORT

**TO:** Council

**FOR:** Council Meeting on 12 June 2024

**FROM:** Chief Executive

**DATE:** 25 May 2024

**SUBJECT:** **CHIEF EXECUTIVE'S REPORT**

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## RECOMMENDATION

*'That Council:*

- (a) Receives the Chief Executive's report for information.*
- (b) Retrospectively endorse Selwyn Council's submission to Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill.*
- (c) Retrospectively endorses Selwyn District Council's Submission to ECAN representation review.'*

### 1. 2024-2034 LONG TERM PLAN CONSULTATION

We have now completed all hearings and deliberations. Following deliberations and decision making process by Councillors, the LTP will go to council for adoption on 3 July 2024.

There was good community engagement with 1525 submissions, which is a record of number of submissions being received.

Staff are working in the background as a result of the outcome of the deliberations on finalising the LTP and the supporting/supplementary documentation.

### 2. EMERGENCY SERVICES LEADERSHIP BOARD

On 30 April the Mayor and I presented to the National Emergency Services Leadership Board (ESLB) about the opportunities to provide a combined Emergency Services Hub within Selwyn (Rolleston).

There is strong endorsement for the concept and both the Prime Minister and Minister for Emergency Management and Recovery (who is also Minister for Police) have stated their intention for these hubs to be the preferred approach across the country.

Following our presentation to the ESLB there was board-only time allocated to discuss the Selwyn proposal, and the concept more widely. This was followed by

ministerial discussions. The ESLB are very keen to lean into this and are standing up a working group to identify ways to support progressing the concept nationally. They also agreed to provide a representative for your steering group.

### **3. LINCOLN UNIVERSITY MEMORANDUM OF UNDERSTANDING**

Council staff have been meeting with Lincoln University representatives to prepare a Memorandum of Understanding. A report will be coming to Council today on this matter, with a formal signing taking place today.

### **4. LOCAL GOVERNMENT (ELECTORAL LEGISLATION AND MĀORI WARDS AND MĀORI CONSTITUENCIES) AMENDMENT BILL**

On 24 May 2024 public submission were called for Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill. The closing date for submissions is 11.59pm on Wednesday 29 May 2024.

The bill proposes to reinstate the right to a local referendum on the establishment or ongoing use of Māori wards and Māori constituencies. This includes requiring a poll, at the next local body elections, on any Māori wards and Māori constituencies established without a poll.

The bill would:

- reinstate polls on Māori wards and Māori constituencies
- require councils to hold a binding poll at the 2025 local elections if they established Māori wards or Māori constituencies since 2020 and did not hold a poll
- adjust the statutory time frames for local elections to give more time for the postal delivery of voting papers.

Council's submission is attached as **Appendix 1** to this report.

### **5. ECAN REPRESENTATION**

All regional councils are required by section 19I of the Local Electoral Act 2001 (the Act) to review their representation arrangements at least every six years.

These reviews are to determine the number of constituencies, the names and boundaries of constituencies and the number of councillors to be elected by each constituency.

The Canterbury Regional Council, branded Environment Canterbury, (ECan) last reviewed its representation arrangements in 2018.

Council's submission is attached as **Appendix 2** to this report.

## 6. INFOMETRICS MARCH 2024 QUARTERLY ECONOMIC MONITOR

Despite being fairly weak growth by Selwyn standards (GDP +0.2%), the district still looks favourable from a national perspective. Looking across other medium sized districts, the only area with faster growth is Waikato District (+1.6%). Although Selwyn's growth was the same as the national average, the national average was dragged up by recoveries in tourism hotspots and the main cities.

For a local touchstone, Waimakariri's economy fell 0.9%. Full report attached as **Appendix 3**.

## 7. PUBLIC FORUM – 8 MAY 2024

At Council's 8 May 2024 meeting, Mr Bill Bradley spoke to Councillors about issues in relation to an overpayment of his rates, the water race that ran alongside his property, the quality of the contractors work on Cooks Road, and the maintenance of an old fire stand.

A summary to the response to Mr Bradley as is follows:

### **Overpayment of rates on second dwelling**

Under the Local Government Act section 41(1) the legislative timeframe for any refund is 5 years plus 1-year rates. This legislated timeframe for consideration of repayment also applies to Council should we have undercharged rates.

There is also a responsibility on the ratepayer to check their rates, to ensure that the charges are correct.

### **41 Amended assessment if error in rating information database or rates record is corrected**

- (1) A local authority must issue an amended rates assessment in substitution for the original assessment if it has delivered a rates assessment for a financial year and, within 5 years after the last day of that year,—
- (a) an error in the rating information database or rates record in respect of the rating unit or separate rating area concerned is corrected in accordance with [section 29](#), [section 39](#), or [section 40](#); and
  - (b) the correction gives rise to a difference between the amount of rates that was originally assessed and the amount that would have been payable if the information entered in the rating information database or on the rates assessment had been correct.

### **Water Races**

Staff have been in touch with Mr Bradley directly and issue has been dealt with.

### **Roading Maintenance – Cooks Road**

It is normal maintenance practice to recover gravel pushed to the road edge and to pull it back into the road as a maintenance grade. Cooks Road was identified in May 2023 as requiring a rehab and this is scheduled for the May/Jun 2024 annual rehab programme. Unsealed road rehab is undertaken in the Autumn/Winter months of the year.



**Fire Stand**

Staff have confirmed that there is no fire stand on reserve land, however we have asked Mr Bradley to confirm the actual location of the Fire Stand so that staff can assist further.

A handwritten signature in blue ink, appearing to read "Sharon Mason", is positioned above the printed name and title.

Sharon Mason

**CHIEF EXECUTIVE OFFICER**



## **Selwyn District Council Submission to the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (the Bill).**

Selwyn District Council (SDC) welcomes the opportunity to submit the Local Government (Electoral Legislation and Māori Wards and Māori Constituencies) Amendment Bill (the Bill). We are opposed to reinstating binding polls for Māori wards and Māori constituencies. We urge the Government to reconsider its position and leave local councils to make decisions about appropriate representation arrangements in partnership with iwi and their communities.

SDC is concerned about the Bill's potential impact on local decision-making. Many other councils share this concern, with 52 Mayors and Chairs recently writing to Ministers and coalition party leaders to express their opposition to this legislation. Decisions about local democracy, representation arrangements, and how communities contribute to them are constitutionally significant. The Bill has a concise submission timeframe, making it difficult for councils and communities to engage appropriately.

### **Key points in our submission**

- Māori wards and constituencies should be treated like all other wards and constituencies, with decisions made locally in partnership with iwi and communities.
- The Bill politicises representation arrangements, which conflicts with the principles of the Local Government Act 2002 and Local Electoral Act 2001 and undermines partnership with Māori.
- We are concerned that this legislation may be inconsistent with Te Tiriti o Waitangi/The Treaty of Waitangi.
- While we oppose polls for Māori wards/constituencies, if they are reinstated, then the following changes should be made:
  - Only enable those on the Māori roll to vote in any poll
  - Increase the petition threshold from five per cent to 10 per cent of electors to initiate a poll
  - Make the polls non-binding but require councils to consider them.
- This legislation, if enacted, could potentially divert resources and attention from the crucial work that councils do to deliver infrastructure and other core services. It may impose unnecessary financial burdens on councils, which are already striving to keep costs down for their communities. This practical implication further strengthens our opposition to the Bill.
- We're particularly concerned about the retrospective transition provisions and want to see them removed. They will distract from the important debates that should be had at the 2025 local elections and undermine the position of competent elected members.



- We support changes to postal voting timeframes to ensure that the voting system functions and support broader conversations about ensuring everyone can participate in local elections.

## **Our Submission**

### **The decision on Māori wards and Māori constituencies should rest with individual councils.**

Our position – is that decisions on whether or not to have Māori Wards and Māori Constituencies as part of a council's representation arrangements should rest with individual councils without the need for polls.

Local government's system of representative democracy empowers democratically elected councils to make decisions on behalf of their communities. This enables issues to be seen holistically and to balance competing perspectives. Councils take this approach when deciding on other critical aspects of their representation arrangements, such as ensuring appropriate representation of different geographic areas (e.g. rural areas) – without the need for binding polls on any other aspects of representation arrangements. This power comes with the responsibility to consider the views and preferences of those affected and to consult, and elected members are ultimately accountable for their decisions through elections.

Polls are a poor substitute for holistic decision-making.

Councils must follow essential principles in the legislation – something which people voting in polls are not required to do.

The Local Government Act 2002 (LGA 02) requires councils to provide opportunities for Māori to contribute to its decision-making processes (*LGA 02 s14(1)(d)*). This principle and its associated requirements recognise and respect the Crown's responsibility to take appropriate account of the principles of the Treaty of Waitangi (*LGA 02 s4*).

Two vital fundamental principles of the Local Electoral Act 2001 (LEA) are “representative and substantial electoral participation in local elections and polls” and “fair and effective representation for individuals and communities” (*LEA s4 (1)(aa)-(a)*). As they may choose to use wards for rural areas to achieve these aims, councils legitimately could use Māori wards and Māori constituencies.

These principles ensure that the people elected to make decisions for their communities truly represent those communities. Having diverse perspectives around council tables enables councils to make the best decisions for all their communities, which is why wards representing different constituencies were established.

Reinstituting polls would add an impediment to councils, which may decide that having Māori wards or Māori constituencies is an appropriate way to meet these requirements.

### **We oppose the reinstatement of a poll provision.**

As outlined in the previous section, a requirement for polls on decisions councils make to establish Māori wards or constituencies is not consistent with other decisions local



government makes, including the creation of other wards/constituencies such as to ensure the representation of different geographic areas of a region/district or rural communities. They undermine the ability of councils to view issues holistically and take a considered approach to decision-making, instead turning complex problems into a simplified binary.

We agree with the view of DIA that the previous legislation for polls was an ‘insurmountable barrier’ to establishing Māori wards and constituencies for those councils who would otherwise use these. This effectively means that these are not an option for many councils that would otherwise choose to have Māori ward constituencies. After the poll requirements were removed, the number of Māori elected members increased because of several councils instituting Māori wards and constituencies. Therefore, the reinstatement of polls will likely result in lower representation for Māori in local government. This is despite many councils having identified Māori ward and constituency councillors as having made substantial and meaningful contributions around the council table and helping their councils improve relationships with mana whenua.

We are concerned that the Government appears to have ignored officials' advice that these changes may have Bill of Rights implications, given that Māori wards and constituencies will face a more significant process bar for establishment than any general ward or constituency. We urge the committee to explore this matter in more depth.

### **Politicising representation arrangements undermines partnership with Māori**

Regardless of what kind of ward or constituency a member is elected to, all elected members make the same statutory declaration to execute and perform their powers, authorities, and duties in their region's or district's best interests. However, the diversity of decision-makers leads to better decisions for communities.

We agree with the view of DIA that “Referendums and polls are an instrument of majority rule which can suppress *minority interests*. *Normal lawmaking processes have safeguards to ensure minority rights and interests are considered ... [b]ut referendums do not require that tabling and balancing of interests, and the outcome will depend on the majority’s perception of the minority interests.*”<sup>1</sup>.

These polls will ultimately politicise representation arrangements, communities creating unnecessary community divisions. Representation arrangements should be fair and effective for individuals and communities, but polls make it harder to ensure fair and effective representation for Māori. This does not necessarily mean that the only or best option for councils is to have Māori wards and constituencies – and we know that for some iwi and hapū, their preference, in consultation with their councils, is to have other arrangements for representation and engagement. However, establishing Māori wards and constituencies should be as much an option for councils as establishing wards to provide representation of, for example, different geographic areas or rural communities.

Conversations about how councils meet their statutory obligation to provide for Māori to contribute to decision-making are essential and should strengthen relationships between local

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<sup>1</sup> Department of Internal Affairs (2023), Local Government Briefing – Coalition policies for local electoral changes



government and iwi/hapū. Many Māori wards and constituencies have been key critical partnership milestones for councils and mana whenua. The restoration of polls threatens to undermine these relationships and the many social, cultural, environmental and economic benefits that a strong partnership between councils and iwi/hapū brings.

**We are concerned that this legislation is inconsistent with Te Tiriti o Waitangi/The Treaty of Waitangi.**

In 2010, the Tauranga Moana Tribunal concluded that poll provisions for Māori wards and constituencies were inconsistent with Te Tiriti o Waitangi.

In seeking to participate in local decision-making on matters that affect them, Māori in many parts of the country have repeatedly sought to be represented on councils. The Tauranga Moana Tribunal found that including Māori constituencies by the Bay of Plenty Regional Council was a positive and Treaty-compliant means of addressing the consistent underrepresentation of Māori in local government. Moreover, Māori would benefit from increased representation as Māori on the council. In turn, the council would benefit from Māori participation in decision-making, particularly regarding resource management and the environment.

In considering the bill currently before the House and its development process, the Waitangi Tribunal found it to be in breach of Te Tiriti o Waitangi. The Tribunal found apparent breaches of the principles of partnership, options, equity, and the duty to consult, act in good faith and actively protect Māori rights and interests. It also found that the previous use of polls to establish Māori wards and constituencies before 2021 was discriminatory and inconsistent with Treaty principles. Therefore, the reinstatement of similar poll provisions that require binding polls only in respect of Māori wards and constituencies and not of any other wards or constituencies was found to be discriminatory. We are concerned that the Government is proceeding with this legislation after a concerning response from the Waitangi Tribunal.

**Reinstatement of poll provisions is an unhelpful distraction and will increase costs for councils without benefit.**

Reinstatement of polls will add additional costs to councils. Costs will vary from council to council but are not insignificant. This is not just in administering polls but also in the potential impacts on out-of-cycle representation reviews. It is hard to see the benefits of this additional expenditure,

**If poll provisions are to be reinstated, this should be with additional changes.**

We oppose reinstating polls for Māori wards and constituencies only and want to see this legislation withdrawn. However, if polls are to be implemented, then we strongly urge the Government to make the following improvements:

- Only enable those on the Māori roll to vote in any poll. These electors are the ones who will be directly affected by the poll decision and should have the most input into it. We agree with Andy Foster MP's point in the first reading of this bill: "The question I ask is: is it right for Māori to be able to determine how *Māori are represented*? The second question: *is it right for other people to say, 'No, Māori shouldn't be entitled to be represented the way they want to be represented'?"*



- Increase the petition threshold for electors to initiate a poll from five to 10 percent. Five percent is a low threshold, given the costs and impacts of polls on communities. It is, therefore, not unreasonable to expect a more extensive demonstration of a desire for a survey before undertaking one. A 10 percent move would align with the threshold set out in the Citizens Initiated Referenda Act 1993.
- Make the polls non-binding but require councils to give them due consideration in their decision-making process. This would give the poll weight in the decision-making process but still enable these decisions to be made within the wider legal context and with due consideration of a range of relevant factors.

### **The proposed transition provisions are of particular concern.**

If the reinstatement of polls occurs, this should only apply after the 2025 local body election, with the transition arrangements proposed in the bill removed. The requirements for councils to have referenda at the following local government elections are particularly concerning for several reasons. This transition goes beyond even the poll provisions, as these will be automatic rather than triggered by a council decision or petition of electors. It also sets a concerning precedent where this approach applies additional requirements retrospectively to previous decisions of councils. This is a terrible practice and undermines decisions made with widespread engagement and input from communities/iwi as required by the Local Government Act.

Elections are essential times for communities to debate important issues for their areas, and this will be particularly true for the 2025 local body elections. These referenda are likely to crowd out the debate on these important issues.

This bill has unfairly undermined the legitimacy of democratically elected councillors, and these polls have the potential to unfairly impact them, particularly if they are standing for re-election and at the same time campaigning to retain either a mechanism for Māori representation or, in the case of many Māori elected members, the mechanism of their election. Councillors will be in an unenviable situation for the next term if they are elected to a seat that most voters have voted to disestablish.

Reinstatement of the poll provisions without the transition requirements would be more appropriate. Under this approach, 33 of the councils could have a poll in 2027, making the same material difference for those councils.

### **We support changes to postal voting timeframes to ensure that the voting system functions and support broader conversations about ensuring everyone can participate in local elections.**

We support fixing the timeframes to enable the postal voting system to function for upcoming elections. We agree with the submission of Taituarā that these moves are a stop-gap measure and that there is a need for broader change to how people participate in local body elections, especially with the decline of the postal service.



## Selwyn District Council Submission:

### Consultation on the Environment Canterbury 2024 Representation Review

May 2024

---

1. Selwyn District Council thanks Environment Canterbury (ECan) for the opportunity to comment on the proposed options for the 2024 representation review.
2. This submission focuses on matters that are important to the residents of Selwyn District Council (SDC) namely fair and effective representation.
3. SDC are concerned that the current representation arrangements while seen to be effective are not fair. The lack of compliance with the +/- 10% rule is a concern that is likely to be further exacerbated with the continued growth of Selwyn as a District.
4. While traditionally SDC has been closely aligned with Ashburton, representation also needs to be fair. With the significant growth of SDC in particular, this grouping is unlikely to deliver fair representation for the future.
5. Council met on Wednesday May 29 to discuss the options presented and have agreed that option 3 provides for effective and fair representation.
6. It is acknowledged that option 3 currently leads to overrepresentation for Selwyn. This over representation is unlikely to remain due to the high growth rate of Selwyn.
7. Selwyn District Council supports Option 3.

**[Option three - Create a new constituency combining Hakatere/Ashburton District and the current Ōtuhituhi/South Canterbury constituency](#)**

In addition to realigning the Christchurch City constituencies we could create a new constituency by extending the Ōtuhituhi/South Canterbury boundary to include Hakatere/Ashburton District. This would leave Waikirikiri/Selwyn (currently in the Ōpākihi/Mid Canterbury constituency) as a constituency on its own.

**QUARTERLY  
ECONOMIC  
MONITOR**



Selwyn  
District



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## 1 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Overview of Selwyn District

### Spotlight



Economic activity in Selwyn rose just 0.2% in the year to March 2024, according to Infometrics provisional GDP estimates. Selwyn's GDP growth rate was exactly the same as the national average this quarter, but represents the district's weakest growth since 2008. Selwyn's weakness was led by a pullback in construction activity, coupled with a tough environment for food and beverage manufacturing.

The weak GDP result reflects weak activity for businesses within Selwyn, although the area continues to experience strong population growth, as indicated by health enrolment growth of 5.4% in the year to March 2024. Employment of Selwyn residents grew 6.1% in the year to March 2024, with broad-based growth in every industry except agriculture, forestry and fishing. Employment outcomes for residents can differ from local economic performance, as many residents commute to Christchurch for work. With a broad pool of job opportunities to draw from, unemployment of Selwyn residents remains very low, edging up to 2.6% over the year to March 2024, below the national average of 4.0% and Christchurch City average of 4.6%. Nonetheless, the number of Jobseeker Support and other benefit recipients has risen 14% in Selwyn over the year to March 2024, indicating that some residents are struggling in the labour market.

Selwyn's housing and building market is entering a quieter period following some heady years. New dwelling consents in Selwyn have fallen 39% over the year to March 2024, with quarterly consents at their lowest level since 2018. House values in Selwyn rose by a marginal 2.7%pa in the March 2024 quarter, in between national growth of 1.9% and Christchurch City growth of 4.4%. Despite a steady number of listings coming to market, sales volumes are growing strongly, up 22%pa in the March 2024 quarter, which could drive growth in house values in coming quarters. In addition to weak new dwelling consents, non-residential consent values have fallen 36% in the year to March 2024, together representing a significant decrease in construction workloads.

After a weak start to the season, dairy prices have rallied in 2024, bringing this season's pay-out to just above breakeven costs. Selwyn's dairy pay-out is expected to be \$550m, just \$23m short of the 2022/23 season.

## Economic indicators

### Overview

Table 1. Overview of economic indicators

Indicator	Selwyn District	Canterbury Region	New Zealand
Gross domestic product (provisional)	+0.2% ▲	+0.2% ▲	+0.2% ▲
Business counts	+4.0% ▲	+1.5% ▲	+1.0% ▲
Consumer spending	+12.5% ▲	+3.3% ▲	+2.8% ▲
Guest nights	+12.0% ▲	+13.1% ▲	+11.5% ▲
Non-residential consents	-17.0% ▼	-10.9% ▼	-1.1% ▼
Electric vehicle registrations	+20.9% ▲	+4.7% ▲	+4.3% ▲
Car registrations	+16.5% ▲	+3.8% ▲	+7.5% ▲
Commercial vehicle registrations	-15.7% ▼	+2.8% ▲	-0.2% ▼

All measures are annual average percentage changes.

## 3 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Gross domestic product

Figure 1. Gross domestic product growth (provisional)  
Annual average % change March 2023 - March 2024

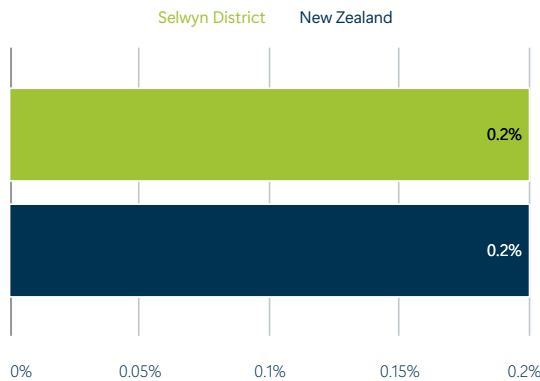
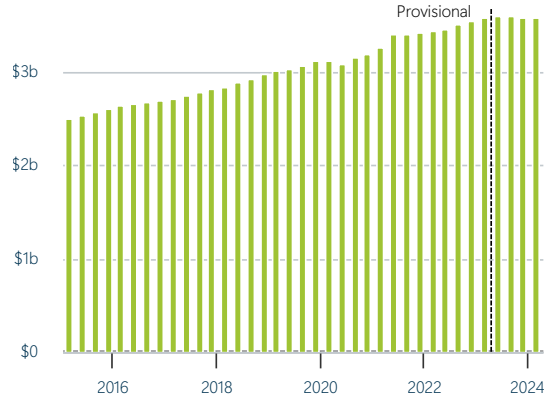


Figure 2. Gross domestic product  
Annual level, Selwyn District



## Highlights

- GDP in Selwyn District was provisionally up 0.2% for the year to March 2024, compared to a year earlier. Growth was the same as in New Zealand (0.2%).
- Provisional GDP was \$3,582 million in Selwyn District for the year to March 2024 (2023 prices).
- Annual GDP growth in Selwyn District peaked at 10.1% in the year to June 2021.

## National overview

The economy remains downbeat, with slower spending and investment continuing. Current spending growth remains below inflation and population growth, as higher interest rates continue to bite. The housing market remains stalled too, with higher listings and still-subdued sales as few buyers can access lending but more households under pressure test the waters on sales. Year-end economic growth has slowed back to 0.2%pa over the 12 months to March 2024, the slowest year-end growth since the original COVID-19 lockdown. Despite these challenges, exports look to have provided a slightly improved result at the start of 2024, with Lunar New Year delivering a bump in international tourism, and better dairy and horticulture returns are supportive too. Other parts of the primary sector remain weak, with falling meat and forestry prices.

## Business counts

Figure 3. Growth in number of business units  
Annual average % change March 2023 - March 2024

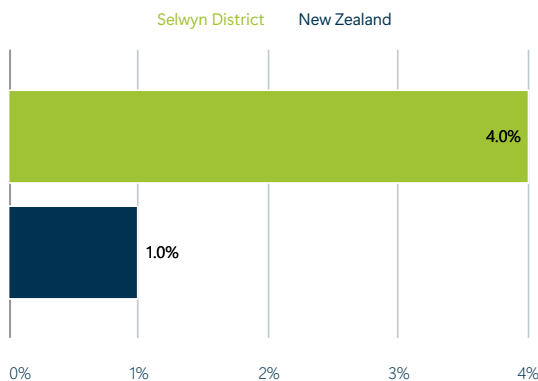
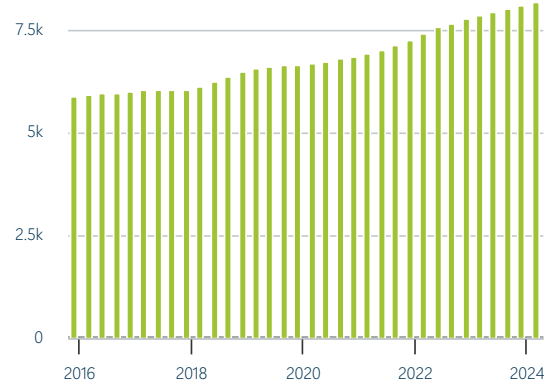


Figure 4. Business units  
Annual level, Selwyn District



## Highlights

- The number of business units in Selwyn District was up 4% for the year to March 2024, compared to a year earlier. Growth was higher than in New Zealand (1.0%).
- The number of business units in Selwyn District reached an annual average of 8,162 in the year to March 2024, up from 7,850 in the previous 12 months.
- Annual growth in the number of business units in Selwyn District peaked at 8.0% in the year to June 2022.

## National overview

Business units have continued to increase, rising by 1.0% in the year to March 2024 despite current economic pressures, albeit increasing at its slowest annual rate since September 2021. Lower growth was expected with the challenging economic conditions present, resulting in entrepreneurs struggling to find market opportunities. Growth has slowed significantly from the peak in September 2022 after strong spending activity ignited business creation in 2022. High interest rates, inflated business expenses, and less room to pass these costs onto consumers have deterred potential businesses establishment. As interest rates remain high and consumers watch their spending more closely, there will be less room for growth in the number of businesses starting throughout 2024.

## 5 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Consumer spending

Figure 5. Growth in consumer spending  
Annual average % change March 2023 - March 2024

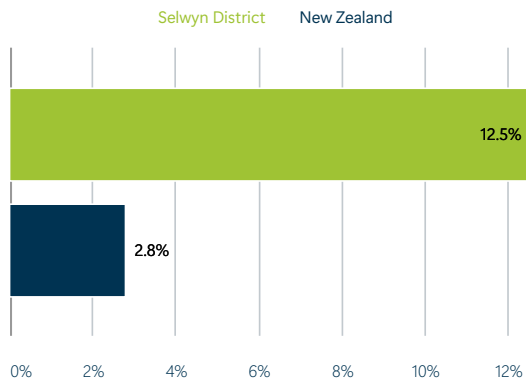
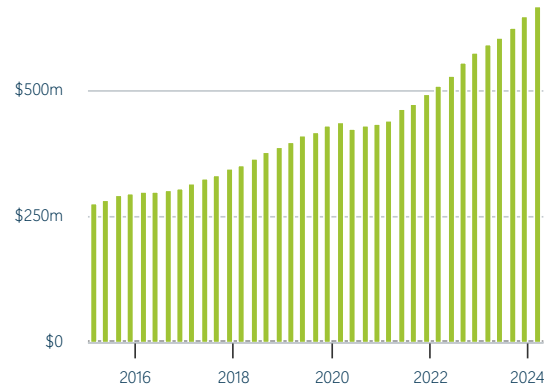


Figure 6. Consumer spending  
Annual level, Selwyn District



## Highlights

- Electronic card consumer spending in Selwyn District as measured by Marketview, increased by 12.5% over the year to March 2024, compared to a year earlier. This compares with an increase of 2.8% in New Zealand.

## National overview

Marketview data indicates consumer spending levels remain subdued, but appear more robust than first expected, up 2.8%pa over the year to March 2024. Although spending is up, this growth is still tracking below inflation (4.0%pa in the March 2024 quarter), meaning consumers are paying more and getting less due to price pressures. Household budgets continue to be squeezed by high mortgage rates, leaving little left after paying the mortgage and purchasing essentials. With rate cuts not expected until late 2024 to early 2025, households will continue to reprioritise spending towards essentials. Constrained government expenditure, slowing private sector wage growth, and job cut announcements will see wage growth decelerate and unemployment rise. Households will continue to be more cautious with their spending throughout 2024.

## Guest nights

Figure 7. Guest nights

Annual average % change March 2023 - March 2024

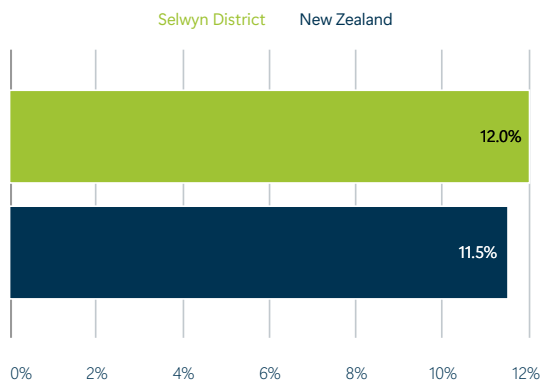
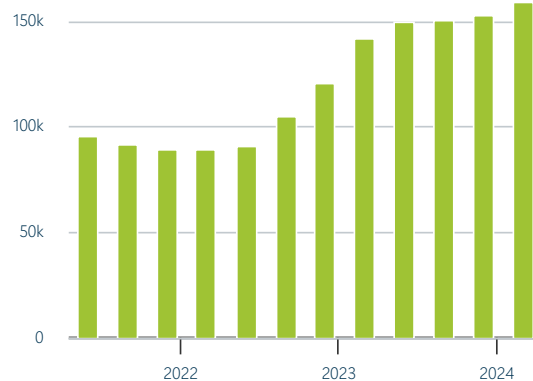


Figure 8. Guest nights

Annual number, Selwyn District



## Highlights

- Total guest nights in Selwyn District increased by 12% in the year to March 2024, compared to a year earlier. This compares with an increase of 11.5% in New Zealand.
- Visitors stayed a total of 159,000 nights in Selwyn District during the year to March 2024, which was up from 142,000 a year ago.

## National overview

International visitors drove a 12% increase in guest nights in the year to March 2024. International guest nights rose 55% in the year to March 2024, tapering to a still-strong 25%pa in the March 2024 quarter as the recovery of international visitor arrivals stagnated. Much of this growth can be attributed to strong growth in international arrivals from Australia, the United States, and China over the summer period.

Domestic guest nights eased 2.3% in the year to March 2024, hit by a combination of cost-of-living pressure limiting travel for some households, and stronger departures for Kiwi's who have the means for overseas travel.



## 7 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Non-residential consents

Figure 9. Growth in value of consents  
Annual average % change March 2023 - March 2024

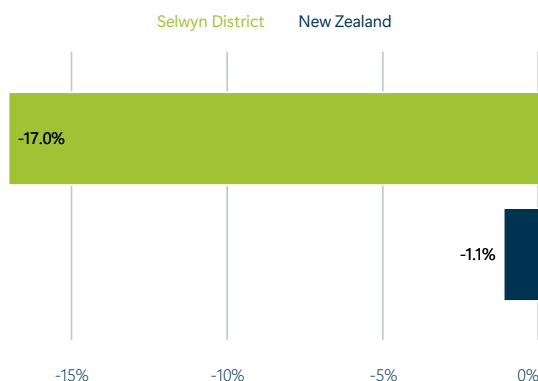
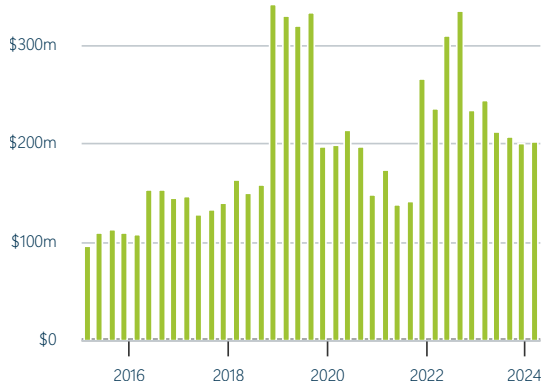


Figure 10. Non-residential consents, Selwyn District  
Annual running total, Selwyn District



## Highlights

- Non-residential building consents to the value of \$202.5 million were issued in Selwyn District during the year to March 2024. This compares with the ten year annual average of \$189.8 million.
- The value of consents in Selwyn District decreased by 17% over the year to March 2024, compared to a year earlier. In comparison, the value of consents decreased by 1.1% in New Zealand over the same period.

## National overview

There was \$2.5b worth of non-residential consents issued throughout New Zealand in the March 2024 quarter, bringing the annual total to \$9.5b, down 1.1% compared to a year earlier. Public sector consents are currently volatile, as the central government refocuses spending, driving social and education building consents down, although hospital consents in the quarter were more than double the March 2023 quarter. Private sector construction intentions continue to gradually weaken, in line with difficult economic conditions. We continue to expect further falls in non-residential consents into the June quarter as poor economic conditions remain. Interest rates continue to limit upside in consents, with rates cuts not expected until late 2024 or early 2025.

## Dairy payout

Figure 11. Total dairy payout

May years

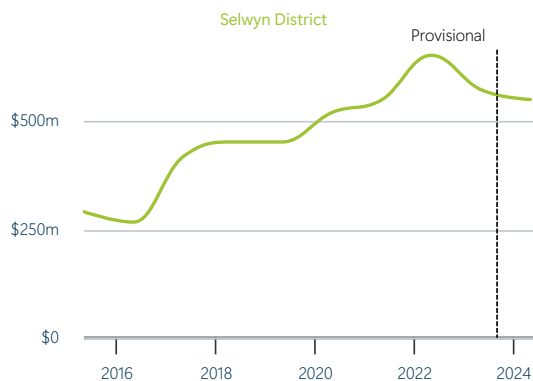
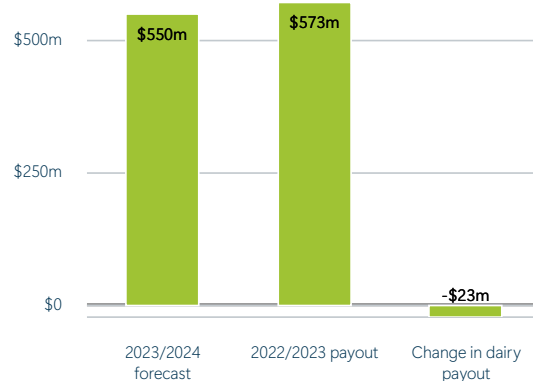


Figure 12. Total dairy payout

May years



## Highlights

- Selwyn District total dairy payout for the 2022/2023 season is estimated to have been approximately \$573 million.
- Selwyn District's dairy payout for the 2023/2024 season is expected to be approximately \$550 million, \$23 million lower than last season, assuming that production levels from last season are maintained.
- The total dairy payout for New Zealand is estimated to have been approximately \$15,396 million in the 2022/2023 season, and is expected to be \$625 million lower in the 2023/2024 season.

## National overview

Dairy prices have continued to rally in 2024, with the Global Dairy Trade index at the end of March up 24% from the low point seen in August last year. This revival in prices have supported a current and unchanged \$7.80/kgMS pay-out for the current season. This pay-out price is slightly above the latest breakeven cost estimate. Milksolids yields are rising, with a 2.2%pa rise in milksolids collected over the February 2024 year, compared to a 0.9% rise in milk produced. Encouragingly, on-farms costs appear to be stabilising, albeit at high levels. However, other parts of the primary sector remain under pressure, with falling forestry prices and low meats prices.

## 9 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Electric vehicle registrations

Figure 13. Growth in number of EV registrations  
Annual average % change March 2023 - March 2024

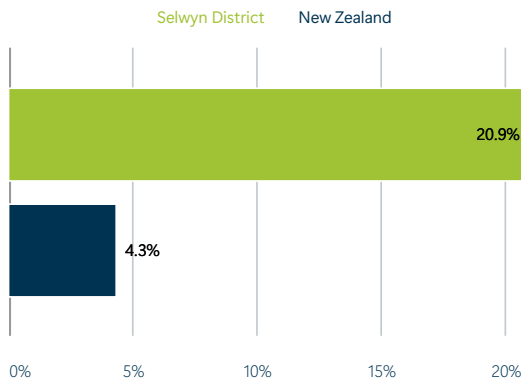
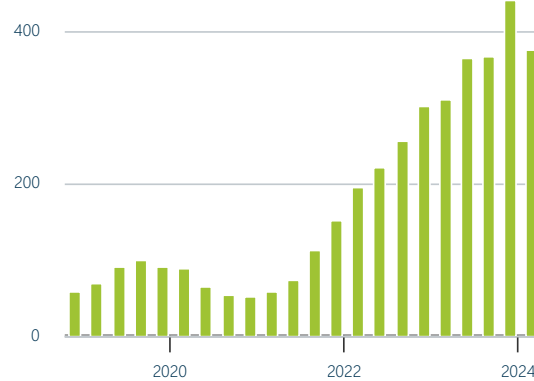


Figure 14. EV registrations  
Annual level, Selwyn District



## Highlights

- The number of EV registrations in Selwyn District increased by 20.9% in the year to March 2024, compared to a year earlier. Growth was higher than in New Zealand (4.3%).
- The number of EV registrations in Selwyn District reached an annual total of 376 in the year to March 2024, up from 311 in the year to March 2023 and 196 in the year to March 2022.

## National overview

Annual EV registrations declined slightly over the March 2024 year compared to the peak December, with nearly 22,000 registrations over the last year. However, EV registrations are still up 4.3% on the March 2023 year. EV purchasing decisions have been heavily influenced in recent years by the Clean Car Discount scheme which wrapped up on 31 December 2023, removing the up to \$8,625 discount on the purchase of an EV. Following a spike of pre-purchasing at the end of December before the cancellation of the scheme, a decline in March 2024 was expected. We expect EV uptake to considerably slow in 2024 with the removal of the Clean Car Discount and implementation of Road User Charges (RUC).

## Car registrations

Figure 15. Car registrations

Annual average % change March 2023 - March 2024

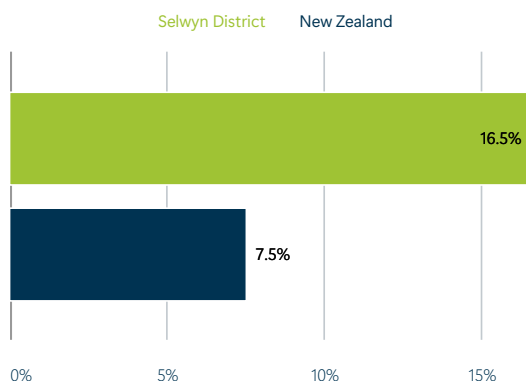


Figure 16. Car registrations

Annual number, Selwyn District



### Highlights

- The number of cars registered in Selwyn District increased by 16.5% in the year to March 2024, compared to a year earlier. Growth was higher than in New Zealand (7.5%).
- A total of 2,666 cars were registered in Selwyn District in the year to March 2024. This compares with the ten year annual average of 2,326.

### National overview

There were 49,884 total car registrations in the March 2024 quarter, down 6.8% from the same period in 2023. New car registrations fell 20% in the quarter compared with a year earlier, with cost of living pressures on households meaning non-essential purchases like new vehicles are delayed until economic pressures ease. Alternatives like used cars are a substitute many are opting for, as registrations rose 8.4% in the quarter compared with a year earlier. With the recent removal of the Clean Car Discount, some buyers who delayed purchases of larger, higher-emission vehicles may now purchase in the coming months with the improved relative affordability changes.

## 11 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Commercial vehicle registrations

Figure 17. Commercial vehicle registrations

Annual average % change March 2023 - March 2024

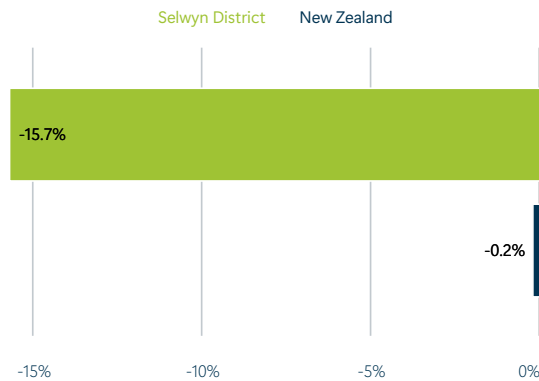
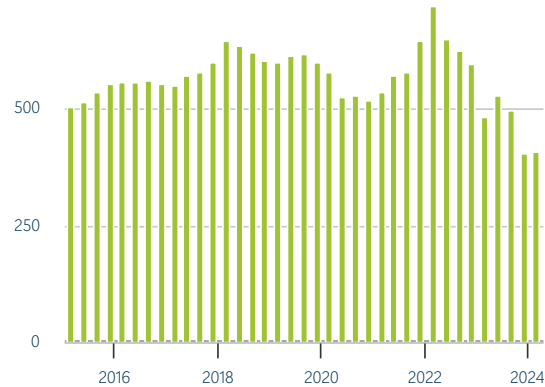


Figure 18. Commercial vehicle registrations

Annual number, Selwyn District



## Highlights

- The number of commercial vehicles registered in Selwyn District decreased by 15.7% in the year to March 2024, compared to a year earlier. The decline was greater than in New Zealand (0.2%).
- A total of 407 commercial vehicles were registered in Selwyn District in the year to March 2024. This is lower than the ten year annual average of 558.

## National overview

Annual commercial vehicle registrations remained relatively unchanged over the year ending March 2024, compared to the year prior. The removal of the Clean Car Discount at the end of 2023 encouraged buyers of light commercial to postpone their purchase until the end of the scheme, as penalties were removed. Demand strengthened in the March 2024 quarter, up 68% on the December 2023 quarter, largely driven by light commercials. We anticipate light commercial vehicle registrations will continue to recover in 2024 with improved affordability. Heavy commercials are expected to continue easing, with weaker global and domestic economic demand dampening activity.

## Labour market indicators

### Overview

Table 2. Overview of labour market indicators

Indicator	Selwyn District	Canterbury Region	New Zealand
Employment (place of residence)	+6.1% ▲	+2.7% ▲	+2.9% ▲
Jobseeker Support recipients	+14.4% ▲	+6.7% ▲	+7.8% ▲
Unemployment rate ^	2.6% ▲	3.7% ▲	4.0% ▲
NEET rate ^	6.1% ▲	11.1% ▲	12.1% ▲

All measures are annual average percentage changes unless:

^ Levels

## 13 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Employment (place of residence)

Figure 19. Employment (place of residence) growth  
Annual average % change March 2023 - March 2024

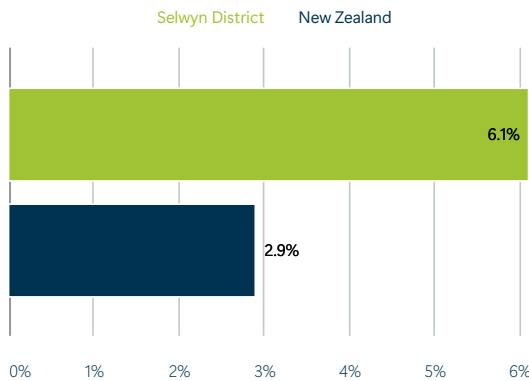
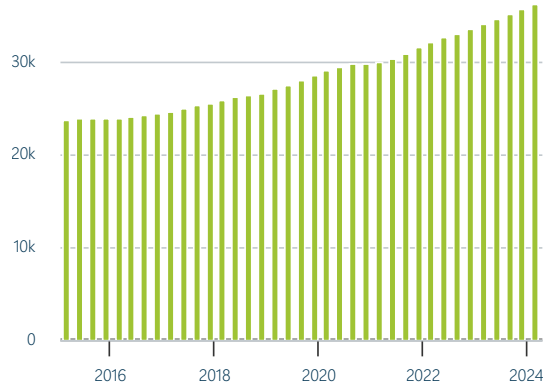


Figure 20. Employment (place of residence)  
Annual level, Selwyn District



### Highlights

- Employment for residents living in Selwyn District was up 6.1% for the year to March 2024, compared to a year earlier. Growth was higher than in New Zealand (2.9%).
- An average of 36,319 people living in Selwyn District were employed in the year to March 2024.
- Annual employment growth for Selwyn District residents peaked at 7.6% in the year to March 2020.

### National overview

Employment growth over the year to March 2024 was driven by healthcare and social assistance, education and training, and public administration and safety. The number of job ads continues to fall, with seasonally adjusted job vacancies falling in the year to March 2024 across both higher and lower-skilled jobs as labour market conditions soften.

## Jobseeker Support recipients

Figure 21. Annual change in Jobseeker Support recipients

Annual average % change March 2023 - March 2024

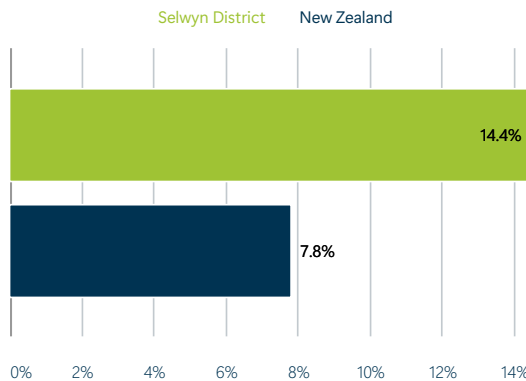
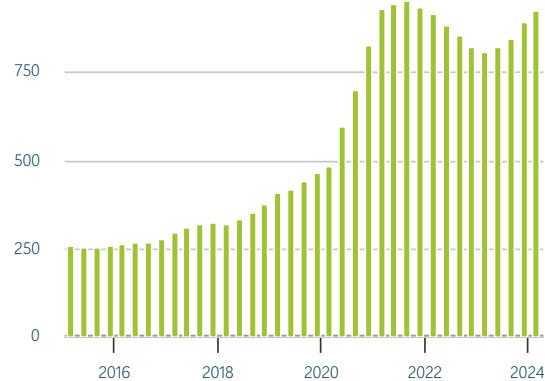


Figure 22. Jobseeker Support recipients

Annual average, Selwyn District



### Highlights

- Jobseeker Support recipients in Selwyn District in the year to March 2024 increased by 14.4% compared to a year earlier. Growth was higher than in New Zealand (7.8%).
- An average of 924 people were receiving a Jobseeker Support benefit in Selwyn District in the 12 months ending March 2024. This compares with the ten year annual average of 561.

### National overview

The number of Jobseeker Support recipients continued to rise in the year to March 2024 as the labour market softened further. On a quarterly basis, Jobseeker growth notched back marginally, from 2.8%pa in the December 2023 quarter to 2.7%pa in the March 2024 quarter. The average number of Jobseeker Support recipients across New Zealand rose from 178,240 in the year to December 2023, to 183,112 over the year to March 2024. The number of Jobseeker Support Work Ready recipients is at its second highest level since September 2021. As labour market conditions weaken more Jobseekers are competing for fewer available jobs.



## 15 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Unemployment rate

Figure 23. Unemployment rate  
Annual average rate to March 2024

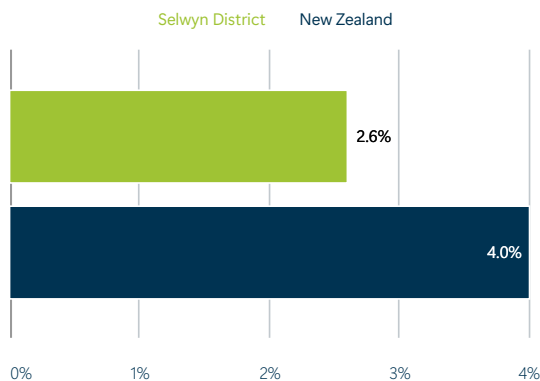
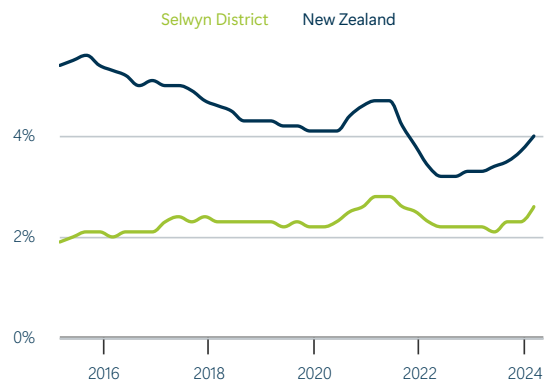


Figure 24. Unemployment rate  
Annual average rate



### Highlights

- The annual average unemployment rate in Selwyn District was 2.6% in the year to March 2024, up from 2.2% in the previous 12 months.
- In the year to March 2024, the annual average unemployment rate in Selwyn District was lower than in New Zealand (4.0%).
- Over the last ten years the annual average unemployment rate in Selwyn District reached a peak of 2.8% in June 2021.

### National overview

The unemployment rate rose to 4.3% in the March 2024 quarter, lifting the annual average unemployment rate nationally to 4.0%. The underutilisation rate has also increased, to 11.2%. Young people aged 15-24 have contributed over half the increase in unemployment over the past year, and the NEET rate has risen to 12.1% - the highest since the end of 2021. Job ads have fallen 30% over the last year, and are now sitting 17% below pre-pandemic levels, making it more difficult for those out of work to find a new role. Further job losses are expected over 2024, taking the unemployment rate to 5% by the end of the year.

## MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT 16

## NEET rate

Figure 25. NEET rate

% of people aged 15-24 not in employment, education or training, annual average rate to March 2024

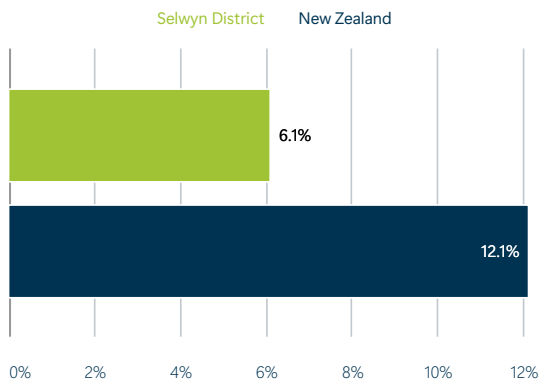
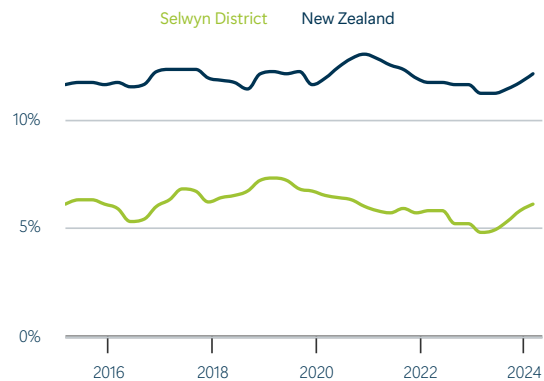


Figure 26. NEET rate

% of people aged 15-24 not in employment, education or training, annual average rate



## Highlights

- The annual average NEET rate in Selwyn District was 6.1% in the year to March 2024, up from 4.8% in the previous 12 months.
- In the year to March 2024, the annual average NEET rate in Selwyn District was lower than in New Zealand (12.1%).
- Over the last ten years the annual average NEET rate in Selwyn District reached a peak of 7.3% in March 2019.

## National overview

The NEET rate indicates the proportion of 15–24-year-olds residents who are Not engaged in Education, Employment, or Training. This is a new series in the QEM but has been part of our Regional Economic Profile for several years.

The NEET rate continues to rise, reaching 12.1% in the year to March 2024, up from a low of 11.2% in the year to March 2023. The NEET rate peaked at 13.0% in the year to December 2020. As labour market conditions remain weak, and filled jobs for 15- to 19-year-olds continue to fall, we expect further rises in the NEET rate over the coming year.

## 17 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Housing indicators

### Overview

Table 3. Overview of housing indicators

Indicator	Selwyn District	Canterbury Region	New Zealand
Residential consents	-38.6% ▼	-19.5% ▼	-24.9% ▼
House sales	+36.2% ▲	+13.4% ▲	+11.8% ▲
Real estate listings	-4.6% ▼	+0.3% ▲	+0.7% ▲
House values *	+2.7% ▲	+3.0% ▲	+1.9% ▲
Housing affordability ^	6.5 ▼	6.4 ▼	7.0 ▼

All measures are annual average percentage changes unless:

\* Annual percentage changes

^ Levels

## Residential consents

Figure 27. Growth in number of new dwelling consents  
Annual average % change March 2023 - March 2024

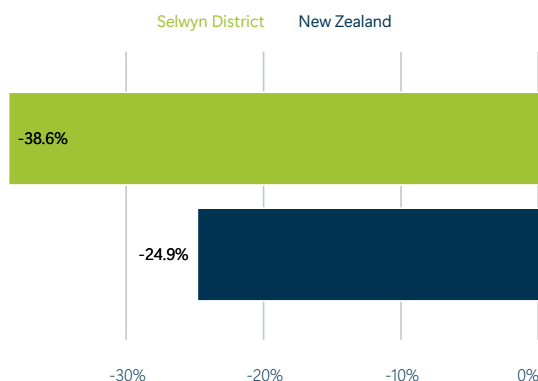
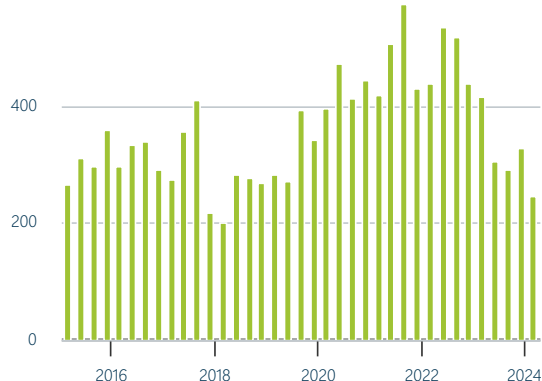


Figure 28. Residential consents  
Quarterly number, Selwyn District



## Highlights

- A total of 247 new residential building consents were issued in Selwyn District in the March 2024 quarter, compared with 417 in the same quarter last year.
- On an annual basis the number of consents in Selwyn District decreased by 38.6% compared with the same 12-month period a year before. This compares with a decrease of 24.9% in New Zealand over the same period.

## National overview

There were 7,717 new dwellings consented across New Zealand in the March 2024 quarter, down 21%pa from the same period in 2023 and taking the annual average decline to 25%pa. The annual decline in consents has stopped accelerating and started to stabilise in the past quarter, driven mostly by standalone house consents plateauing. The once ascendant townhouses continued to fall further, down 18% over the year to March 2024. Apartment consents fell much more dramatically down by 48%pa and are at their lowest annual total since May 2016. Interest rates continue to be the main factor for the plunge in consents, with limited upside for consents until interest rate cuts occur.

## 19 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## House sales

Figure 29. Annual change in house sales  
Annual average % change March 2023 - March 2024

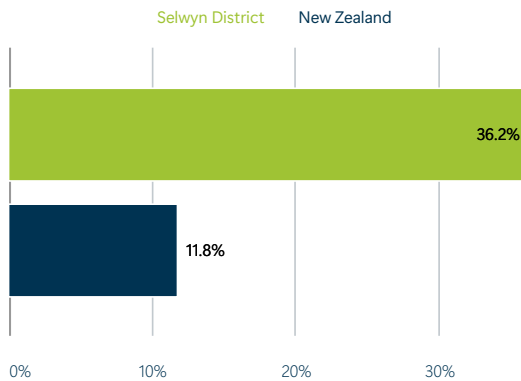
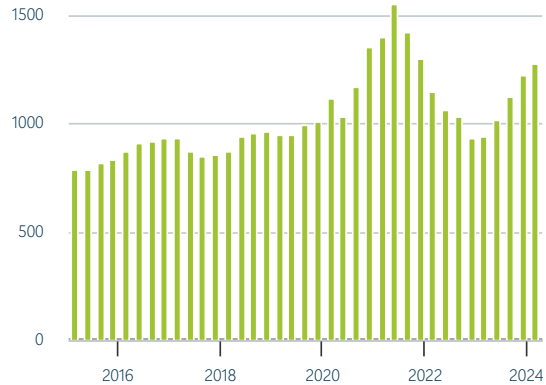


Figure 30. House sales  
Annual number, Selwyn District



## Highlights

- House sales in Selwyn District increased by 36.2% in the year to March 2024, compared to a year earlier. This compares with an increase of 11.8% in New Zealand.
- A total of 1,279 houses were sold in Selwyn District in the 12 months ending March 2024. This compares with the ten year annual average of 1,029.

## National overview

Annual house sales in March 2024 hit their highest level (66,196pa) since the year to September 2022. Sales volumes remain at historically low levels, well below pre-pandemic averages of above 76,000pa, as high mortgage rates continue to constrain activity. Substantially more properties available for sale haven't been met with equivalent buyer activity, with many potential homebuyers unable to get a mortgage at current high mortgage rates, keeping sales activity at a lower level. We expect sales to remain steady or improve moderately at best over 2024 as the government's reintroduction of interest deductibility rules are likely offset by moderating net migration and continued pressure from high mortgage rates.

## Real estate listings

Figure 31. Real estate listings

Annual average % change March 2023 - March 2024

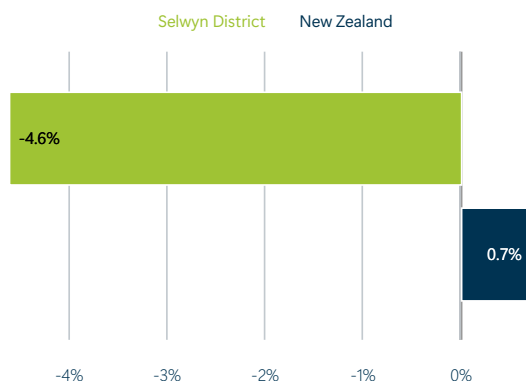
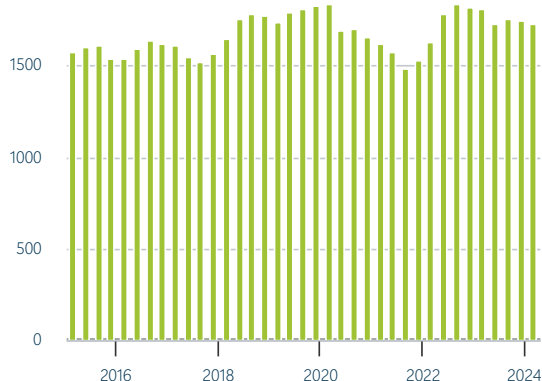


Figure 32. Real estate listings

Annual number, Selwyn District



## Highlights

- The number of new real estate listings in Selwyn District decreased by 4.6% in the year to March 2024, compared to a year earlier. The decline was greater than in New Zealand (0.7% growth).
- There were an average of 1,732 new real estate listings in Selwyn District in the 12 months ending March 2024. This compares with the ten year annual average of 1,676 new real estate listings.

## National overview

Annual real estate listing numbers in the March 2024 quarter reached their highest level since December 2022. High listing numbers while house prices remain subdued reflects more households looking to test the market and downsize as high interest rates continue to hamper households' ability to meet mortgage payments. New listings rose higher at the start of 2024, with listings in the March quarter up 27% from the same quarter in 2023, and in line with the March 2022 quarter. With continued pressure on households from high inflation and interest rates, we expect listing numbers to continue to slowly rise during the remainder of 2024.

## 21 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## House values

Figure 33. Annual change in house value

Annual % change in house value March 2023 - March 2024

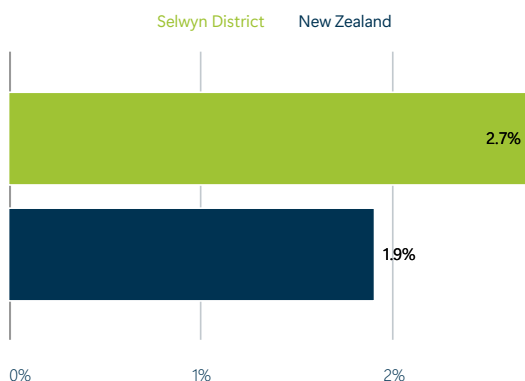
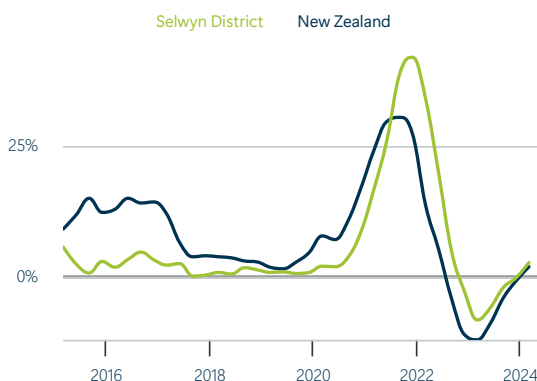


Figure 34. House value growth

Annual % change



## Highlights

- The average current house value in Selwyn District was up 2.7% in March 2024, compared to a year earlier. Growth was higher than in New Zealand (1.9%).
- The average current house value was \$837,422 in Selwyn District in March 2024. This compares with \$933,633 in New Zealand.

## National overview

The average house value in New Zealand rose 1.9% pa to \$933,633 in the March 2024 quarter. Affordability continues to constrain the housing market, keeping house price growth subdued, with mortgage repayment costs still high given 1-year fixed mortgage rate of 7.2%pa. Still too-high inflation is also hampering household's ability to save for a deposit. High listings numbers and a limited buyer pool due to affordability is set to keep house price growth restrained over 2024, until rates cuts emerge and increase buyer activity.

## Housing affordability

Figure 35. Housing affordability

Ratio of house prices to household incomes, year to March 2024

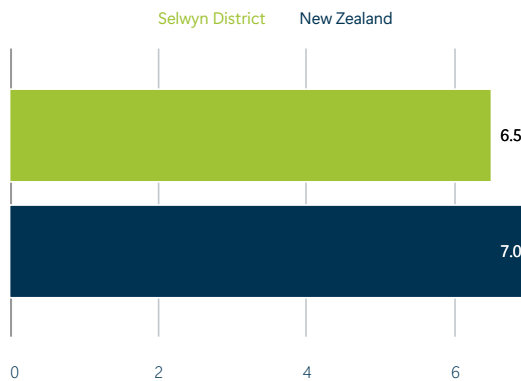
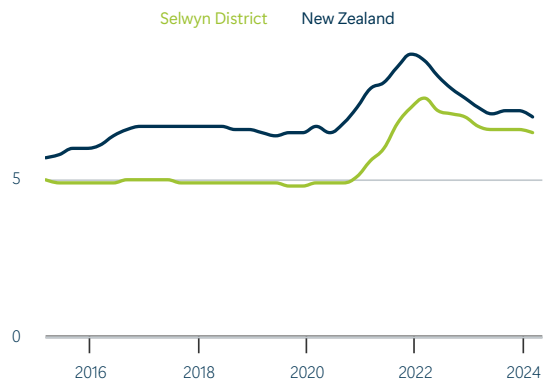


Figure 36. Housing affordability

Ratio of house prices to household incomes, annual average



## Highlights

- Housing in Selwyn District (6.5) was more affordable than in New Zealand (7.0) in March 2024, based on the ratio between mean house values and mean household incomes.
- Housing affordability in Selwyn District improved on average between March 2023 and March 2024. Housing affordability has improved in New Zealand over the same period.
- During the last ten years, housing in Selwyn District was most affordable in December 2019, when the index reached a low of 4.8.



## 23 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## First Home Grant purchases

Figure 37. Annual change in First Home Grant purchases

Annual average % change December 2022 - December 2023, First Home Grant purchases

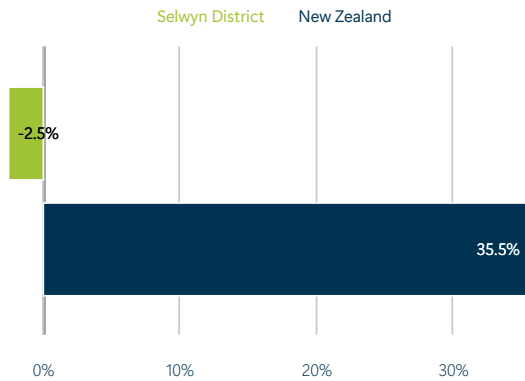
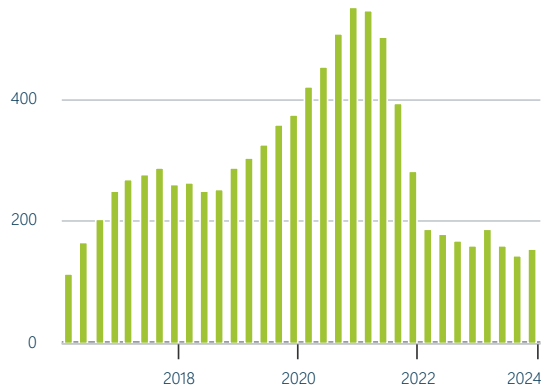


Figure 38. First Home Grant purchases

Annual number First Home Grant purchases, Selwyn District



## Highlights

- First Home Grant purchases using the Kainga Ora First Home Grant in Selwyn District decreased by 2.5% in the year to December 2023, compared to a year earlier. This compares with an increase of 35.5% in New Zealand.
- A total of 156 properties were purchased using the First Home Grant in Selwyn District in the 12 months ending December 2023. This compares with the eight year annual average of 290.
- *Please note that First Home Grant purchases is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## Residential rents

Figure 39. Annual change in residential rents

Annual average % change December 2022 - December 2023

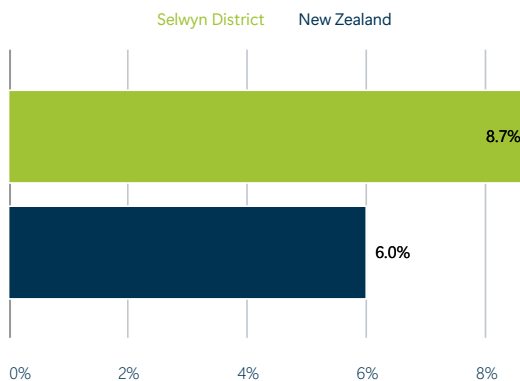
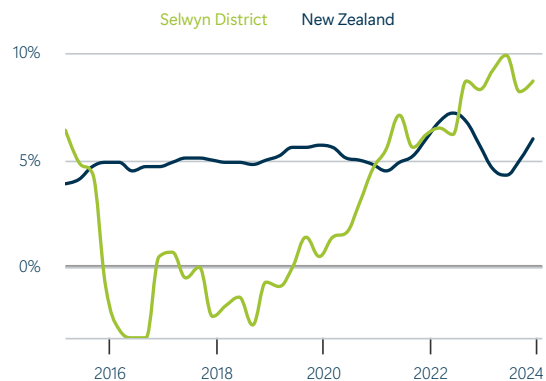


Figure 40. Residential rents growth

Annual average % change



## Highlights

- The average residential rent in Selwyn District was up 8.7% in the year to December 2023, compared to a year earlier. Growth was higher than in New Zealand (6.0%).
- The average residential rent in Selwyn District was \$565 in the year to December 2023. This compares to \$550 in New Zealand.
- Annual growth of residential rents in Selwyn District peaked at 9.9% in the year to June 2023.
- *Please note that residential rents is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## 25 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Rental affordability

Figure 41. Rental affordability

Rents as % of household income, year to December 2023

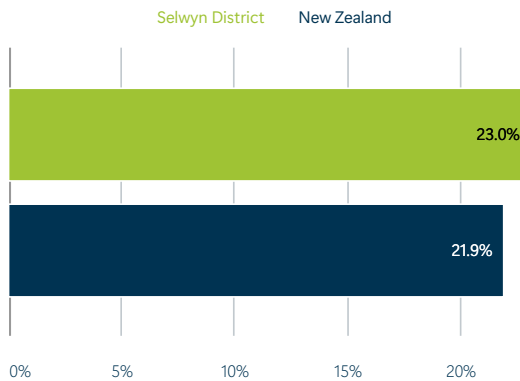
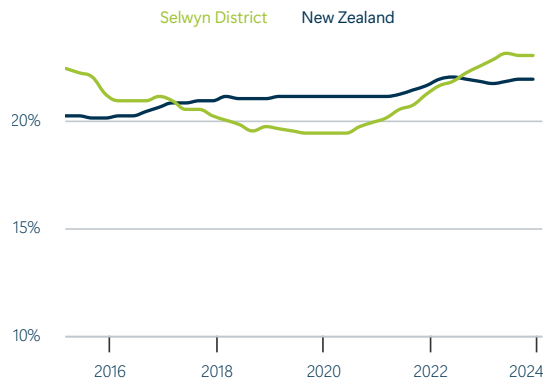


Figure 42. Rental affordability

Rents as % of household income, annual average



## Highlights

- Renting in Selwyn District (23.0%) was less affordable than in New Zealand (21.9%) in the year to December 2023, based on the ratio of mean rents to mean household incomes.
- Rental affordability in Selwyn District deteriorated on average between December 2022 and December 2023. Rental affordability has deteriorated in New Zealand over the same period.
- During the last nine years, renting in Selwyn District was most affordable in June 2020, when the index reached a low of 19.4%.
- *Please note that rental affordability is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## Housing register applicants

Figure 43. Annual change in housing register applicants  
Annual average % change December 2022 - December 2023

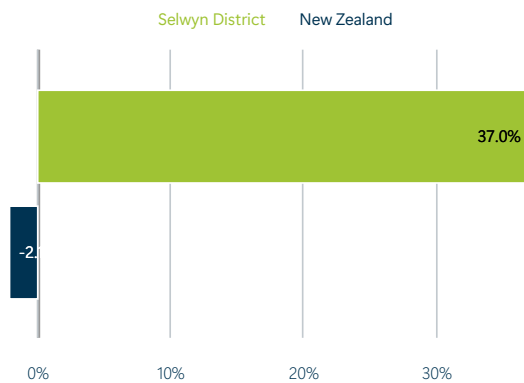
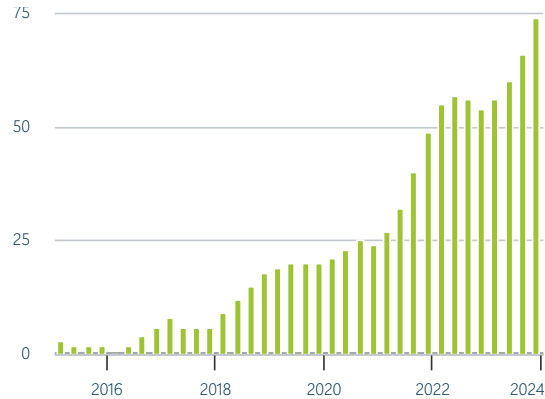


Figure 44. Housing register applicants  
Annual average, Selwyn District



### Highlights

- The number of applicants on the housing register in Selwyn District increased by 37.0% in the year to December 2023, compared to a year earlier. This compares with a decrease of 2.1% in New Zealand.
- An average of 74 applicants were on the housing register in Selwyn District in the 12 months ending December 2023. This compares with the nine year annual average of 28.
- *Please note that housing register applicants is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## 27 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Public housing stock

Figure 45. Public housing stock

Annual average % change December 2022 - December 2023

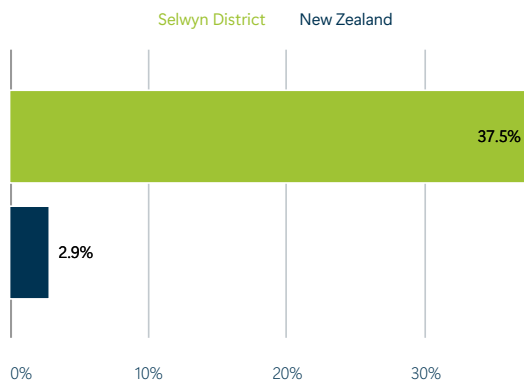
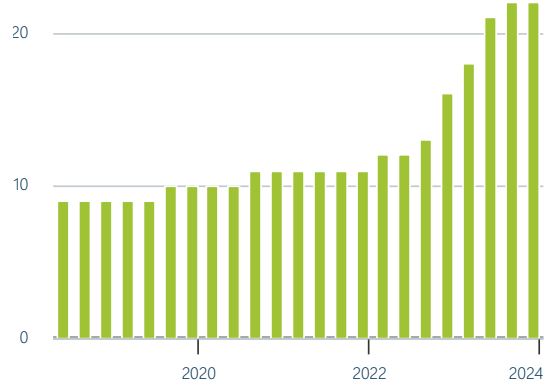


Figure 46. Public housing stock

Annual average, Selwyn District



## Highlights

- The number of public houses in Selwyn District in the year to December 2023 increased by 37.5% compared to a year earlier. Growth was higher than in New Zealand (2.9%).
- There were an average of 22 public houses in Selwyn District in the 12 months ending December 2023. This compares with the six year annual average of 13.
- *Please note that public housing stock is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## Social indicators

### Overview

Table 4. Overview of social indicators

Indicator	Selwyn District	Canterbury Region	New Zealand
Crime rate <sup>^</sup>	88 <span style="color: red;">▲</span>	183 <span style="color: blue;">▼</span>	233 <span style="color: red;">▲</span>
Health enrolments	+5.4% <span style="color: blue;">▲</span>	+2.6% <span style="color: blue;">▲</span>	+2.3% <span style="color: blue;">▲</span>
Other benefit recipients	+14.3% <span style="color: red;">▲</span>	+4.7% <span style="color: red;">▲</span>	+2.8% <span style="color: red;">▲</span>

All measures are annual average percentage changes unless:

<sup>^</sup> Levels

### School attendance

Figure 47. School attendance

% of school students attending greater than 90% of classes, annual average to December 2023

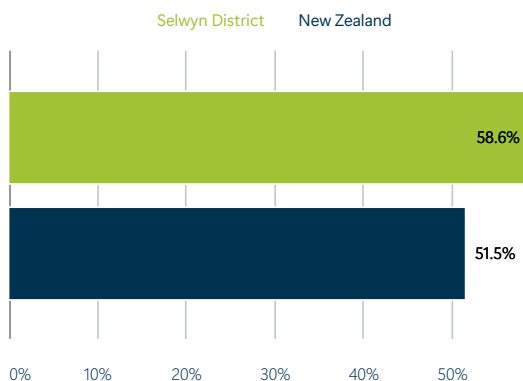
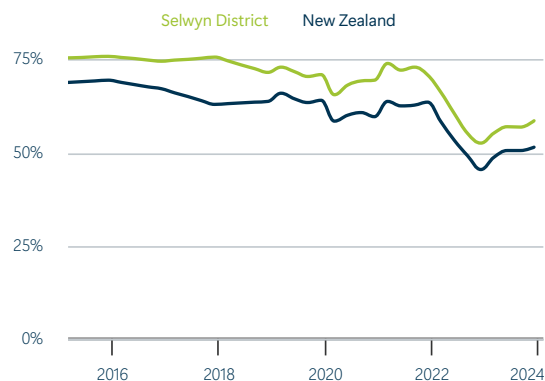


Figure 48. School attendance

% of school students attending greater than 90% of classes, annual average



### Highlights

- The annual average school attendance rate in Selwyn District was 58.6% in the year to December 2023, up from 52.6% in the previous 12 months.
- In the year to December 2023, the annual average school attendance rate in Selwyn District was higher than in New Zealand (51.5%).
- Over the last nine years the annual average school attendance rate in Selwyn District reached a peak of 75.9% in December 2015.
- *Please note that school attendance is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## 29 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Gaming machine profits

Figure 49. Gaming machine profits

Annual level, Selwyn District

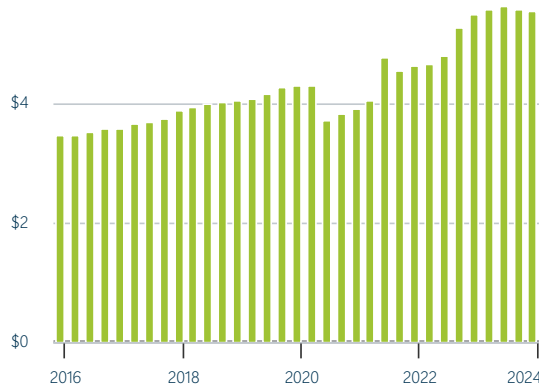
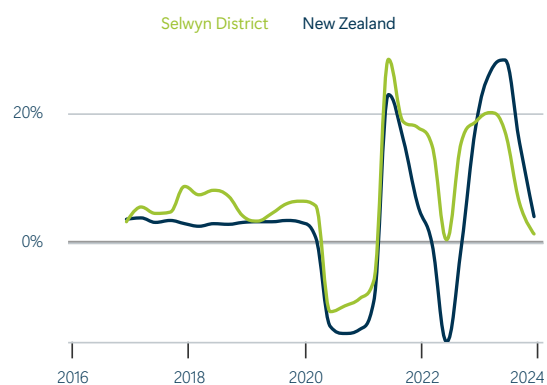


Figure 50. Gaming machine profits

Annual average % change



### Highlights

- Gaming machine profits in Selwyn District increased by 1.3% over the year to December 2023, compared to a year earlier. This compares with an increase of 4.0% in New Zealand.
- Gaming machine profits in Selwyn District totalled \$5.56 million in the year to December 2023.
- Annual gaming machine profit growth in Selwyn District peaked at 28.5% in the year to June 2021.
- *Please note that Gaming machine profits is not yet available for the year to March 2024. Data for the year to December 2023 is displayed instead.*

## Crime rate

Figure 51. Crime rate

Criminal proceedings per 10,000 residents, annual average to March 2024

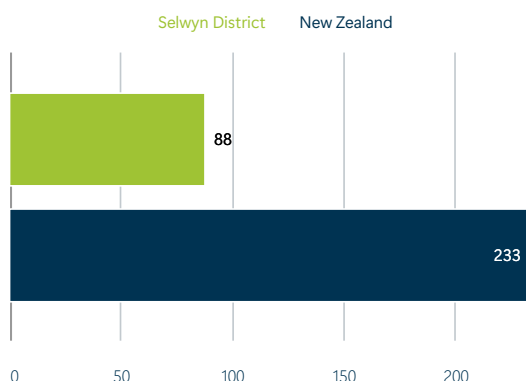
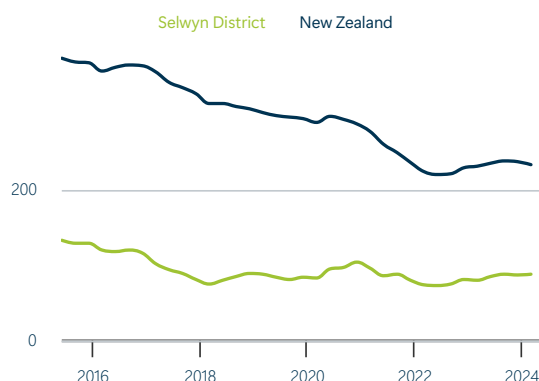


Figure 52. Crime rate

Criminal proceedings per 10,000 residents, annual average



## Highlights

- The crime rate in Selwyn District was 88 (per 10,000 residents) in the year to March 2024, up from 80 in the previous 12 months.
- In the year to March 2024, the crime rate in Selwyn District was lower than in New Zealand (233).
- Over the last ten years the annual average crime rate in Selwyn District reached a peak of 133 in June 2015.

## National overview

The crime rate has been included in our Regional Economic Profile wellbeing framework for some time, on an annual basis. We're now including the quarterly rolling crime rate in the QEM to help users keep a closer eye on crime trends. Crime is expressed as the number of reported Police proceedings per 10,000 residents per year, ensuring that small and large areas can be fairly compared.

Crime proceedings have risen modestly, up 0.9% over the year to March 2024, driven by a rise in traffic and vehicle related offences. The largest increases occurred in the Ashburton District and Dunedin City where traffic and vehicle related offences have nearly doubled year-on-year. Some other regions saw small decreases in year-on-year crime proceedings. The largest decreases were in Hamilton City, Hastings District, and Wellington City.



## 31 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Health enrolments

Figure 53. Annual change in health enrolments  
Annual average % change March 2023 - March 2024

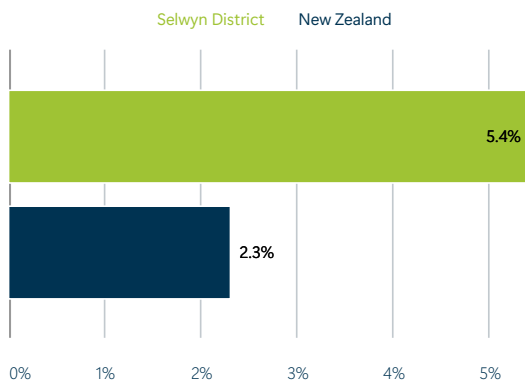
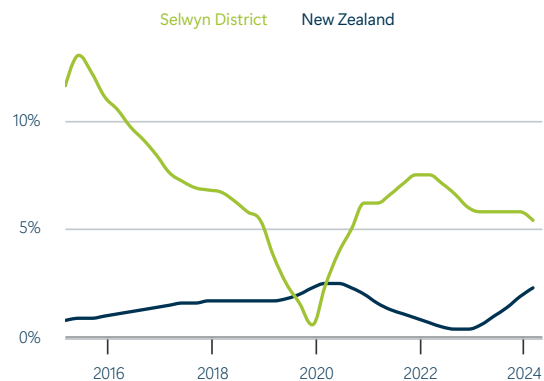


Figure 54. Health enrolments  
Annual average % change



## Highlights

- The number of people enrolled with a primary health organisation in Selwyn District in the year to March 2024 increased by 5.4% compared to a year earlier. Growth was higher than in New Zealand (2.3%).
- An average of 76,308 people were enrolled with primary healthcare providers in Selwyn District in the 12 months ending March 2024. This compares with the ten year annual average of 60,179.

## National overview

Health enrolments grew 2.3% in the year to March 2024, up from 1.9% in the year to March 2023. Health enrolments reflect growth in the resident population in territorial authority, serving as a timelier indicator for population growth.

## Other benefit recipients

Figure 55. Annual change in other benefit recipients  
Annual average % change March 2023 - March 2024

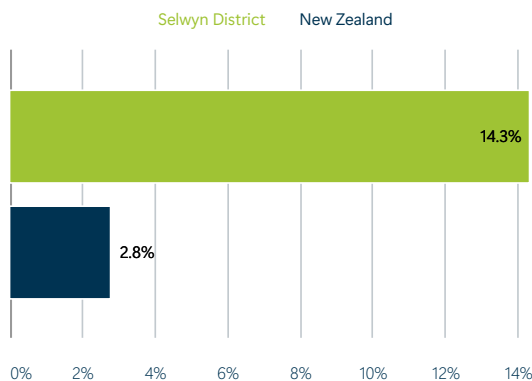
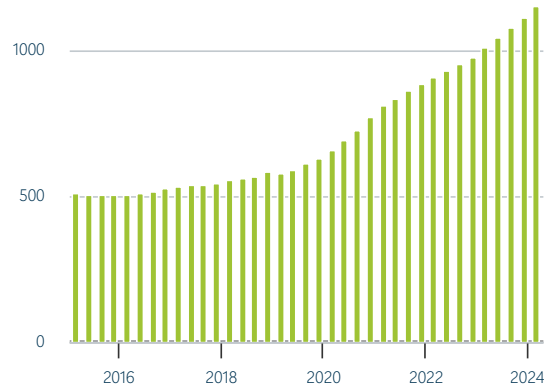


Figure 56. Other benefit recipients  
Annual average, Selwyn District



### Highlights

- Other benefits recipients (including Sole Parent Support and Supported Living Payment) in Selwyn District in the year to March 2024 increased by 14.3% compared to a year earlier. Growth was higher than in New Zealand (2.8%).
- An average of 1,150 people were receiving an other benefit (including Sole Parent Support and Supported Living Payment) in Selwyn District in the 12 months ending March 2024. This compares with the ten year annual average of 721.

### National overview

Other benefit recipients have been added to the QEM to complement Jobseeker Support, which has been in the QEM for some years. Other benefit recipients include Sole Parent Support, Supported Living payment, and others. Jobseeker Support is influenced by the labour market – it tends to go down when the labour market is tight and go up when jobs are scarcer. By contrast, other benefit recipients are less influenced by the labour market, exhibiting a different trend to Jobseekers.

Other benefit recipients have risen 2.8% over the year to March 2024, driven by modest growth in Sole Parent Support and Supported Living Payments, and to a lesser extent growth in smaller benefit categories.

## 33 MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT

## Technical notes

### Building consents

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

### Business counts

This data is from Business Count Indicators (BCI) from Statistics New Zealand. It is a series based on a monthly count of geographic units as at the end of each month, mostly sourced from administrative data. Geographic units represent a business location engaged in one, or predominantly one, kind of economic activity at a single physical site or base (eg a factory, a farm, a shop, an office, etc).

The business counts data is different from the annually published Business Demography Statistics.

This series is limited to economically significant enterprises. It can be an individual, private-sector and public-sector enterprises that are engaged in the production of goods and services in New Zealand. These enterprises are maintained on the Statistics NZ Business Register, which generally includes all employing units and those enterprises with GST turnover greater than \$30,000 per year.

### Calculating changes

We use several different calculations to calculate change in the indicators used in the Quarterly Economic Monitor.

- Annual average percentage change: Annual average percentage change compares average values over the past year with those in the prior year. For example, the change from the year ending March last year to the year ending March this year.
- Annual percentage change: Annual percentage change compares the value this quarter to the value in the same quarter last year. For example, the change from March quarter last year to March quarter this year.
- Levels: In the case of levels, such as unemployment rate, we do not calculate the change in level – we simply show the latest level value.

### Consumer spending

The consumer spending data is sourced from Marketview. It measures total electronic card spending at 'bricks + mortar' retailers using a combination of spending through the Paymark network and modelled estimates at non-Paymark retailers. For further breakdown of the data by storetype and other variables contact Marketview.

### Crime

The crude crime rate is calculated as the number of crimes committed and recorded (offender proceedings) in an area per 10,000 residents. Crime counts are sourced from the New Zealand Police. Population data is sourced from Stats NZ and Infometrics own population projections (for the most recent quarters).

The data available at a detailed level only included reported crime and does not provide a dimension of how safe people feel. However, higher crime is an obvious proxy for unreported crime (more reported crime would seem to imply a higher overall crime burden), and more crime would logically see people feel less safe.

### Dairy

Dairy data has been sourced from the *New Zealand Dairy Statistics*, a publication jointly produced by DairyNZ and LIC, as well as calculations made by Infometrics. The data accords to dairy seasons, which run from June to May. Total dairy payouts in each territorial authority have been calculated by Infometrics by utilising milk solids production in conjunction with Fonterra's farmgate milk price (excluding dividends) from the dairy season in question. For the current season, Infometrics calculates a payout forecast using our own expectation of the farmgate milk price and the assumption that milk solids production continues running at the same level as the last 12 months.

**MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT 34****Emergency housing**

Emergency housing measures the number of households living in emergency housing at the end of each quarter. This is recorded based on data from the Ministry of Social Development (MSD) on the number of emergency housing special needs grants (EH SNG) issued for individuals and families staying in short-term accommodation such as motels if they are temporarily unable to access a contracted transitional housing place or private rental.

Please note that some publications, such as the Ministry of Housing and Urban Development's Public housing regional factsheets, report the number of emergency housing grants issued. This number is generally much higher than the number of households living in emergency housing, as the grants have to be renewed every few weeks. For example, a household living in emergency housing continuously through a quarter would receive several grants during that time. We present the number of households as this better reflects the ongoing use of emergency housing.

**Employment (place of residence)**

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

**First Home Grant purchases**

First Home Grant purchases are measured using data from Kainga Ora on the number of properties bought using a First Home Grant. The First Home Grant offers eligible first-home buyers with a grant of up to \$5,000 to put towards the purchase of an existing/older home, or up to \$10,000 to put towards the purchase of a brand new property. This does not capture all first home buyers, as some will be excluded by First Home Grant eligibility requirements including maximum annual income and regional house price caps.

**Gaming machine profits**

Gambling activity is estimated using gaming machine profits (GMP) data published by the Department of Internal Affairs. This GMP data is based on Class 4 gambling which represents electronic gaming machines, commonly known as 'pokies', located in venues such as pubs and clubs. This excludes all sports betting and casino-based gaming. GMP represents money spent by gamblers which is not returned to gamblers in the form of winnings. A minimum of 40% of GMP are required by law to go back to the community in the form of grants.

**Gross domestic product**

Gross Domestic Product is estimated by Infometrics. A top-down approach breaks national industrial production (sourced from production-based GDP measures published by Stats NZ) to TA level by applying TA shares to the national total. Each TA's share of industry output is based on labour market data from LEED. GDP growth in recent quarters is based on a model which uses residence-based employment from Monthly Employment Indicators that have been mapped to place of work. Estimates of GDP for these recent quarters are provisional until Infometrics updates its annual GDP series in the Regional Economic Profile at the beginning of each year. Gross domestic product is measured in 2023 prices.

**Guest nights**

The number of guest nights is sourced from the Accommodation Data Programme, which is funded by the Ministry of Business, Innovation and Employment (MBIE) and managed by Fresh Info. A guest night is equivalent to one guest spending one night at an establishment. For example, a motel with 15 guests spending two nights would report that they had provided 30 guest nights

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### Health enrolments

Health enrolments are sourced from the Ministry of Health. They record the number of people in each area who are enrolled with a Primary Health Organisation (PHO). Enrolment is voluntary, but most New Zealanders enrol at a general practice for health reasons and for the benefits of enrolment, such as cheaper doctors' visits and reduced costs of prescription medicines. Health enrolments are attributed to territorial authorities based on the residential address of patients, regardless of where their general practice is located.

The Ministry of Health changed how health enrolments were coded to areas in 2023, which caused a break in the series between the June 2023 and September 2023 quarter. We have undertaken modelling to combine the series over this period.

### House sales

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

### House values

House values (dollar value) are sourced from CoreLogic. The levels quoted in the report are average values for the quarter.

### Household income

In 2024 we revised our methodology for estimating household incomes to incorporate new data sources. Previously we relied heavily on Stats NZ's LEED-Annual for historical income estimates, however, we have since uncovered a number of issues with how regional incomes are distributed to territorial authorities within some regions.

Previously, we eschewed Census data, due to its tendency to under-report incomes, due to challenge of accurately recollecting incomes when filling out a Census form. Stats NZ have started producing the Administrative Population Census (APC) which draws upon tax data to more completely record incomes, partially overcoming the problem of Census data. In light of the issues with LEED-Annual at a territorial authority level, we now use APC data to indicate each territorial authority's share of regional income. The APC still underestimates incomes, but is a reliable indicator of relative incomes.

These changes have resulted in historical revisions of our household income and housing affordability estimates for many areas, however, we expect future revisions to be minimal. We always recommend that you download a complete time series if looking to compare changes over time.

### Housing affordability

Housing affordability is measured by comparing [average current house values](#) from CoreLogic with Infometrics' estimate of [annual average household income](#). Household incomes are a better measure for housing affordability than individual incomes as it reflects the true ability of a household to afford housing. We present a ratio of average house values to average household incomes. A higher ratio, therefore, suggests that average houses cost a greater multiple of typical incomes, which indicates lower housing affordability.

### Housing register applicants

The housing register counts applicants who are not currently in public housing, who have been assessed as eligible for public housing and who are ready to be matched to a suitable property. This is often referred to as the public housing waiting list. Public housing was previously referred to as social housing.

Data is sourced from the Ministry of Social Development (MSD) and are shown as the average number of applicants. One applicant could represent a single person, couple or family looking for housing. Applicants could be living in emergency housing, unaffordable private rentals, or other insecure arrangements such as couch-surfing or rough-sleeping.

**MARCH 2024 QUARTERLY ECONOMIC MONITOR: SELWYN DISTRICT 36****Jobseeker Support recipients**

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

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

**NEET**

NEET rates measure the proportion of young people aged 15-24 that are not in education, employment or training.

Infometrics estimates NEET rates by territorial authority. The following datasets are used in to estimate territorial authority NEET rates: Stats NZ's Household Labour Force Survey (HLFS), Census data, Jobseeker Support recipients by age, and transient secondary school student numbers.

Territorial authority estimates are benchmarked on annual average regional NEET rates from the HLFS, which at this level of disaggregation can be volatile from year to year. Large year-to-year changes are likely to be partially caused by sampling errors in the HLFS, rather than actual fundamental shifts in NEET rates. As the HLFS is the official measure of youth NEET in NZ, we benchmark our data to align with published NEET rates.

**Other benefits**

Other benefits include Sole Parent Support, Supported Living and other residual main benefits (excluding Jobseeker Support). Data is sourced from the Ministry of Social Development (MSD) and are shown as the average number of beneficiaries in each benefit category across each quarter for the current year. Further details of the benefit categories can be found on MSD's website.

**Public housing stock**

Public housing includes properties that are owned or leased by Kāinga Ora and other registered Community Housing Providers (CHPs) that can be tenanted by people who are eligible for public housing. The totals presented include both occupied and vacant houses. Public housing was previously referred to as social housing. This data is sourced from the Ministry of Housing and Urban Development.

**Real estate listings**

Real estate listings measure the number of new listings for residential dwellings on realestate.co.nz. It is based on the number of listings added each quarter or year.

**Rental affordability**

Rental affordability is measured by comparing [average annualised rents](#) from CoreLogic with Infometrics' estimate of [annual average household income](#). Household incomes are a better measure for housing affordability than individual incomes as it reflects the true ability of a household to afford housing. We present a ratio of an annual ratio of average rent to average household incomes. A higher ratio, therefore, suggests that average rents cost a greater multiple of typical incomes, which indicates lower rental affordability.

**Residential rents**

Residential rents (\$ per week) are sourced from monthly data provided by MBIE and averaged across each quarter or year using weighted geometric means. Rental data pertains to averages from data collected when bonds are lodged and does not control for specifications of the home (eg. size, number of bedrooms, age of home, etc).

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#### School attendance

School attendance is presented as the percentage of school students who attend greater than 90% of their classes. This includes students at primary, intermediate and secondary schools. Some individual students have legitimate absences which bring their attendance to below 90%, but are still counted in this measure as the aim is to reflect overall trends in school attendance. This should not be taken as a proxy for truancy however.

The Ministry of Education provides attendance data on a school term basis. We have apportioned Terms 1, 2, 3 and 4 to the March, June, September and December quarters respectively.

#### Traffic flow

Due to data supply issues we do not have data for recent quarters.

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

#### Unemployment rate

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

#### Vehicle sales

Car and commercial vehicle sales data are sourced from New Zealand Transport Authority. Sales are based on new registrations which include the first time registration of new vehicles and used vehicles imported from overseas. Electric vehicle registrations are based on new sales of battery electric cars (excluding hybrid, plug-in hybrid or fuel cell cars).

## REPORT

**TO:** Sharon Mason, Chief Executive Officer  
**FOR:** Council – 12 June 2024  
**FROM:** Steve Gibling, Executive Director People, Culture and Capability  
**DATE:** 15 May 2024  
**SUBJECT:** **PROPOSED AMMENDMENTS TO COUNCILS CODE OF CONDUCT**

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### RECOMMENDATION

*'That Council:*

- a) receive the report "Proposed Ammendments to Councils Code Of Conduct".*
- b) 'note that the Audit and Risk Committee*
  - recommended to Council the proposed list of independent investigators to be engaged as part of the Panel, and*
  - that changes be made in section 14 and Appendix C to the current Code of Conduct that reflect the establishment of the Independent Investigators Panel'.*
- c) adopt the changes proposed relating to the Independent Investigators Panel to the Code of Conduct'.*
- d) adopt the proposed new policy relating to the process of managing complaints made by the public about elected members'.*

### 1. PURPOSE

The purpose of this paper is to identify the current panel members in Council's current Code of Conduct (relating to the management of any breaches) and to confirm a panel of Independent Investigators should an investigation be called for.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy.

Furthermore, the ability to amend the Code is enabled under the LGA 2002 (Schedule 7, 15.3) but there is a requirement to gain 75 per cent support from the members present. This will be a decision for Council to make however the guidance and feedback from this Committee will support Councils deliberation on this matter.



### 3. HISTORY/BACKGROUND

The Selwyn District Council (Council) is required to have an up-to-date Code of Conduct (Code) that sets out the standards of behaviour expected from Elected Members in the exercise of their duties (refer attachment 1). This is a requirement under S.7 of the Local Government Act 2002.

Council adopted its most recent Code at the beginning of their Triennium on 23 November 2022. A requirement of this Code is to set out how breaches of the Code will be managed from the initial complaint to the delivery of a formal investigation.

Section 14 of the current Code sets out how this process is to be managed and is further reinforced in Appendix C of the Code.

Key points of this process identify that complaints made under this Code must be made in writing and forwarded to the chief executive. On receipt of a complaint the chief executive must forward that complaint to the Mayor or, where the Mayor is a party to the complaint, an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation.

### 4. PROPOSAL

#### *Adopting a new independent panel*

The current Code notes that “...on behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor, a list of investigators for this purpose of undertaking a preliminary assessment”. In the current Code, there is a panel established and is made up of:

- The Mayor
- Deputy Mayor
- Chief Executive
- An alternate – where required – may be the Chair of Council’s Audit and Risk Subcommittee.

The proposal is to replace this panel with the proposed Independent Investigators panel (table one) who will be called on by the Chief Executive if a complaint has been received, either by the Mayor or directly to the Chief Executive, and the complaint warrants investigation.

The following table is a proposed list of Independent Investigations that will be added to the Panel which addresses the above matter.

***Table One: Proposed Independent Investigators***

Name	Title	Organisation	Notes
Andrea Gardner	Director	Strategic People Group	Organisational psychologist. Experienced in dealing with conflict – team reviews – culture development - workplace investigations. Aims to identify what gave rise to issue – fuller picture. Christchurch based. Extensive LG experience.

Brian Cowper	Investigator	Synapse Ltd	34 years of employment relations experience in Australia and New Zealand. Dealt with many code of conduct complaints in various private sector and public sector organisations including Councils. Hawkes Bay based.
Ashley-Jane Lodge	Partner	Anderson Lloyd	Christchurch based and co-leads the national employment team at Anderson Lloyd. She is an experienced investigator, having conducted workplace investigations, reviews, and other independent investigations in both the public and private sector. AJ is a certified Association of Workplace Investigators member and Certificate Holder (AWI-CH).
Lance Kennedy	Investigator	QRisk	Internal affairs investigations for Police. Has access to other resources within QRisk. Company in Auckland. Deputy CE at Wanganui District Council.

The above table was recently discussed and recommended to Council for approval at the recent Audit and Risk Sub-committee meeting. These changes have been identified in the current draft as tracked changes for Councils consideration in attachment one.

#### *Managing a complaint made by a member of public*

The current code does not cover any complaints made by members of the public about an elected members behaviour or conduct. It is proposed that a new policy is developed that addresses the process through which these types of complaints would be managed in the future.

This approach would see the Deputy Mayor, Independent Chair of the Audit and Risk Committee and the Chief Executive Officer form a panel upon the receipt of a bona-fide complaint by a member of the public as determined by the Mayor and Chief Executive Officer. The Panel may make any of the following determinations:

- Take no further action
- Resolve the matter informally, such as by providing the elected member who is the subject of the complaint with an opportunity to apologise to the complainant (although the Panel cannot require a member to apologise) or by referring the complaint to an appropriate third party.
- Nominate one of its members to lay a formal complaint under the Mayor and Councillors' Code of Conduct where the Complaints Panel considers that the complaint is sufficiently serious to warrant investigation under that Code.

Once a determination has been made, the Panel should nominate a member(s) to advise the complainant of the outcome. They should also advise the member who is the subject of the complaint, and share the substance of the complaint with them also if that has not already occurred.

Following advice from legal counsel and due to the relationship to the Councils Code of Conduct, it is proposed that this process is established as a separate process and is independent of the Code. This is attached as attachment two to this report.

## 5. OPTIONS

There are several options for the Audit and Risk Committee to consider:

### ***Option One: Status Quo***

<b><i>Advantages / Benefits</i></b>	<b><i>Disadvantages / Risks</i></b>
<ul style="list-style-type: none"> <li>• The investigators can still be contracted to undertake an investigation</li> <li>• Complaints made by members of the public will be managed as and when received and assessed by the Mayor and Chief Executive Officer</li> </ul>	<ul style="list-style-type: none"> <li>• Elements of the Code of Conduct are not completed</li> <li>• There is a time delay due to the tendering / procurement process.</li> <li>• Managing complaints by public remains ad-hoc</li> </ul>

### ***Option Two: Adopt the Independent Panel and process to manage complaints from public***

<b><i>Advantages</i></b>	<b><i>Disadvantages</i></b>
<ul style="list-style-type: none"> <li>• The actions required under the existing Code of Conduct are completed</li> <li>• There is a ready panel of external investigators able to quickly assess any complaint made.</li> <li>• There is a clear and agreed process for managing complaints made by members of the public</li> </ul>	<ul style="list-style-type: none"> <li>• -</li> </ul>

## 6. VIEWS OF THOSE AFFECTED / CONSULTATION

### ***(a) Views of those affected and consultation***

This Code only applies to Elected Officials and the Chief Executive Officer. The views of these officials are to be addressed through this process.

### ***(b) Māori and Treaty implications***

There are no positive or negative effects on Māori through this decision.

## 7. Climate Change considerations

The decisions and matters of this report are assessed to have low climate change implications.

## 8. FUNDING IMPLICATIONS

### ***(a) Procurement Policy assessment***

This approach aligns to section 4.a of the Selwyn District Council procurement policy. It is unlikely any investigation would exceed the threshold for minor expenditure where the seeking of quotes for the work would be disproportionate to the benefits obtained. That noted, for each of the engagements under this Code for an investigation, a clear business reason for the direct contracting would be provided by the CEO in writing to the Mayor and Council prior to any engagement.

**(b) Budget implications**

Funding for this work sits within the Democracy budget. There is no additional funding required at this stage, but this will be dependent upon the nature of each investigation.

A handwritten signature in blue ink, appearing to read 'SG', located below the text block.

Steve Gibling  
**Executive Director – People, Culture and Capability**



## **CODE OF CONDUCT**

**Adopted on 23 November 2022**

## 1. INTRODUCTION

This Code of Conduct (**Code**) sets out the standards of behaviour expected from elected members in the exercise of their duties. Its purpose is to:

- enhance the effectiveness of the Selwyn District Council (**Council**) and the provision of good local government for the Selwyn District (**District**);
- promote effective decision-making and community engagement;
- enhance the credibility and accountability of the Council to its communities; and
- develop a culture of mutual trust, respect and tolerance between the members of the Council and between the members and management.

This purpose is given effect through the values, roles, responsibilities and specific behaviours agreed in this Code.

### Members' commitment

These commitments apply when conducting the business of the Council as its representative or the representative of an electorate, and communicating with other members, the media, the public or staff. By adopting this Code of Conduct members agree that they will:

1. not bully, harass, or discriminate unlawfully against any person;
2. treat all people fairly;
3. not bring the Council into disrepute;
4. not use their position to improperly advantage themselves or anyone else or disadvantage another person;
5. not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Council;
6. treat all other members, staff, and members of the public, with courtesy and respect;
7. not disclose information acquired, or given, in confidence, which they believe is of a confidential nature;
8. share with the Council any information received that is pertinent to the ability of the Council to properly perform its statutory duties;
9. make it clear, when speaking to the media, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the Council;
10. take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of a member; and
11. comply with the specific duties outlined below.

**Please note**, a failure to act in accordance with these commitments represents a breach of this Code.

## 2. SCOPE

The Code has been adopted in accordance with clause 15 of Schedule 7 of the Local Government Act 2002 (**LGA**) and applies to all elected members, including the members of any local boards as well as the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- each other;
- the chief executive and staff;
- the media; and
- the general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the Council to give effect to its statutory responsibilities

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered.

The Code should be read in conjunction with the Council's Standing Orders.

### 3. TE TIRITI O WAITANGI

The Council commits to operating in a manner that recognises and respects the significance of the Te Tiriti o Waitangi and acknowledges the following principles:

1. **Tino Rangatiratanga:** The principle of self-determination provides for Māori self-determination and mana motuhake. This requires local authorities to be open to working with mana whenua partners in the design and delivery of their work programmes.
2. **Partnership:** The principle of partnership implies that local authorities will seek to establish a strong and enduring relationship with Iwi/Māori, within the context of Iwi/Māori expectations.
3. **Equity:** The principle of equity requires local authorities to commit to achieving the equitable delivery of local public services.
4. **Active protection:** The principle of active protection requires local authorities to be well informed on the wellbeing of Iwi, hapū and whanau within their respective rohe.
5. **Options:** The principle of options requires local authorities to ensure that its services are provided in a culturally appropriate way that recognises and supports the expression of te ao Māori.

### 4. VALUES

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their district and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively and uphold the values of honesty, integrity, accountability and transparency.
3. **Ethical behaviour:** members will act with honesty and integrity at all times and will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly and will avoid the appearance of any such behaviour. Members will respect the impartiality and integrity of officials.
4. **Integrity:** members should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends or place themselves under any obligation to people or organisations that might inappropriately influence them in their work.
5. **Tāria te wā and kaitiakitanga/stewardship:** members should use long-term perspective when making decisions. Decisions, which impact on both past, current and future generations, have an inter-generational impact on collective well-being.
6. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts and

recommending individuals for rewards or benefits.

7. **Accountability:** members will be accountable to the public for their decisions and actions and will submit themselves to the scrutiny necessary to ensure this.
8. **Openness:** members should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
9. **Honesty:** members should be truthful.
10. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability. Members will respect the impartiality and integrity of officials.
11. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by this Code and act in accordance with the trust placed in them by the public.
12. **Equitable contribution:** members will take all reasonable steps to ensure they fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events and participating in relevant training seminars.
13. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.

These values complement, and work in conjunction with, the principles of section 14 of the LGA and the governance principles of section 39 of the LGA.

## 5. BEHAVIOURS

To promote good governance and build trust between the local authority, its members and citizens, members agree to the following standards of conduct when they are:

- conducting the business of the local authority;
- acting as a representative of the local authority;
- acting as a representative of their electorate;
- communicating with other members, the media, the public and staff; and
- using social media and other communication channels.<sup>1</sup>

Where a member's conduct falls short of these standards, members accept that they may be subject to a complaint made under the council's "Policy for alleged breaches of the Code of Conduct".

### Bullying, harassment and discrimination

#### Members will:

- not bully any person
- not harass any person
- not discriminate unlawfully against any person; and
- treat all people fairly.

<sup>1</sup> Please refer to the Guidelines for the responsible use of social media in Appendix A.



For the purpose of this Code, bullying is defined as offensive, intimidating, malicious or insulting behaviour which represents an abuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Bullying can be a regular pattern of behaviour or a one-off incident, occur face-to-face, on social media, in emails or phone calls, happen in the workplace, or at work social events, and may not always be obvious, or noticed by others.

Harassment means conduct that causes alarm or distress, or puts people in fear of violence, and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person. Unlawful discrimination is where someone is treated unfairly or less favourably than another person because of their:<sup>2</sup>

<i>Age</i>	<i>colour</i>	<i>race</i>
<i>disability</i>	<i>employment status</i>	<i>ethical belief</i>
<i>ethnic or national origin</i>	<i>family status</i>	<i>marital status</i>
<i>political opinion</i>	<i>religious belief</i>	<i>gender identity</i>
<i>Sex</i>	<i>sexual orientation.</i>	

#### **Disrepute**

***Members will not bring the local authority into disrepute.***

As a member, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You need to be aware that your actions might have an adverse impact not only on yourself and colleagues but also on your local authority and may lower the public's confidence in your local authority.

Behaviours that can bring your local authority into disrepute and diminish its ability to fulfil its statutory role, include behaviours that are dishonest and/or deceitful. Adhering to this Code does not in any way limit your ability to hold the local authority and fellow members to account or constructively challenge and express concern about decisions and processes undertaken by the local authority.

#### **Use of position for personal advantage**

***Members will not use, or attempt to use, their position to improperly advantage themselves or anyone else, or disadvantage another person.***

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly. A member found to have personally benefited by information gained as an elected member may be subject to the provisions of the Secret Commissions Act 2010.

See further discussion of conflicts of interest, interest register requirements and ethical behaviour requirements [12 below](#).

<sup>2</sup> See Human Rights Commission <https://www.govt.nz/browse/law-crime-and-justice/human-rights-in-nz/human-rights-and-freedoms/>

### **Impartiality**

***Members will not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.***

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try to influence officials to change their advice, or alter the content of a report, other than in a meeting or workshop, if doing so would prejudice their professional integrity.

Members should:

- make themselves aware of the obligations that the local authority and chief executive have as employers and always observe these requirements, such as the obligation to be a good employer; and
- observe any protocols put in place by the chief executive concerning contact between members and employees, and not publicly criticise individual staff.

If you have concerns about the behaviour of an official, whether permanent or contracted, you should raise your concerns with the local authority's chief executive, or, if the concerns are to do with the chief executive, the Mayor, the council chairperson or CEO performance committee.

### **Respect**

***Members will treat all other members, staff and members of the public, with respect.***

Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a member of a local authority you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Offensive behaviour lowers the public's expectations of, and confidence in, your local authority. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening, you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police.

Further discussion of relationships between members, staff and members of the public is set out below.

### **Confidentiality and information**

***Members will not disclose information acquired, or given, in confidence, which they believe is of a confidential nature, unless:***

- they have the consent of a person authorised to give it;
- they are required by law to do so;
- the disclosure is to a third party to obtain professional legal advice, and that the third party agrees not to disclose the information to any other person; or
- the disclosure is reasonable and in the public interest, is made in good faith, and in compliance with the reasonable requirements of the local authority.

***Members will share with the local authority any information received that is pertinent to the ability of the local authority to properly perform its statutory duties.***

Occasionally members will receive information, in their capacity; as members of the governing body, which is pertinent to the ability of their council to properly perform its statutory duties. Where this occurs members will disclose any such information to other members and, where appropriate the chief executive. Members who are offered information on the condition that it remains confidential will inform the person making the offer that they are under a duty to disclose such information, for example, to a governing body meeting in public exclusion.

Further guidance on the receipt and handling of confidential information is set out below.

#### **Media**

***Members will make it clear, when speaking to the media, that statements reflect their personal view, unless otherwise authorised to speak on behalf of the local authority.***

The media play an important role in the operation and efficacy of our local democracy and need access to accurate and timely information about the affairs of the local authority to fulfil that role. Members are free to express a personal view to the media at any time, provided the following rules are observed:

- they do not purport to talk on behalf of the local authority, if permission to speak on behalf of the authority has not been given to them;
- comments shall be consistent with the Code, for example, they should not disclose confidential information or criticise individual members of staff; and
- comments must not purposefully misrepresent the views of the local authority or other members.

Further details about media relations are set out below.

***Members will abide by the social media protocols described in Attachment A, LGNZ's Good Governance Guide, available at <https://www.lgnz.co.nz/assets/Induction/The-Good-Governance-Guide.pdf> via the Good Governance Guide from LGNZ***

#### **Equitable contribution**

***Members will take all reasonable steps to equitably undertake the duties, responsibilities, and workload expected of them.***

Being a member is a position of considerable trust, given to you by your community to act on their behalf. To fulfil the expectations of your constituents and contribute to the good governance of the District it is important that you make all reasonable efforts to attend meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.

The local government workload can be substantial, and it is important that every member "pulls their weight". Achieving good governance and leaving your community in a better state than when you were elected requires members to often work as a team and avoid situations where the majority of the work undertaken by the local authority falls on the shoulders of a small number of members.

## 6. ROLE AND RESPONSIBILITIES

The Code is designed to strengthen the good governance in the District. Good governance requires clarity of roles, respect and understanding between those charged with responsibility for the leadership of the Council and those responsible for advice and the implementation of Council decisions. The key roles are:

### 6.1 Members

The role of the governing body includes:

- representing the interests of the people of the district;
- developing and adopting plans, policies and budgets;
- monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- providing prudent stewardship of the Council's resources;
- employing and monitoring the performance of the chief executive; and
- ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

### 6.2 Chief executive

The role of the chief executive includes:

- implementing the decisions of the Council;
- ensuring that all responsibilities delegated to the chief executive are properly performed or exercised;
- ensuring the effective and efficient management of the activities of the local authority;
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- providing leadership for the staff of the Council; and
- employing staff on behalf of the Council (including negotiation of the terms of employment for those staff).

Under section 42 of the LGA the chief executive is the only person *directly* employed by the Council itself. All concerns about the performance of an individual member of staff must, in the first instance, be referred to the chief executive.

## 7. RELATIONSHIPS

This section of the Code sets out agreed standards of behaviour between:

- members;
- members and staff; and
- members and the public.

### 7.1 Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- maintains public confidence;
- is open and honest;
- is courteous;
- is focused on issues rather than personalities;
- avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and
- avoids aggressive, offensive, bullying or abusive conduct, including the use of disrespectful or malicious language.

Please note that nothing in this section of the Code is intended to limit robust debate within the Council if it is conducted in a respectful and insightful manner.

### 7.2 Relationships with staff

An important element of good governance involves the relationship between the Council and its chief executive and staff. Members will respect arrangements put in place to facilitate this relationship and:

- raise any concerns about employees, officers or contracted officials with the chief executive;
- raise any concerns about the performance or behaviour of the chief executive with the mayor or the chairperson of the chief executive performance review committee;
- make themselves aware of the obligations that the Council and the chief executive have as employers and observe those requirements at all times, such as the duty to be a good employer;
- treat all employees with courtesy and respect and avoid publicly criticising any employee;
- observe any protocols put in place by the chief executive concerning contact between members and employees; and
- avoid doing anything which might compromise, or could be seen as compromising, the impartiality of an employee.

**Please note:** Elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's audit.

### 7.3 Relationship with the public

Given the vital role that democratic local government plays in our community, it is important that the Council has the trust and respect of its citizens. To facilitate trust and respect in their Council, members will:

- ensure their interactions with members of the public are fair, respectful and conducted in an equitable and honest manner;
- be available to listen and respond openly and honestly to community concerns;
- represent the views of citizens and organisations accurately and consider all points of view or interests when participating in debate and making decisions, regardless of the member's own opinions of the matters raised;

- treat members of the public in a courteous manner; and
- ensure their interactions with citizens and communities uphold the reputation of the Council.

## **8. CONTACT WITH THE MEDIA**

The media play an important part in the operation and efficacy of local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council.

From time to time individual members will be approached to comment on a particular issue either on behalf of the Council, or as an elected member in their own right. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, committee or community board, or are expressing a personal view.

When responding to the media members must be mindful that operational questions should be referred to the chief executive and policy-related questions referred to the mayor or the member with the appropriate delegated authority.

When speaking to the media more generally members will abide by the following provisions:

### **8.1 Media contact on behalf of the Council**

- The mayor is the first point of contact for an official view on any issue, unless delegations state otherwise. Where the mayor is absent requests for comment will be referred to the deputy mayor or relevant committee chairperson or member appointee.
- The mayor may refer any matter to the relevant committee chairperson or to the chief executive for their comment.
- No other member may comment *on behalf* of the Council without having first obtained the approval of the mayor.

### **8.2 Media comment on a member's own behalf**

Elected members are free to express a personal view in the media or social media, at any time, provided the following rules are observed:

- media comments must not state or imply that they represent the views of the Council;
- Comments must not purposefully misrepresent the views of the Council or the views of other members;
- media comments which are contrary to a Council decision or policy must clearly state that they do not represent the views of the majority of members;
- media comments must observe the other requirements of the Code; for example, comments should not disclose confidential information, criticize, or compromise the impartiality or integrity of staff; and
- media comments must not be misleading and should be accurate within the bounds of reasonableness.
- Social media pages controlled by members and used for making observations relevant to their role as an elected members should be open and transparent, except where abusive or inflammatory content is being posted; and
- Social media posts about other members, Council staff or the public must be consistent with section five of this Code. (See **Appendix A** for guidelines on the personal use of social media).

Any failure by members to meet the standards set out above represents a breach of this Code.

## 9. INFORMATION

Access to information is critical to the effective performance of a local authority and the level of public trust felt by the public.

### 9.1 Confidential information

In the course of their duties members will occasionally receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

### 9.2 Information received in capacity as an elected member

Members will disclose to other members and, where appropriate the chief executive, any information received in their capacity as an elected member that concerns the Council's ability to give effect to its responsibilities.

Members who are offered information on the condition that it remains confidential will inform the provider of the information that it is their duty to disclose the information and will decline the offer if that duty is likely to be compromised.

Any failure by members to act in the manner described above represents a breach of this Code.

**Please note:** failure to observe these provisions may impede the performance of the Council by inhibiting information flows and undermining public confidence. It may also expose the Council to prosecution under the Privacy Act and/or civil litigation.

## 10. CONFLICTS OF INTEREST

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (**LAMIA**).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse or partner contracts with the authority or has a pecuniary interest. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the chief executive *immediately*. Members may also contact the Office of the Auditor General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

**Please note:** Failure to observe the requirements of the LAMIA could potentially invalidate the decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see Appendix B). In the event of a conviction, elected members can be removed from office.

## 11. REGISTER OF INTERESTS<sup>3</sup>

Members shall annually make a declaration of interest. These declarations are recorded in a public Register of Interests maintained by the Council. The declaration must include information on the nature and extent of any interest, including:

- a) any employment, trade or profession carried on by the member or the members' spouse or partner for profit or gain;
- b) any company, trust, partnership etc for which the member or their spouse or partner is a director, partner or trustee;
- c) the address of any land in which the member has a beneficial interest within the jurisdiction of the local authority;
- d) the address of any land owned by the local authority in which the member or their spouse or partner is:
  - a tenant; or
  - the land is tenanted by a firm in which the member or spouse or partner is a partner, a company of which the member or spouse or partner is a director, or a trust of which the member or spouse or partner is a trustee; and
- e) any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the chief executive)

**Please note:** Where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable.

## 12. ETHICAL BEHAVIOUR

Members will seek to promote the highest standards of ethical conduct. Accordingly, members will:

- claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or family's personal or business interests;
- only use the Council resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the chief executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the chief executive for inclusion in the publicly available register of interests.

Any failure by members to comply with the provisions set out in this section represents a breach of this Code.

<sup>3</sup> These requirements now mandated under Part 4, Subpart 3 of the LGA following the commencement of the Local Government (Pecuniary Interests Register) Amendment Act 2022.



#### **12.1 Undischarged bankrupt**

In accordance with clause 15(5) of Schedule 7 of the LGA any member who is an “undischarged bankrupt” will notify the chief executive prior to the inaugural meeting or as soon as practicable after being declared bankrupt. The member will also provide the chief executive with a brief explanatory statement of the circumstances surrounding the member’s adjudication and the likely outcome of the bankruptcy.

### **13. CREATING A SUPPORTIVE AND INCLUSIVE ENVIRONMENT**

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council’s vision, goals and objectives and the manner and operating style by which members will work;
- taking part in any assessment of the Council’s overall performance and operating style during the triennium<sup>4</sup>; and
- taking all reasonable steps to ensure they possess the skills and knowledge to effectively fulfil their Declaration of Office and contribute to the good governance of the district.

### **14. BREACHES OF THE CODE**

Members must comply with the provisions of this Code (LGA, schedule 7, section 15(4)). Any member, or the chief executive, who believes that the Code has been breached by the behaviour of a member, may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

#### **14.1 Principles:**

The following principles will guide any processes for investigating and determining whether a breach under this Code has occurred:

- that the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the breach complained about;
- that the roles of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- that the concepts of natural justice and fairness will apply in the determination of any complaints made under this Code. This requires, conditional on the nature of an alleged breach, that affected parties:
  - have a right to know that an investigation process is underway;
  - are given due notice and are provided with an opportunity to be heard;
  - have confidence that any hearing will be impartial;
  - have a right to seek appropriate advice and be represented; and
  - have their privacy respected.

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<sup>4</sup> A self assessment template is provided in the Guidance to this Code

#### 14.2 Complaints

All complaints made under this Code must be made in writing and forwarded to the chief executive. On receipt of a complaint the chief executive must forward that complaint to the Mayor or, where the Mayor is a party to the complaint, an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to warrant a full investigation<sup>5</sup>.

Only members and the chief executive may make a complaint under this Code.

Please refer to Appendix D for the process to manage a complaint made by a member of the public.

#### 14.3 Complaint referred to Mayor

On receipt of a complaint made under the provisions of the Council's Code the Mayor will, as the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Assess the complaint to determine materiality.
- Where a complaint is assessed by the Mayor to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Mayor will refer the complaint back to the Chief Executive who will forward it to an Independent Investigator, along with any recommendations made by the Mayor, to the Council or an adjudicative body established by the Council to assess and rule on complaints made under the Code.<sup>6</sup>

If the Mayor chooses they may, instead of undertaking an initial assessment, immediately refer the complaint to the independent investigator, via the Chief Executive.

#### 14.4 Complaint referred to Independent Investigator

On receipt of a complaint from a member which concerns the Mayor, or from the Mayor after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary investigation – assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints.<sup>7</sup>

The following table includes the list of agreed independent investigators that can be used should an investigation be required:

<u>Name</u>	<u>Title</u>	<u>Organisation</u>	<u>Notes</u>
<u>Andrea Gardner</u>	<u>Director</u>	<u>Strategic People Group</u>	<u>Organisational psychologist. Experienced in dealing with conflict – team reviews – culture development - workplace investigations. Aims to identify what gave rise to issue – fuller picture. Christchurch based. Extensive LG experience.</u>
<u>Brian Cowper</u>	<u>Investigator</u>	<u>Synapse Ltd</u>	<u>34 years of employment relations experience in Australia and New Zealand. Dealt with many code of conduct complaints in various private sector and public sector organisations including Councils. Hawkes Bay based.</u>
<u>Ashley-Jayne Lodge</u>	<u>Partner</u>	<u>Anderson Lloyd</u>	<u>Christchurch based and co-leads the national employment team at Anderson Lloyd. She is an experienced investigator, having</u>

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			<u>conducted workplace investigations, reviews, and other independent investigations in both the public and private sector. AJ is a certified Association of Workplace Investigators member and Certificate Holder (AWI-CH).</u>
<u>Lance Kennedy</u>	<u>Investigator</u>	<u>QRisk</u>	<u>Internal affairs investigations for Police. Has access to other resources within QRisk. Company in Auckland. Deputy CE at Wanganui District Council.</u>

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#### 14.5 Investigation, advice and decision

The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

#### 14.6 Materiality

An alleged breach under this Code is material if, in the opinion of the Mayor or independent investigator, it would, if proven, bring a member or the Council into disrepute or, if not addressed, reflect adversely on another member of the Council.

An alleged breach under this Code is non-material if, in the opinion of the Mayor/Chair or independent investigator, any adverse effects are minor and no investigation or referral is warranted.

<sup>5</sup> On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her Council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as EquiP.

<sup>6</sup> Advice on establishing adjudication bodies can be found in the Guide to the Code of Conduct.

<sup>7</sup> On behalf of the Council the Chief Executive will, shortly after the start of a triennium, prepare, in consultation with the Mayor or Chairperson, a list of investigators for this purpose of undertaking a preliminary assessment. The Chief Executive may prepare a list specifically for his or her Council, prepare a list jointly with neighbouring councils or contract with an agency capable of providing appropriate investigators, such as EquiP.

## 15. PENALTIES AND ACTIONS

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

### 15.1 Material breaches

In the case of material breaches of this Code the Council, or the adjudicative body with delegated authority, may require one of the following:

1. a letter of censure to the member;
2. a request (made either privately or publicly) for an apology;
3. a vote of no confidence in the member;
4. removal of certain Council-funded privileges (such as attendance at conferences);
5. Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;
6. restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
7. limitation on any dealings with Council staff so that they are confined to the chief executive or identified senior manager only;
8. suspension from committees or other bodies; or
9. an invitation for the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that a penalty will not be imposed where a respondent agrees to one or more of the following:

- attend a relevant training course;
- work with a mentor for a period;
- participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

### 15.2 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under the LAMIA);
- breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under section 44 of the LGA which may result in the member having to make good the loss or damage); or
- breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

## **16. Review**

Once adopted, a Code continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. As noted above, once adopted, amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at a Council meeting where the amendment is considered.

The Council shall formally review the Code as soon as practicable after the beginning of each triennium. The results of that review will be considered by the Council in regard to potential changes for improving the Code.

## Appendix A: Guidelines on the personal use of social media

There is a big difference in speaking “on behalf of Council” and speaking “about” the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council’s image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an “advocate” for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council’s authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.

**Elected Members’ social media pages should be open and transparent.** When commenting on matters related to the local authority no members should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

## Appendix B: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at [www.legislation.govt.nz](http://www.legislation.govt.nz).

### Local Authorities (Members' Interests) Act 1968

The LAMIA regulates situations where a member's personal interests impinge or could be seen as impinging on their duties as a member.

The LAMIA provides that a member is disqualified from office if that member or that member's spouse or partner is concerned or interested in contracts under which payments made by or on behalf of the local authority exceed \$25,000 (inclusive of GST) in any financial year.

Additionally, members are prohibited from participating in any Council discussion or voting on any matter in which they or their spouse or partner has a pecuniary interest, other than an interest in common with the general public. This includes where a member, or their spouse or partner, are involved in a company or trust that is "concerned or interested" in a contract or decision or where the company or trust has a pecuniary interest in the decision.

Members may contact the Office of the Auditor-General for guidance as to whether that member has a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

The Chief Executive may seek approval from the Office of the Auditor-General for contractual payments to members, their spouses or partners or their companies that exceed the \$25,000 annual limit in special cases.

Failure to observe these requirements could leave the member open to prosecution under the LAMIA. In the event of a conviction members will be removed from office.

The website of the Office of the Auditor General contains further guidance on the LAMIA: [www.oag.govt.nz](http://www.oag.govt.nz).

### Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

*...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned. (OAG, 2010)*

In deciding whether you have a pecuniary interest, members should consider the following factors:

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?
- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?

- Could I apply to the Office of the Auditor-General for approval to participate?

Members may seek assistance from the mayor or other person to determine if they should discuss or vote on an issue but ultimately it is their own judgment as to whether they have a pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes (further requirements are set out in the Council's Standing Orders).

From November 2022, Part 4, Subpart 3 of the LGA requires local authorities to maintain a register of members' pecuniary interests and members to make an annual declaration in relation to such matters.

#### **Non-pecuniary conflicts of interest**

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

*Would a fair-minded observer reasonably think that a member of the decision-making body might not bring an impartial mind to the decision, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party. (OAG, 2010)*

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members should focus be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an resource management hearing).

#### **Local Government Official Information and Meetings Act 1987 (LGOIMA)**

The LGOIMA has three main purposes that can be summarised as follows:



- increase the availability of official information to the public and promote the open and public transaction of business at meetings of local authorities;
- provide for proper access by each person to official information relating to that person; and
- protect official information and the deliberations of local authorities to the extent consistent with the public interest and preservation of personal privacy.

Generally, information held by the Council is to be made available unless there is a good reason for withholding (the main grounds for withholding information are set out in sections 6 and 7 of the LGOIMA).

The LGOIMA also sets out a list of meeting procedures and requirements. Meetings are to be publicly notified and open to the public, unless there is good reason for withholding information and excluding the public. Of particular importance for the roles and conduct of members is the fact that the Chair has the responsibility to maintain order at meetings, but all members should accept a personal responsibility to maintain acceptable standards of address and debate and should comply with the Council's Code.

No member should:

- create a disturbance or a distraction while another member is speaking;
- be disrespectful when they refer to each other or other people; or
- use offensive language about the Council, other members, any employee of the Council or any member of the public.

The website of the Office of the Ombudsman contains further guidance on the LGOIMA: [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz).

### **Secret Commissions Act 1910 (SCA)**

Under the SCA it is unlawful for a member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false invoices/documentation to the Council.

If convicted of any offence under the SCA a person can be imprisoned for up to seven years. A conviction therefore would trigger the disqualification provisions in clause 1 of Schedule 7 of the LGA and will result in the removal of the member from office.

### **Crimes Act 1961**

Under the Crimes Act it is unlawful for a member (or officer) to:

- accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- use information gained in the course of their duties for their, or another person's monetary gain or advantage.

These offences are punishable by a term of imprisonment of seven years or more. A conviction therefore would trigger the disqualification provisions in clause 1 of Schedule 7 of the LGA and will result in the removal of the

member from office.

### **Financial Markets Conduct Act 2013**

The FMCA governs the offer, promotion, issue and sale of financial products, which includes shares, debt securities and derivatives.

If Council does issue financial products or, in certain cases, sells financial products that it holds, members will be potentially subject to personal liability for breaches of the offer and other provisions of the FMCA. For example, if investment documents such as a prospectus contain untrue statements.

### **Health and Safety at Work Act 2015 (HSWA)**

The HSWA and its associated regulations comprise New Zealand's key work health and safety legislation. The guiding principle under the HSWA is that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare from work risks as is reasonably practicable.

The HSWA places obligations on Members as 'officers' of the Council (who is a 'person conducting a business or undertaking' or PCUB for the purposes of the HSWA) to exercise due diligence to ensure that the Council is meeting its obligations under the HSWA. While Members are not required to be directly involved with the day-to-day management of health and safety, they are required to take reasonable steps to understand Council's operations and health and safety risks and to ensure that the Council has the appropriate resources and processes to ensure that it is managed in accordance with the HSWA.

This duty does not extend to ensuring that a Council-controlled organisation complies with the HSWA, unless the Member concerned is also an 'officer' (i.e. a director or trustee) of that organisation.

Most officers can be convicted of an offence for failing to meet their due diligence obligations. However, Members (and members of local boards and community boards), when acting in their capacity as elected members, are expressly exempted from prosecution under section 52 of the HSWA.

### **The Local Government Act 2002**

The LGA sets out the general powers of local government, its purpose and operating principles. Provisions directly relevant to this Code include:

#### **Personal liability of members**

Generally speaking, members are indemnified in respect of their actions as a member. Section 43 of the LGA provides for this indemnity by the Council in relation to:

- civil liability (both for costs and damages) if the member is acting in good faith and in pursuance of the responsibilities or powers of the Council; and
- costs arising from any successfully defended criminal action relating to acts or omissions in his or her capacity as a member.

However, there is a theoretical personal exposure on the part of members following a report from the Auditor-General under section 44 of the Act, if it is found that one of the following applies:

- money belonging to, or administrable by, the Council being unlawfully expended; or

- an asset being unlawfully sold or otherwise disposed of by the Council; or
- a liability being unlawfully incurred by the Council; or
- the Council intentionally or negligently failing to enforce the collection of money it is lawfully entitled to receive.

If the Auditor-General has made such a report, then that loss is recoverable as a debt due to the Crown (which in turn must be paid back to the Council) from each member jointly and severally. However, a member has a defence to such a claim if he or she can prove that the act or failure giving rise to the loss occurred:

- without the member's knowledge; or
- with the member's knowledge but against his or her protest made at or before the time when the loss occurred; or
- contrary to the way the member voted on the issue at a meeting of the Council; or
- in circumstances where, although being a party to the act or failure to act, the member acted in good faith and in reliance on reports, statements, financial data, or other information prepared or supplied, or on professional or expert advice given, by any Council officer or professional advisor in relation to matters which the member believed on reasonable grounds to be within that person's competency.

In certain situations members will also be responsible for paying the costs of proceedings (section 47 LGA).

## Appendix C: Process where a complaint is referred to an independent investigator

### Step 1: Chief executive receives complaint

On receipt of a complaint under this Code, whether from a member (because the complaint involves the Mayor) or from the Mayor after an initial assessment, the chief executive will refer the complaint to an investigator selected from a panel agreed at the start of the triennium. The ~~members of the~~ panel will be:

- ~~mayor~~
- ~~deputy mayor~~
- ~~chief executive~~
- ~~the alternate – where required – may be the Chair of Council's Audit and Risk Subcommittee.~~

<u>Name</u>	<u>Title</u>	<u>Organisation</u>	<u>Notes</u>
<u>Andrea Gardner</u>	<u>Director</u>	<u>Strategic People Group</u>	<u>Organisational psychologist. Experienced in dealing with conflict – team reviews – culture development - workplace investigations. Aims to identify what gave rise to issue – fuller picture. Christchurch based. Extensive LG experience.</u>
<u>Brian Cowper</u>	<u>Investigator</u>	<u>Synapse Ltd</u>	<u>34 years of employment relations experience in Australia and New Zealand. Dealt with many code of conduct complaints in various private sector and public sector organisations including Councils. Hawkes Bay based.</u>
<u>Ashley-Jayne Lodge</u>	<u>Partner</u>	<u>Anderson Lloyd</u>	<u>Christchurch based and co-leads the national employment team at Anderson Lloyd. She is an experienced investigator, having conducted workplace investigations, reviews, and other independent investigations in both the public and private sector. AJ is a certified Association of Workplace Investigators member and Certificate Holder (AWI-CH).</u>
<u>Lance Kennedy</u>	<u>Investigator</u>	<u>QRisk</u>	<u>Internal affairs investigations for Police. Has access to other resources within QRisk. Company in Auckland. Deputy CE at Wanganui District Council.</u>

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The chief executive will also:

- inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator and refer them to the process for dealing with complaints as set out in the Code; and
- inform the respondent that a complaint has been made against them, the name of the investigator and refer them to the process for dealing with complaints as set out in the Code.

## **Step 2: Investigator makes preliminary assessment**

On receipt of a complaint the investigator will assess whether:

1. the complaint is frivolous or without substance and should be dismissed;
2. the complaint is outside the scope of the Code and should be redirected to another agency or process;
3. the complaint is non-material; and
4. the complaint is material and a full investigation is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine their recommendations, including interviewing relevant parties, which are then forwarded to the Council's chief executive. The investigator has full discretion to dismiss any complaint which, in their view, fails to meet the test of materiality.

On receiving the investigator's preliminary assessment, the chief executive will:

1. where an investigator determines that a complaint is frivolous or without substance, inform the complainant and respondent directly and inform other members (if there are no grounds for confidentiality) of the investigator's decision; and/or
2. in cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform the chief executive who will inform the complainant, the respondent and members of the action.

## **Step 3: Actions where a breach is found to be non-material**

If the subject of a complaint is found to be non-material, but more than frivolous, the investigator will inform the chief executive and, if they choose, recommend a course of action appropriate to the breach, such as;

- that the respondent seeks guidance from the mayor; and/or
- that the respondent attends appropriate courses or programmes to increase their knowledge and understanding of the matters leading to the complaint.

The chief executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

## **Step 4: Actions where a breach is found to be material**

If the subject of a complaint is found to be material the investigator will inform the chief executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach.

In preparing that report the investigator may:

- consult with the complainant, respondent and any affected parties;
- undertake a hearing with relevant parties; and/or
- refer to any relevant documents or information.

On receipt of the investigator's report the chief executive will prepare a report for the Council or adjudicative body with delegated authority, which will meet to consider the findings and determine whether or not a penalty,

or some other form of action, will be imposed. The chief executive's report will include the full report prepared by the investigator.

**Step 5: Process for considering the investigator's report**

Depending upon the nature of the complaint and alleged breach the investigator's report may be considered by the full Council, excluding the complainant, respondent and any other 'interested' members, or a committee established for that purpose.

In order to avoid any suggestion of bias, a Code of Conduct Committee may often be the best mechanism for considering and ruling on complaints. Committees should be established at the start of a triennium with a majority of members selected from the community through either an application process or by invitation.

The Council or committee will consider the chief executive's report in open meeting, except where the alleged breach concerns matters that justify the exclusion of the public, such as the misuse of confidential information or a matter that would otherwise be exempt from public disclosure under section 48 of the LGOIMA, in which case it will be a closed meeting.

Before making any decision in respect of the investigator's report the Council or committee will give the member against whom the complaint has been made an opportunity to appear and speak in their own defence. Members with an interest in the proceedings, including the complainant and the respondent, may not take part in these proceedings.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in clause 13.1 of this Code. In accordance with this Code the Council will agree to implement the recommendations of a Code of Conduct Committee without debate.

# Complaints made by a member of the public about an elected member



**Version:** 1

**Effective Date:** [TBC]

**Policy Owner:** Executive Director of People, Culture and Capability

Document history		
Version	Reviewed by	Review date

### **Purpose**

1. The primary purpose of the Complaints Made by a Member of the Public About an Elected Member Policy is to direct the way in which complaints about elected member behaviour received from members of the public, are managed.

### **Background**

2. The residents of the Selwyn District have elected a diverse team of Councillors who hold a range of personal views on many matters – as is expected in any well-functioning democracy.
3. Individual residents are perfectly entitled to disagree with elected member views (and advise them of that disagreement), although the ultimate accountability is at the ballot box every three years.
4. Members of the public can make informal complaints to the Council about the behaviour of an elected member, but only the Mayor, Councillors or Chief Executive may lodge formal complaints under the Mayor and Councillors' Code of Conduct.

### **Process – informal complaints from members of the public**

5. Where the Council receives a complaint about elected member behaviour from a member of the public, the Chief Executive and Mayor (or their nominee), will assess the complaint to determine whether it warrants further consideration. Having done so, the Chief Executive and Mayor's options will be to:
  - a. Determine no response is needed.
  - b. Seek to resolve the matter informally, perhaps through a conversation with the elected member who is the subject of the complaint and/or the Mayor.
  - c. Refer the complaint to the Panel.

### **Elected Members Complaints Panel**

6. Where a complaint is referred to the Complaints Made by the Public Panel, the Panel should meet as soon as practicable to consider the matter. The Panel may seek further information from the parties involved if it considers that would be helpful, but is not obliged to do so.
7. Where the Complaints Panel seeks further information from the elected member who is the subject of the complaint, it will typically need to inform that member about the substance of the complaint, including the complainant's identity (unless this is irrelevant to the complaint). The Panel should not provide contact details for a complainant without that complainant's consent.
8. The Panel may make any of the following determinations:
  - a. Take no further action.
  - b. Resolve the matter informally, such as by providing the elected member who is the subject of the complaint with an opportunity to apologise to the complainant (although the Panel cannot require a member to apologise) or by referring the complaint to an appropriate third party.



- c. Nominate one of its members to lay a formal complaint under the Mayor and Councillors' Code of Conduct where the Complaints Panel considers that the complaint is sufficiently serious to warrant investigation under that Code.
- 9. Once a determination has been made, the Panel should nominate a member(s) to advise the complainant of the outcome. They should also advise the member who is the subject of the complaint, and share the substance of the complaint with them also if that has not already occurred.

**Members of the Panel:**

- a. Deputy Mayor
  - b. Independent Chairperson of the Audit and Risk Sub-Committee
  - c. Chief Executive (or their nominee)
- 10. Exceptions regarding membership
  - a. Should a member of the complaints panel be unavailable they will assign an alternate on a case-by-case basis.
  - b. Where a complaint relates to the Deputy Mayor or the Independent Chairperson of the Audit and Risk Sub-Committee, the other complaints panel members will identify an appropriate alternative elected member.

**Limitations**

- 11. Status
  - a. The Complaints Made by the Public Panel is an informal group of individuals. It is not a committee of the Council, or any other type of entity. As such, the Panel does not have any particular delegated decision-making powers.
- 12. For clarity, the Panel cannot undertake any of the following actions. This is a non-exhaustive list:
  - a. Censure of an elected member(s)
  - b. Require an elected member(s) apologise to the complainant
  - c. Remove responsibilities (such as committee chairmanships)
  - d. Express a vote of no-confidence in an elected member
  - e. Suspend an elected member from committees or other bodies to which the member has been appointed.
  - f. Invite an elected member(s) to consider resigning from the Council.
- 13. Final determination
  - a. The Panel's determination on informal complaints from members of the public is final and no correspondence in relation to these determinations will be entered into.
  - b. Complainants who consider that the Complaints Panel's determinations were unreasonable or unfair may make a complaint to the Ombudsman.

## REPORT

**TO:** Sharon Mason - Chief Executive Officer  
**FOR:** 12 June 2024 - Council  
**FROM:** Steve Gibling - Executive Director People, Culture and Capability  
**DATE:** 29 May 2024  
**SUBJECT:** **PROTECTED DISCLOSURES (WHISTLEBLOWERS) POLICY**

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### RECOMMENDATION

*'That Council;*

- a. **receive** the report "Protected Disclosures (Whistleblowers) Policy",*
- b. **note** that the Audit and Risk Committee endorsed the draft Protected Disclosures (Whistleblowers) Policy to Council,*
- c. **adopt** the changes proposed to the Draft Fraud Policy 2024, and*
- d. **adopt** the draft Protected Disclosures (Whistleblowers) Policy 2024.'*

### 1. PURPOSE

The Protected Disclosure Policy sets out the processes for disclosing serious wrongdoing by or within the Selwyn District Council (**Council**) in accordance with the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the **Act**). The purpose of the Act (and policy) is to promote the public interest by:

- (a) facilitating the disclosure and timely investigation of serious wrongdoing in the workplace (also known as whistleblowing); and
- (b) providing protection to people who report a serious wrongdoing.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Based on the level of significance of the matter, the decisions and matters of this report are assessed as of low significance, in accordance with the Council's Significance and Engagement Policy.

### 3. HISTORY/BACKGROUND

Council currently has a Fraud Policy (*refer to Attachment One: Draft Fraud Policy 2024*) that sets out how matters of Fraud are to be managed and investigated. The current Fraud policy incorporated a whistleblower policy but with reference to the prior Protected Disclosures Act 2000.

Council needs to update its Protected Disclosure policy to capture the protected disclosure of all serious wrongdoing (as defined in the Act) and to reflect the changes introduced by the 2022 Act.

It is also important to separate out the management of Protected Disclosures to be a stand-alone policy, for example due to the need be clear about what disclosures are protected under the Act, and to for publication and accessibility purposes.

In making the above changes (establishing a standalone Protected Disclosure policy) this also leads to a subsequent change required to the current Fraud Policy. The changes are solely related to removing the duplicated and out of date content which are noted as tracked changes in Appendix One to this report.

#### **4. PROPOSAL**

The Draft Protected Disclosures Policy (*refer to Attachment Two - Draft Protected Disclosures (whistle-blower) Policy*) has been developed through a review of the Act, recent Ombudsman guidance on internal protected disclosure policies, and several other organisations' published policies.

The draft document has also been peer reviewed by Council's legal advisors and has been presented to, and endorsed by, the Audit and Risk Sub-Committee for approval by Council.

The Draft Protected Disclosures (whistle-blower) Policy along with an updated Fraud Policy is presented for approval.

#### **5. VIEWS OF THOSE AFFECTED / CONSULTATION**

##### *(a) Views of those affected and Consultation*

The policy is substantially a reflection of the legislative requirements as they currently stand and so there is limited value in undertaking consultation with staff on this specific matter. Rather, the consultation has been direct with our legal advisors based on the issues in which this policy is giving effect to, the Protected Disclosures (Protection of Whistleblowers) Act 2022.

A communication and education programme in relation to the policy will follow the adoption, and the policy will be published internally on our intranet site and also made available on our public facing site as well.

##### *(b) Māori and Treaty implications*

There are no implications or impact related to Iwi / Māori with this policy.

##### *(c) Climate Change considerations*

There are no climate change considerations associated with this policy.

**6. FUNDING IMPLICATIONS**

There are no budget considerations associated with the recommendations of this report.

A handwritten signature in blue ink, appearing to read 'SG', located below the funding implications text.

Steve Gibling  
**Executive Director – People, Culture and Capability**



## Fraud Policy

### Background

The Selwyn District Council ("The Council") is committed to preventing the occurrence of fraud and corruption. The Council has a 'zero tolerance' attitude towards fraud and corruption.

All managers, staff and councillors are expected to share this commitment. This fraud ~~& whistle-blower protection~~ policy ("fraud policy") has been established to facilitate the development of controls that will aid in the detection and prevention of fraud against the Council. It also ~~reinforces-aligns with~~ our commitment to protecting ~~those brave Personnel~~ staff who may come forward with concerns about serious wrongdoing that could impact the reputation of the Council ~~as set out in the new Protected Disclosure (whistle-blower) Policy~~. The Council is committed to the continuous improvement of fraud prevention and detection techniques as this is the best way to manage fraud risk.

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Fraud is defined as dishonestly obtaining a benefit by deception or other means (see also "Actions Constituting Fraud" below).

It is the intent of The Council to promote a counter-fraud culture by providing this ~~policy ese guidelines~~ and by assigning responsibility for the development of controls, ~~protection of whistle-blowers~~, and the conduct of investigations.

### Scope of Policy

This policy applies to any fraud, impropriety or dishonesty (suspected or actual), involving, employees, councillors, consultants, vendors, contractors, outside agencies doing business with Councillors and employees of such agencies and/or any other parties with a business relationship with The Council.

Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the Council.

### Policies & Principles

The Council managers and staff ("~~The Council~~ Personnel") must have, and be seen to have, the highest standards of honesty, propriety and integrity in the exercise of their duties.

The Council will not tolerate fraud, impropriety or dishonesty and will investigate all instances of suspected fraud, impropriety or dishonesty by ~~The Council~~ Personnel or external parties.

The ~~Council~~ Personnel must not defraud The Council, or other Personnel, clients or contractors of The Council.

The Council will ~~seek to~~ take action – including ~~the potential for~~ dismissal and/or criminal prosecution against any member of Personnel defrauding or attempting to defraud The Council or other Personnel, clients or contractors of The Council. In every case The Council will make every effort to gather sufficient reliable evidence to support a prosecution.

The Council will always seek to recover funds or wrongfully obtained assets lost through fraud.

All allegations of suspected Fraud whether anonymous or otherwise, will be investigated.



Any irregularity that is detected or suspected must be reported immediately to any one of the ~~following staff members~~ Personnel in the following roles: ~~Billy Charlton (Regulatory Manager), Chris Hewitt (People, Capability & Projects Manager), Craig Moody (Corporate Accountant), Murray England (Asset Manager Water Services) or Wayne Stack (People and Safety Adviser) (in their position as The Council's Protected Disclosures Officers). The Corporate Services Manager, the Chief Executive Officer or the Auditor General should be contacted in the event that The Council's Protected Disclosures Officers are not available~~

- Direct Line Manager
- Head of Department
- Executive Director
- Chief Executive Officer

~~(see REPORTING PROCEDURE section below).~~

The Chief Executive Officer or their delegate will coordinate all investigations.

#### Actions Constituting Fraud

The terms fraud, impropriety and dishonesty refer to, but are not limited to:

- Any dishonest or fraudulent act
- theft
- obtaining property, a financial advantage or any other benefit by deception
- causing a loss, or avoiding or creating a liability by deception
- profiteering as a result of insider knowledge of Council activities or activities of Council Controlled Organisations
- disclosing to other persons securities activities engaged in or contemplated by the Council or any Council Controlled Organisation
- making, using or possessing forged or falsified documents
- bribery, corruption or abuse of office
- accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Council or any Council Controlled Organisation.
- unlawful use of Council's resources such as computers, telephones and other property or services
- relevant bankruptcy offences
- any offences of a like nature to those listed above

If there is any question as to whether an action constitutes fraud, contact the Corporate Accountant or Corporate Services Manager for guidance.

#### Management Responsibilities

The Councillors are responsible for maintaining a climate of risk awareness by providing firm and visible support for fraud and corruption control management.

The Audit & Risk Sub-Committee, ELT and 2<sup>nd</sup> tier managers are responsible for the detection and prevention of fraud, impropriety and dishonesty. Each member of the management team will be familiar with the types of improprieties that might occur within ~~his or her~~ their area of responsibility, and be alert for any indication of irregularity.



Management should be alert to the possibility that unusual events may be symptoms of fraud or attempted fraud and that fraud may be highlighted as a result of management checks or be brought to their attention by a third party. They are responsible for:

- Being aware of fraud; and
- Ensuring that an adequate system of internal controls exists within their area of responsibility and that those controls are operating effectively. These controls should include a system for undertaking regular reviews of transactions and activities that may be susceptible to fraud.

Notwithstanding this, all Personnel are equally expected to be vigilant and play an active part in counter-fraud activity.

#### Protected Disclosure (Whistle-Blower) Protection Responsibilities

The Council is committed to protect individuals who report suspected serious wrongdoing. Council has created a new Protected Disclosure (Whistle-blower) Policy, that should be read in partnership with this Fraud Policy, as it sets out the processes for disclosing serious wrongdoing by or within the Selwyn District Council (Council) in accordance with the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the Act). The purpose of the Act is to promote the public interest by:

- facilitating the disclosure and timely investigation of serious wrongdoing in the workplace (also known as whistleblowing); and
- providing protection to people who disclose in accordance with the Act.

The Protected Disclosure (Whistle-blower) Policy directs Council Officers and Elected members in how to make a protected disclosure as well as how to receive a protected disclosure.

The responsibility for ensuring confidentiality and overall protection of the individual(s) making disclosures rests with the Protected Disclosures Officers. Protection is also provided under the Protected Disclosure Act 2000.

The Chief Executive Officer or their delegate has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. This responsibility will include full documentation of the facts and circumstances of the matter. If the investigation substantiates that fraudulent activities have occurred, the Chief Executive Officer will issue reports to appropriate designated Personnel and, if appropriate, to the Audit & Risk Sub-Committee.

In the event the Chief Executive Officer is unavailable, the Corporate Services Manager/Chief Financial Officer or the Executive Director – People, Culture and Capability, will assume the Chief Executive Officer's responsibilities.

Where there is sufficient reliable evidence to support a potential prosecution, all instances of Fraud will be referred to an appropriate law enforcement agency for investigation.

Please refer to the associated Fraud Response Plan for details on steps to be undertaken in the event an alleged fraud is identified or suspected.

#### Confidentiality

The Council and its Personnel must take all reasonable steps to protect the identity of the whistle-blower. Maintaining confidentiality of a person known or suspected of having made a disclosure is crucial in ensuring reprisals are not made against a whistle-blower.

Investigation results will not be disclosed or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons



suspected but subsequently found innocent of wrongful conduct and to protect The Council from potential civil liability.

~~Employees have protection under the Protected Disclosures Act 2000. This also ensures confidentiality of the Whistle Blower provided the employee:~~

The Chief Executive Officer has overall responsibility for leading and coordinating all communication internally and externally on fraud and corruption matters. Personnel are instructed to direct any communications, from either internal or external sources, to the Chief Executive Officer and are directed not to provide any comment to the other parties or to any other agency, including news media.

Authorisation for Investigating Suspected Fraud

Members of the Investigation Team as appointed by the Chief Executive Officer will have:

- Free and unrestricted access to all records and premises of The Council, whether owned or rented; and
- The authority to examine, copy, and/or remove all or any portion of the contents of files, desks, cabinets, and other storage facilities on the premises without prior knowledge or consent of any individual who might use or have custody of any such items or facilities when it is within the scope of their investigation.

Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An employee who discovers or suspects fraudulent activity will contact either one of the ~~Protected Disclosures Officers, the Chief Executive Officer or the Corporate Services Manager-lead Personnel~~ immediately. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her counsel or representative, or any other inquirer should be directed to the Chief Executive Officer. No information concerning the status of an investigation will be given out.

The reporting individual should be informed of the following:

- Do not contact the suspected individual in an effort to determine facts or demand restitution.
- Do not discuss the case, facts, suspicions, or allegations with anyone unless specifically asked to do so by the Chief Executive Officer or their delegate.

Where a disclosure of serious wrongdoing is made under the Protected Disclosures (Whistle Blowers) Act ~~2000~~2022, the process set out within that Policy must be followed.

~~, the person to whom the disclosure is made must use his or her best endeavours not to disclose information that might identify the person who made the protected disclosure. The Act provides some exceptions to this general provision.~~

Termination

If an investigation results in a recommendation to terminate an individual, the recommendation will be reviewed for approval by the People, Capability & Projects Manager and, if necessary, by the Council's solicitor, before any such action is taken.

Administration

The Chief Executive Officer is responsible for the administration, revision, interpretation and application of this policy. The policy will be reviewed annually and revised as needed.





First issue date	5 April 2017
Review date	5 April 2017
Approval	<b><i>Audit &amp; Risk Sub-Committee</i></b>



## Fraud Response Plan

### Background and Purpose

The Selwyn District Council ("The Council") is committed to preventing the occurrence of fraud and corruption. The Council has a 'zero tolerance' attitude towards fraud and corruption.

This document is intended to provide direction and assistance to all Council managers and staff who may find themselves having to deal with suspected cases of theft, fraud or corruption.

### Actions Constituting Fraud

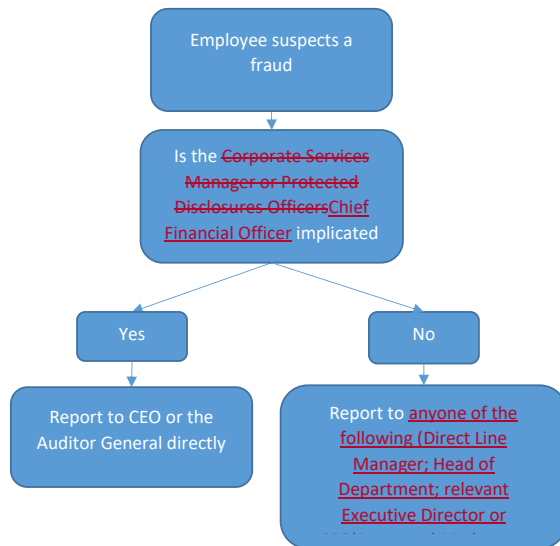
The terms fraud, impropriety and dishonesty refer to, but are not limited to:

- Any dishonest or fraudulent act
- theft
- obtaining property, a financial advantage or any other benefit by deception
- causing a loss, or avoiding or creating a liability by deception
- profiteering as a result of insider knowledge of Council activities or activities of Council Controlled Organisations
- disclosing to other persons securities activities engaged in or contemplated by the Council or any Council Controlled Organisation
- making, using or possessing forged or falsified documents
- bribery, corruption or abuse of office
- accepting or seeking anything of material value from contractors, vendors, or persons providing services/materials to the Council or any Council Controlled Organisation
- unlawful use of Council's resources such as computers, telephones and other property or services
- relevant bankruptcy offences
- any offences of a like nature to those listed above

If there is any question as to whether an action constitutes fraud, contact the Corporate Accountant or Corporate Services Manager for guidance.



## Reporting a Suspected Fraud



Great care must be taken in the investigation of suspected improprieties or irregularities so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way.

An employee who discovers or suspects fraudulent activity will contact one of the ~~Protected Disclosures Officers or the Corporate Services Manager~~ Personnel list above immediately. In the event that either or both of these individuals are implicated in any way, the employee should contact the Chief Executive Officer or the Auditor General. The employee or other complainant may elect to remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her counsel or representative, or any other inquirer should be directed to the Chief Executive Officer. No information concerning the status of an investigation will be provided.

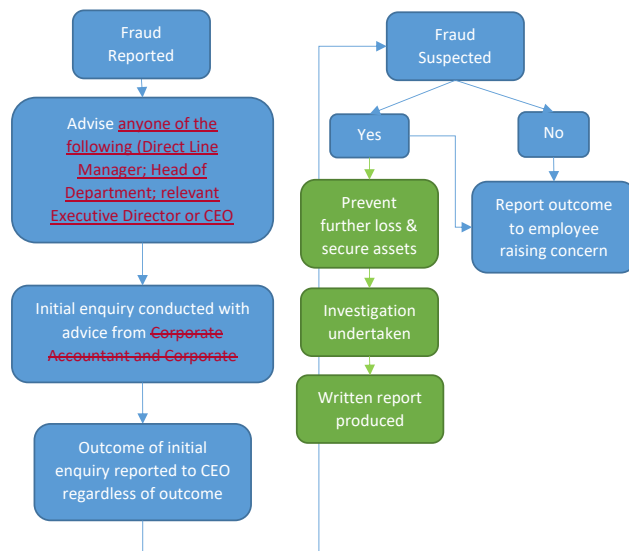
In the event that the Chief Executive Officer is implicated in anyway, the Auditor General should be contacted in the first instance. The contact details of Auditor General can be obtained from the Office of the Auditor General 04 917 1500 or [enquiry@oag.govt.nz](mailto:enquiry@oag.govt.nz)

Staff must **not** do any of the following:

- Contact the suspected individual in an effort to determine facts or demand restitution;
- Discuss the case facts, suspicions, or allegations with anyone outside The Council (including the media) unless specifically asked to do so by either of the individuals set out above;
- Discuss the case with anyone within The Council other than the people listed above; or
- Deliberately make false or malicious allegations.



## Investigation Process



The Chief Executive Officer has overall responsibility for initiating and overseeing all fraud investigations and for subsequent follow-up work to be completed. They will decide, following consultation with other members of senior management if appropriate:

- If the suspicion is sufficiently serious, or there are other circumstances, to justify calling in the Police immediately;
- Who is the appropriate Senior Manager to undertake an initial enquiry to ascertain the facts;
- What physical evidence will need to be protected from the risk of destruction and safely secured;
- If there are any system loopholes which need closing off immediately;
- If the matter needs to be reported to any third parties at this stage;
- If there is any need to consider any civil action, such as a freezing order; and
- Ensuring the appropriate communication plan is prepared to cater for enquiries from third parties such as the media.

Any necessary investigative activity will be conducted without regard to any person's relationship to The Council, position or length of service.



#### Initial Enquiry

The initial enquiry should be carried out as speedily as possible after suspicion has been aroused. Prompt action is essential. The purpose of the initial enquiry is to establish whether there appear to be grounds for the suspicion that warrant further investigation and to identify the evidence that will need to be secured by suitably trained personnel. It may also identify any measures that need to be taken to prevent any ongoing or future fraud.

The ~~Corporate Accountant or in their absence the Corporate Services Manager~~ Chief Financial Officer should be consulted prior to any enquiry being undertaken. Those persons conducting the enquiry should have regard to the matters dealt with below under the heading "Conducting an Enquiry or Investigation".

Staff must not conduct any enquiries, investigations or interviews, or question anyone, unless prior approval is obtained from the ~~Chief Financial Officer or the Chief Executive Officer~~ Corporate Accountant or Corporate Services Manager.

The factors which gave rise to the suspicion should be determined and examined to clarify whether a genuine mistake has been made or an irregularity has occurred. An irregularity may include any incident or action, which is not part of the normal operation of the system or the expected course of events. Preliminary examination may involve discreet enquiries of staff, the review of documents or the interrogation of computer systems. It is important for staff to be clear that any irregularity of this type, however apparently innocent, will be analysed.

#### Further Action

Following this initial enquiry, the Chief Executive Officer must be informed of the outcome. They will then decide, in consultation with the Audit & Risk Sub-Committee Chair and other senior staff members as appropriate, whether further action is required.

If the initial enquiry tends to support the suspicion that a fraud has been perpetrated, the ~~Chief Financial Officer or the~~ Chief Executive Officer should take steps to ensure that all original documentation, other physical evidence and electronic evidence is preserved in a safe place for further examination (~~See~~ see section entitled Securing Evidence below). It is likely that any member of staff who is suspected of being a party to the alleged fraud will be suspended, pending the outcome of a further investigation. Suspension itself does not imply guilt; it is a sensible precaution to take while an investigation is ongoing and a safeguard to prevent the removal or destruction of evidence. (~~See~~ see section entitled Prevention of Further Loss below).

It may be decided that a Senior Manager (possibly one without direct line responsibility) either conduct themselves or alternatively direct a qualified third party ~~forensic~~ investigator to conduct a detailed investigation. If it is decided that a more detailed investigation is required, it is important for objectives and terms of reference to be set so that all those involved in the investigation are clear as to what is required and expected of them.

In addition the following, if not already actioned before the initial enquiry, should be considered:

- The involvement of the Police or Serious Fraud Office (SFO);
- The involvement of third party forensic investigation experts;
- Briefing the Business Relationship Manager;
- Briefing the Mayor and the Audit & Risk Sub-Committee Chair;
- Reporting the matter to third parties i.e. External Auditor; and
- Any civil actions that might be required (e.g. freezing orders).



#### Prevention of Further Loss

Where the initial investigation provides reasonable grounds for suspecting a member or members of staff are implicated in a fraud, the Chief Executive Officer will determine the most appropriate measures to deploy to prevent further loss. This may require the suspension, with or without pay, of the employee(s) at the centre of the allegation, or to cease trading with any external third parties who may be involved. It may be necessary to plan the timing of suspension of employees to prevent the individuals concerned from destroying or removing evidence that may be needed to support disciplinary or criminal action.

In these circumstances, the individual(s) should be approached unannounced. They should be supervised at all times before leaving The Council's premises. They should be allowed to collect personal property under supervision, but should not be able to remove any property belonging to The Council. Any security passes and keys to premises, offices and furniture should be returned and the appropriate receipt endorsed by the individual(s).

The Chief Executive Officer should advise on the best means of preventing future access to the Council, including while suspects are suspended. Similarly, the Information Services Manager should be instructed to withdraw access permissions to the Council's computer systems and buildings.

The Chief Executive Officer should consider whether or not it is necessary to investigate systems other than that which has given rise to suspicion, through which the individual concerned may have had opportunities to misappropriate The Council's assets.

#### Securing Evidence

All evidence will be secured according to the guidance set out below.

#### Conducting an Enquiry or Investigation

Where any investigation is necessary, it will be carried out with discretion and sensitivity.

Those carrying out the investigation will confine themselves to investigating only those matters that are the subject of, or relevant to, the suspected fraud. Staff must not attempt to personally conduct any enquiries, investigations or interviews, or question anyone, unless asked to do so by those carrying out the investigation.

#### Employee Interview Requirements

Unless the matter is referred to the appropriate law enforcement agency (most likely the Police or the Serious Fraud Office "SFO"), if the individual suspected of fraud is to be interviewed, this should be done by the person conducting the investigation, always in the presence of another member of the ELT and HR. The following requirements must be observed:

- The ~~People, Capability & Projects Manager~~ **Executive Director – People, Culture and Capability** seeks employment law advice to ensure the Council's obligations are met, and informs the Chief Executive Officer of that advice;
- The interview is conducted in a manner that will be admissible in civil or criminal proceedings and will survive scrutiny of the courts in terms of approach, questioning and overall fairness to the interviewee;
- The purpose of the questioning, which is to establish facts only, must be clearly explained at the outset;
- The member of staff under investigation has the right to be accompanied by a union representative or by a colleague of their choice; and



- Every effort should be made to make a verbatim recording of the interview, which in any event must always be documented and form part of the investigation report.

#### Third party interviews

The obligations that apply to The Council around employee interviews do not apply to similar interactions with third parties such as suppliers, students and members of the public. A high level of care still needs to be taken as the conduct of the interviewer and the degree of fairness that exists in capturing their version of events will be scrutinised at a subsequent time.

#### Reporting

##### Written Report

At the conclusion of the investigation, a written report will be prepared which outlines the facts discovered by the investigation, together with references to the supporting evidence and copies of the supporting evidence attached to the report. The report should avoid speculation, nor should any statement be made that cannot be supported by the facts. The report should not make any judgment on the guilt or innocence of the individuals named in the report, or on what action should be taken against them. The report should not prejudice the outcome of any possible disciplinary hearing, civil recovery action or criminal prosecution.

The Chief Executive Officer will consider the report and, in consultation with the ~~Executive Director – People, Culture and Capability~~ ~~People, Capability & Projects Manager~~ and other members of Senior Management, as appropriate, will decide what further action, if any, to take. This could include reporting the matter to the ~~police~~ Police and/or disciplinary proceedings.

Investigation results will not be disclosed to or discussed with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected, but subsequently found innocent of wrongful conduct, and to protect The Council from potential liability.

In cases where an individual is suspected of fraud which a subsequent investigation does not substantiate, it is important that the potential damage to the individual's reputation is minimised. Whoever originally reported the suspected fraud or irregularity will be informed that the investigation has revealed no wrongdoing.

On completion of the investigation, a written report shall be submitted to the Audit & Risk Sub-Committee containing:

- A description of the incident, including the value of any loss, the people involved, the means of perpetrating the fraud, referral to law enforcement, assessment of communications, media commentary and reputational impact;
- The measures taken to prevent a recurrence; and
- Any action needed to strengthen future responses to fraud.

#### Communication Responsibilities

The Chief Executive Officer has overall responsibility for leading and coordinating all communication internally and externally on fraud and corruption matters. Personnel are instructed to direct any communications, from either internal or external sources, to the Chief Executive Officer and are directed not to provide any comment to any parties internal or external to The Council.



#### Involvement of Law Enforcement Agencies

If, as a result of the internal investigation, the suspicion of fraud is confirmed, The Council will advise the appropriate law enforcement agency as soon as possible to ensure The Council's planned activity (pre-referral) align with the requirements of the agency.

Where there is prima facie evidence that a fraud has been committed, the Chief Executive Officer following consultation with the ~~Corporate Services Manager~~ Chief Financial Officer and the Executive Director – People, Culture and Capability, will refer the investigation to the Police or SFO, fully supporting any additional investigation steps the agency needs to take as well as supporting any subsequent criminal prosecution.

To ensure communications are managed effectively, the Chief Executive Officer will request the Police or SFO advise The Council, wherever possible, in advance of arresting and or charging any individuals.

The timing of a decision to involve the police will be dependent on facts emerging that justify this course of action. In some cases this will be after any disciplinary hearing is completed, in others it will be when the fraud is discovered, particularly in cases of external involvement.

Once original documents are handed to the police they will not be returned, therefore a copy should be kept of everything that is handed to the police.

#### Dealing with the Media

Any staff member contacted by the media will refer the media to the Business Relationship Manager. Staff are instructed not to conduct or provide comment to news media.

If The Council's internal or External Auditors are contacted by the media regarding an alleged fraud or audit investigation, they will consult with the Business Relationship Manager before responding to any media requests for information or interview.

#### Follow up Action

There are lessons to be learnt from every identified incident of fraud. After the investigation and reporting of the fraud has been completed, relevant senior staff will meet to examine the circumstances and conditions which allowed the fraud to occur, with a view to completing a report that details improvements to systems and procedures.

#### Administration

The Chief Executive Officer is responsible for the administration, revision, interpretation and application of this Fraud Response Plan. The plan will be reviewed annually and revised as needed.

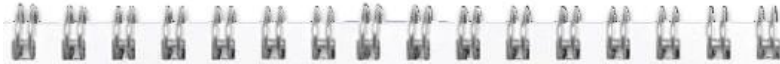
<b>First issue date</b>	5 April 2017
<b>Review date</b>	5 April 2017
<b>Approval</b>	<b><i>Audit &amp; Risk Sub-Committee</i></b>





## Collecting Evidence

### Tips for Securing Evidence



Sources of electronic evidence	Steps to secure
<ul style="list-style-type: none"> <li>any computer used by relevant staff</li> <li>mobile phones or PDAs.</li> </ul>	<input type="checkbox"/> Turn off, label, physically secure and don't allow any staff to access or use until they can be forensically copied.
<ul style="list-style-type: none"> <li>current mailboxes on email servers</li> <li>current contents of network home directories and shared group drives</li> <li>Internet and printer logs for the relevant period.</li> </ul>	<input type="checkbox"/> Ensure IT staff preserve and don't allow any user to access this data until it can be forensically copied.
<ul style="list-style-type: none"> <li>backup tapes or disks containing user data such as email, user home directories or shared group directories.</li> </ul>	<input type="checkbox"/> Label and remove backup tapes from the backup cycle (e.g. replace with new blank tapes) to ensure potentially relevant backups are not overwritten.
<ul style="list-style-type: none"> <li>removable hard drives or USB memory keys.</li> </ul>	<input type="checkbox"/> Physically secure, label and don't allow staff to access or use until they can be forensically copied.
<ul style="list-style-type: none"> <li>building access records (swipe card logs)</li> <li>CCTV footage</li> <li>electronic phone records from PABX or mobile service provider.</li> </ul>	<input type="checkbox"/> Secure the records and ensure they are not overwritten or deleted.
Sources of physical evidence	
<ul style="list-style-type: none"> <li>employee's office, desk, locker or other storage areas</li> <li>filing cabinets, either personal, group or project specific.</li> </ul>	<input type="checkbox"/> Physically secure until they can be properly searched.
<ul style="list-style-type: none"> <li>related employee records: HR file, performance reviews, employee contract, relevant policies and procedures, address book, diary, business card holders</li> </ul>	<input type="checkbox"/> Contact relevant business functions and advise to secure records and provide verified copies.
<ul style="list-style-type: none"> <li>financial records: itemised telephone billing records (landline and mobile), credit card billing records</li> <li>related expenses, payments and other financial data.</li> </ul>	<input type="checkbox"/>
Considerations when securing evidence	
<ul style="list-style-type: none"> <li>prevent staff access to evidence to help maintain its integrity</li> <li>either physically secure or forensically secure evidence to maximise its evidentiary value</li> <li>a sound forensic approach will support the provision of independent expert evidence, if required</li> <li>in cases where a user's access should be removed, organisations should consider all possible access points, including physical access and remote access through computers, telephones and other digital devices.</li> </ul>	
Considerations before using evidence	
<ul style="list-style-type: none"> <li>make sure you review relevant company policies, employee contracts and relevant legislation, regarding privacy, confidentiality and surveillance issues.</li> </ul>	

# Protected Disclosures Policy



**Version:** 1

**Effective Date:** [TBC]

**Policy Owner:** Executive Director of People, Culture and Capability

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Document history		
Version	Reviewed by	Review date

**POLICY PURPOSE**

1. This Protected Disclosure Policy sets out the processes for disclosing serious wrongdoing by or within the Selwyn District Council (**Council**) in accordance with the Protected Disclosures (Protection of Whistleblowers) Act 2022 (the **Act**).
2. The purpose of the Act is to promote the public interest by:
  - (a) facilitating the disclosure and timely investigation of serious wrongdoing in the workplace (also known as whistleblowing); and
  - (b) providing protection to people who disclose in accordance with the Act.
3. This Policy is divided into two main sections:

<b>Section A (making a protected disclosure):</b>	Sets out information for people who wish to make a protected disclosure about the Council, including when disclosers will be protected, what protections disclosers are entitled to, and what the Council's internal processes are upon receiving a protected disclosure.
<b>Section B (receiving a protected disclosure):</b>	Sets out guidance for the Chief Executive Officer and Council employees who receive a protected disclosure, including the Council's process for investigating and dealing with protected disclosures.

4. This Policy does not cover disclosures of international relations information or intelligence and security information. These are dealt with differently under the Act.<sup>1</sup>
5. See also the associated [Protected Disclosure Procedure].

**POLICY STATEMENT**

6. Individuals who come forward and report wrongdoing are helping to promote integrity, accountability, and good management within the Council. The Council is committed to:
  - (a) high standards of ethical and accountable conduct, including not tolerating any form of wrongdoing;
  - (b) encouraging and supporting our people to report wrongdoing; and
  - (c) the proper handling of such matters when they are raised.

<sup>1</sup> The meaning of international relations information and intelligence and security information can be found in section 4 of the Act.

## **SECTION A: MAKING A PROTECTED DISCLOSURE**

### **Who does this Section A of this Policy apply to?**

7. Section A of this policy applies to disclosures about Serious Wrongdoing by or within Council by individuals who are (or were formerly):
  - (a) employees of the Council;
  - (b) seconded to the Council;
  - (c) engaged or contracted under a contract for services to do work for the Council;
  - (d) involved in the governance of the Council (including elected members); or
  - (e) volunteers working for the Council without reward or expectation of reward for that work.
8. The above individuals covered by Section A of this policy are referred to as “you”.

### **What is a protected disclosure?**

9. A protected disclosure is where you disclose or report information about the Council where you:
  - (a) believe on reasonable grounds that there is, or has been, “serious wrongdoing” in or by the Council;
  - (b) disclose information about that in accordance with the Act (as set out in this policy); and
  - (c) do not disclose the information in bad faith.

### **What is serious wrongdoing?**

10. Serious wrongdoing has a particular meaning – it does not apply to all possible wrongdoing that you might see and think about reporting.
11. Serious wrongdoing includes any act, omission, or course of conduct in (or by) any organisation that is one or more of the following:
  - (a) an offence; or
  - (b) a serious risk to public health, public safety, the health or safety of any individual, or the environment, or
  - (c) a serious risk to the maintenance of law, including the prevention, investigation and detection of offences or the right to a fair trial, or
  - (d) an unlawful, corrupt or irregular use of public funds or public resources, or
  - (e) oppressive, unlawfully discriminatory, grossly negligent, or that is gross mismanagement by:
    - (i) an employee of a public sector organisation; or
    - (ii) a person performing or purporting to perform a function or duty on behalf of a public sector organisation or the Government; or
    - (iii) a person exercising (or purporting to exercise) a power on behalf of a public sector organisation or the Government.

12. You will still be protected if you make a disclosure and it turns out that there is not actually any serious wrongdoing. The key point is that you reasonably believed that there was serious wrongdoing.

**When are disclosures protected?**

13. You are entitled to the protections provided in this Policy and in the Act even if you:
- (a) are mistaken and there is no serious wrongdoing;
  - (b) do not refer to this Policy or the Act when making the disclosure;
  - (c) have not made the disclosure in accordance with this Policy (as long as you have substantially complied); or
  - (d) have also made the disclosure to another person, as long as you did so on a confidential basis and for the purpose of seeking advice about whether/how to make a protected disclosure in accordance with the Act.
14. Specific examples of circumstances where you are not entitled to the protections provided in this Policy or the Act include:
- (a) disclosures made to the media;
  - (b) disclosures made with the knowledge that the allegation is false;
  - (c) disclosures made in bad faith; or
  - (d) disclosures of information protected by legal professional privilege (eg, correspondence between an employee and their lawyer).
15. Other people who disclose information in support of, or relating to, a protected disclosure that has been made to the Council, are also entitled to protection under the provisions of this Policy and the Act if they:
- (a) disclose in accordance with this Policy; and
  - (b) do not disclose the information in bad faith.

**Protections for disclosers**

16. A person who reports a disclosure of Serious Wrongdoing in accordance with the Act (as set out in this Policy), is entitled to the following types of protection, which are explained in more detail further below:
- (a) The right to have your identity kept confidential (some exceptions apply);
  - (b) Your rights under the Privacy Act in relation to personal information about you;
  - (c) Your right not to be subject to retaliate or treated less favourably;
  - (d) Immunity from civil, criminal and disciplinary proceedings.

*Duty of confidentiality*

17. The Council must use its best endeavours to keep information that might identify you confidential.

18. However, the Council is not required to keep your identity confidential if:

- (a) you consent to the release of the identifying information; or
- (b) if the Council has reasonable grounds to believe that the release of the identifying information is essential, and the Council complies with the applicable consultation requirements, as set out in the table below:

<b>The Council has reasonable grounds to believe that the release of the identifying information is essential:</b>	<b>Consultation requirements</b>
<ul style="list-style-type: none"> <li>for the effective investigation of the disclosure</li> </ul>	The Council must first consult with you about the release
<ul style="list-style-type: none"> <li>to comply with the principles of natural justice</li> </ul>	The Council must first consult with you about the release
<ul style="list-style-type: none"> <li>to prevent a serious risk to public health, public safety, the health or safety of any individual, or the environment</li> </ul>	The Council must, if practicable, consult with you about the release
<ul style="list-style-type: none"> <li>to an investigation by a law enforcement or regulatory agency for the purpose of law enforcement</li> </ul>	The Council must, if practicable, consult with you about the release

19. The Council will tell you if it releases identifying information about you for the reasons described in the table above.

20. An investigation into an allegation of serious wrongdoing may require the Council to put the allegation to the alleged wrongdoer to obtain their account of events. The Council will comply with its duty of confidentiality set out above when doing so.

*Privacy Act 2020*

21. If the Council releases information that identifies you as set out above, this will be an interference with your privacy under the Privacy Act. You have the right to complain to the Privacy Commissioner about any identifying information that is released about you, and the Council would have the responsibility of demonstrating that the release of the information was authorised under the Act.

*Obligation to not retaliate or treat less favourably*

22. The Council is prohibited from retaliating<sup>2</sup> or threatening to retaliate against you because you intend to make or have made a protected disclosure. If it does so, you will have a personal grievance under the Employment Relations Act.
23. No person (including the Council and its employees and agents) is permitted to treat or threaten to treat another person less favourably than they would treat others in similar circumstances for:
- (a) making or intending to make a protected disclosure;
  - (b) encouraging another person to make a protected disclosure; or
  - (c) giving information in support of, or relating to, a protected disclosure,
- (unless the person knowingly made a false allegation or otherwise acted in bad faith).
24. Doing so is a breach of the Human Rights Act 1993.

*Immunity from civil, criminal and disciplinary proceedings*

25. If you make a protected disclosure under the Act, you are not liable to any civil, criminal, or disciplinary proceedings as a result of making a disclosure.
26. This protection applies even if there is a prohibition or restriction on disclosing the information (for example, in a contract, agreement, procedure or practice). The protection does not apply if the information you disclose is covered by legal professional privilege).
27. These protections only apply to making the disclosure. Action can still be taken against you if you were involved in the wrongdoing.

**How to make a protected disclosure**

28. You can make protected disclosures about the Council to the Council (an internal protected disclosure) or to another appropriate authority.

*Internal protected disclosures*

29. If you wish to make a protected disclosure within the Council, you should do so in writing or verbally to either the Chief Executive Officer, the Executive Director People, Capability and Culture, the Mayor, the Deputy Mayor, or the Independent chair of the Audit and Risk Committee ("Council Senior Officer").
30. The details for the Chief Executive Officer and other protected disclosure receivers are as follows:

Role	Email	Phone number and physical address
Chief Executive	<a href="mailto:sharon.mason@selwyn.govt.nz">sharon.mason@selwyn.govt.nz</a>	Phone number: 0800 735 996  Address: PO Box 90, Rolleston 7643
Executive Director, People,	<a href="mailto:steve.gibling@selwyn.govt.nz">steve.gibling@selwyn.govt.nz</a>	Phone number: 0800 735 996

<sup>2</sup> "Retaliate" is defined in [section 21\(4\)](#) of the Act.

Culture & Capability		Address: PO Box 90, Rolleston 7643
Mayor	<a href="mailto:sam.broughton@selwyn.govt.nz">sam.broughton@selwyn.govt.nz</a> <a href="mailto:mayor@selwyn.govt.nz">mayor@selwyn.govt.nz</a>	Phone number: 0800 735 996 Address: PO Box 90, Rolleston 7643
Deputy Mayor	<a href="mailto:crmalcolm.lyall@selwyn.govt.nz">crmalcolm.lyall@selwyn.govt.nz</a>	Phone number: 0800 735 996 Address: PO Box 90, Rolleston 7643
Independent Chair of the Audit and Risk Committee	<a href="mailto:analisa.elstob@selwyndistrictcouncil.onmicrosoft.com">analisa.elstob@selwyndistrictcouncil.onmicrosoft.com</a>	Phone number: 0800 735 996 Address: PO Box 90, Rolleston 7643

*Protected disclosures to another Appropriate Authority*

31. You are also able to make protected disclosures about the Council to another "appropriate authority".
32. An appropriate authority is a trusted external party to whom you can make a disclosure if you are not confident about making the disclosure within the Council.
33. Examples of appropriate authorities include (but are not limited to):
  - (a) the head of any public sector organisation;
  - (b) any officer of Parliament (meaning an Ombudsman, the Parliamentary Commissioner for the Environment, or the Controller and Auditor-General);
  - (c) as examples, the list of entities in [Schedule 2](#) of the Act. The Ombudsman, the Controller and Auditor-General and the Department of Internal Affairs are listed as examples of appropriate authorities in relation to Local Government; and
  - (d) the membership body of a particular profession, trade, or calling with the power to discipline its members.
34. Ministers and Members of Parliament are not appropriate authorities.
35. You can make a protected disclosure about the Council to an appropriate authority at any time.
36. Circumstances where it may be appropriate to make a protected disclosure to an appropriate authority instead of the Council include where you are not confident about making the disclosure to the Council, for example:
  - (a) you consider that reporting to an appropriate authority directly is justified due to the urgency of the matter or other exceptional circumstances;



- (b) you think that those nominated in paragraphs 28 & 29 above may be involved in the alleged serious wrongdoing; or
- (c) you have made the protected disclosure to the Council, but there has been no action or recommended action on the matter to which the disclosure relates within 20 working days.

*Anonymous disclosure*

- 37. As mentioned above, the Council has a duty to use its best endeavours to keep confidential information that might identify you. However, there are some circumstances in which the Council may release information that identifies you (as set out in paragraph 18). As such, the Council cannot guarantee that your identity will be kept confidential.
- 38. However, in many cases your identity will not need to be known in order for the Council to make further inquiries and determine whether further action is required. It is therefore open to you to make an anonymous disclosure (including through a legal representative), and you are entitled to rights under this Policy and the Act regardless of whether you identify yourself at the time of the disclosure.
- 39. You should be aware, however, that in some circumstances it may not be possible to investigate an anonymous disclosure, for example where further information is required but cannot be obtained from you or your representative. If you wish to be kept informed about the Council's investigation, the Council will need to be able to contact you or your representative.
- 40. If you make an anonymous disclosure, and later wish to rely on one of the protections available under the Act (such as civil immunity), you will need to prove that it was you who made the disclosure.

**What happens after you have made a disclosure**

- 41. The process upon a Council Senior Officer receiving an internal protected disclosure is set out in Section B of this Policy. At a high level, the Council Senior Officer will within 20 working days:
  - (a) record the disclosure details in writing (if that hasn't been done already);
  - (b) acknowledge your disclosure;
  - (c) consider the disclosure and whether it warrants investigation;
  - (d) check with you about whether you have made the disclosure anywhere else;
  - (e) deal with the matter (such as by addressing any serious wrongdoing by acting or recommending action, referring the disclosure to another appropriate authority, or deciding that no action is required); and
  - (f) inform you (with reasons) about what the Council has done or is doing to deal with the matter.
- 42. However, if it is impracticable for the Council Senior Officer to complete the above actions within 20 working days, then the Council Senior Officer should:
  - (a) still acknowledge receipt, consider the disclosure, and check whether the disclosure has been made elsewhere within the first 20 working days; and

- (b) otherwise deal with the matter as promptly as possible, while informing the discloser of how long the Council expects to take to deal with the matter and update the discloser about the Council's progress.
43. If you make an external protected disclosure to another appropriate authority, then that authority will have its own process for dealing with protected disclosures.

*Requesting further action*

44. You can escalate the process for a protected disclosure if you consider that the Council has not acted in accordance with this Policy or has not adequately dealt with the matter to address the serious wrongdoing. You may:
- (a) make the protected disclosure to a Minister; or
  - (b) seek advice from the Ombudsman, who may, with your consent:
    - (i) refer the disclosure to a Minister following consultation with the Minister;
    - (ii) investigate the disclosure themselves; or
    - (iii) with the consent of the Council, take over the investigation of a disclosure, or jointly investigate a disclosure.

**Need further assistance?**

*Internal assistance*

45. If you require any assistance in relation to this Policy or the Act, please contact the Chief Executive Officer, or any of the Council Senior Officers (their contact details are set out in paragraph [30](#)). Any request for assistance will be treated with the strictest confidence.
46. Requests for assistance could include matters such as:
- (a) accessing a support person, employee assistance programme or other external wellbeing assistance;
  - (b) defining whether a matter of concern might constitute serious wrongdoing, or
  - (c) clarifying your rights or the Council's obligations in relation to this Policy or the Act, or
  - (d) providing clarification about the application of this Policy or the Act.

*External assistance*

47. You may also seek advice and assistance directly from the Ombudsman. If you notify the Ombudsman that you have made or are considering making a protected disclosure, then the Ombudsman must provide information and guidance to you about the following (as relevant):
- (a) which disclosures are protected under the Act;
  - (b) the persons to whom information may be disclosed under the Act;
  - (c) how to disclose information in order to be entitled to protection under this Act;
  - (d) a summary of the role of each appropriate authority;
  - (e) the protections available under the Act and under the [Human Rights Act 1993](#); and

- (f) how a disclosure may be referred.
48. The Ombudsman can be contacted on their free phone 0800 802 602.

**draft**  
11 Apr 2024

## SECTION B (RECEIVING A PROTECTED DISCLOSURE)

### Application

49. This section applies to the receiver of an internal protected disclosure (being the Chief Executive Officer or other Council Senior Officer as described in paragraph 29 (the **receiver**)).
50. If a Council employee receives an internal protected disclosure, they should refer the discloser to this Policy and advise them to make the disclosure to the Chief Executive Officer, another Council Senior Officer (as described in paragraph 29), or another appropriate authority as set out in Section A.

### Receiver's obligations

51. Receivers are obliged to comply with the Council's protection obligations set out in paragraphs 17 to 24 upon receiving a protected disclosure, including:
  - (a) the duty of confidentiality; and
  - (b) the obligation not to retaliate or treat a discloser less favourably than they would treat others in similar circumstances.
52. Receivers may also engage other Council employees or external parties (such as specialist investigators) to assist with their review and investigation of a protected disclosure. Receivers should ensure that any person they engage to assist with the protected disclosure understands the Council's protection obligations.

### Process on receiving a protected disclosure

53. Within 20 working days of receiving a protected disclosure, the receiver must:
  - (a) **Acknowledge receipt:** acknowledge the date the disclosure was received (and, if the disclosure was made orally, summarise the Council's understanding of the disclosure);
  - (b) **Consider:** do a preliminary review to consider whether the disclosure warrants investigation. For example, the Council may decide to not investigate the disclosure if it considers that the disclosure does not involve serious wrongdoing;
  - (c) **Check:** check with the discloser whether the disclosure has been made elsewhere (and any outcome);
  - (d) **Deal with:** deal with the matter (see paragraph 56 below); and
  - (e) **Inform discloser (with reasons):** inform the discloser (with reasons) about what the Council has done or is doing to deal with the matter in accordance with paragraph (d) above.
54. The receiver should use its best endeavours to undertake the above actions within 20 working days. However, if this is impracticable, then the receiver should:
  - (a) still acknowledge receipt, consider the disclosure, and check whether the disclosure has been made elsewhere (see paragraphs 53(a) to (c) above) within the first 20 working days;
  - (b) inform the discloser of how long the Council expects to take to deal with the matter;
  - (c) update the discloser about the Council's progress; and

- (d) as promptly as possible deal with the matter and inform the discloser (see paragraphs [53](#)(d) to (e) above).

*Preliminary review*

55. Upon receiving a protected disclosure, before considering whether the disclosure warrants investigation, the receiver may need to contact the discloser:

- (a) for additional information to progress a formal investigation;
- (b) for confirmation of the facts of the initial disclosure; or
- (c) to obtain evidence relating to the alleged wrongdoing.

*Dealing with protected disclosures*

56. As set out above, part of the Council's response to receiving a protected disclosure is to deal with the matter. The Council can deal with a protected disclosure by doing one of the following:

- (a) investigating the disclosure;
- (b) addressing any serious wrongdoing by acting or recommending action;
- (c) referring the disclosure to the organisation concerned or another appropriate authority (see paragraphs [57](#) to [59](#) below); or
- (d) deciding that no action is required. It may be appropriate for the Council to decide that no action is required if:
  - (i) the discloser does not meet the Act's requirements to be a discloser;
  - (ii) the disclosure does not meet the Act's requirements for a protected disclosure;
  - (iii) there has not been serious wrongdoing in or by the discloser's organisation;
  - (iv) the length of time between the alleged serious wrongdoing and the disclosure makes an investigation impracticable or undesirable; or
  - (v) the matter is better addressed by other means.

*Referring a protected disclosure*

- 57. The receiver may, on behalf of the Council, refer internal protected disclosures to an appropriate authority (for example, if an internal protected disclosure related to an offence, then it may be appropriate to refer the disclosure to the police).
- 58. Before making such a referral, the receiver must consult with the discloser and the intended recipient of the referral.
- 59. If the receiver refers a protected disclosure to another organisation or appropriate authority, the Council will have immunity from civil, criminal, and disciplinary proceedings arising as a result of referring the disclosure.

**Escalation of protected disclosures**

- 60. The discloser or the Ombudsman can escalate the process for a protected disclosure if they consider that the Council has not acted in accordance with the guidance in the Act on what to do

when receiving protected disclosures, or has not adequately dealt with the matter to address the serious wrongdoing, as follows:

- (a) a discloser may make the protected disclosure to a Minister; or
- (b) the Ombudsman may:
  - (i) with the discloser's consent:
    - (1) refer the disclosure to a Minister following consultation with the Minister; or
    - (2) investigate the disclosure themselves; or
  - (ii) with the consent of the discloser and the Council, take over the investigation of a disclosure, or jointly investigate a disclosure.

## REPORT

**TO:** Chief Executive Officer

**FOR:** Council Meeting – 12 June 2024

**FROM:** Rob Allen – Head of Acquisitions, Disposals and Leasing

**DATE:** 29 May 2024

**SUBJECT: PROPOSED ROAD STOPPING OF PART OF HALDON ROAD  
HORORATA**

---

## RECOMMENDATION

*‘That the Council:*

- a) agrees to the commencement of the road stopping process prescribed by the Tenth Schedule of the Local Government Act 1974 (‘LGA’) in relation to the section of unformed legal road known as part of Haldon Road running from Illingworth Road to Dunsandel Road being identified as Section 1 on draft Survey Office Plan (SO) 585639 (‘Land’);*
- b) agrees, subject to any objections received, to the stopping of the Unformed Legal Road pursuant to section 342 of the LGA;*
- c) following the completion of the process prescribed by the Tenth Schedule of the LGA, approves the disposal of the Land to the adjoining owner pursuant to section 345(1)(a) of the LGA, on payment of compensation being the greater of either the market value of the Land (as assessed by a registered valuer) or the costs associated with the road stopping action; and*
- d) approves the amalgamation of the Land with Record of Title 782172 (being the adjoining owner’s property) pursuant to section 345(2) of the LGA.’*

### 1. PURPOSE

The purpose of this report is to seek Council’s approval to stop and dispose of a section of Haldon Road, Hororata, between Dunsandel Road and the intersection of Illingworth Road/Ardlui Road. This section of road is currently unformed legal road as shown on the enclosed survey plan **enclosed** as Appendix ‘A’. The proposed action is to be carried out in accordance with sections 342, 345 and the Tenth Schedule of the LGA.

As a consequence of stopping the abovementioned section of road, and subject to any objections received in the process, it is proposed that Council then dispose of the Land to the adjoining owner and applicant, Open Fields Dairy Limited (herein referred to as the ‘Applicant’) as allowed by section 345(1) of the LGA. Following this, the Land is

proposed to be amalgamated with the Applicant's adjoining property as allowed by section 345(2) of the LGA.

The Applicant has undertaken to meet either all associated costs of the proposed road stopping, or the market value of the land, whichever is the greater. This is in accordance with Council's current Road Stopping Policy.

In the event that objections to the stopping of the road are received which cannot be resolved, then the matter will be forwarded to the Environment Court. The Applicant's undertaking includes covering all litigation costs in relation to any referral to the Environment Court.

The actions will be facilitated by a written agreement between Council in its capacity as landowner, and the Applicant.

## **2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT**

The issue and decision in relation to this matter has been assessed against the Significance and Engagement Policy and is regarded as having a low level of significance due to the following reasons:

- The decision will impact limited parties and will not have any wide-reaching community impact. This is because the only adjoining properties to the Land are owned by the Applicant and therefore the Applicant is the only directly impacted landowner.
- The relevant portion of the unformed legal road is not used as a connection between any main arterial roads and is therefore unlikely to be contentious to the community.
- As the Applicant has undertaken to meet the greater cost of either (a) the market value of the Land; or (b) the costs incurred by enacting the statutory process for stopping road pursuant to the LGA, the decision does not financially implicate the ratepayer or contradict any prior financial decisions made by Council.
- As the decision will be subject to specific public notification requirements in accordance with the LGA, views of the public will be captured prior to the road stopping being actioned – see further discussion of the public notification process in section 6(a)(iii) below.

## **3. HISTORY/BACKGROUND**

### **(a) Factual circumstances**

A representative of the Applicant approached officers of Council originally in 2021 to express interest in purchasing the Land. As the Applicant owns all surrounding properties to the Land for farming purposes, the Land currently prevents the Applicant from being able to fully amalgamate their properties and to farm within the full scope of the area.

Council officers provided the Applicant with general information pertaining to the process around taking road stopping actions, including the proposed arrangement for



costs in accordance with Council's Road Stopping Policy as reflected in paragraph (c) of the Recommendation of this report.

On 20 September 2022, the Applicant responded to Council officers indicating that they would like to pursue the road stopping process confirming their willingness to cover costs in accordance with Council's Road Stopping Policy. On 20 December 2022, the Applicant signed an undertaking to reflect this arrangement ('Undertaking').

(b) Details of the Land

The Land that is the legal road proposed to be stopped is identified as Section 1 of draft SO 585639 and is approximately 4.6275 hectares.

A copy of the draft SO 585639 is **enclosed** as Appendix 'A'. An aerial map showing the Land (bordered red) is **enclosed** as Appendix 'B'.

Fundamentally, the part of Haldon Road that is proposed to be stopped (i.e. the Land) is unformed, appears to be unused by the public, and surrounded only by the Applicants land.

The road stopping that is the subject of this report does not include any of the formed part of Haldon Road and will therefore not impact users of that part of the road. Haldon Road is a legal road of approximately 6 kilometres in length which, on paper, is a connection from Bealey Road through to the intersection of Illingworth Road/Ardlui Road. Only a small extension of Haldon Road is formed, this being to the north of the where Haldon Road intersects with Dunsandel Road.

The Applicant already utilises the Land for farming purposes and would like to formalise their usage by purchasing the Land from Council. As mentioned, the intention is that once the road has been stopped in accordance with the LGA, the Land shall be amalgamated with one of the Applicant's adjoining properties held in Record of Title 782172 (Lot 1 Deposited Plan 53706 and Lot 3 Deposited Plan 403600 and Rural Section 34009).

#### 4. **PROPOSAL**

The purpose of this report is to seek Council's approval to stop and dispose of the road (already defined as the Land) under sections 342 and 345 of the LGA and as prescribed by the process outlined in the Tenth Schedule of the LGA.

Subject to the Council's approval of the recommendation as tabled in this report, Council has engaged The Property Group Limited (TPG) to facilitate the required statutory actions to stop and dispose of the Land under the LGA. This will include approving the draft survey plan and then advertising the proposal for public consultation to allow members of the public to lodge objections. The public notice period must be for at least 40 days.

TPG will also be working to obtain a formal agreement with the Applicant (subject to Council's approval in accordance with this report) which will include finalising a valuation assessment by a registered valuer of the Land.

Assuming no public objections to the proposal are received and that the Applicant enters into a formal agreement with Council, the road will be stopped, a Record of Title will be raised, and the Land will be amalgamated with the Applicant's property.

As discussed, the Applicant will pay the greater the amount of either the market valuation of the Land or the costs incurred in enacting the road stopping process.

## 5. OPTIONS

**Option 1** – authorise the Recommendation as tabled.

This is the preferred option. This will relieve Council of a redundant asset and allow any surplus funds generated as a result of the work to be utilised elsewhere. It will also ensure that the situation occurring in reality (i.e. the private occupation of Council-owned legal road) is reflected formally in a manner efficient to Council.

**Option 2** – do nothing.

This is not the preferred option. Whilst Council could decide not to proceed with the road stopping as tabled and instead retain the legal road, there is no anticipated or likely future requirement for this section of legal road. The Applicant could potentially therefore continue to utilise the Land without payment of the full value of the freehold.

## 6. VIEWS OF THOSE AFFECTED / CONSULTATION

### (a) Views of those affected and consultation

#### i. Council departments

Council's Transportation team was consulted in 2021 when the Applicant's initial enquiry was received by Council and were advised that there would be no strategic advantage to retaining the Land. Staff again consulted with Council's Strategic Transport Lead who confirmed that there would be no strategic or other related advantage to Council retaining the Unformed Legal Road. He also observed that aerial photos indicate a portion of the Land looks to have been planted out for some time.

#### ii. Utility providers

A 'Before u Dig' notification has been lodged on Council's behalf to identify interests of utility providers in the Land. The below parties were identified as having interests in or near the Land:

- *Council – Water and Waste*

- Council's Water Services team have been consulted in relation to an interest identified as traversing the Land to ascertain whether an easement in favour of Council would be required to be registered over the Land prior to its disposal. This interest was identified as an underground culvert as part of the Ellesmere Water Race Scheme. The relevant Council staff have advised that in accordance with Council's Water Race Bylaw, when a water race forms part of private property, the responsibility for

maintenance of the water race falls to the landowner. This means that an easement is not required.

- *Land Information New Zealand ('LINZ')*
  - A LINZ survey mark was identified in the vicinity of the Land near the intersection of Haldon Road and Dunsandel Road. LINZ has explained that survey marks are used to help in the surveying of property boundaries and should be protected from damage. Officers will work with LINZ to ascertain whether an easement will be required to protect the infrastructure.
- *Orion*
  - Orion have been contacted and have confirmed that they have no affected infrastructure in the Land.
- *Chorus*
  - Chorus advised that there is small portion of cable at the southern end of Haldon Road. While the infrastructure appeared to be located in the neighbouring roads, due to scaling differences there was a possibility that the Land may have been impacted. A Cable Locate service confirmed that the infrastructure is not within the relevant Land.

iii. Public consultation requirements

Public notification is required for the proposed stopping and will be carried out in accordance section 342 and the Tenth Schedule of the LGA. Public notification will provide an opportunity for any other party that may be affected by the proposed road stopping to object or ask any queries they may have about the stopping. There are no anticipated objections to the proposal as there is no obvious use by the public. However, if received, any objections will be processed and assessed by Council at that time.

Council will then have the opportunity to make a decision whether to continue with the road stopping or to stop the process, with all costs being payable by the Applicant to that date. Unless Council decides to allow the objection(s), Council must send the objection(s) to the Environment Court.

It is noted further that Herenga ā Nuku Aotearoa (the Outdoor Access Commission) have been separately contacted and have confirmed that providing the road stopping is publicly notified under the LGA, it sees no need to be further involved in the process.

**(b) Māori and Treaty implications**

It is not anticipated that the proposed road stopping will have any direct implications for Māori. Should this view change as works progress then Council staff and agents are cognisant of the requirement to act in accordance with the principles of Te Tiriti o Waitangi at all times.

**(c) Climate Change considerations**

Council is required to assess the recommendations in this report to ensure that the decision aligns with Council's Climate Change Policy and to assess the impact of the decision in the context of climate change.

The impact of this decision within this report on climate change is considered to be low.

The decision is a pre-cursor to changing the legal status of the Land, but not the physical use. There will be no impacts on any formal transportation routes, and there are no plans by Council for this Land to be developed. The Land's predominant usage is for access to the surrounding farmland which will be unchanged as a result of this decision.

**7. FUNDING IMPLICATIONS**

The Applicant has agreed to pay the greater amount of either (a) the market value of the land or (b) costs incurred as in the process of having the road stopped.

In practice, fees incurred to date are being paid by Council and then on-charged to the Applicant for re-payment to Council. In the event that the value of the land is assessed as being greater than the total costs incurred, the Applicant will be required to pay the difference.

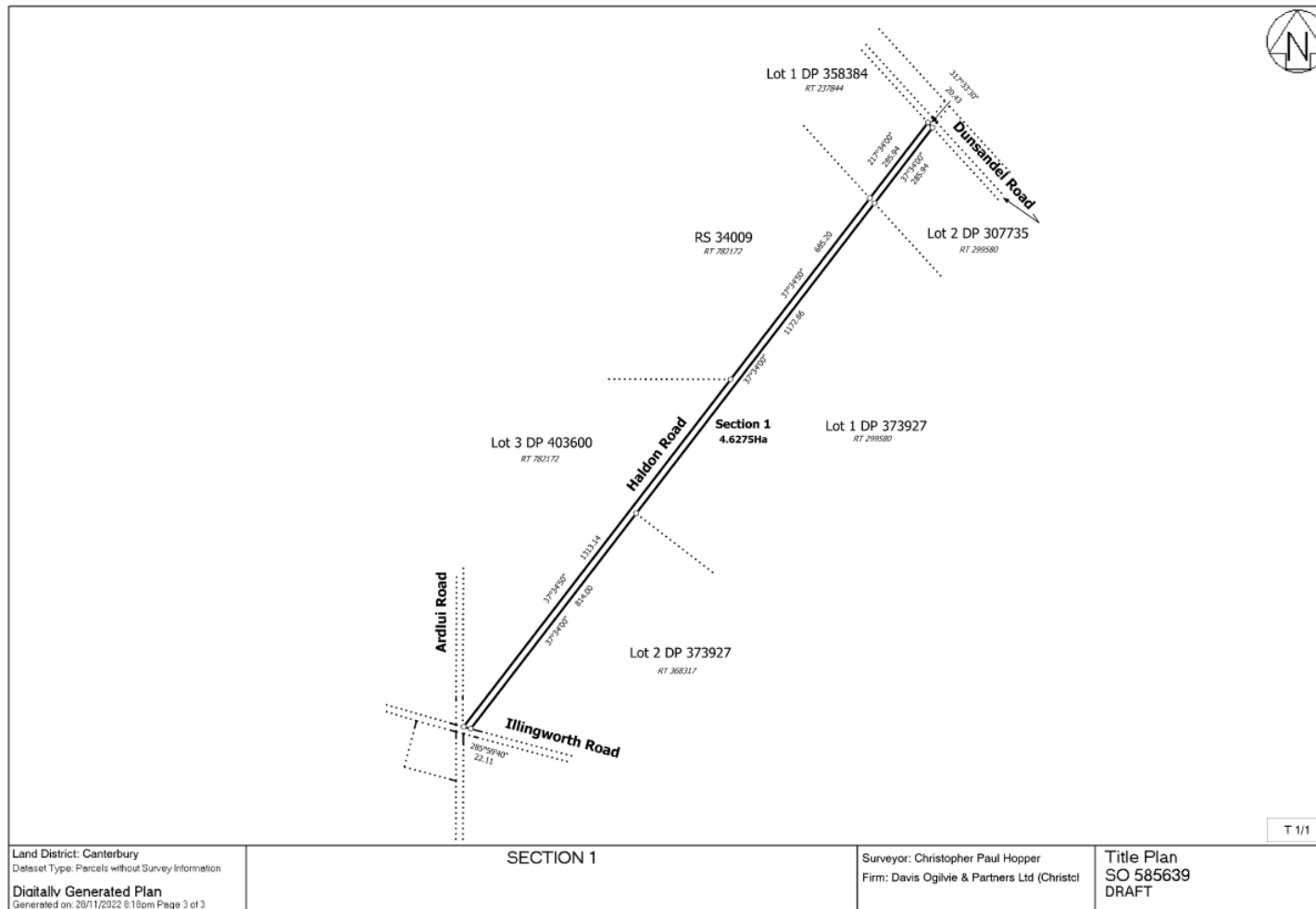


Rob Allen  
**HEAD OF ACQUISITIONS DISPOSALS AND LEASING**  
*Endorsed For Agenda*

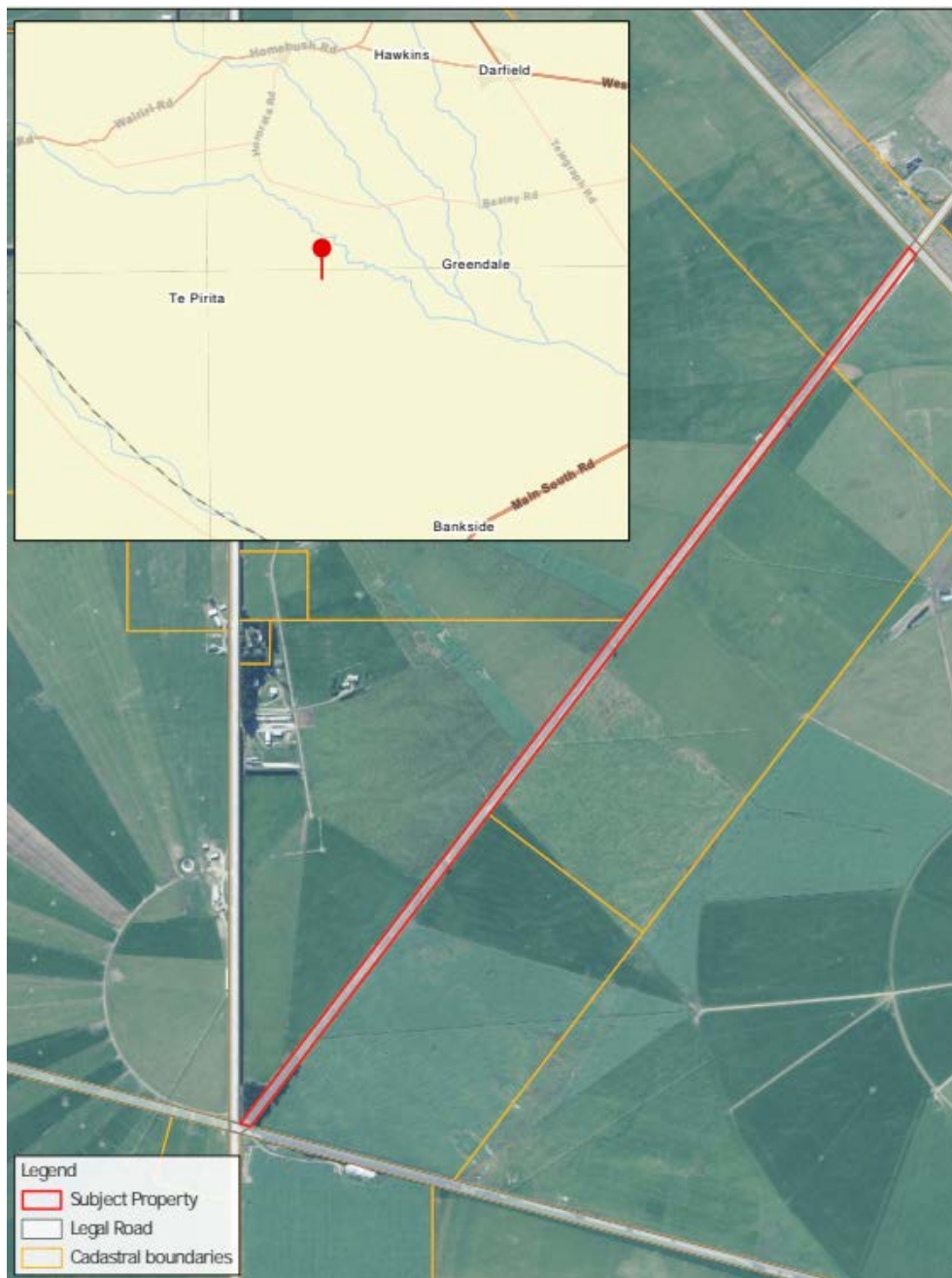


Tim Harris  
**EXECUTIVE DIRECTOR ENABLING SERVICES**

## Appendix 'A'



## Appendix 'B'



## REPORT

**TO:** Sharon Mason - Chief Executive Officer  
**FOR:** Council meeting – 12 June 2024  
**FROM:** Andrew Spanton - Environmental Team Leader  
**SUBJECT:** **SELWYN BIODIVERSITY STRATEGY – COUNCIL ADOPTION**

---

## RECOMMENDATION

*'That the Council:*

- a. Receives this report.*
- b. Adopts the Selwyn Biodiversity Strategy, allowing for minor design refinements (attached as **Appendix 1**).*

### 1. PURPOSE

This report seeks Council adoption of the Selwyn Biodiversity Strategy (the Strategy). The Strategy is included as **Appendix 1** of this report. This Report also seeks to re-clarify the public consultation process that was followed and give an overview of the key aspects of the feedback.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

This Strategy has already been through a special consultative procedure as detailed below. No further engagement is considered to be required through the Council's Significance and Engagement Policy.

### 3. HISTORY/BACKGROUND

The Strategy provides an overarching view of how Council intends to achieve protection, restoration, maintenance, and management of indigenous biodiversity within Selwyn. The Strategy provides an 'agreed to' framework to guide and support the Council's future biodiversity work programmes. Future Selwyn's directions and outcomes are informed by the the Strategy, and the actions contained in the Strategy will work alongside the elements of the Blue-Green plans.

As an outcome of the Strategy, a Biodiversity Working Group will be formed to develop the proposed three yearly Biodiversity Work Programme.

As a non-statutory document, the Strategy shares the same intent as the Biodiversity Strategy for the Canterbury Region 2008, and is aligned with the following key regional targets:

1. No further loss of significant habitats and ecosystems.
2. An increase in biodiversity protection and restoration initiatives.
3. A growing public awareness of incorporating indigenous biodiversity into working and urban landscapes.
4. Biodiversity promotion.
5. On-going monitoring and research.
6. Partnerships which result in beneficial biodiversity outcomes.

The Strategy identifies the need for integrated approach that promotes co-operation and collaboration between mana whenua, the Selwyn community, landowners and occupiers, industry, and government agencies.

The Strategy will:

- Set the strategic direction for Council regarding indigenous biodiversity within Selwyn.
- Identify opportunities for recognising and providing for mana whenua values in accordance with the Mahaanui Iwi Management Plan 2013 and other relevant Iwi Management Plans.
- Provide a framework for implementing the protection, maintenance, and restoration of Selwyn's indigenous biodiversity (through identified actions).
- Develop baselines for indigenous biodiversity in Selwyn and identify threats and opportunities.
- Clarify opportunities and roles for our community, landowners and occupiers, and stakeholders to lead, assist with and input into indigenous biodiversity planning and actions.
- Raise awareness and understanding of indigenous biodiversity in Selwyn.
- Identify and apportion biodiversity roles and responsibilities across Council management teams.
- Guide and inform key Council documents including Long Term Plans and Infrastructure Strategies, the Future Selwyn Strategy, and the Selwyn District Plan.

### **The Strategy Development Process**

The development of the Strategy was endorsed by Council at a Council meeting on the 8th of September 2021. A Project Steering Group (PSG) was established in March 2022 to inform and provide guidance to the Project Team (Council Biodiversity staff) on matters relating to the development of the Strategy and to advise on the content of the Strategy. Updates on the development of the Strategy were presented to Council on a regular basis, and on the 5<sup>th</sup> of April 2023 the Goals, Targets and Actions section of the Strategy was workshopped with Councillors.

On the 12<sup>th</sup> of July 2023 a report was presented to Council on the proposed consultation and engagement process. Council agreed to proceed with the prescribed engagement process.

The consultation and engagement process for the Strategy was undertaken in two key phases:

- Phase 1 - targeted engagement on the draft strategy with partners, including mana whenua, and key stakeholders. This phase of the consultation and engagement process was completed with submissions and feedback received from key stakeholders, and the strategy was edited accordingly.



- Phase 2 - this was a formal public consultation process involved Council inviting the public to submit feedback on the draft strategy. The public consultation process ran for eight weeks, from mid-November to mid-January 2024.

The public submission process provided opportunities for all parts of the community to submit feedback on the Strategy. The process consisted of three drop-in sessions and consultation through the Your Say Selwyn Portal. The consultation document was also available for hardcopy submissions. The feedback received from the community was considered by staff and incorporated into the final version (as determined necessary).

Associated public hearings were held on the 26<sup>th</sup> March and the Strategy was edited accordingly - as discussed with and agreed to by the (Council appointed) hearings panel. The overall feedback from the public was very positive and the Strategy was seen as a significant step for Council.

The key aspects of the feedback from the Public Consultation process are:

- The need for control of wilding conifers and other weed species, especially in the high country.
- Recognition and protection of kea
- Support for the community and landowners including funding for restoration efforts and pest control initiatives.
- Capacity, or lack of, for Council to deliver meaningful indigenous biodiversity outcomes.
- The need to protect and restore existing indigenous vegetation and habitats as a priority over creating new sites via planting.
- Importance and need for education and increased community awareness of indigenous biodiversity.
- Monitoring and enforcement of District Plan rules
- The need for increased indigenous vegetation in urban areas.

Post the public consultation process the Strategy has been designed by Council staff (to ensure design consistency with other Council strategies).

### **Next Steps**

The Environment Team are developing a work programme to give effect to the Selwyn Biodiversity Strategy. A Biodiversity Working Group, made up of mana whenua, stakeholders and partners, will inform the development of the work programme. This will include identifying key projects, developing working partnerships, and alignment with the Canterbury Biodiversity Strategy and Selwyn District Plan.

## **4. PROPOSAL**

The purpose of presenting this report is to seek Council adoption of the final version of the Selwyn Biodiversity Strategy (see attached **Appendix 1**).

## 5. OPTIONS

**Option One (recommended)** – adopt the Strategy, with staff able to make minor design refinements.

**Option Two** – do not adopt the Strategy.

**Option Three** – adopt the Strategy but with amendments on substantive matters.

Option One is recommended as an extensive process has been undertaken to develop the Strategy. This has involved input from Councillors and Senior Managers at various stages, as well as enabling the views and issues of mana whenua, partners, key stakeholders, and the public / wider community to be captured and evaluated through the consultation and engagement process. Feedback was generally very positive, and the Strategy is seen as a significant step for Council. Staff are, therefore, confident that the Strategy provides a comprehensive representation of the current issues and management opportunities related to indigenous biodiversity within Selwyn. Due to design timeframes some minor design refinements may be required. However, no substantive changes will be made to Strategy that could affect its application or meaning.

Option Three is not recommended as the development process of the Strategy has followed a full consultation process, including with a hearings panel who heard the matters raised by submissions. Edits to the document were made accordingly and have informed the final version of the Strategy. Amendments to the document on substantive matters may change or undo the input from mana whenua, partners, key stakeholders, and the public / wider community.

## 6. VIEWS OF THOSE AFFECTED / CONSULTATION

### (a) Views of those affected

The views of those affected were considered through the consultation and engagement process for the Strategy.

### (b) Consultation

The development of the Strategy has involved an extensive consultation process, which also included consistent mana whenua participation and direction, and input from Councillors Senior Managers and Staff. It has allowed for the views of partners, key stakeholders and the public / wider community to be provided and appraised.

### (c) Māori implications

Mana whenua input into the development of the Strategy and associated work programme has been through Mahaanui Kurataiao Ltd (MKT). Directions regarding iwi involvement in indigenous biodiversity management are clearly laid out in the Resource Management Act 1991 (RMA) and the Aotearoa New Zealand Biodiversity Strategy (ANZBS). Mahaanui Kurataiao are contracted directly through this process to ensure the cultural values of mana whenua are identified and that the Strategy is consistent with the Mahaanui Iwi Management Plan.

### (d) Climate Change considerations

The effects of climate change on indigenous flora and fauna, and their habitats are considered in the Strategy. Climate change has the potential to have an impact on all

natural ecosystems in Selwyn, and it is expected that its impacts, including extreme weather events, will put increasing pressure on Selwyn's biodiversity. The policies that Council develops to respond to climate change will have clear implications for biodiversity. The Strategy sets out several actions that focus on climate change responses regarding the management of our indigenous biodiversity.

## **7. FUNDING IMPLICATIONS**

The funding for the development of the Strategy was provided for within current budget. While the strategy sets out goals, targets and actions, the development of the three yearly Biodiversity Work Programme, as guided by the Biodiversity Working Group, will provide specific on the ground actions that will require some Council funding (whilst considering that other external sources of biodiversity funding are available) and will work within the potential budgets.

## **8. LEGAL CONSIDERATIONS**

There are no legal considerations.



Andrew Spanton  
**ENVIRONMENTAL TEAM LEADER**



Robert Love  
**ACTING EXECUTIVE DIRECTOR DEVELOPMENT AND GROWTH**

# Selwyn Biodiversity Strategy

**PROTECTING OUR NATURAL HERITAGE**

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## MAYORAL FOREWORD

I am delighted to introduce to you the Selwyn Biodiversity Strategy. I recognise that our natural environment underpins all that we do in our district. While we know that the landscape has been modified over the centuries, it's important to ensure that our district's special indigenous flora and fauna is protected and restored.

This Strategy has been developed in partnership with mana whenua, partners, stakeholders, and our wider community. Te Taumutu Rūnanga have been integral to the drafting of this document and we're very grateful for their support and involvement, including with the preparation of the Ngāi Tahu chapter. Thank you also to those who had input through the submission process on the draft strategy when we consulted with our community in late 2023.

We know that the indigenous biodiversity in the Selwyn district, and across Aotearoa New Zealand, is continuing to face significant challenges, through changes in land use, urban intensification, threats from pests and predators, and our changing climate. These issues will require a mix of short and long-term solutions. Suitable capacity, support and funding will also be needed to undertake the necessary measures.

This Strategy is for our whole Selwyn community. The Council has a key leadership role to play, but looking after our district's biodiversity will require all parts of our community to work together. We will build on the good work that's already been done by mana whenua, farmers, community groups and our partner agencies, and together we will find new and improved ways to continue to protect and manage our heritage that is our indigenous biodiversity.

The goals, targets and actions in this strategy contain a combination of what our partners and stakeholders see as important, what the Council will do and what has to be done under direction from our government, including with regard to the recently released National Policy Statement - Indigenous Biodiversity. We will work closely with mana whenua, landowners, and our community, collaborating through partnerships wherever we can.

A lot of hard work has gone into putting this strategy together, but the key to this document will be seeing it lived out, by successfully implementing the identified actions. We encourage our whole community to take ownership and responsibility for the health of our natural environment. Together we will make it happen.



A handwritten signature in black ink, appearing to read 'S. Broughton'.

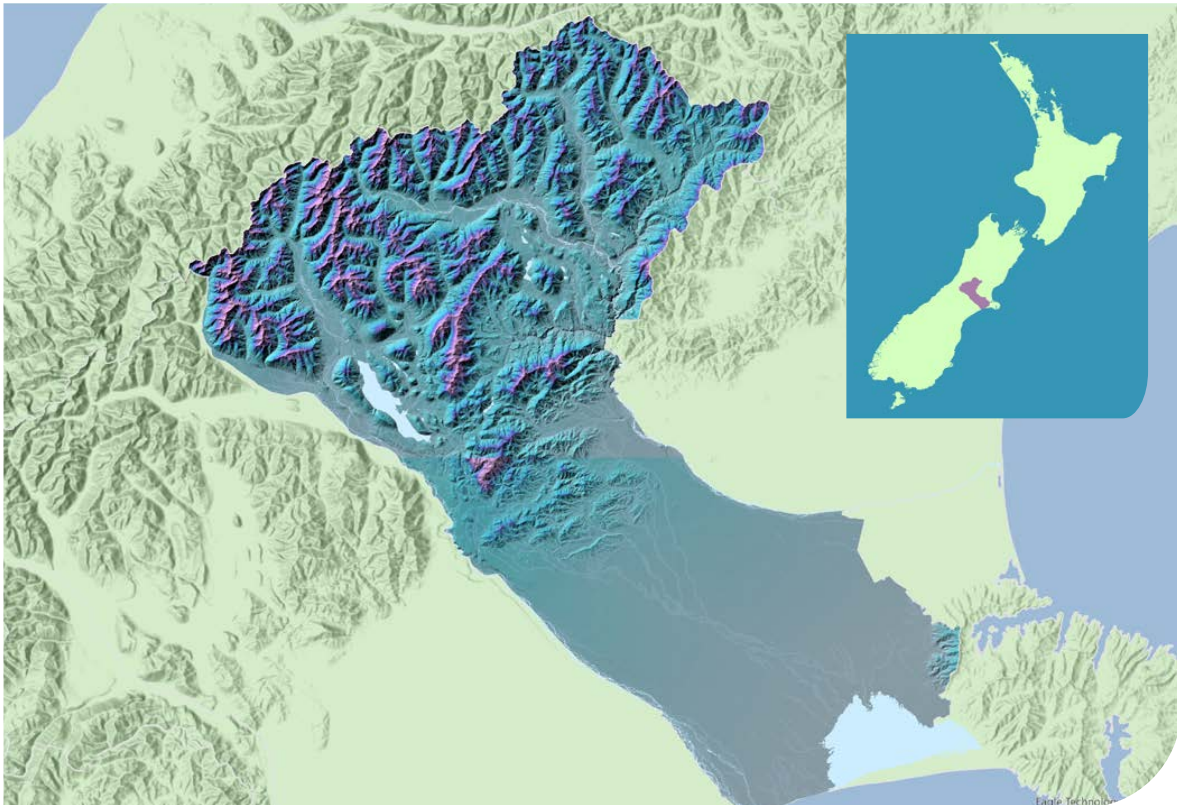
**Sam Broughton**  
Mayor of Selwyn



**Our Vision:**

**Ecosystems, from the mountains to the sea, and the indigenous species and habitats contained within, are protected, and thriving. Our community is enriched through a strong connection with nature.**

**Manawhenua are exercising their full rangatiratanga and kaitiakitanga and our prosperity is intrinsically linked to Selwyn's flourishing native biodiversity.**



*The Selwyn District.*





*Waimakariri river flats.*

## EXECUTIVE SUMMARY

Biodiversity means the 'variety of life'. The term describes the diversity of all life on land, in fresh water and the sea. This includes the genes they contain and the ecosystems in which they live. The Waikirikiri Selwyn Biodiversity Strategy (the Strategy) focuses on indigenous biodiversity, that is, those species that naturally occur within Aotearoa New Zealand and the Waikirikiri Selwyn District. The Strategy recognises that healthy ecosystems are critical, not only to the sustainability of indigenous biodiversity, but also to the social, cultural, spiritual, environmental, and economic fabric of our district.

The purpose of this Strategy is to provide an overarching view of how Waikirikiri Selwyn District Council (Council) intends to achieve the protection, maintenance, and restoration of indigenous biodiversity within Selwyn. It establishes a strategic approach based on the concept of first protecting what remains and then restoring what has been lost, and it identifies priorities accordingly.

### The Strategy aims to:

- build on the good work already occurring in the district,
- support and encourage the associated efforts of mana whenua, communities, landowners, and individuals,

- raise awareness of biodiversity values,
- facilitate the coordination of agency effort through alignment and partnerships.

The Strategy provides an 'agreed-upon' framework to guide and support the Council's future biodiversity work programmes. It establishes a shared vision and four key goals, and it identifies targets and the actions that we need to take to achieve those goals.

### The Strategy is aligned with the following regional targets:

- No further loss of significant habitats and ecosystems,
- An increase in biodiversity protection and restoration initiatives,
- A growing public awareness of incorporating indigenous biodiversity into working and urban landscapes,
- Biodiversity promotion,
- On-going monitoring and research,
- Partnerships that result in beneficial biodiversity outcomes.







*Canoeing down the Arariria/Lili. Photo by Robin Smith.*

For Māori, the connection with nature is one of whakapapa (kinship). Māori culture and language evolved in the ecosystems and landscapes of Aotearoa New Zealand and its people are inextricably woven together with Te Taiao (the natural world). Te Tiriti o Waitangi provides the basis for the relationship between government and manawhenua in managing indigenous biodiversity, as per the duty of active protection of Māori interests and the principle of partnership. The Strategy contains a Ngāi Tahu chapter, which provides the context for indigenous biodiversity aspirations and the desired outcomes for Ngāi Te Ruahikihiki ki Taumutu and Ngāi Tūāhuriri. The partnership between manawhenua and Council is key to improving biodiversity outcomes in Selwyn.

Council is required, under Section 6(c) of the Resource Management Act 1991, to recognise and provide for the protection of areas of “significant indigenous vegetation and significant habitats

of indigenous fauna” on land it administers as a matter of national importance. As part of the Council’s commitment to this, the Strategy aims to complement and inform the Selwyn District Plan, which is the key legal document for the protection and enhancement of the environment within Selwyn. The Strategy is also aligned with other crucial documents, including the Te Mana o te Taiao Aotearoa New Zealand Biodiversity Strategy 2020, the Biodiversity Strategy for the Canterbury Region 2008, and the Mahaanui Iwi Management Plan 2013.

There are significant challenges and opportunities ahead for the management of indigenous biodiversity within Selwyn, including the protection of significant habitats, halting further loss of endangered species, the enhancement of waterways and wetlands, and the protection and restoration of a range of healthy ecosystems stretching from the mountains to the sea.



## The Strategy Vision Statement

Ecosystems, from the mountains to the sea, and the indigenous species and habitats contained within, are protected, and thriving. Our community is enriched through a strong connection with nature.

Manawhenua are exercising their full rangatiratanga and kaitiakitanga and our prosperity is intrinsically linked to Selwyn's flourishing native biodiversity.

## The Strategy Goals

Achieving the Strategy's Vision will require leadership from the Council, as well as participation from and the development of partnerships with manawhenua, local communities, landowners, and the agencies.

### The Vision is supported by four main Goals:

1. Work in partnership with manawhenua, landowners, and other stakeholders to protect, enhance, maintain, and restore indigenous biodiversity, mahinga kai, taonga species, and culturally and historically significant sites.
2. Identify the state of indigenous biodiversity within Selwyn and develop appropriate responses in accordance with our statutory responsibilities to halt the decline of our native flora and fauna.

3. Support actions by landowners and our community to protect and restore indigenous biodiversity and enhance public awareness of our natural environment.
4. Encourage and increase the integration of indigenous species in modified environments, including urban spaces, lifestyle blocks, and managed waterways.

The goals are broken down into targets and actions that can be found on pages 51 to 57 of this document. The actions are listed along with contributing parties, timeframes, and potential funding sources.



*Tārekeautuku Yarrs Lagoon Landcare group at the Lagoon.*

# I. INTRODUCTION

## 1.1. What is biodiversity?

Biodiversity was first introduced as a resource management concept at the Rio Earth Summit in 1992, referring in broad terms to 'the variety of life'. The term describes the variety and diversity of all life on land, in fresh water and the sea. This includes the genes they contain and the ecosystems on land and water in which they live.

Aotearoa New Zealand's primary legislation for managing the environment, the Resource Management Act 1991, defines biological diversity as: the variability among living organisms, and the ecological complexes of which they are part, including diversity within species, between species, and of ecosystems.

Biodiversity provides the life supporting systems that enable all organisms, including humans to survive.<sup>1</sup>

## 1.2. What is 'indigenous biodiversity'?

Indigenous biodiversity is the diversity (or range) of indigenous species. This includes diversity within and between species. Indigenous species are those species that naturally occur in Aotearoa New Zealand. Aotearoa New Zealand is a global biodiversity hot spot, with many of our indigenous species found nowhere else (endemic). Because of its high level of endemism and distinctiveness, Aotearoa New Zealand's indigenous biodiversity contributes significantly to overall global biodiversity.

Endemism among Aotearoa New Zealand plants and animals is one of the highest in the world, owing largely to the country's isolation from other land masses, as well as its diverse geography and climate, which has allowed for the development of our unique flora and fauna.

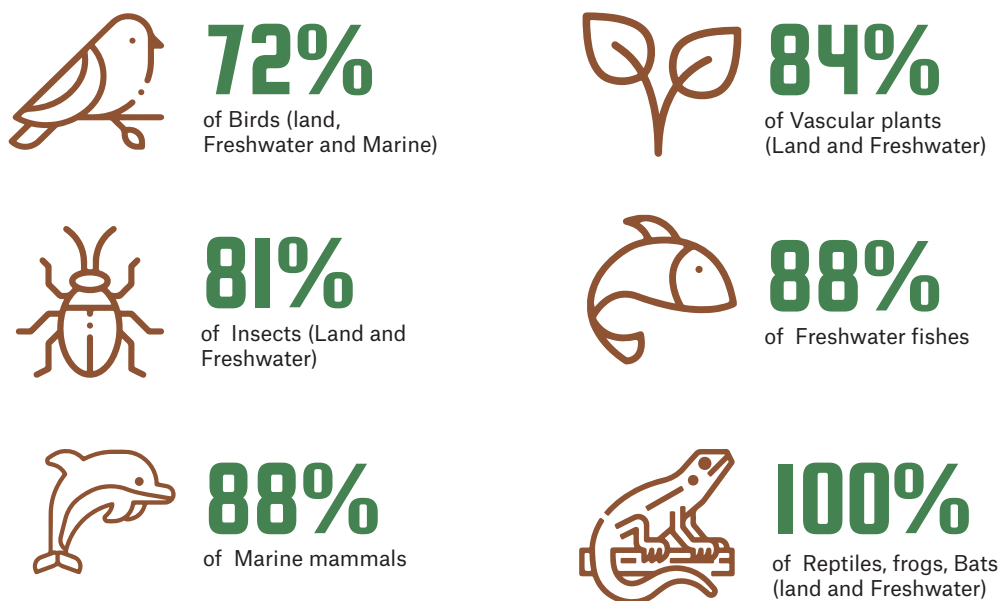


Figure 1: Proportion of Aotearoa New Zealand's indigenous species found nowhere else on Earth. Note: This data does not include extinct species. Source: Biodiversity in Aotearoa<sup>1</sup>

1. <https://www.doc.govt.nz/globalassets/documents/conservation/biodiversity/anzbs-2020-biodiversity-report.pdf>



The list of New Zealand species known to have become extinct since human settlement includes one bat, sixty-two birds, three frogs, three lizards, one freshwater fish, seven plant species, and a number of invertebrates<sup>2</sup>.

### 1.3. Why is indigenous biodiversity important?

The indigenous biodiversity of this country is important to the environment, culture, society, and economy of Aotearoa New Zealand. Our biodiversity provides for the life supporting systems that enable all life on earth to survive. Wetlands purify water and aid in the prevention of flooding and drought. River flood plains contribute to managing floods, they

naturally replenish aquifers and provide vital habitat for native species. Indigenous forests serve as carbon sinks while also purifying the air we breathe. Healthy ecosystems provide food, medical properties, and a range of other resources. Indigenous biodiversity shapes our local and cultural identity while also sustaining our primary and tourism industries. For Māori, the connection with nature is one of whakapapa (kinship). Māori culture and language evolved in the ecosystems and landscapes of Aotearoa New Zealand and are inextricably woven with them.



Royal Spoonbill | Kōtuku ngutupapa (*Platalea regia*) photo by Steve Attwood.

## 2 THE STRATEGY

### 2.1. The Purpose of the Strategy

The purpose of this Strategy is to provide guidance and a common focus for policy and decision making, resource allocation, voluntary effort, and on-the-ground projects and initiatives related to indigenous biodiversity management in Selwyn. It aims to build on the good work already occurring, raise awareness of biodiversity values, facilitate the coordination of agency effort through alignment and partnerships, and support and encourage the efforts of communities, landowners, and individuals.

The Strategy establishes a shared vision and four key goals. It identifies the actions that we need to take to achieve those goals, who has a role to play in those actions, the potential sources of funding, and the framework for the development of the three yearly Biodiversity Work Programme. It establishes a strategic approach based on the general concept of first protecting what remains, and then restoring what has been lost, and identifies priorities accordingly.

On an international level Aotearoa New Zealand is party to the Convention on Biological Diversity (CBD) This promotes the development of global targets, national strategies and action plans for the conservation and sustainable use of biodiversity.

In December 2022, Convention on Biological Diversity parties agreed to the Kunming-Montreal Global Biodiversity Framework<sup>3</sup>, under which they committed to contribute to 4 global goals and 23 global targets to halt and reverse biodiversity loss by 2030. As a party to CBD, New Zealand is required to have a national biodiversity strategy and action plan. Through the strategy and action plan, New Zealand delivers its obligations under the CBD, expressing our commitment to stem the loss of biodiversity worldwide.

Council is required, under Section 6(c) of the Resource Management Act, 1991 (RMA), to recognise and provide for the protection of areas of "significant indigenous vegetation and significant habitats of indigenous fauna" on land it administers as a matter of national importance. In order to give effect to the RMA, Council has the following functions (under s31):

- The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district; and
- The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the maintenance of indigenous biological diversity.

#### The Strategy is informed and guided by these key documents:

- **Te Mana o te Taiao Aotearoa New Zealand Biodiversity Strategy 2020** – which sets out a strategic framework for the protection, restoration and sustainable use of biodiversity, particularly indigenous biodiversity, in Aotearoa New Zealand from 2020 to 2050. Collaboration and partnerships are a key focus in Te Mana o te Taiao.
- **Biodiversity Strategy for the Canterbury Region 2008** – is a non-statutory document for the Canterbury Region that establishes a framework of goals and priorities for undertaking biodiversity initiatives.
- **Canterbury Regional Land and Water Plan** – which provides clear direction on how land and water are to be managed in the region.
- **Canterbury Regional Policy Statement** – provides an overview of the resource management issues in the Canterbury region, and the objectives, policies, and methods to achieve integrated management of natural and physical resources.
- **Canterbury Regional Pest Management Plan** – provides the regulatory requirements for priority plant and animal pests across the region.
- **Selwyn District Plan** – which is the key legal document for the protection and enhancement of the environment within the Selwyn District.

- **Mahaanui Iwi Management Plan 2013** - contains a comprehensive suite of policies and objectives addressing the range of resource and environmental management matters of significance to manawhenua.
- **The Canterbury Water Selwyn-Waihora Zone Committee Zone Implementation Programme (ZIP)** - recommends actions, responsibilities, and timeframes for activities to help achieve the principles, targets and goals set out in the Canterbury Water Management Strategy (CWMS).
- **National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB)** - which sets out the objectives and policies to identify, protect, maintain, and restore indigenous biodiversity under the RMA.
- **Climate Change Response Act (2002)** - a legal framework that enables New Zealand to develop clear and stable policies to limit global warming to 1.5° Celsius above pre-industrial levels; and to allow New Zealand to prepare and adapt to the effects of climate change.

### The objective of the National Policy Statement Indigenous Biodiversity is:

(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is

at least no overall loss in indigenous biodiversity after the commencement date; and

(b) to achieve this:

(i) through recognising the mana of tangata whenua as kaitiaki of indigenous

biodiversity; and

(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and

(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and

(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.

The Strategy provides an overarching view of how Council intends to achieve protection, restoration, maintenance, and management of indigenous biodiversity within Selwyn. The Strategy provides an 'agreed to' framework to guide and support the Council's future biodiversity work programmes. As an outcome of the Strategy, a Biodiversity Working Group will be formed to develop the three yearly Biodiversity Work Programme.

As a non-statutory document with the same intent as the Biodiversity Strategy for the Canterbury Region 2008, this Strategy is aligned with the following key regional targets:

1. No further loss of significant habitats and ecosystems.
2. An increase in biodiversity protection and restoration initiatives.
3. A growing public awareness of incorporating indigenous biodiversity into working and urban landscapes.
4. Biodiversity promotion.
5. On-going monitoring and research.
6. Partnerships which result in beneficial biodiversity outcomes.

The Strategy recognises and seeks to align itself with other biodiversity initiatives through an integrated approach that promotes co-operation and collaboration between manawhenua, the Selwyn community, landowners and occupiers, industry, and government agencies.



*Tārekautuku Yarrs Lagoon, looking towards the Port Hills.*

**The Strategy will:**

- Set the strategic direction for Council regarding indigenous biodiversity within the Selwyn district.
- Identify opportunities for recognising and providing for manawhenua values in accordance with the Mahaanui Iwi Management Plan 2013 and other relevant Iwi Management Plans.
- Provide a framework for implementing the protection, maintenance, and restoration of Selwyn's indigenous biodiversity (though identified actions).
- Advocate for the collation of baseline monitoring for indigenous biodiversity in Selwyn and identify associated threats and opportunities.
- Clarifies opportunities and roles for our community, landowners and occupiers, and stakeholders to lead, assist with and input into indigenous biodiversity planning and actions.
- Consider the effects of climate change on indigenous biodiversity.
- Raise awareness and understanding of indigenous biodiversity in Selwyn.
- Identify and apportion biodiversity roles and responsibilities across Council management teams.
- Guide and inform key Council documents including:
  - Council Long Term Plans and Infrastructure Strategies,
  - The Future Selwyn Strategy,
  - The Selwyn District Plan.

Fantail | Piwakawaka (*Rhipidura fuliginosa*).**2.2. Strategy Implementation**

The Strategy will be implemented through the formation of a Biodiversity Working Group comprised of iwi, agency representatives and stakeholders. The Group will lead the preparation of a three yearly Biodiversity Work Programme which will include the following key components:

- A range of initiatives to give effect to the goals and actions within the Strategy,
- Prioritisation of the identified initiatives, based on factors including their expected effectiveness, acceptability to Council and the Selwyn community, and associated risks,
- Anticipated costs, budgets, and timelines,
- Key funding sources and availability,
- Identification of responsibility for implementing actions.

The Work Programme and the associated Council funding required to carry out the identified actions will be developed in accordance with Councils Long-Term Plan (LTP) process. The financial implications to Council of various options and features will be identified and considered prior to the actions being funded and implemented.

**2.3. Strategy Timeframes**

The Strategy's timeframes commence on formal endorsement by Selwyn District Council, and it is to be reviewed at least every five years (starting in 2029) for effectiveness and efficiency. Due to the rapidly changing environment, including regulatory, environmental and climate, it is envisaged that these timeframes are suitable to help ensure that the Strategy stays relevant and up to date.

**2.4. Annual progress review**

Council Biodiversity staff will be responsible for completing an Annual Progress Review each year, which will be reported to Council, Rūnanga and the community. This Review will highlight the achievements of the preceding year in biodiversity matters, measure progress against the Strategy's goals, targets, and actions, and monitor timeframes.





Road side vegetation — Cabbage Tree | tī kōuka (*Cordyline australis*).



## 3. BIODIVERSITY IN SELWYN

### 3.1. Selwyn's Landscapes and Ecosystems

From the mountains to the sea, Selwyn is large, varied, and ecologically fascinating. Selwyn encompasses a diverse spectrum of culturally and ecologically significant environments, including rising mountains cloaked with mountain beech, extensive high country tussocklands, major braided river systems, highly productive alluvial plains, freshwater lakes and wetlands, and coastal aquatic environments.

Selwyn covers approximately 650,000 hectares, with the Canterbury Plains and foothills accounting for 54% of that area. The remaining land is primarily classified as high country or alpine, dominated by steep land that is sparsely populated.

Selwyn contains some of the most significant and 'naturally uncommon ecosystems' that often have highly specialised and distinctive assemblages of flora and fauna. Many of these ecosystems have been affected by land use changes, predominantly from deforestation, land clearances, and agriculture.



*Waimakariri River braids.*

**These 'uncommon ecosystems' include:**

- Outwash gravels (Critically Endangered) - outwash gravel plains occur in intermontane basins and are formed on terraces comprising late-Otiran fluvioglacial materials. These materials originated from the meltwater of retreating glaciers of this period.
- Braided Rivers (Endangered) - globally, braided rivers occur only in mountainous, glaciated areas where natural gravel production, river flows and gentle gradients allow them to form.
- Limestone outcrops (Vulnerable) - limestone outcrops can be cliffs or tors which provide many varied habitats - from bare rock that can only be colonised by mosses and lichens to deeper soils supporting woody vegetation. Some limestone outcrops are important sites of both ancient depositional fossils and New Zealand biota that has become extinct since humans arrived.
- Lake Margins (Vulnerable) - lake margin vegetation ranges from periodically inundated forest, through tall reedland and rushland, to sedgeland and herbfield, and down to open land with only scattered herbs on rocky lake shores as in many eastern South Island lakes.
- Seepage and Flushes (Endangered) - seepages and flushes form where groundwater emerges on hillsides to form soils that are mostly permanently saturated with relatively nutrient and oxygen rich water.

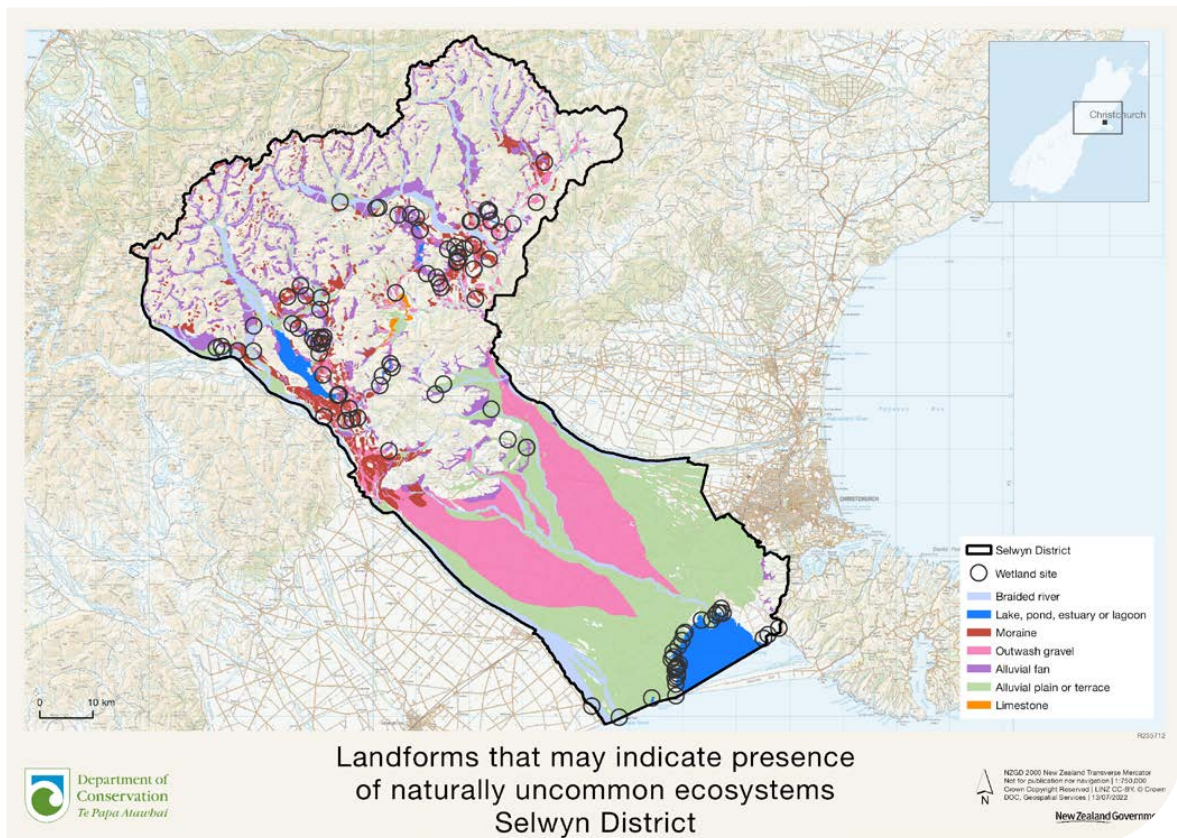


Image from Department of Conservation and Mike Harding.

**A brief description of some of Selwyn's broad landscape types:**

Landscape types	General description	Significant Indigenous vegetation and habitat	At risk - threatened indigenous flora and fauna	Key Threats
Montane & subalpine	High mountain areas with fragile ecosystems, severe climatic extremes. Includes Arthurs Pass National Park, Craigieburn Forest Park, Rangitata/Rakaia Head Waters Conservation Area, and the Central Southern Alps Conservation Area.	Sub-alpine and montane tall tussock grasslands, scree communities, and montane herbfields.  Cedar and totara forests	Kea ( <i>Nestor notabilis</i> ).  NZ Falcon   Kārearea ( <i>Falco novaeseelandiae</i> )  Alpine Grasshoppers ( <i>Brachaspis nivalis</i> , <i>Sigaus australis</i> ).  Rock wren   Piwauwau ( <i>Xenicus gilviventris</i> ).	Invasive species (both plant and animal).  Climate change effects.  Harmful and inappropriate use by recreationalists.  Lead poisoning.  Human interactions.
High country	Iconic landscapes consisting of steep slopes, intermontane basins, terraces, and fans. Depositional landforms and glacial features.  Contains large areas of Crown Pastoral Lease managed by Land Information New Zealand under the Crown Pastoral Land Reform Act 2022 which is leased on a long-term basis for pastoral farming.  Includes areas of University of Canterbury endowment land.	Extensive montane tall and short tussock grasslands, along with remnant native 'grey scrub' shrublands and beech forest communities. Includes Limestone outcrops that provide habitat for rare and distinctive plant species.	Alpine Grasshoppers ( <i>Brachaspis nivalis</i> , <i>Sigaus australis</i> ).  NZ Falcon   Kārearea ( <i>Falco novaeseelandiae</i> )  Mistletoes ( <i>Alepis flavida</i> and <i>Peraxilla tetrapetala</i> )  Orange fronted kakariki ( <i>Cyanoramphus malherbi</i> )  Yellowhead   Mohua ( <i>Mohoua ochrocephala</i> )  Blue Duck   Whio ( <i>Hymenolaimus malacorhynchos</i> )  Great spotted kiwi ( <i>Apteryx haastii</i> )  Matagouri ( <i>Discara toumatou</i> )	Vegetation clearance, land use intensification, invasive species, wildfires.  Harmful and inappropriate use by recreationalists.  Invasive species (both plant and animal, including pigs).
High country lakes, rivers, waterways, tarns & wetlands	Highly valued for their biodiversity and cultural significance, and scenic qualities. Formed through glacial activity and subsequently modified by rivers, fans and wave action, creating a wide variety of wetland habitats. Typically, highly stable water levels, fed by rain and snowmelt.	Support diverse plant communities such as tall reed-beds, tussocklands, swamplands and significant turflands, which include the endemic aquatic fern ( <i>Pilularia novae-zelandiae</i> ) The wider Coleridge Basin contains significant wetland areas and exceptional habitat for braided river birds. Shoreline vegetation is generally sparse and low growing.	Australasian Crested Grebe   Peteketeke ( <i>Podiceps cristatus</i> ).  Australasian Bittern   Matuku-hūrepo ( <i>Botaurus poiciloptilus</i> ).  Longfin eel   Ōrea ( <i>Anguilla dieffenbachii</i> ).  Kōaro (climbing galaxias) ( <i>Galaxias brevipinnis</i> ).  NZ Falcon   Kārearea ( <i>Falco novaeseelandiae</i> )  Kea ( <i>Nestor notabilis</i> )	Surrounding land use development & intensification, nutrient enrichment.  Harmful and inappropriate use by recreationalists.  Climate change effects.  Wildfires.  Invasive species (both plant and animal).  Impacts of predators including feral cats on indigenous wildlife.
Foothills	Sequence of downlands and foothills, characterised by rolling hills, gullies, river valleys, ephemeral streams, riparian and seepage wetlands.	Substantially modified habitats, supporting exotic pasture and forestry, but with widespread areas of regenerating native vegetation, including pockets of remnant mountain beech forest, modified tussock grassland, and rush lands.	Canterbury mudfish   kōwaro ( <i>Neochanna burrowsius</i> )  NZ Falcon   Kārearea ( <i>Falco novaeseelandiae</i> )  Kea ( <i>Nestor notabilis</i> )	Land use development & intensification, wildfires.  Harmful and inappropriate use by recreationalists.  Climate change effects.  Invasive species (both plant and animal).  Impacts of predators including feral cats on indigenous wildlife.



Braided Rivers	Geologically unusual and 'naturally uncommon', complex ecosystems. Numerous diverging and rejoining channels separated by shifting gravel islands.  The Rakaia and Waimakariri Rivers are the largest braided rivers in Aotearoa New Zealand and have been recognised as having 'an outstanding natural characteristic in the form of a braided river'.	These rivers form a vital ecological link from the mountains to the sea and are important habitat (feeding and breeding) for bird species adapted to braided river habitat.  Support endemic plant and animal communities.	Wrybil   Ngutu pare ( <i>Anarhynchus frontalis</i> )  Black fronted terns   tarapiroe ( <i>Chlidonias albobstriatus</i> ).  Black billed gulls   tarāpuka ( <i>Chroicocephalus bulleri</i> )  Banded dotterel   tūturiwhatu ( <i>Charadrius bicinctus</i> )	River encroachment and confinement between flood protection barriers, adjacent agricultural development, and irrigation requirements.  Climate change effects.  Harmful and inappropriate use by recreationalists  Invasive species (both plant and animal).
Alluvial Plains	Expansive, alluvial plains, consisting of highly modified landscapes and ecosystems, including urban settlements.	Highly modified and fragmented remnants (with <10% of original indigenous cover remaining), including dryland and woody ecosystems (among New Zealand's least protected and most threatened native ecosystems) which survive in these free-draining soils with naturally low rainfall.	NZ Falcon   Kārearea ( <i>Falco novaeseelandiae</i> )  Canterbury Plains tree daisy ( <i>Olearia adenocarpa</i> ).	Land use changes and intensification,  Edge effects,  Invasive species (both plant and animal).  Wildfires.
Water race & drainage network	Man-made or modified bodies of water that include irrigation canals, water races, and drains, including several thousand kilometres of classified drains in the Te Waihora/ Lake Ellesmere catchment.	These are living systems that are frequently the last refuges of native plants and animals that live in and near water.	Canterbury mudfish   kōwaro ( <i>Neochanna burrowsius</i> )  Bluegill bully ( <i>Gobiomorphus hubbsi</i> )	Effects of standard maintenance practices such as sediment and aquatic weed removal. Land use changes and intensification, and other disturbances to water quality and quantity.  The closing of water races.
Lowland Waterways, Wetlands & Springs	Low-permeable soils that once supported extensive wetlands prior to human settlement and land drainage, now consists of modified network of waterways, overland flow paths, and groundwater-fed springs and seeps. Valued by tāngata whenua as mahinga kai or wahi tapu sites.	Ecologically significant freshwater ecosystems (with <10% of the region's previously extensive freshwater wetlands remaining), supporting native aquatic and riparian plant species	Freshwater Crayfish   Kōura ( <i>Paraneoprops planifrons</i> ),  Shortfin eel ( <i>Anguilla australis</i> ).  Canterbury galaxias ( <i>Galaxias vulgaris</i> ).  Alpine galaxias ( <i>Galaxias paucispindylus</i> ).  Upland longjaw galaxias ( <i>Galaxias prognathous</i> ).  Swamp nettle ( <i>Urtica perconfusa</i> )	Human-induced changes that potentially alter their hydrology, such as excess sediment, nutrients, stormwater runoff and other contaminants.  Invasive species (both plant and animal).  Climate change effects.
Volcanic hills	Exceptional volcanic skyline, rock spurs, rolling pastoral hill slopes, tussock grasslands, and regenerating bush areas, of special significance for their environmental, geological, and scenic values.  Much of the Southern Port Hills are in the Selwyn District. Public reserves in the area contain some of the finest examples of native bush close to the population centres of Lincoln and Rolleston.	Small, fragmented native vegetation remnants, including ecologically important broadleaf forest and regenerating bush in wetter gullies, and tussock grasslands intermixed with introduced grasses at higher altitudes. Rocky outcrops provide microclimates and contain relatively intact ecological communities.	Bush fragments support valued native invertebrate, lizards, and bird communities.  Mingimingi ( <i>Coprosma virescens</i> )  Fragrant tree-daisy ( <i>Olearia fragrantissima</i> )	Land use changes and intensification,  Wildfires  Edge effects,  Invasive species (both plant and animal).  Impact of feral pigs and deer.  Climate change effects.

Coastal areas	A number of notable coastal habitats and ecosystems, despite a relatively limited length of coastline (about 12 km excluding Kaitorete), including a coastal hāpua/ lake lagoon (Te Waihora/Lake Ellesmere), the Rakaia River mouth and lagoon, Muriwai/ Coopers Lagoon and several freshwater coastal backwaters.	Important coastal vegetation and salt marsh mudflats along the southern margins of Te Waihora/Lake Ellesmere.	Important habitat network for migrating and wintering wading birds.  Australasian Bittern   Matuku-hūrepo ( <i>Botaurus poiciloptilus</i> ).  White heron   Kōtuku ( <i>Ardea alba</i> )  Pīngao ( <i>Ficinia spiralisa</i> )	Climate change effects, sea level rise, saltwater inundation, extreme weather events, earthquakes  Harmful and inappropriate use by recreationalists  Invasive species (both plant and animal).
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Kea (*Nestor notabilis*). Photo by Steve Attwood.

### 3.2. Special Features of Selwyn's Biodiversity (flora and fauna)



1. Fungi in Beech Forest.



2. *Sigaus nivalis* (short-horned grasshopper).



3. *Clematis paniculata*.

#### Selwyn is home to several threatened species including:

- Castle Hill buttercup (*Ranunculus paucifolius*) - Threatened – Nationally Critical. This species is endemic to limestone areas of the South Island High Country. Plants are vulnerable to browse damage from rabbits, hares and sheep, weeds are a constant threat, and seedlings are rarely seen.<sup>4</sup>
- Castle Hill forget-me not (*Myosotis colensoi*) - Threatened – Nationally Critical. The habitat of this plant is limited to limestone talus and thin soils over limestone rock<sup>5</sup>
- Castle Hill bittercress (*Cardamine magnifica*) - Threatened – Nationally Critical. This species is endemic to Castle Hill Basin (including Castle Hill, Gorge Hill and Prebble Hill). The plant inhabits fine-grained limestone scree.<sup>6</sup>
- Maniototo peppergrass (*Lepidium solandri*) - Nationally Critical - This species is endemic to the Eastern South Island primarily in limestone areas.
- *Gingidia enysii* var. *enysii* - Threatened – Naturally Endangered. This species is endemic to the South Island, Castle Hill, Prebble Hill Cave Creek and Broken River. The plant inhabits limestone outcrops and associated talus slopes with montane habitats<sup>7</sup>.
- *Olearia adenocarpa* - Threatened – Nationally Critical. This species is endemic to the Canterbury Plains, known only from two populations bordering the Waimakariri and Rakaia Rivers. The total number of known plants is less than 650<sup>8</sup>.
- Armstrong's whipsnake (*Veronica armstrongii*) - Threatened – Nationally Endangered. This species is endemic to the South Island, Canterbury. Populations are known from near Castle Hill<sup>9</sup>
- *Veronica cupressoides* - Threatened – Nationally Endangered. This species is endemic to the Eastern South Island. It is a plant of grey scrub communities<sup>10</sup>.

4 <https://www.nzpcn.org.nz/flora/species/ranunculus-paucifolius/>

5 As cited de Lange, P.J. (2023a). *Myosotis colensoi* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/myosotis-colensoi/> (29/06/2023)

6 As cited de Lange, P.J. (2023b). *Cardamine magnifica* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/cardamine-magnifica/> (29/06/2023)

7 As cited de Lange, P.J. (2023c). *Gingidia enysii* var. *enysii* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/gingidia-enysii-var-enysii/> (29/06/2023)

8 As cited de Lange, P.J. (2023d). *Olearia adenocarpa* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/olearia-adenocarpa/> (29/06/2023)

9 As cited de Lange, P.J. (2023e). *Veronica armstrongii* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/veronica-armstrongii/> (29/06/2023)

10 As cited de Lange, P.J. (2023f). *Veronica cupressoides* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/veronica-cupressoides/> (29/06/2023)



- Everlasting daisy (*Helichrysum dimorphum*) – Threatened – Nationally Endangered. This species is endemic to the South Island. A plant of lowland montane situations usually found on river terraces and alongside river gorges and is primarily associated with matagouri. It is presently only known from the Poulter, Esk and Puffer catchments where they drain into the Waimakariri River<sup>11</sup>
- Canterbury limestone wheat grass (*Australopyrum calcis* subsp. *Optatum*) Threatened – Nationally Endangered Endemic. South Island. Canterbury. Known from Castle Hill, Prebble Hill and Flock Hill.
- Kea (*Nestor notabilis*) Threatened – Nationally Endangered. Kea are the only mountain parrot species in the world and now number fewer than 5,000 individuals in the wild. They occur throughout the mountain lands of the district and are frequently visible in and around Arthur's Pass Village, Arthur's Pass National Park and the ski fields.
- Orange fronted kakariki (*Cyanoramphus malherbi*) Threatened – Nationally Critical. They are restricted to four beech forest valleys in the South Island: the Hawdon, Andrews and Poulter valleys in Arthur's Pass National Park and the south branch of the Hurunui valley.
- Yellowhead | Mohua (*Mohoua ochrocephala*) – Declining. They are sparrow-sized forests songsters. They were once one of the most common and conspicuous birds of the South Island forests. Since the 1970s their range contraction has been dramatic, with many of the small and scattered populations disappearing. They reside in the Hawdon valley.



The endangered Castle Hill Buttercup (*Ranunculus paucifolius*). Photo by Melissa Hutchinson.

<sup>11</sup> As cited de Lange, P.J. (2023g). *Helichrysum dimorphum* Fact Sheet. New Zealand Plant Conservation Network. <https://www.nzpcn.org.nz/flora/species/helichrysum-dimorphum/> (29/06/2023)

- Australasian bittern | Matuku-hūrepo (*Botaurus poiciloptilus*) - Threatened – Nationally Critical. Te Waihora / Lake Ellesmere is a strong hold of this species in Canterbury, the total population of these birds in New Zealand is 1000.
- Australasian Crested Grebe | Pūteketeke (*Podiceps cristatus*) - Threatened – Nationally Vulnerable.  
This bird is found on several High Country Lakes in the District. Lake Pearson/Moana Rua has been designated a wildlife refuge to help protect the grebe.
- Canterbury mudfish | Kōwaro (*Neochanna burrowsius*) - Threatened – Nationally Critical. Of the five species of mudfish in New Zealand the Canterbury mudfish is the most threatened. Remnant populations survive in water races and classified drains around the district. However, they are vulnerable to disturbance through maintenance regimes and fickle water flows.



Australasian Crested Grebe (*Podiceps cristatus*). Photo by Steve Attwood.

**Key point** - changes in land use due to agricultural and urban development and the draining of wetlands have resulted in highly fragmented populations of Canterbury Mudfish kōwaro across the Canterbury Plains between the Ashley River (in the north) and the Waitaki River (in the south). Selwyn contains a large portion of the species' range, primarily in the Selwyn/Waikirikiriri Catchment. These remnant populations are vulnerable to disease and changes in environmental conditions such as changes in water temperature and levels, which can influence whether or not spawning occurs. Unsuccessful spawning can result in population extinction due to a lack of recruitment.



Kōwaro | Canterbury Mudfish (*Neochanna burrowsius*).



### Threatened and At Risk vascular plant species assessed in 2013 and 2018/2019

Category	Total 2023	Total 2018/2019
Extinct	2	2
Threatened: Nationally Critical	14	26
Threatened: Nationally Endangered	14	20
Threatened: Nationally Vulnerable	23	31
At Risk: Declining	49	73
At Risk: Naturally Uncommon	67	69
At Risk Recovering	1	2
At Risk: Relict	0	3
Data Deficient	21	21
Total	191	246

Table 1: Threatened and At Risk vascular plant species

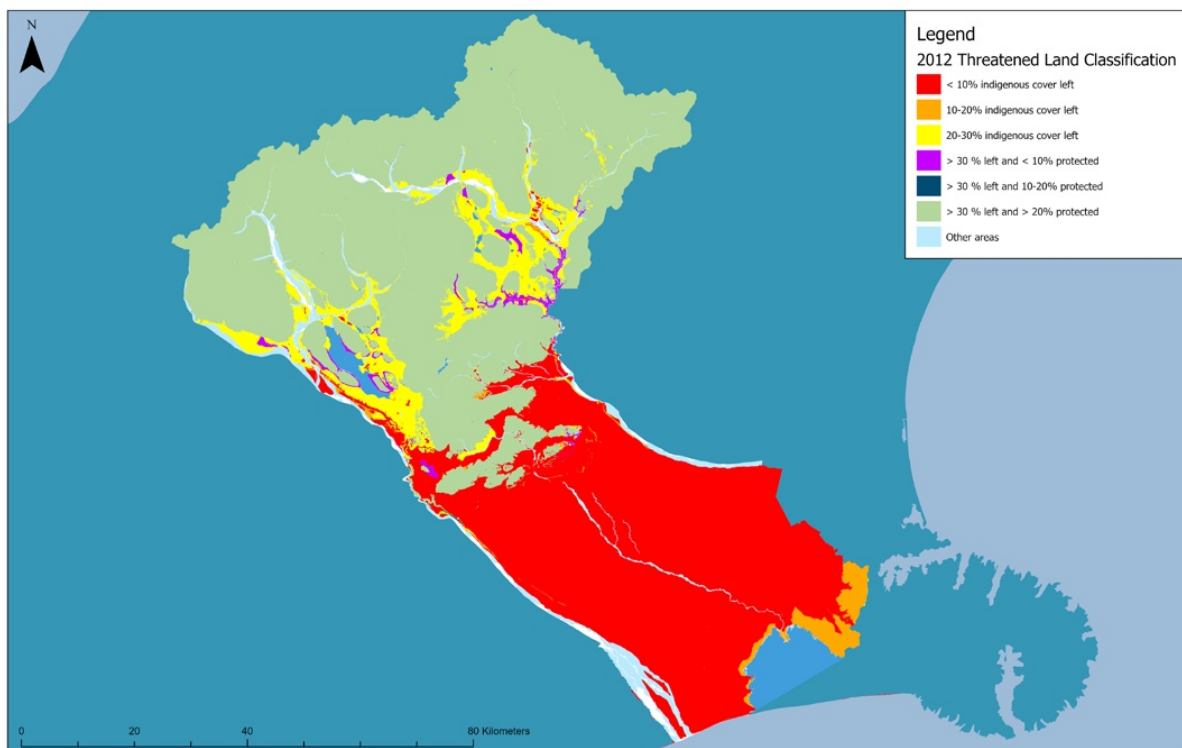
The number of vascular plants listed as Threatened or At risk has increased 29% since 2013.

### 3.3. What are the causes of Selwyn's indigenous biodiversity loss?

Natural ecosystems are directly threatened by pressures such as changes in terrestrial, freshwater, and the marine environment. Indirect pressures, such as not having the right 'systems' in place, people lacking the necessary knowledge or resources to act, and a disconnect between people and nature, are causing and contributing to these direct pressures.

#### The five overarching pressures impact on biodiversity globally include:

- Habitat loss and modification, through land use changes,
- Introduced invasive species - including animal and plant pests,
- Pollution,
- Climate change,
- Urban growth pressures.



Selwyn Threatened Environments 2012.

### 3.4. Habitat Loss and Modification

Since the arrival of humans, land use change has had the greatest impact on indigenous biodiversity. Forests have been burned and cleared, wetlands drained, and drylands cultivated and irrigated, resulting in the extinction of indigenous species (both flora and fauna).

Habitat fragmentation is an issue that occurs when parts of a habitat are destroyed, leaving smaller, unconnected areas behind. As the distance between suitable habitats increases, the ability of some species to move through the landscape is restricted, and populations become isolated. This can leave populations vulnerable to environmental disturbance and loss of genetic diversity, potentially leading to extinction in the worst-case scenario.

The rate of species loss increases as habitat size decreases, as the remaining habitat cannot support

the same numbers, whether due to food resources, competition, or breeding habitat. When the amount of available habitat falls below 20% of its original extent, the rate of biodiversity loss accelerates dramatically. Smaller areas of habitat may be more vulnerable to weed invasion and edge effects (such as wind desiccation).

The Canterbury hill and high country has seen a significant increase in intensive agricultural land use over the last 30 years. Much indigenous shrub and grassland habitat has been lost as a result of pastoral farming development (including oversowing, cultivation, and direct drilling), resulting in direct habitat loss for indigenous species.

**Key point** - the Upper Rakaia catchment had the most agricultural development since 1990 (3918 ha) of the four catchments studied. Most of the development (2230 ha) occurred between 2009 and 2012, but there has also been significant (1189 ha) new development during the most recent monitoring interval between 2013-2019. Prior to 1990, most development occurred at the lower/downstream end of the catchment, whereas most post-1990 development occurred further inland / upstream.



*Landscape greening - an example of agricultural intensification in the High Country.*

# Case Study

## Predator Free 2050

Predator Free 2050 is an ambitious target to eradicate mustelids (stoats, ferrets and weasels), rats (Norway, ship and kiore), and possums from all of Aotearoa New Zealand by 2050. These species were chosen because collectively they inflict the worst damage of all the introduced predators on our flora and fauna.

Communities will play a critical role in Aotearoa New Zealand becoming predator free, as to be successful support and commitment is required throughout the country and across communities. Increasingly people around Aotearoa New Zealand are coming together to form local predator trapping programmes.

Individuals and community groups within Selwyn have enthusiastically joined the predator free movement and are actively trapping and monitoring mammalian pest species. Initiatives across the district include the creation of township Trap Libraries, and initiatives run by Ellesmere Sustainable Agriculture Incorporated, Craigieburn Trapping Alliance and Kirwee Trappers, and include agency support for backyard trapping. On a larger scale, the Pest Free Banks Peninsula (PFBP) project gained significant funding through Pest Free 2050 Limited. The Selwyn District Council and 14 other signatories signed a MOU in 2018 to formalise this community led initiative to make Banks Peninsula (including Kaitorete) pest free. PFBP are working closely with Te Taumutu Rūnanga and the communities at Taumutu to remove predators including feral cats from the area adjacent to the Te Waihora lake opening site. The aim of this work is to create a pest free buffer zone that will reduce the potential of predator reinvasion onto Kaitōrete when the lake is closed.

As time of the writing of this Strategy discussions are being had towards a Pest Free Waitaha / Canterbury, which includes the Selwyn District, with the key aim to establish an overarching landscape scale pest elimination project.

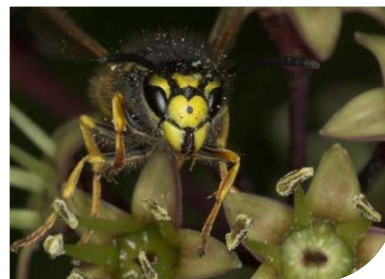


Dave Tilson - trapper extraordinaire. Photo John Williamson.





1. Rat eating a birds egg.

2. Stoat (*Mustela erminea*).3. Common wasp (*Vespula vulgaris*).

### 3.3.2. Animal and Plant Pests

#### Pest animals

Many indigenous species are threatened by an array of predators and browsers that have been introduced to Aotearoa New Zealand, including possums, stoats, ferrets, weasels, rats, mice, cats, hedgehogs, pigs, rabbits, hares, deer, goats, wallabies, and invasive introduced fish.

Introduced insects can devastate natural and agricultural environments, and as per mammalian pests, they frequently lack natural predators. Invasive insects such as wasps (*Vespula spp.*) and Argentine ants (*Linepithema humile*) compete with other insects, birds and lizards for food and kill native invertebrates. Wasps have been documented killing newly hatched chicks.

The Government announced in 2016 that it had adopted the goal of making New Zealand predator-free by 2050. Predator Free 2050 Limited was formed as a Crown-owned, charitable corporation to assist the New Zealand government in meeting its ambitious goal of eradicating possums, stoats, and rats by 2050. The Entity provides co-funding to enable large-scale predator control and eradication projects, as well as the breakthrough science required to underpin them.

Individuals and community groups within Selwyn have enthusiastically joined the predator free movement and are actively trapping and monitoring mammalian pest species. Initiatives across the district include the creation of township Trap Libraries, and initiatives run by Ellesmere Sustainable Agriculture Incorporated, Craigieburn Trapping Alliance, Arthurs Pass Wildlife Trust and Kirwee Trappers, and include agency support for backyard trapping. On a larger scale, the Pest Free Banks Peninsula project gained significant funding through Pest Free 2050 Limited. The Selwyn District Council and 14 other signatories signed a MOU in 2018 to formalise this community led initiative to make Banks Peninsula (including Kaitorete) pest free.

On 12 May 2021 the Council adopted a new bylaw for keeping certain domesticated animals (excluding

dogs), poultry and bees in urban areas of Selwyn

- Bylaw for Keeping of Animals, Poultry and Bees July 2021. As part of the bylaw every person must ensure that their cats over 4 months of age are microchipped and registered with the New Zealand Companion Animals Register or another approved microchip registry. This part of the Bylaw came in to force on 1 July 2022 with the aim to promote responsible cat ownership and delineating between owned and stray or feral cats.

#### Pest plants and pathogens

By outcompeting native species and quickly filling niches, invasive plants, and algae (including didymo) can have profound consequences for native ecosystems. Invasive microorganisms can also pose a significant biosecurity concern, with Kauri dieback and myrtle rust being two recent examples in Aotearoa New Zealand, both of which are having widespread and devastating effects on iconic flora and the ecosystems they support.

Selwyn's montane and sub alpine environments are highly vulnerable to modification from fast growing wilding conifers. Wilding conifers spread through natural regeneration and shade out low-stature native plants, drying out wetlands and riparian areas, resulting in habitat loss for native flora. Soil and soil fauna are also altered when wilding conifers replace native ecosystems. The Canterbury Regional Pest Management Plan 2018-2038 classifies wilding conifers as pests, and community-led efforts, such as those carried out by the Waimakariri Ecological and Landscape Restoration Alliance (WELRA), have been addressing the wilding conifer problem in the Craigieburn area, Castle Hill Basin, the Torlesse Range, and surrounding areas. Having suitable funding to control wilding conifer spread is a significant issue. It is anticipated that carbon farming initiatives may pose a threat to indigenous biodiversity, including through the increased spread of weeds, and by removing native flora from 'marginal land' (in the planting process) that is reverting to indigenous species.

Other key weed species include grey willow, hawthorn, briar, sycamore, blackberry, cotoneaster, and holly. Many of these species are homestead and urban garden escapees and pose a threat to indigenous biodiversity within wetlands, river

margins, shrublands and forests. Transport corridors (road and rail) are also corridors for weed spread. It is imperative that weed control is done taking a focused and organized catchment approaches with all the parties involved.



*Wilding pines infestation in the High Country.*

**Key point** - many people in the Selwyn community are actively involved in ecological restoration through weed and animal pest control. Council, along with iwi, landowners / managers, the community, and other agencies (including ECAN, LINZ, and DOC), are involved in several large scale weed control programmes, including at Tarerekautuku Yarrs Lagoon, within the Rakaia Gorge and in the upper Waimakariri Basin. Large scale restoration work requires the skill and knowledge of professionals and a significant commitment of time and investment.



### 3.3.3. Pollution

Pollution has a significant impact on native biodiversity, including through excess nutrients, sediment, and plastic waste.

Excessive leaching of nutrients into waterways and estuaries can cause them to become hyper-fertile which fuels infestations of exotic waterweeds and algal blooms that reduce oxygen levels in the waterbodies. This lack of oxygen can kill native fish and invertebrate species which are then replaced by those species tolerant of degraded habitats (including invasive weeds and introduced snails and fish).

Land Air Water Aotearoa (LAWA) monitor several water quality indicators (including E. coli, Nitrogen, and macroinvertebrates) in several locations in Selwyn. One site is on the upper reaches of the Waikirikiri/Selwyn River at Whitecliffs. Long term data (10 years) show a downward trend of the MCI (Macroinvertebrate Community Index) indicating a decline in water quality. The MCI state shows a benthic community indicative of moderate organic pollution or nutrient enrichment.

Another site monitored by LAWA is in the lower reaches of the Waikirikiri/Selwyn River at Coes Ford. The surrounding area is dominated by pastoral farming. For this site the MCI is similar to what has been recorded at Whitecliffs – a downward trend.

	State	Trend
Total Nitrogen	In the best 50% of all sites	Very likely degrading
Total Oxidised Nitrogen	In the worst of 50% of all sites	Very likely degrading
Dissolved Nitrogen	In the worst of 50% of all sites	Very likely degrading

*Table 2: LAWA data recorded at Coes Ford on the lower reaches of the Waikirikiri / Selwyn River. LAWA website 16/06/2023<sup>1</sup>*

	State	Trend
Total Nitrogen	In the worst 25% of all sites	Very likely degrading
Total Oxidised Nitrogen	In the worst of 25% of all sites	Very likely degrading
Dissolved Nitrogen	In the worst of 25% of all sites	Very likely degrading

*Table 3: LAWA data recorded at Whitecliffs on the upper reaches of the Waikirikiri / Selwyn River. LAWA website 16/06/2023<sup>1</sup>*

Both sites have experienced toxic algae blooms. During the summer months potentially toxic cyanobacteria can be present which pose a threat to human and animal health.

Water quality in urban areas is affected by heavy metal runoff such as copper and zinc from vehicle wear and tear. These contaminants can be toxic to aquatic life and are difficult to remove from the water.

Te Waihora/Lake Ellesmere is one of Aotearoa New Zealand's most polluted lakes and contains some of the country's highest concentrations of sediment, nitrogen, and phosphorus in its water. The lake collects nutrients and sediments that come off the intensively farmed land and township activities in its catchments. This contamination can poison or smother aquatic plants and creatures, while the super-enrichment of nutrients such as nitrogen and phosphorous triggers algal blooms, that can be toxic.

Nitrogen enters the lake from surrounding land uses and activities, including those high in the catchment.

An estimated 3200 tonnes of nitrogen loss reach the lake each year, and because nitrogen travels slowly through the aquifer, its full impact can be delayed by decades. Phosphorus and sediment contamination continues partly as the result of past deforestation. Because phosphorus attaches to soil particles, each storm brings more, running off the land into drains, streams, and rivers. Due to the almost constant wind driven wave action on the lake the frequent re-suspension of bottom sediments has a significant effect on the benthic ecology of Te Waihora.

Selwyn's high-country lakes are also vulnerable to agricultural run-off. Excess nitrogen and phosphorus are carried into the lakes and their tributary streams by surface water run-off. The water quality of the lakes is being monitored by the Canterbury Regional Council, and if it is found to be deteriorating then solutions will need to be considered and actioned.

<sup>1</sup> LAWA website [Land, Air, Water Aotearoa \(LAWA\) - The homepage](#) 16/06/2023





*Flooding in 2013, Te Waihora / Lake Ellesmere in background.*

### 3.3.4. Biodiversity and Climate Change

Climate change has the potential to have an impact on all natural ecosystems in Selwyn, and it is expected that the impacts of climate change, including extreme weather events, will put increasing pressure on Selwyn's biodiversity. This includes our freshwater environments, where, in addition to warmer air temperatures, water temperatures in our rivers, lakes, estuaries, and wetlands will rise, potentially affecting a variety of species as well as nutrient recycling.

Existing pressures such as habitat fragmentation and pest effects will likely be exacerbated, and the ranges of some animal and plant pests may expand as a result of a warming climate, forcing vulnerable native species into reduced areas of safe, suitable habitat. Species living in our alpine ecosystems, for example, such as lizards and insects, have adapted to survive in freezing temperatures. As temperatures rise, snowlines will move upslope, forcing animals living in these environments to move also, potentially causing a habitat 'squeeze' in alpine ecosystems.

Many of the characteristics that make invasive species problematic (for example, increased reproduction or dispersal) may also make them more resilient to climate change than native species. Invasive insects and plants that may have been unable to survive winter conditions could persist and flourish in warmer conditions.

There are numerous well-known examples of how climate change will impact species that are endemic

to Aotearoa New Zealand. Global warming may pose challenges for species with temperature-dependent sex determination, including tuatara. Forest mast events (years with unusually high seed production) are highly responsive to temperature, and therefore mast events may become more frequent, causing rat and mice populations to explode. They then turn to other food sources like invertebrates, lizards, birds, and bird eggs.

The policies that the Selwyn district develops to respond to climate change will have clear implications for biodiversity. Some effects of climate change are sudden and difficult to predict like the wildfires or extensive flooding events<sup>15</sup>. As such an absence of appropriate policy planning risks loss of biodiversity from natural areas in the Selwyn district. Nature based mitigations such as wetland restoration will have an important role to play in building resilience to climate change. Conversely, mitigating the effects of climate change will depend on the ability of districts such as Selwyn to reduce CO<sub>2</sub> emissions. Planning this energy transition will have benefits for biodiversity but may have other benefits including to revenue streams and community resilience. Suitable strategic planning for renewable energy projects is important, and the future placement of key infrastructure, for example solar panels, should avoid any possible negative effects on indigenous biodiversity that is present at any proposed sites.

<sup>15</sup> As cited Macinnis-Ng, C., Ziedins, I., Ajmal, H., Baisden, T. W., Hendy, S., McDonald, A., & Godsoe, W. (2023). *Climate change impacts on Aotearoa New Zealand: a horizon scan approach*



*Liffey Springs in Lincoln - the beginning of the Arariria/ LII River.*

### 3.5. Urban Biodiversity

Over the last decade, Selwyn has been one of Aotearoa New Zealand's fastest growing districts, growing from 46,700 people in 2013 to around 83,780 people in 2023. This represents an annual growth rate of about 6%, compared to the national average of 2%, and is expected to continue, with the current population expected to nearly double to over 150,000 by 2053.

Population growth drives urban expansion, and Selwyn, like the rest of Aotearoa New Zealand, is becoming more urban, with townships growing in area and accounting for nearly 90% of total population growth. As a result, Selwyn's urban population has increased to approximately 60% of the total population, compared to 43% ten years ago.

Because land developed for urban use differs greatly from its natural state, urbanisation has a significant impact on land productivity and the ability to support biodiversity. Some of the ways that land use intensification, urbanisation, and associated infrastructure networks may contribute to biodiversity loss include:

- Habitat degradation, fragmentation, or loss
- Source of pollutants (home heating, transport, industry, wastewater, household, and personal rubbish)
- Modified land cover and increased run-off (sedimentation and pollution of waterways)

- Invasive plant species (garden escapees)
- Urban pests (domestic dogs and cats)
- Indirect effects (climate change, increasing demand for resources)

Urban areas are effectively synonymous with ecosystem disruption and biodiversity loss. Indigenous land cover is typically reduced to less than 2% in urban centres and the fringes of urban areas are increasingly being subdivided and fragmented into smaller land parcels.

Despite having a low representation of indigenous land cover, urban areas play an important role in biodiversity conservation. Referred to as 'ecosystem services', many of the reasons for protecting biodiversity in urban areas (and their fringes) are highly utilitarian. Associated benefits include noise buffering, shade, heat reduction, air pollution control, carbon dioxide absorption, stormwater filtration and watershed protection. There has been a significant shift in thinking in recent years to consider urban development





and the environment more holistically and to seek more sustainable solutions to infrastructure problems. Using a 'blue-green' or 'nature based' approach to reintegrate natural systems and processes into our urban environments has resulted in improved environmental outcomes, as well as aiding in increasing resilience and mitigating the severe impacts of climate change.

In addition to utilitarian considerations, preserving biodiversity is also important for aesthetic reasons, and urban areas often have a relatively high representation of green space and established tree planting. In addition to offering opportunities for relaxation and recreation, these areas serve as habitat for a variety of plant and animal species, bridging the disconnect between humans and nature while contributing to cultural wellbeing and health benefits, such as improved mental wellbeing and stress reduction.

From the perspective of landscape ecology, urban ecological networks may provide the only opportunity for corridors, connectivity, and wildlife movement across fragmented landscapes. For example, forming an important ecological network between nearby habitats like Banks Peninsula and the wider Canterbury Plains. Even native grass and shrub patches such as green roofs and rock gardens, can provide important habitat and 'stepping-stones' for lizards and insects.

Despite the numerous recognised benefits, there is still a tendency for urban and township planning to promote, and often prioritise, the planting of exotic species in residential land developments, often for aesthetic or functional reasons. In some cases, this may be a missed opportunity to increase indigenous vegetation coverage, and manawhenua has identified it as a major concern, particularly where exotic species are used along waterways, in reserves, and

in other public spaces. Planting requires careful consideration, as urban centres in particular, often support only species that are particularly well adapted to human impact, such as tolerance of extreme temperatures and drought, and that necessitate continuous hands-on management.

There are, however, numerous opportunities and creative ways to increase indigenous biodiversity within urban environments, such as incorporating eco-sourced native vegetation into public spaces and encouraging residents to do the same with their private gardens. Positively, there is evidence of a gradual shift in people's appreciation of and preferences for the use of indigenous trees and shrubs within amenity plantings. People appear to have a growing affinity for what is uniquely Aotearoa New Zealand, particularly among younger generations.

Urban areas also have the potential benefit of a large volunteer base for community-led conservation actions such as planting, weed control and backyard predator trapping. Several townships within Selwyn have established backyard trapping programs.

The National Policy Statement on Indigenous Biodiversity 2023 (NPS-IB) has a strong focus on urban development and urban biodiversity. The NPS-IB works alongside the National Policy Statement on Urban Development 2020 to support the development of well-functioning, healthy urban environments. Under the NPS-IB, Council is required to balance several requirements alongside urban intensification. This includes maintaining at least 10% indigenous vegetation coverage within urban areas by offsetting anticipated losses, as well as preserving and promoting connectivity between and buffering around existing and potential habitats and ecosystems.



*Community planting day.*





*Mahoe Reserve in Lincoln.*

**Key Point** - Lincoln's Mahoe Reserve is an excellent example of a community-led ecological restoration project. Year 9 students from nearby Lincoln High School initiated the project in 2002. Planting began in 2003, and since then, over 7000 native trees, shrubs, and grasses have been planted by dedicated community members, including schools, kindergartens, and other local groups. The Mahoe Management Committee, comprised of members from the local community, manages the Reserve, which is overseen by the Lincoln Envirotown Trust.

# Case Study

## Te Waihora Lake Ellesmere



Ngāi Te Ruahikihiki ki Taumutu are the primary kaitiaki (guardians) of the Te Waihora catchment. Many generations ago, Te Rākihōia discovered the great coastal lake he described as ‘flat spread-out water’ - or Te Waihora. Te Rākihōia claimed the abundant resources of the area for his father Rākaihautū and gave the lake its original name Te Kete Ika a Rākaihautū (The Great Fish Basket of Rākaihautū).

“Rangatiratanga, ‘has to be expressed by us, ... a leadership role in looking at how we can use the lake, what we can do on it, what sort of role we can play... that we know the expectations, and that we need to be recognised that we do have the knowledge and that’s the importance of rangatiratanga.” Cath Brown (Mahere Tukutahi o Te Waihora, 2005)

Te Waihora is a tribal taonga. It was once bounded by extensive wetlands of raupō, harakeke (flax) and kuta (sedges) - of which over 80% have been lost or extensively modified. These would have given way to forests of kahikatea, red beech, matai, and

totara which would have led to present-day Ōtautahi Christchurch. Extensive canopies of floating weed

beds also provided habitat, food, and trapped sediment, creating clear freshwater zones.

The extensive and diverse wetlands were valued as part of a wider mahinga kai resource. The swampy environs of the lake, including Waiwhio, Waitātari (Harts Creek) and Waikēkēwai (Waikēkēwai Creek) provided the prime environment for tuna (eels), pātiki (flounder), kanakana (lamprey) and waterfowl such as pūtakitaki (paradise duck), a bounty which provided for those living at Taumutu. Since the mid-nineteenth century, management of the lake and its catchment has reflected farming and settlement values, at the expense of manawhenua values. Riparian margins associated with waterways such as the Waikirikiri (Selwyn River) and Waiwhio (Irwell River) and Tārerekautuku (Yarrrs Lagoon) were also an important parts of the Te Waihora mahinga kai network.



Covering 20,000 hectares Te Waihora is a storehouse for wetland biodiversity and has some of the most important wetland and wildlife habitat of its type in Aotearoa New Zealand. The outstanding values of the lake are recognised in the 1990 National Water Conservation Order over Te Waihora.

Locally and internationally, Te Waihora is significant for its abundance and diversity of birdlife. 166 species of birds have been recorded here, including 133 indigenous species. Approx 80 species are regular inhabitants of the lake and its margins with others being migrants and infrequent visitors.

There are 33 species of indigenous and five non-indigenous species fish in the lake and it also provides habitats for a wide diversity of plant and invertebrate species.

There are approximately 80 species of bird that are regular inhabitants of the lake and its margins - with many more species migrants and infrequent visitors. While outside the Council's boundaries, Kaitōrete is a significant cultural landscape associated with the Te Waihora catchment and supports its own unique indigenous biodiversity.

The lake is also currently used for a wide range of water and land-based activities. It has been identified as nationally significant for waterfowl hunting, and regionally significant for fishing and cycling on the rail trail.

In a 2010 report on lake water quality Te Waihora was deemed the second most polluted lake in New Zealand in terms of nutrient content and algal growth. As a result of the challenges that the lake faces there are numerous mana whenua, landowner, and agency partnership projects underway around its margins and catchments. Most of these projects focus on biodiversity protection and creation, and water quality improvements. Re-establishing a wetland margin around the lake as a buffer from land use is a key method for both restoring biodiversity opportunities and the cultural health of the lake.

In 2012 Te Runanga O Ngai Tahu and Environment Canterbury signed the Te Waihora Co-Governance agreement. In 2014, Selwyn District Council joined, followed by Christchurch City Council in 2016 and the Department of Conservation Te Papa Atawhai in 2019.

(Report Verburg, P.; Hamill, K.; Unwin, M.; Abell, J. (August 2010). Lake water quality in New Zealand 2010: Status and trends (PDF). Hamilton: National Institute of Water & Atmospheric Research Ltd. Archived from the original (PDF) on 26 December 2010.)



*Te Waihora / Lake Ellesmere. Photo by Steve Attwood.*

## 4. NGĀI TAHU



*Te Pā o Moki marae, Taumutu. Photo Allan Robertson.*

### 4.1. Introduction

Tāne Mahuta is the atua of the forests and birds, and the son of Ranginui and Papatūānuku. It is Tāne that broke the tight embrace of his parents, forcing Ranginui high into the heavens and leaving Papatūānuku on earth to care for their children.

Papatūānuku - Mother Earth - is profoundly important in manawhenua worldview, as the birthplace of all things of the world, and the place to which they return. Papatūānuku is the wife of Ranginui, and their children are the ancestors of all parts of nature.

Wai Māori - freshwater - is the significant cultural resource that connects manawhenua to the landscape and the culture and traditions of the tūpuna. Ko te wai te orange o ngā mea katoa. Water is the life giver of all things. Wai Māori, whether under the ground, on the surface or falling from the sky, is the resource that weaves together with Tāne Mahuta and Papatūānuku to support all indigenous biodiversity. Wai also includes other culturally important water sources and bodies including waipuna (spring), hāpua (lagoon); and the interaction

with the coastal environment and the realm of Tangaroa, atua of the sea.

This chapter provides the context for indigenous biodiversity aspirations and desired outcomes for Ngāi Te Ruahikihiki ki Taumutu and Ngāi Tūāhuriri, who hold rights over lands and waters across modern day Selwyn District. The ahi kā of Ngāi Te Ruahikihiki remains at Taumutu to this day and instils the primary responsibility of kaitiaki in this takiwā. The manawhenua of Te Ngāi Tūāhuriri also extends southwards to Te Waihora, and inland to the Main Divide.

Within Selwyn District, the takiwā of Ngāi Te Ruahikihiki ki Taumutu centres on Taumutu Ngāti Moki; and the waters of Te Waihora and adjoining lands and shares a common interest with Ngāi Tūāhuriri Rūnanga and Te Rūnanga o Arowhenua in the area south to Hakatere (Ashburton River). The takiwā of Te Ngāi Tūāhuriri Rūnanga centres on Tuahiwi and extends from the Hurunui to Hakatere, sharing an interest with Arowhenua Rūnanga northwards to Rakaia, and thence inland to the Main Divide.

## 4.2. Partnership for Biodiversity Outcomes

The partnership between manawhenua and Council is key to improving biodiversity outcomes in Selwyn. Te Tiriti o Waitangi provides the basis for the relationship between government and manawhenua in managing indigenous biodiversity, as per the duty of active protection of Māori interests and the principle of partnership.

In implementing the Actions in this Strategy – and to achieve the biodiversity outcomes sought by manawhenua – it is essential that the mātauranga (knowledge) held by Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri to sustain specific cultural values is recognised and utilised equally alongside mainstream methods.

The Mahaanui Iwi Management Plan 2013 is the manawhenua planning document which reflects the collective efforts of Ngā Papatipu Rūnanga in the Mahaanui Rohe. In this context, it applies as the guiding document to Te Taumutu Rūnanga and Te Ngāi Tūāhuriri Rūnanga to help shape measurably successful outcomes for manawhenua in this Strategy.

To underline the importance of partnership to manawhenua, Policy TM2.2 in the IMP states:

***“To recognise Te Tiriti o Waitangi as the basis for the relationship between central and local government and tāngata whenua with regard to managing indigenous biodiversity, as per the duty of active protection of Māori interests and the principle of partnership.” Policy TM2.3 emphasises the partnership at District level:***

***“To continue to work in partnership with the Department of Conservation, local authorities and the community to protect, enhance and restore indigenous biodiversity.”***

Restoring indigenous biodiversity values is one of the most important challenges for future management in the takiwā. A healthy economy relies on a healthy environment. Indigenous biodiversity, along with air, water, and soil, are taonga – they are the region’s natural capital, providing a suite of essential ecosystem services.

This Strategy reflects these obligations for the protection and enhancement of indigenous biodiversity in Selwyn. It explicitly recognises the relationship of manawhenua, specifically Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri, to biodiversity and the need for a partnership approach to achieve biodiversity outcomes. The specific goal in this Strategy for manawhenua is:

GOAL 1 – Work in partnership with manawhenua, who hold rights over lands and waters within the district, to protect, enhance, maintain, and restore indigenous biodiversity whilst recognising the importance of mahinga kai, taonga species, and culturally significant sites.

The partnership will help achieve successful outcomes as this Goal is supported by Targets and Actions. Actions will be implemented by stakeholders with appropriate funding and within workable timeframes.

## 4.3. Mahaanui Iwi Management Plan

The Mahaanui Iwi Management Plan (IMP) was informed by the work of Tau et al (1992) and Te Taumutu Rūnanga (2003), in themselves taonga, the latter especially tabulating mahinga kai and taonga species. The IMP is an expression of kaitiakitanga and rangatiratanga. It provides a values-based, plain language policy framework for the protection and enhancement of manawhenua values, and for achieving outcomes that provide for the relationship of manawhenua with natural resources.

The IMP presents a series of general policy statements (IMP 1.1 – 1.8), providing a framework for expressing the outcomes, expectations and opportunities associated with implementing the IMP.

In particular, Policy IMP1.7 states:

***“To work with local government and other agencies to realise the full potential and value of (the) IMP across planning and decision-making processes, including giving effect to the plan over and above existing statutory requirements.”***

Of primary importance to realising the aspirations in this manawhenua chapter for indigenous biodiversity are those Issues and Policies within Section 5.5 (Tāne Mahuta) of the IMP.

Mahaanui Iwi Management Plan Issue	IMP Policies
Loss of mahinga kai areas and opportunities in the takiwā (TM1)	TM 1.1 – 1.8
The widespread loss of indigenous biodiversity (TM2)	TM 2.1 – 2.11
The restoration of indigenous biodiversity (TM3)	TM 3.1 – 3.6
Weed and pest control for protection and restoration of indigenous biodiversity (TM4)	TM 4.1 – 4.4

Table 4: IMP General Indigenous Biodiversity Issues and Policies

Under current national direction for resource management, the IMP is 'taken into account' by Council planning documents. To help prevent further degradation and loss of indigenous biodiversity, this Strategy needs to have elevated status; and 'give effect to' the IMP.

### Specific Policies

To underline the importance of indigenous biodiversity to manawhenua, the Table below identifies more specific catchment issues (cross-referenced) and policies in Section 6 of the IMP. These include:

Specific IMP Issues, Policies ( <b>bold</b> ) and Issue cross-references ( <i>italics</i> )
WM13 Loss of wetlands, waipuna and riparian margins, and the cultural and environmental values associated with them. <b>Wai Māori WM13.1, 13.2.</b> <i>TW6 - Mahinga Kai</i>
WM14 Drain management can have effects on manawhenua values, particularly mahinga kai. <b>Wai Māori WM14.1, 14.2</b>
TAN3 Protecting the ecological and cultural values of coastal wetlands, estuaries and hāpua. <b>Tangaroa TAN3.1. WM13 - Wetlands, Waipuna and Riparian Margins</b>
TW6 Loss of mahinga kai resources and opportunities in Te Waihora and its catchment. <b>Te Waihora TW6.3.</b> <i>WM13 - Wetlands, Waipuna and Riparian Margins</i>
TW8 Degradation and loss of wetlands, waipuna and riparian margins and associated manawhenua values. <b>Te Waihora TW8.1, 8.2.</b> <i>WM13 - Wetlands, Waipuna and Riparian Margins; TAN3 - Coastal Wetlands, Estuaries and Hāpua</i>
TW11 Protecting Ngāi Tahu values associated with Kaitōrete Spit including indigenous biodiversity, particularly pingao. <b>Te Waihora TW11.3</b>
WA18 Protection of high-country lakes and associated values from land use. <b>Waimakariri WA18.1.</b> <i>WM13 - Wetlands, Waipuna and Riparian Margins</i>
RH6 Recognising the cultural association of Ngāi Tahu with high country lakes, tarns and wetlands. <b>Rakaia Ki Hakatere RH6.1, 6.3.</b> <i>RH8 - Indigenous Biodiversity Values</i>
RH8 Protecting and enhancing indigenous biodiversity values in the catchment. <b>Rakaia Ki Hakatere RH8.1.</b> <i>RH6 - High Country Lakes and Wetlands; TM2 - Indigenous Biodiversity; TM3 - Restoration of Indigenous Biodiversity; TM4 - Weed and Pest Control</i>
P12 Effects on biodiversity by vegetation burning / clearance. <b>Papatūānuku P12.2.</b> <i>TM2 - Indigenous Biodiversity</i>
P14 Effects on biodiversity by commercial forestry. <b>Papatūānuku P14.6</b>

Table 5: Specific IMP Issues and Policies

The ability of the Mahaanui IMP to reach its full potential is dependent on the commitment to partnership between manawhenua, Council, agencies, and landowners to the kaupapa, to realise the value of the IMP to meet kaitiakitanga objectives.





#### 4.4. Issues of Significance

This section addresses issues of significance pertaining to the flora and fauna that make up the domain of Tāne. Manawhenua have a particular interest in indigenous biodiversity, for its inherent value on the landscape and the ecosystem services it provides, and with regard to mahinga kai

Indigenous flora and fauna have sustained manawhenua for hundreds of years, providing food, fibre, building materials, fuel, medicine, and other necessities. The relationship between manawhenua and indigenous biodiversity has evolved over centuries of close interaction and is an important part of Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri culture and identity.

The Canterbury Plains, high country and alpine areas within Selwyn have experienced significant land use change and resultant habitat and indigenous biodiversity (and taonga species) loss since the mid-nineteenth century. The key issues and challenges for indigenous biodiversity today from a manawhenua perspective are its widespread loss, its restoration, and the control of weeds and pests.

Climate change impacts, intensive rural land use, subdivision, infrastructure development (e.g., roading / highway network), earthworks and gravel extraction are also having significant direct or indirect effects, causing the loss or degradation of indigenous biodiversity.



Harakeke / Flax (*Phormium tenax*)

##### 4.4.1. Loss of Indigenous Biodiversity

The widespread loss of indigenous biodiversity has significant effects on:

- the relationship of manawhenua (culture and traditions) with ancestral lands, water and sites;
- mahinga kai values; and
- the health of land, water, and communities.

The widespread loss of indigenous biodiversity has significant effects. Following European settlement, the drainage of swamps and wetlands, the felling of bush, the conversion of land to agricultural use, and the introduction of acclimatised flora and fauna, had a devastating effect on the mahinga kai resources and sites, which had been relatively undisturbed for centuries prior.

The physical loss of land and access to these sites had an equally devastating effect on the ability of manawhenua to provide for their own sustenance. This Strategy allows manawhenua to utilise mātauranga techniques to:

- protect, enhance, and extend what biodiversity 'remnants' exist; and
- reinstate new plantings (where ecologically possible) to restore the loss of indigenous biodiversity.

##### Matters of importance

##### The following can be addressed through manawhenua and Council partnership:

Manawhenua interest in biodiversity: it is important to identify and map special features of indigenous biodiversity (specific areas or species) that have significant cultural heritage value. The incorporation of mātauranga values and concepts held by Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri will play a key role in future biodiversity management.



Significance: appropriate criteria help assess the significance of ecosystems and areas of indigenous biodiversity that are significant for cultural reasons.

Protection of remnant and restored areas: showcasing existing remnant and restored areas as examples of how future management can improve the cultural health of the takiwā is vital.

Integrating indigenous biodiversity into the landscape: Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri Kaitiaki support the planting of indigenous species as a requirement for discharge permits or resource consents. It is therefore important to require indigenous species to be incorporated wherever and whenever possible in places such as shelter belts on farms, the provision of buffers around industrial sites, and the creation of indigenous riparian margins along waterways.

A major concern for manawhenua is that urban and township planning has tended to promote, and often prioritise, the planting of exotic species in residential land developments, along waterways and in reserves and open space. Manawhenua want indigenous species to be prioritised ahead of exotic species for planting projects.

Biodiversity corridors: establishing new biodiversity corridors in the district 'from the mountains to the sea' - Ki Uta Ki Tai - as means of connecting areas and sites of high indigenous biodiversity value.

Ecosystem services: indigenous biodiversity also provides a variety of often unrecognised ecosystem services. These services include the retention of soil by catchment vegetation, wetland sediment trapping, and nutrient filtering by riparian and wetland vegetation to improve downstream water quality.

A comprehensive list of taonga species in the shared takiwā is tabulated in the appendix.

#### 4.4.2. Biodiversity Restoration

The **restoration of indigenous biodiversity** is critical to achieving manawhenua objectives to increase the abundance, access to, and use of mahinga kai.

*Oral tradition and tribal and historical records provide a reliable and accurate source of information to construct a picture of the pre-European settlement*



*Craig Pauling participating in mātauranga Māori monitoring.*

landscape and the species that existed in this environment. Regrettably, there are examples of flora and fauna, once abundant in the shared takiwā, which are now either under great threat of extinction or already extinct.

The importance of indigenous biodiversity to mahinga kai is reflected in manawhenua perspectives on restoration: that restoration is about restoring the mauri of land and places, and about restoring the relationship of Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri to these places. Combined, manawhenua have and offer a unique and tested set of tools, practices and knowledge that has already provided a valuable basis for restoration projects.

Manawhenua wish to utilise mātauranga Ngāi Te Ruahikihiki ki Taumutu and mātauranga Te Ngāi Tūāhuriri wherever possible. For example, to support the use of natural succession and staged underplanting of natives into wetland and lagoon areas.

#### 4.4.3. Mahinga Kai

Mahinga kai is central to manawhenua culture, identity and relationship with the landscapes and waterways of the Selwyn District. The Taiaroa 1880 Mahinga Kai Maps (see Figure 4) demonstrate how extensive mahinga kai sites once were in Selwyn.

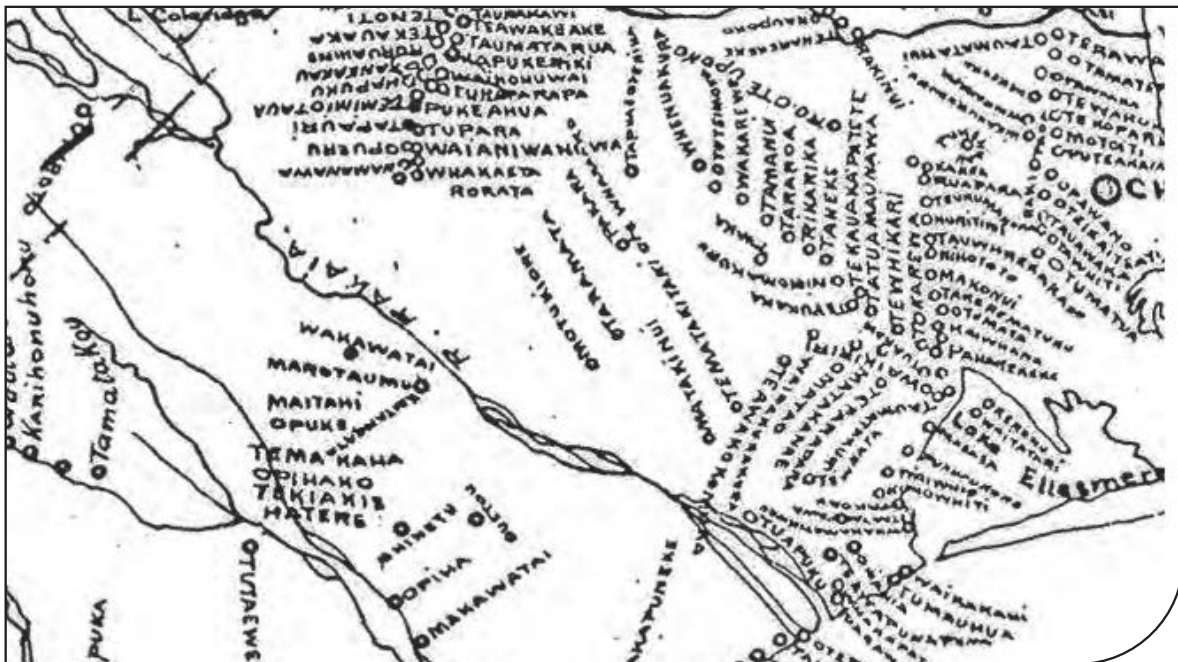
The Ngāi Tahu Settlement Claims Act 1998 describes mahinga kai as “the customary gathering of food and natural materials and the places where those resources are gathered”. Customary use is the ongoing access to, and sustainable use of mahinga kai resources and tauranga ika (fishing grounds).

*“.... The better eels were from Muriwai and the whitebait at Coopers Lagoon. When we used to go white baiting, we would drive the horse and cart down to the beach to Coopers Lagoon and go white baiting there, because the Lake wouldn't be open at Lake Ellesmere. If the Lake was open, you could stand in our kitchen and look down at the Lake opening... if the seagulls were dipping you knew to run your net down to the Lake, catch a feed, run home again and they would still be alive”.*

*Aunt Ake Johnson (Te Whakatau Kaupapa, 1990)*



*Tuna at Liffey Springs, Lincoln.*



*Extract from the Taiaroa 1880 Mahinga Kai Maps, showing mahinga kai sites in the Rakaia and Te Waihora*

Ki Uta Ki Tai: The principle of ki uta ki tai is critical as a culturally appropriate approach to mahinga kai enhancement, restoration, and management. It includes management of whole ecosystems and landscapes, in addition to single species; and the establishment, protection and enhancement of biodiversity corridors to connect species and habitats.

Mahinga kai habitat: manawhenua continue to advocate for the protection of indigenous fish species over and above the protection of habitat for salmon and trout. The protection of significant habitats of indigenous

fauna is a matter of national importance under the RMA (s.6).

Remnant areas: Regulatory documents should, as a matter of course, include policy and rules to protect, enhance and extend existing remnant wetlands, waipuna, riparian margins and native forest remnants in the takiwā given the importance of these ecosystems as mahinga kai habitat.

Additionally, landowners and commercial land users should be required (if seeking a land use consent), or otherwise encouraged, to protect remnant areas of indigenous biodiversity on their properties.

#### 4.4.4. Weeds and Pests

Weed and pest eradication within the Selwyn District, including on private and conservation land, is critical to the protection and restoration of indigenous biodiversity. Manawhenua biodiversity objectives emphasise the protection of existing values and the enhancement and restoration of those that are degraded.

Weed and pest invasions can significantly compromise restoration efforts. Key concerns are the invasion of braided riverbeds by gorse and broom, the spread of willow along waterways, russell lupins along rural roads, wilding trees, and the effects of possums on native forests. Pest plants may invade an area following ground disturbance.

Manawhenua will utilise mātauranga Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri to support private landowners and conservation groups that are undertaking weed and pest control programmes. Of particular manawhenua interest is the eradication of weeds, and the transition to replanting of indigenous species, in the coastal environment.

The effective control of russell lupins is also important to manawhenua as this lupin is a particularly aggressive weed, especially in braided waterways where it will leave little clear gravel, thus compromising the habitat of nesting birds.

It is worth noting that some introduced species do retain cultural value for manawhenua, e.g., wild pigs and watercress.

#### 4.4.5. Vegetation Clearance and Exotic Forestry

A cultural issue associated with vegetation clearance is that the clearing of 'scrub' for pasture often includes indigenous species. This includes kānuka and mānuka which are good nursery species for other indigenous species. Vegetation clearance also

occurs as part of subdivision and residential land development activities.

Manawhenua are also concerned about the effects of exotic forestry on indigenous biodiversity in some areas of the takiwā. If not managed appropriately, plantation forestry can result in soil erosion, sediments and contaminants entering waterways, and the establishment and spread of wilding trees.

Buffers and set back areas are important to maintain sufficient distance between and for the protection of remnant indigenous forest areas (e.g., in alpine gullies and around alpine lakes), and these must be recognised during forestry planting and harvesting.

#### 4.5. Taonga Flora Fauna and Ecosystems

Manawhenua have a longstanding relationship with indigenous flora and fauna, one that includes rights to access, conserve, use and protect native species. The Treaty of Waitangi requires the active protection of the kaitiaki relationship of manawhenua with indigenous flora and fauna.

Taonga species in the IMP refer to species of flora and fauna that are significant to the culture and identity of manawhenua. Because there is a body of inherited knowledge relating to them, they are related to the iwi or hapū by whakapapa; and the iwi or hapū are obliged to act as their kaitiaki.

The protection of taonga species and mātauranga Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri from (for example) inappropriate commercial use and development, is also critical to the protection of Ngāi Te Ruahikihiki ki Taumutu and Te Ngāi Tūāhuriri culture and identity.



White Heron | Kōtuku (*Ardea alba*). Photo by Steve Attwood.



One of the most significant concerns for manawhenua is that the clearing of 'scrub' for pasture often includes indigenous species such as kānuka, mānuka and pātōtara (mingimingi), all of which are taonga species<sup>17</sup>. It is even more concerning when vegetation is cleared in gullies and along waterway margins. Clearance of vegetation can result in small and disconnected fragments of native bush; and this can have important implications for the regeneration of podocarps in the takiwā.

#### 4.5.1. Mountain and foothills

High country lakes and wetlands are significant features of the relationship of manawhenua with the high country. Lakes were important sites on the high-country trails, providing an abundance of food and other resources. Wetlands and tarns were also important features of this relationship.

Many vegetation types are present in mountain and foothill landscapes, influenced by altitude, temperature, and precipitation, and historical land use patterns. They include alpine and sub-alpine herb fields, tussock grasslands, scrub, and occasional stands of indigenous bush. Indigenous plants such as toe toe, tussock grasses, and tikumu (mountain daisy) are important mahinga kai for Ngāi Te Ruahikihiki ki Taumutu.

Whakamatau (Lake Coleridge) was used by manawhenua up until the middle part of the 19<sup>th</sup> century, with the principal mahinga kai resources being tuna, pūtangitangi, parera, pāteke, whio, pukeko, kāuru, āruhe and weka.

There are more than twelve lakes and associated wetlands in the Waimakariri catchment including Moana Rua (Lake Pearson), Waikawa (Lake Lyndon), and Ōporea (Lake Hawdon). These lakes were important mahinga kai sites associated with the network of high-country trails used by manawhenua, and they were also used to provide coastal communities with resources.

Manawhenua biodiversity objectives emphasise the protection of existing values and the enhancement and restoration of those that are degraded. Appropriate management and monitoring of high-country land use and weed and pest control on private and conservation land, is fundamental to achieving these objectives.

***"You can't tell a fish what the difference is between a drain, river, stream or spring."***

**David Perenara O'Connell (IMP, 2013)**



*A series of intact tarns and wetlands at Lake Hawdon.*

#### 4.5.2. Wetlands, waipuna and riparian margins

Wetlands, waipuna and riparian margins are taonga to manawhenua, providing rich sources of mahinga kai, and are treasured for their natural ecosystem functions that are fundamental to the cultural health and mauri of freshwater resources.

Wetlands and riparian margins associated with waterways such as the Waikirikiri (Selwyn River) were once important for the harvest of cultural resources such as harakeke but have since suffered a profound loss of these values.

Te Waihora and smaller wetlands such as Muriwai have strong mahinga kai traditions. However, most of the original wetland area has been drained for settlement and agriculture, with remnant wetlands mostly remaining as narrow lake fringes.

Planting riparian margins along all waterways and drains (on both public and private land) is essential to restore habitat, filter run off, provide shade, and reduce sediment entering waterways.

#### 4.5.3. Coastal and marine environment

The coastal boundary of the Ngāi Te Ruahikihiki ki Taumutu takiwā extends along the eastern coast from Te Pātaka-o-Rākaihautū/Banks Peninsula and shores of Te Waihora along the coastline south to the Hakatere.

The coastal regions of Ngāi Te Ruahikihiki ki Taumutu takiwā support a diverse range of fish, plants, waterfowl, and other wildlife. Te Waihora and the nearby Muriwai hāpua (coastal lagoon) both support large numbers of bird and fish species within their unique environments.

The transition zone between land and sea provide habitat for many species not found in other areas. The coastal dune ecosystems of Kaitōrete Spit support the pingao, an endemic sand-binding and dune-building coastal plant.

#### 4.6. Te Waihora

Ngāi Te Ruahikihiki ki Taumutu are the primary kaitiaki (guardians) of the Te Waihora catchment. Many generations ago, Te Rākihōia discovered the great coastal lake he described as 'flat spread-out water' - or *Te Waihora*. Te Rākihōia claimed the abundant resources of the area for his father Rākaihautū and gave the lake its original name *Te Kete Ika a Rākaihautū* (The Great Fish Basket of Rākaihautū).

***“Rangatiratanga, ‘has to be expressed by us, ... a leadership role in looking at how we can use the lake, what we can do on it, what sort of role we can play... that we know the expectations, and that we need to be recognised that we do have the knowledge and that’s the importance of rangatiratanga.”***

**Cath Brown** (Mahere Tukutahi o Te Waihora, 2005)



Pingao (*Ficinia spiralis*) on Kaitōrete. Photo by Steve Attwood.

**Key point** - Pingao (*Ficinia spiralis*) is not found anywhere else in the world. It has now declined to the extent that it has disappeared from many areas of the motu. Increasing pressure from recreational use, grazing, fire, and introduced invasive plants has significantly reduced the Pingao population.

Kaitōrete is adjacent to the district’s boundary. It is a significant cultural landscape associated with the Te Waihora catchment and is the largest continuous remaining area of Pingao in Aotearoa, an endemic native sand binding sedge prized for weaving.

Coastal reclamation and sand minding have all contributed to the reduction of Pingao in coastal dune environments.



Te Waihora is a tribal taonga. It was once surrounded by extensive and diverse wetlands that were valued as part of a wider mahinga kai resource. Since the mid-nineteenth century, management of the lake and its catchment has reflected farming and settlement values, at the expense of manawhenua values. Wetlands and riparian margins associated with waterways such as the Waikirikiri (Selwyn River) and Waiwhio (Irwell River) were once important for the harvest of indigenous biodiversity resources for cultural reasons - such as harakeke - but have since suffered a profound loss of these values.

With most of the original wetland area drained for settlement and agriculture, only remnant wetlands remain as a narrow fringe around the lake, such as Te Waiomākua and Ahuriri. Re-establishing a wetland margin around the lake as a buffer from land use is a key method for both restoring biodiversity opportunities and the cultural health of the lake. Close to the current lake fringe, Tārerekautuku (Yarrs Lagoon) was also an important part of the Te Waihora mahinga kai network.

Te Waihora is a storehouse for wetland biodiversity. The swampy environs of Te Waihora including Waiwhio, Waitātari (Harts Creek) and Waikēkēwai (Waikēkēwai Creek) provided the prime environment for tuna (eels), pātiki (flounder), kanakana (lamprey) and waterfowl such as pūtakitaki (paradise duck), a bounty which provided for those living at Taumutu. It also provides habitats for a wide diversity of plant and invertebrate species. Many species are mahinga kai that have sustained manawhenua customary use of the Te Waihora catchment (see listing in Appendix B).

The existing framework provides for a working relationship between manawhenua and regulatory entities<sup>18</sup>. There are several areas in which desired outcomes have not been achieved, for example, manawhenua who fish for pātiki and tuna from the lake are subject to rules about how they access the lakebed, rules which impede full access to mahinga kai resources.

### Summary:

The partnership between manawhenua and Council is key to improving biodiversity outcomes in Selwyn.

The Mahaanui Iwi Management Plan provides the values and the policy framework for the protection and enhancement of manawhenua values, and for implementing actions to achieve outcomes that provide for the relationship of manawhenua with natural resources.

In implementing this Strategy, it is essential that the mātauranga held by manawhenua to sustain specific cultural values is also recognised and incorporated.



*Lagoon Saddle near Bealey Spur.*

## 5. OPPORTUNITIES FOR BETTER BIODIVERSITY MANAGEMENT



*Rakaia River gorge.*

### 5.1. Leadership and partnerships

#### Leadership:

Local authorities and agencies have statutory responsibilities to conserve and maintain indigenous biodiversity within their districts. Over time there have been variations in the extent to which agencies are meeting these responsibilities and showing leadership in biodiversity management, however, in recent years there has been increasing alignment and partnership between the agencies. Examples of this are key projects such as the Rakaia Gorge weed control project, and the information sharing Memorandum of Understanding signed in 2021 between Council and Land Information New Zealand.

Council places increasing levels of effort and significance on biodiversity management and recognises that the ongoing loss of indigenous biodiversity is a significant environmental issue. It takes proactive measures such as providing incentives, financial and technical support to landowners and community groups, and funds staff and resources for management, protection, and education initiatives. It is anticipated that increased focus may be needed on biodiversity monitoring and regulatory measures associated with compliance activities.

It is important that the most appropriate responses for biodiversity issues are identified, available and adopted. Relying solely on regulatory measures, without additional proactive approaches, can have a negative effect by creating disincentives for landowners to value and protect biodiversity. But when a solely voluntary approach is taken without proactive education, advocacy, and incentives, this can result in biodiversity losses and criticism of Council from parts of the community for not taking a more regulatory approach. Ideally a combination of measures, proactively implemented and monitored, are required for improved biodiversity outcomes to be achieved. The success of any particular approach also depends on the application of good implementation practice, including involving key stakeholders (including landowners) from the outset, good relationship management, initially focussing on those who are willing, and taking a partnership approach. Ideally the optimal approach will reduce uncertainty for landowners and the community.

One important aspect of providing leadership for indigenous biodiversity is to demonstrate best practice in the work programmes on Council land. It is important that Council leads by example by



proactively managing its own land for the protection and maintenance of biodiversity values, and by identifying and taking up opportunities for restoration initiatives in both urban and rural spaces. This will enable Council to effectively promote and advocate for improved biodiversity awareness and outcomes elsewhere.

Leadership from the Selwyn community through non-government organisations, community groups, and trusts, as well as from individual community leaders is also important. Communities promoting and celebrating biodiversity success stories and sharing experiences that motivate, support, and inspire others, are fundamental.



*Discussing management options at Tārekautuku Yarrs Lagoon.*

### **Partnerships:**

There is a place for everyone in our community to be involved in biodiversity protection and management. By working together towards common goals, we can achieve much more than by working alone. Working together in partnerships towards a shared vision for biodiversity helps to ensure that rangatira and kaitiaki responsibilities are enacted.

Actions to address biodiversity loss and improve outcomes needs to include everyone involved in biodiversity across the district – iwi, community organisations, environmental NGOs, central and local government agencies, businesses, industry, landowners / managers, and individuals. We need to collaborate with each other to actively manage threats to biodiversity, and take proactive and positive measures to protect, manage and restore biodiversity. Diverse players with differing interests and values in biodiversity should work together to

implement the vision and goals of the strategy.

Partnerships at all levels is a core approach for delivering this strategy and we all need to work together to make its vision a reality. With the formation of the Biodiversity Working Group a range of perspectives and expertise – including from iwi, agencies, industry, wānanga, and our community – will help to plan and implement the next steps.

A good example of a key biodiversity partnership is the Upper Waimakariri Weeds Working Group which was established in 2020. This group – which is made up of landowners, the University of Canterbury, Environment Canterbury (ECan), Selwyn District Council, Land Information New Zealand (LINZ), the Department of Conservation, Kiwi Rail, Waka Kotahi, and community groups – has led the development of a weed control strategy for the area and is actively involved in leading projects to control and eliminate weeds that threaten biodiversity and key habitats in the upper Waimakariri basin. This enduring success of this project will be reliant on sourcing suitable funding and associated agency leadership.

### **5.2. Coordination and Integration**

There are a range of agencies, community groups, trusts and NGOs within Selwyn undertaking biodiversity related programmes and initiatives. In the past integration and co-ordination between them has often been lacking. This has resulted in inefficiencies and missed opportunities for sharing knowledge and experiences, for better alignment of effort and resources, shared biodiversity monitoring and protection, and for establishing partnerships. However, with leadership from Council biodiversity staff and other agencies such as ECan and LINZ this has improved greatly in recent years. Key partnership projects are being undertaken in places including the Rakaia Gorge, Te Waihora, Tārekautuku wetland, –Arthurs Pass and the upper Waimakariri basin.

All local, regional, and central government agencies have differing functions which they are required to carry out in accordance with a range of legislation, the objectives of which can at times conflict with the biodiversity management roles that these agencies also have. A more coordinated and aligned approach should be taken, which will lead to a reduction in conflicting messages from and between agencies in relation to biodiversity management, resource use and development. As an example, in 2021 Council developed and signed a Memorandum of Understanding agreement with Land Information New Zealand to share information regarding consents for development on Crown Pastoral Lease land in the Selwyn High Country.



The long-term success of biodiversity management in Selwyn will reflect the cumulative efforts and impacts of activities by landowners, agencies and stakeholders in the district. Council biodiversity staff have developed extensive networks and working relationships with manawhenua, landowners, partners, and stakeholders throughout Selwyn. The value of these relationships to achieving successful biodiversity outcomes is crucial, and there is an ongoing need to build on these existing partnerships, reward and incentivise best practice, and proactively foster new relationships and tactics to address biodiversity issues.

Council will continue to work proactively in partnership with stakeholders - including the QEII Trust, the Department of Conservation, Land Information New Zealand, Environment Canterbury other agencies, private landowners, non-government organisations (NGOs) and the Selwyn community.

### **5.3. Attitudes, Awareness, and Incentives**

The protection of biodiversity on private land can be perceived by landowners as an economic liability and as having the potential to erode private property rights. Existing central and local government taxation regimes (including rates and income tax) are seen by some landowners as a disincentive to both the protection of existing remnants of indigenous vegetation, and the establishment of new indigenous plantings. Unless rates relief is available, local government rates can still be paid on land even if it has been retired from production for biodiversity protection or enhancement purposes.

There is a need for the development and provision of a variety of incentives that encourage indigenous biodiversity protection and maintenance on private land, and for greater awareness and recognition of the ecosystem services benefits that biodiversity provides. Financial incentives can include grants and contributions towards site management such as fencing, weed and pest control, and the purchase of plants, or some form of monetary or equivalent "reward" for undertaking biodiversity protection and management, such as rates relief, conservation lot subdivisions, or transferable development rights. Generally, the provision of financial assistance to support action on the ground fosters goodwill and can earn biodiversity gains more than the dollar value supplied.

The delivery of services and support by Council to landowners and community groups free of charge also removes some of the potential barriers to on-the-ground initiatives and provides important recognition of actions by individual landowners and community members that have wider community benefits. These Council services might include providing technical staff or specialists to help with project management, support for consenting requirements, and provide expert advice, or to help facilitate associated activities.



## Case Study

### The Upper Waimakariri Weed Control project:

A range of stakeholders within the upper Waimakariri River basin area have an interest in timely and effective control of new weeds, and a reduction in existing weed distribution throughout the river basin. The Waimakariri Environment Recreation Trust led the formation of the Upper Waimakariri Weeds Working Group in 2020 to discuss, coordinate and increase efficiencies of weed control within the area.

This key weed control partnership project includes landowners / managers, Selwyn District Council, ECan, Land Information New Zealand (LINZ), University of Canterbury, KiwiRail, Department of Conservation (DOC), and the Waimakariri Ecological and Landscape Restoration Alliance (WELRA).

The Working Group led the development of the Upper Waimakariri River Weed Control Strategy (2022 – 2032), to provide direction to land managers for weed control within the Upper Waimakariri Operational Area. The preparation of this Strategy involved consultation with stakeholders and field surveys of river systems and major tributaries within the Operational Area, to produce defined objectives and priorities for weed control.

The upper Waimakariri River has extensive indigenous biodiversity and landscape values, as well as a multitude of recreational values. The braided nature of the upper Waimakariri River provides important habitat for numerous threatened species. In the river area invasive weed species such as gorse, scotch broom and lupins threaten the naturally sparsely vegetated open gravels, with dominant infestations restricting channel movement and leaving little open gravel habitat for threatened braided river bird species while increasing the cover for their predators. Willows and other invasive trees flank the rivers' edge and invade wetlands, changing these sensitive habitats entirely. Where exotic shrubs and trees, often spread by introduced bird species, gain a foothold in the grey shrublands and grasslands, a feedback loop is formed, where further birds are attracted by the invader, and weeds are spread further thus threatening the native habitats.

Over the years weed control within the Operational Area has been patchy, with each agency and land manager conducting their own control in accordance with their obligations and objectives. This lack of coordination has seen an increase in the number of weed species present, including the spread of weed species into previously clean areas, and the degradation or loss of important ecological areas. Further weed spread and establishment has the potential to radically change the habitat values of the braided river ecosystem, as can be seen in other river systems.

Maintaining control of weeds and limiting their establishment in new areas is key for the protection of biodiversity within this river system.

The Strategy aims to bring cohesion to weed control by taking a focused and organized catchment-wide approach. It aims to direct funding towards the efficient management of weeds that affect this area and the values within it and focuses largely on the coordination of surveillance and control activities, to ensure that timely control of new or emerging weed species reduces the weeds' ability to set and disperse seed, thus reducing infestation size and associated biodiversity threats over time.

From 2022 several weed control actions, as guided by the Strategy, have been undertaken – including the control of grey willows within the significant Slovens stream wetland, sycamores around Moana Rua Lake Pearson, and holly in beech forest on DoC land near Grasmere stream.



*The upper Waimakariri weeds working group.*

## 5.4. Community Empowerment and Capacity Building

Many people who live in Selwyn are dedicated to improving nature, and this brings benefits both for nature and to the people who take part. Community conservation across Selwyn has been increasing in recent years, with many volunteers playing their part in restoring and protecting nature in their neighbourhoods and local areas. Within Selwyn the Te Ara Kakariki Trust, Kids Discovery Plantout, and Pest Free 2050, initiatives are excellent examples of community conservation in practice.

Involvement in community conservation groups helps to strengthen social bonds and community cohesiveness as well as improving our environment. Individuals, whilst developing new skills, can make a significant contribution to protecting biodiversity in Selwyn through activities such as trapping pests and predators in their own backyards, contributing to citizen science projects, and planting indigenous species. These initiatives help to build a sense of community and develop skills and capacity.

Increased funding from programmes such as Jobs for Nature has seen increasing numbers of our community employed in conservation work. Council also provides support, advice, and guidance on which (eco-sourced) native species will best grow in specific sites, as well as identifying grant funding for local environmental education and protection programmes.

Council biodiversity staff actively work with and support community groups across the district to achieve improved biodiversity outcomes. These groups are an important way for staff to get an understanding of local issues and opportunities, and to build relationships within the community.

## 5.5. Monitoring

The RMA and the Local Government Act, 2002 require monitoring and reporting on the state of the environment. The requirement for monitoring

under the RMA enables Council to evaluate whether the objectives and policies in its District Plan are being met and can identify matters that need to be addressed in review of the District Plan, including the protection and maintenance of biodiversity.

Accurate monitoring of biodiversity following established guidelines and standards is essential to determine if progress is being made or not. A Biodiversity Monitoring Programme will be developed in accordance with the District Plan – to help determine the effectiveness of environmental protection, and consent issuance and compliance.

Appropriate monitoring will also allow for timely reporting on Council's progress towards the Strategy's targets.

Mātauranga, the Indigenous knowledge of Māori, provides insights on climate change that have not been captured in science. For instance, the Māori calendar/maramataka has been developed over centuries of observations. Mātauranga principles will be incorporated into the Biodiversity Monitoring Programme.



*Fish monitoring as part of Mātauranga Māori monitoring.*

# Case Study

## Te Ara Kākāriki:

Te Ara Kākāriki Greenway Canterbury Trust is an incorporated Charitable Trust with the goal of increasing biodiversity in Canterbury. Their mission is to create a 'Greenway' – a corridor of native biodiversity Greendots between the Waimakariri and Rakaia rivers, linking the mountains to the sea, Ki uta ki tai.

Te Ara Kākāriki (TAK) was launched on November 18th, 2005, after discussions from a group of passionate people developed into the idea of creating green corridors of native plantings linking the mountains to the sea across Selwyn. At the time, the plight, and lack of, indigenous biota of the Canterbury Plains had long caused considerable concern.

TAK aim to engage landowners, members of the community, and students, to join them in working towards achieving their goals, so that everyone understands why they are planting 'Greendots' and how they all can contribute to improving their local environment.

A 'Greendot' is a native planting of a defined size and shape, with the purpose of recreating a natural habitat steppingstone as part of an indigenous wildlife corridor. TAK work with landowners and community groups to create Greendots on public and private land, and to increase the less than 1% of indigenous vegetation remaining on the Canterbury Plains.

TAK's Plantout days, each spring, are an integral part of what they do. They arrange for volunteers, groups, and workplace colleagues to plant native seedlings at sites in Selwyn. It's a great community building initiative that helps create new connections and friendships, increases community awareness of native plants and wildlife, and provides an opportunity to make a difference to our Selwyn environment.

The Kids Discovery Plantout programme is a successful collaboration between TAK and EnviroSchools and has been delivered to schools in Selwyn since 2015. It was established to allow children to interact with nature and provide them with opportunities to make a real difference to the natural spaces in their community that they feel connected to. Students learn about native

biodiversity and through taking on a role of tiaki tamariki they lead action to restore habitat for biodiversity, care for their special biodiversity restoration sites, and together contribute to restoring native ecosystems across Selwyn.

In July 2021 TAK received Jobs for Nature project funding from the Department of Conservation. This project involves the employment of four restoration field workers to restore and establish Greendots. Their work includes site preparation, planting, and maintenance of over 70,000 native plants as well as pest control, fencing and community engagement. The team has focused on the creation of two large 'legacy' sites as well as contributing to several smaller Greendot sites in the Tai Tapu-Ōtāhuna area.

### As of November 2023, TAK has achieved:

- 191,299 Native Seedlings Planted
- 132 Greendot Planting Projects
- 23,912 Volunteer Hours
- 42.5 Hectares Planted



*Letitia & Peter from Te Ara Kākāriki.*



## 6. GOALS, TARGETS AND ACTIONS FOR THE SELWYN DISTRICT



*Te Waihora / Lake Ellesmere at the mouth of the Selwyn / Waikirikiri River.*

**GOAL 1 - Work in partnership with manawhenua, landowners and other stakeholders, to protect, enhance, maintain, and restore indigenous biodiversity whilst recognising the importance of mahinga kai, taonga species, and culturally and historically significant sites.**

### **Targets:**

- 1.1. As an expression of kaitiakitanga and rangatiratanga, The Council implements the Mahaanui Iwi Management Plan (IMP) to support manawhenua in their application of mātauranga Māori, tikanga and tools in biodiversity restoration planning and projects. Appropriate criteria within the IMP are incorporated in relevant work programmes to monitor implementation.
- 1.2. Council will work in partnership with manawhenua, landowners, other stakeholders, and agencies to identify, enhance, maintain, and restore areas of significant indigenous biodiversity across Selwyn. The habitats of the most threatened mahinga kai and taonga species are targeted as an initial priority with ora (health) and āhua (condition) of selected flora and fauna monitored annually.
- 1.3. By 2030, there is a collective-across-community level of awareness, understanding and valuing of indigenous biodiversity, mahinga kai and related cultural values throughout Selwyn. This is demonstrated by widespread support for indigenous biodiversity protection enhancement and restoration initiatives and increased integration and extension of indigenous biodiversity areas on and between rural and urban land parcels.
- 1.4. Align Council environmental reporting with cultural values-based environmental monitoring tools to assess and report on the cultural health of indigenous biodiversity and mahinga kai in the Te Taumutu and Te Ngāi Tūāhuriri takiwā in Selwyn.

Action	Action description	Target alignment	Priority	Lead (in bold) and contributing parties	Timeframe	Potential funding source
1	Incorporate mātauranga Taumutu and Ngai Tūāhuriri into programmes for restoration and enhancement of rural and urban indigenous biodiversity, mahinga kai and their ongoing maintenance (including pest management).	1.4	High	<b>Rūnanga</b> ECan Council	Short term	Govt OA
2	Council, in partnership with manawhenua and key stakeholders, create the concept of an interconnected network of protected areas, riparian margins, and indigenous biodiversity corridors - ki uta ki tai.	1.2 1.3	High	<b>Council</b> <b>Rūnanga</b> Agencies ESAI Catchment Groups	Short term	Govt OA
3	Council, in partnership with manawhenua and ECan, formalise an ecological and cultural monitoring regime for key waterways and water bodies in Selwyn.	1.2 1.4	Med	<b>ECan</b> Council <b>Rūnanga</b> Landowners	Short term and, ongoing	ECan WB
4	An annual report on the cultural health of key indigenous biodiversity sites and mahinga kai resources is produced.	1.1 1.2 1.4	Med	<b>Council</b> <b>Rūnanga</b> ECan	Short term, and ongoing	Council
5	Support manawhenua to provide cultural monitoring expertise to developers and industry groups where land or infrastructure development may affect significant taonga species and mahinga kai.	1.3	Med	<b>Rūnanga</b> Council ECan	Short term, and ongoing	OA SWZC





*Ecological assessment of a wetland being undertaken.*

**GOAL 2 - Identify the state of indigenous biodiversity within Selwyn and develop appropriate responses in accordance with our statutory, non-statutory and manawhenua responsibilities to halt the decline of our flora and fauna.**

### Targets

- 2.1. The state and extent of indigenous biodiversity is identified to enable the development of effective planning and prioritised actions that will result in positive outcomes for our native flora and fauna.
- 2.2. Effective measures are in place that will fulfil Selwyn District Council's statutory responsibilities to maintain biodiversity and associated values within Selwyn and to protect indigenous habitats and ecosystems.
- 2.3. By utilising te ao Māori and mātauranga Māori manawhenua are supported to protect freshwater resources, taonga species, mahinga kai, and associated values within Selwyn.
- 2.4. From 2024 onwards there is no further loss of indigenous flora and fauna, native habitats, and ecosystems within Selwyn. Effective monitoring programs are in place to ascertain no further net loss.
- 2.5. Priority is given to effective protection of indigenous biodiversity throughout Selwyn particularly in naturally uncommon ecosystems. There is an on-going increase in the number and quality of restoration initiatives where required.

<b>Action</b>	<b>Action Description</b>	<b>Target Alignment</b>	<b>Priority</b>	<b>Lead (in bold) and contributing parties</b>	<b>Timeframe</b>	<b>Potential funding source</b>
6	Collate and summarise existing information and undertake ecological surveys where required to establish the current state of indigenous biodiversity within the district.	2.1 2.3	High	<b>Council,</b> ECan, Rūnanga LINZ DOC Landowners	Ongoing	Council ECan
7	In conjunction with relevant agencies enact a programme to facilitate the monitoring of Selwyn's indigenous biodiversity. This may include updating baseline biodiversity information, effectiveness of environmental protection, consent issuance and compliance, citizen science and State of the Environment reporting.	2.1 2.3	High	<b>Council,</b> ECan LINZ DOC Landowners Community	Short term	Council ECan
8	District Plan policies and rules are fit for purpose to protect indigenous biodiversity across the full range of ecosystems in Selwyn. Compliance with rules is met, and they are enforced as required.	2.2	High	<b>Council,</b> Agencies	Ongoing	Council
9	Develop and action suitable responses to unconsented development, through statutory compliance, monitoring and enforcement.	2.2	High	Council	Short term	Council
10	Develop and action suitable responses to key biosecurity issues including new incursions (of pest plants and animals), existing invasive weeds including wilding conifers and possible climate change pressures.	2.2	High	<b>Council</b> Agencies Landowners Community	Short term	Council SNEF SNA Agency / landowner budgets
11	Form a Biodiversity Working group that includes manawhenua, stakeholders, and our community, that will guide the development of three yearly biodiversity work programs for the district.	2.2	High	<b>Council,</b> Rūnanga Agencies Other stakeholders	Short term	Council (staff time)
12	Work with other agencies and landowners on cross boundary issues that impact indigenous biodiversity.	2.2	Med	<b>Council</b> ADC WDC Agencies Landowners	Ongoing	SNEF SNA RCEEF Agency / landowner budgets
13	In line with the NPS-IB expand the current Significant Natural Area (SNA) work programme to identify, assess and protect significant areas of biodiversity.	2.2	High	<b>Council</b> ECan LINZ DoC Landowners	Medium term, and ongoing	Council SNA ECan Govt





*Community Planting.*

***GOAL 3 - Support actions by landowners and our community to protect and restore indigenous biodiversity and enhance public awareness of our natural environment.***

**Targets:**

- 3.1. The Selwyn community is aware of its natural heritage, the condition and status of local indigenous biodiversity, and opportunities for improvement.
- 3.2. Close links are formed between Council and education providers to create learning and research opportunities that inform good biodiversity outcomes .
- 3.3. Council and our community take responsibility for indigenous biodiversity, and work together, including with other organisations, to identify, enhance, maintain, protect, and restore areas of indigenous biodiversity across the district.



Action	Action Description	Target Alignment	Priority	Lead (in bold) and contributing parties	Timeframe	Potential funding source
13	Work to educate our community on indigenous biodiversity issues and opportunities by promoting Selwyn's indigenous biodiversity - through collaboration with education providers, walks, talks, planting projects, predator free workshops, BioBlitz and other initiatives.	3.1	High	<b>Council</b> ECan TAK Education providers	Ongoing	SNEF TB Council
14	Establish positive working relationships with landowners, community groups, and agencies through periodic forums or workshops to progress priority biodiversity projects and help develop appropriate responses to climate change issues.	3.1 3.2 3.3	Med	<b>Council</b> Ecan MPI Industry ESAI	Ongoing	Council
15	Develop a District-wide biodiversity community awareness and engagement programme which will aid the identification of key biodiversity and cultural sites and corridors to assist the development of any future documents.	3.1 3.3	High	<b>Council</b> Rūnanga Landowners ECan	Short term, and ongoing	Council
16	Carry out an annual survey that will gauge awareness, interest, and participation of our community regarding biodiversity.	3.1	Med	<b>Council</b>	Short term, and ongoing	Council
17	Recognise and share indigenous biodiversity protection achievements, at special events, on the biodiversity webpage and in the media (including social media).	3.1	Med	<b>Council</b>	Ongoing	Council
18	Work in conjunction with our biodiversity focused community groups to educate, protect and restore indigenous biodiversity.	3.1	High	<b>Council</b> TAK, Enviroschools, Summit Road Society, ESAI	Ongoing	SNEF CF
19	Work with education providers to deliver environmental learning initiatives and research opportunities.	3.2	Med	<b>Council</b> Enviroschools Lincoln HS Lincoln Uni Other schools	Ongoing	SNEF CF
20	Provide advice, targeted funding, and meaningful incentives, to encourage landowners to protect indigenous biodiversity on private property.	3.3	High	<b>Council</b> ECan QEII BPCT ESAI	Ongoing	SNEF Council ECan
21	Enable and support other biodiversity funding organisations to support projects that protect and/or restore indigenous biodiversity.	3.3	Med	<b>Council</b> TAK Enviroschools SRS, PFBP,	Ongoing	EMF ECan RCEEF Govt
22	Strengthen existing and develop new relationships with industry, to advance support for biodiversity.	3.3	High	<b>Council</b> Fonterra Synlait Orion FAR	Medium term, and ongoing	Council ECan DoC
23	In collaboration with covenanting authorities inform and encourage landholders and community groups to achieve covenanted protection for important indigenous biodiversity sites.	3.3	Med	<b>Council</b> QEII BPCT	Ongoing	SNEF QEII BPCT



*Established native plantings at Lincoln Wetland.*




**GOAL 4 - Encourage and increase the integration of indigenous species across our district, including urban spaces, lifestyle blocks and waterways.**

**Targets**

- 4.1. There is demonstrated widespread community support for, and involvement in, indigenous biodiversity restoration initiatives.
- 4.2. There is a high level of integration of indigenous biodiversity into our rural and urban land use systems, including Council managed reserves and public spaces.
- 4.3. All waterways and wetlands (including manmade) are sustainably managed for their cultural and ecological values.

Action	Action Description	Target Alignment	Priority	Lead (in bold) and contributing parties	Timeframe	Potential funding source
24	Encourage and support community led projects such as mammalian predator control, restoration planting, taonga species protection and habitat enhancement.	4.1 4.2 4.3	High	<b>Council</b> Rūnanga PFBP TAK WERT ESAI	Medium term, and ongoing	SNEF PFBP
25	Develop and action climate change responses to build resilience and adaption into our key areas of indigenous biodiversity.	4.2 4.3	High	<b>Council</b> ECan	Ongoing	Council CMB SNEF
26	Ensure that Council reserves, district parks and urban spaces have greater than 10% indigenous vegetation cover in line with the NPS-IB. Where 10% cover already exists, higher targets can be set.	4.2	Med	<b>Council</b> Community groups	Medium term, and ongoing	Council ECan CF SNEF DC
27	Promote and enable best practice restoration actions including natural regeneration and eco-sourcing of native plants.	4.2	Med	<b>Council</b> Community groups Developers	Medium term, and ongoing	Council
28	Develop and implement catchment management plans that identify existing values and guide the ongoing sustainable management of our waterways. (including manmade). Where appropriate, this will include planting indigenous species along waterways to improve biodiversity values.	4.3	High	<b>ECan</b> Council DK	Short term, and ongoing	WB SNEF ECan
29	Work within Council, and with our community, to enable sustainable urban design initiatives that provide long term biodiversity outcomes.	4.2	Med	<b>Council</b> TAK LU	Ongoing	CMB SNEF TB DC

**Key - to source of budget/funding**

	Budget/funding is already identified
	Budget/funding is partially identified
	Budget/funding is not currently identified

**ABBREVIATIONS FOR THE ACTION TABLES:****Organisations:**

Council – the Selwyn District Council, which includes the Environmental, Water Assets, and Reserves teams.

ECan – the Canterbury Regional Council

ESAI – Ellesmere Sustainable Agriculture Incorporated

FAR – Foundation of Arable Research

LHS - Lincoln High School

TKW - Te Komiti Waiora (District Land Drainage and Waterway Committee)

LU - Lincoln Uni

PFBP - Predator Free Banks Peninsula

QEII - Queen Elizabeth II Trust

Rūnanga - Te Taumutu and Te Ngāi Tūāhuriri

SRS – the Summit Road Society

TAK – Te Ara Kakariki

WERT – Waimakariri Environmental & Recreation Trust

**Funding:****Council:**

CF – Community Funding

CMB - Conservation management budget

Council – wider Council budgets

DC - Development contributions

SNA – Significant Natural Area budget

SNEF - the Selwyn Natural Environment Fund

TB - Township budgets

WB – Waterways budget

**Other**

ECan – includes the variety of relevant ECan funds

EMF – the Central Plains Water Environmental Management Fund

Govt - Central Government agencies

OA - Other agencies including DoC, LINZ, ECan

RCEEF – the Rakaia Catchment Environmental Enhancement Fund

SWZC – the Selwyn Waihora Zone Committee

**Timeframes:**

Short – 1 to 3 years

Medium – 4 to 6 years

Long – 7 to 10 years

Ongoing – business as usual work programme.





## 7. Monitoring and review

Review - the Strategy takes a relatively long-term focus and will be formally reviewed every ten years.

The Targets and Actions will inform the basis of a biodiversity work program. This program will be developed by the Biodiversity Working Group and it will be aligned with Council's Long Term Plan process.



Matai (*Prumnopitys taxifolia*) - one of the largest trees of its kind in Selwyn foothills.

## 8. Conclusion

The overall purpose of the Strategy is to provide strategic direction and a common focus for policy and decision making regarding the maintenance and restoration of indigenous biodiversity in Selwyn. This is to be achieved via an overarching vision resulting in protected and thriving ecosystems stretching from the mountains to the sea (ki uta ki tai) that reflect the unique and diverse natural character of Selwyn. Four main goals flow from the vision: working in partnerships to protect, enhance, maintain, and restore indigenous biodiversity; identify the state of indigenous biodiversity within Selwyn and develop appropriate responses to decline; support associated actions by landowners and our community and enhance public awareness of our natural environment; encourage and increase the integration of indigenous species in modified environments.

These goals are followed by targets and actions that identify how the vision will be achieved.

Achieving the Strategy's Vision will require leadership from Council, and includes working closely with manawhenua, the Selwyn community, landowners, agencies, industry, and other stakeholders.



Porters Pass area.



## GLOSSARY

Ecosourcing - is the use of plants that have been grown from locally sourced seeds. That is; seed harvested from naturally growing remnants reserves or bush within the same eco district you plan to plant in.

Edge effects - are changes in population or community structures that occur at the boundary of two or more habitats.

MCI - Macroinvertebrate Community Index an indicator of stream ecological health. Higher MCI scores indicate better stream conditions.

Benthic Community - the biological community that live within or associated with the bottom of any aquatic system list from his evidence to the District Plan.

Kaitiaki - cultural guardians.

Taonga - treasured things.

Mātauranga - Traditional

Mātauranga Māori - Māori knowledge, the body of knowledge originating from Māori ancestors, including the Māori world view and perspectives, Māori creativity and cultural practices.

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Beech Forest, Cass Lagoon.

## APPENDICIES

### Appendix A – Taonga species in the Takiwā

*Refer to the list in Schedule 97 of the Ngāi Tahu Claims Settlement Act 1998.*

### Appendix B – Taonga species of Te Waihora

Taonga species are culturally significant species of animals and plants that are treasured by manawhenua. Although all natural resources are considered taonga by manawhenua, specific species are identified as “taonga species” or “taonga fish species” in Schedules within the Ngāi Tahu Claims Settlement Act 1998. These include species of birds, plants, marine mammals, and fish.

*Refer to Appendix 5 (“Taonga Species Present at Te Waihora”) in the Te Waihora Joint Management Plan.*

### Appendix C: - Conservation Status of listed species

Kea (*Nestor notabilis*) - Threatened Nationally Endangered  
 NZ Falcon | Kārearea (*Falco novaeseelandiae*) - Threatened Nationally Endangered  
 Rock wren | Piwauwau (*Xenicus gilviventris*) - Threatened Nationally Endangered  
 Orange-fronted parakeet | Kākāriki karaka (*Cyanoramphus malherbi*) - Threatened Nationally Critical  
 Yellowhead | Mohua (*Mohoua ochrocephala*) - At Risk Declining  
 Blue Duck | Whio (*Hymenolaimus malacorhynchos*) - Threatened Nationally Vulnerable  
 Great spotted kiwi | Roroa (*Apteryx haastii*) - Threatened Nationally Vulnerable  
 Australasian Crested Grebe | Peteketeke (*Podiceps cristatus*) - Threatened Nationally Vulnerable  
 Australasian Bittern | Matuku-hūrepo (*Botaurus poiciloptilus*) - Threatened Nationally Critical  
 Wrybill | Ngutu pare (*Anarhynchus frontalis*) - Threatened Nationally Increasing  
 Black fronted terns | Tarapirore (*Chlidonias albobristatus*) - Nationally Endangered  
 Black billed gulls | Tarāpuka (*Chroicocephalus bulleri*) - At Risk Declining  
 Banded dotterel | Tūturiwhatu (*Charadrius bicinctus*) - At Risk Declining  
 Yellow Mistletoe | pirita, piriraki (*Alepis flavida*) - At Risk Declining  
 Red Mistletoe | pikirangi, pirita, roeroe, pirinoa (*Peraxilla tetrapetala*) - At Risk Declining  
 Swamp nettle (*Urtica perconfusa*) - At Risk Declining  
 Canterbury Plains tree daisy (*Olearia adenocarpa*) - Threatened Nationally Critical  
 Matagouri (*Discara toumatou*) - At Risk Declining  
 Pīngao (*Ficinia spiralis*) - At Risk Declining  
 Snow Grasshopper (*Brachaspis nivalis*) - At Risk Declining  
 Central arid alpine grasshopper (*Sigaust australis*) - Threatened Nationally Vulnerable  
 Longfinel | Ōrea (*Anguilla dieffenbachii*) - At Risk Declining  
 Canterbury mudfish | kōwaro (*Neochanna burrowsius*) - Threatened Nationally Critical  
 Canterbury galaxias (*Galaxias vulgaris*) At Risk Declining  
 Alpine galaxias (*Galaxias paucispindylus*) - At Risk Naturally Uncommon  
 Upland longjaw galaxias (*Galaxias prognathus*) - Threatened Nationally Vulnerable  
 Kōaro (climbing galaxias) (*Galaxias brevipinnis*) - At Risk Declining  
 Bluegill bully (*Gobiomorphus hubbsi*) - At Risk Declining  
 Freshwater Crayfish | Kōura (*Paranephrops planifrons*) - Not Threatened

Conservation Status is obtained from the New Zealand Threat Classification System (NZTC)  
<https://nztc.org.nz/home> The NZTCS is administered by the Department of Conservation (DOC).





May 2024

 **selwyn**  
DISTRICT COUNCIL



## REPORT

**TO:** Sharon Mason – Chief Executive Officer  
**FOR:** Council Meeting – 12 June 2024  
**FROM:** George Sariak – Strategy Team Leader  
**SUBJECT:** **DRAFT OF WAIKIRIKIRI KI TUA FUTURE SELWYN FOR CONSULTATION**

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## RECOMMENDATION

*‘That the Council:*

- a. Receives this report.*
- b. Endorses the draft of Waikirikiri Ki Tua Future Selwyn for public consultation, allowing for minor design and proofing refinements prior to public consultation.*
- c. Endorses the proposed process for public consultation, as set out in **Appendix 2**, which will take place between 8 July and 4 August 2024.*
- d. Appoints elected members to a Hearing Panel for oral submissions to be heard between the 30 August and 5 September 2024’.*

## 1. PURPOSE

The purpose of this report is to seek Council endorsement of the draft of Waikirikiri Ki Tua Future Selwyn and the associated consultation process set out in **Appendix 2** of this report. The draft of Waikirikiri Ki Tua Future Selwyn is contained within a web environment and as such is not attached to this report. The draft of Waikirikiri Ki Tua Future Selwyn can be accessed at:

<https://experience.arcgis.com/experience/79fcf92b84c0488ab24ef58f77ed8049/page/Home/>

A username and password are required to access the draft of Waikirikiri Ki Tua Future Selwyn during this time. This requirement will be removed ahead of public consultation.

## 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The decisions and matters of this report are assessed as of high significance, in accordance with the Council's Significance and Engagement Policy. There is a high level of community impact, especially on future wellbeing in a broad sense. Waikirikiri Ki Tua Future Selwyn outlines our key outcomes for the district and key strategic direction that informs what we deliver for the district.

### 3. HISTORY/BACKGROUND

Waikirikiri Ki Tua Future Selwyn is proposed to be Council's strategic approach to intergenerational wellbeing, sustainability, resilience, growth, change and development in Waikirikiri Selwyn. Waikirikiri Ki Tua Future Selwyn is a long-term, future-focused, live web-based strategy within ArcGIS Experience Builder that provides the strategic and spatial direction for navigating the future.<sup>1</sup> Waikirikiri Ki Tua Future Selwyn represents the update and replacement of the current District Development Strategy (DDS), Selwyn 2031 which has reached the end of its useful lifespan.

#### **Dual Name, Narrative and Whakataukī**

Although referred to as Future Selwyn during much of the development phase, a dual name Waikirikiri Ki Tua has been developed by Puamiria Parata-Goodall (Pou Kaiāwhā).

The narrative as described by Puamiria Parata-Goodall is as follows:

*“Waikirikiri Ki Tua is a commitment to striving for a better future. Waikirikiri is the original name for the Selwyn River. The word waikirikiri refers to water washing over gravel. Ki tua refers to the beyond, on the further side (of a solid body). It is used in context with Waikirikiri to speak to the desire to move beyond the present and to anticipate and navigate into the future. Ki Tua also references the past, ki tua whakarere, the Selwyn of old. It is important to remember where we have come from, our whakapapa, our foundations. Waikirikiri Ki Tua provides the platform for us to be tenacious, agile and alert to the opportunities ahead of us.*

*The pou, second in the door on the tara iti (left side of the meeting house) is dedicated to Waikirikiri Ki Tua Future Selwyn.”*

The whakataukī developed for Waikirikiri Ki Tua is as follows:

Ko te takata, ko te oraka, ko te āpōpō o Waikirikiri | Our people, our wellbeing, our tomorrow.

#### **Structure of the draft of Waikirikiri Ki Tua Future Selwyn**

The draft of Waikirikiri Ki Tua Future Selwyn is structured around four wāhaka | parts, each with several sections. The draft of Waikirikiri Ki Tua Future Selwyn for consultation includes the first three wāhaka | parts. Wāhaka | part 4 has placeholder content for Te Aroturuki | Monitoring as the dashboard will be developed once there is greater certainty on the direction of Waikirikiri Ki Tua Future Selwyn through the submissions and hearings process.

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<sup>1</sup> **ArcGIS Experience Builder** is a highly configurable app builder product that creates immersive web apps by combining maps, data, and interactive widgets with little to no coding. It provides a user-friendly interface and a range of predefined templates and widgets that can be customized. Web apps can be displayed in a fixed or scrolling screen, single page, or multiple pages.

The homepage of the draft Waikirikiri Ki Tua Future Selwyn functions as both an executive summary and table of contents provides brief descriptions of each section which guides users to parts of Waikirikiri Ki Tua Future Selwyn that are of interest. A brief summary of each wāhaka | part is provided below.

### **Wāhaka | Part 1 - Te Horopaki me te Puna Taunaki | Context and Evidence Base**

This wāhaka | part includes four sections. The entire wāhaka | part was developed over 2020, providing the contextual and evidential basis for developing Waikirikiri Ki Tua Future Selwyn. This included a body of technical work, spatial analysis, and synthesis of information. Importantly, a report authored the Mahaanui Kurataiao Ltd provided an overview of Ngāi Tahu's historical occupation of Waikirikiri Selwyn along with a description of cultural values and principles. This wāhaka | part was recently updated to account for contemporary changes that had occurred since 2020.

### **Wāhaka | Part 2 - Kia Takatū ki te Āpōpō | Strategic Foresight**

This wāhaka | part includes one section titled, Kā Anamata Rau | Our Many Futures. This section summarises an exploratory scenario planning exercise undertaken by the Strategy Team beginning in Q4 2022 and continuing into the first half of 2023. Kā Anamata Rau | Our Many Futures incorporated feedback from the community received during the Huihui Mai engagement between 23 February 2023 to 3 April 2023. Four scenarios were developed for draft of Waikirikiri Ki Tua Future Selwyn for consultation, however the intention is to develop and explore other scenarios in the future so that Waikirikiri Ki Tua Future Selwyn is sufficiently agile. Other sections may be added to Kia Takatū ki te Āpōpō | Strategic Foresight in the future.

### **Wāhaka | Part 3 - Te Rautaki | The Strategy**

This wāhaka | part is the most important of Waikirikiri Ki Tua Future Selwyn as it includes both the strategic and spatial direction for the future. This wāhaka | part is also the primary focus for consultation, as it will come to provide the direction for future mahi at Council, including the next steps in the Waikirikiri Ki Tua Future Selwyn work programme including Area Plans and Te Aroturuki | Monitoring.

This wāhaka | part includes four sections which are as follows:

- Te Aka ā-Rautaki | Strategic Framework
- Kā Whakaarotau ā-Rautaki | Strategic Priorities
- Te Ahuka ā-Āhua Tāone | Urban Form Direction
- Te Kiteka Takiwā | the District Picture

Te Aka ā-Rautaki | the Strategic Framework sets out the long-term aspirations for Waikirikiri Selwyn, guided by Kā Putaka | Outcomes and Kā Ahuka | Directions. Te Aka ā-Rautaki | the Strategic Framework is the most integral component of Waikirikiri Ki Tua Future Selwyn. The draft of Te Aka ā-Rautaki | the Strategic Framework is included in **Appendix 1** to this report.

Te Aka ā-Rautaki | the Strategic Framework has been developed through feedback received from local communities through various processes such as

the District Plan review, the Long-Term Plan and Huihui Mai engagement for the Greater Christchurch Spatial Plan, as well as Council Briefings.

Te Aka ā-Rautaki | the Strategic Framework was then refined through a series of workshops with Council over 2023 on the strategic choices cascade facilitated by Anne Molineux of Deloitte. Principally, this focused on aspiration-setting and defining our strategic role. Aspiration-setting has been critical to formulating the draft vision, spirit and outcomes with the strategic role definition refining our directions.

Kā Whakaarotau ā-Rautaki | Strategic Priorities set out where we will focus our efforts in order to unlock transformational opportunities that hold the potential to make substantial progress towards our aspirations for the future. These will come to guide the structure of the Area Plans. There are six Kā Whakaarotau ā-Rautaki | Strategic Priorities:



**Figure 1:** Kā Whakaarotau ā-Rautaki | Strategic Priorities of Waikirikiri Ki Tua | Future Selwyn

Te Ahuka ā-Āhua Tāone | Urban Form Direction sets out the changes we need to see in our urban form over the future to best achieve the aspiration and outcomes of Te Aka ā-Rautaki | the Strategic Framework. It builds on the direction provided in Te Aka ā-Rautaki | the Strategic Framework under a sustainable and connected urban form with more detailed and specific direction. Te Ahuka ā-Āhua Tāone | Urban Form Direction also describes the process for formulating the township network which is a core aspect of Te Kiteka Takiwā | the District Picture.

Te Kiteka Takiwā | the District Picture is the spatial expression of the long-term strategic direction of Waikirikiri Ki Tua Future Selwyn. It complements Te Aka ā-Rautaki | the Strategic Framework to provide an integrated spatial strategy. Te Kiteka Takiwā | the District Picture represents high-level spatial direction for the entirety of Waikirikiri Selwyn providing the foundation for detailed spatial planning that will be undertaken as part of the Area Plans.



**Figure 2:** The three Area Plans of Waikirikiri Ki Tua Future Selwyn

### **Wāhaka | Part 4 - Te Aroturuki | Monitoring**

This wāhaka | part will be developed upon confirmation of Te Aka ā-Rautaki | the Strategic Framework as part of the next phase of Waikirikiri Ki Tua Future Selwyn. Placeholder content is included under this wāhaka | part which is as follows:

*“Te Aroturuki | Monitoring lets us know if what we are doing is making a difference. Waikirikiri Ki Tua Future Selwyn Monitoring Dashboard is an interactive dashboard that will measure progress on the outcomes of Te Aka ā-Rautaki | the Strategic Framework. We will develop the Waikirikiri Ki Tua Future Selwyn Monitoring Dashboard once we hear from our communities that we are on the right track with Te Aka ā-Rautaki | the Strategic Framework.”*

## **4. PROPOSAL**

That Council receives this report and endorses the draft of Waikirikiri Ki Tua Future Selwyn and the associated public consultation process which is set out in **Appendix 2** of this report in a summary format.

## **5. OPTIONS**

Council has four options:

- Option 1** Endorse the draft of Waikirikiri Ki Tua Future Selwyn for public consultation, using the special consultative procedure in section 83 of the Local Government Act 2002.
- Option 2** Endorse the draft of Waikirikiri Ki Tua Future Selwyn for public consultation, using the special consultative procedure in section 83 of the Local Government Act 2002 with changes to the content of the draft of Waikirikiri Ki Tua Future Selwyn.

- Option 3** Endorse the draft of Waikirikiri Ki Tua Future Selwyn for public consultation, with or without changes, but do not use the special consultative procedure in section 83 of the Local Government Act 2002 including a formal submission process and the hearing of oral submissions.
- Option 4** Do not endorse the draft of Waikirikiri Ki Tua Future Selwyn for public consultation.

**Option 1 (recommended)**

Option 1 is recommended as the current District Development Strategy (DDS), Selwyn 2031 has reached the end of its useful lifespan and through the process of a review in 2020 was determined in need of an update. The review in 2020 determined the replacement of Selwyn 2031 was necessary, due to a strategic need to elevate the importance of the DDS. Ultimately, Selwyn 2031 was unable to achieve the strategic intent of directing future growth planning and development as effectively as initially envisaged.

Waikirikiri Ki Tua Future Selwyn represents the review and update of Selwyn 2031, with an elevated status in the strategic hierarchy of Council plans, policies and strategies. Waikirikiri Ki Tua Future Selwyn has been developed with the implicit purpose of coordinating and aligning the existing landscape of strategies, policies and plans, so that there is a marked improvement in internal strategic alignment.

Sufficient background work and preparation has been undertaken to develop the draft of Waikirikiri Ki Tua Future Selwyn for the purpose of informing public consultation. At this stage, the draft of Waikirikiri Ki Tua Future Selwyn has reached a point where there would be diminishing returns for Council staff to further develop the draft of Waikirikiri Ki Tua Future Selwyn and it is timely that the draft be made available to the public for consultation.

Option 1 is recommended as it is of the utmost importance that we hear from our communities on the proposed direction, form and content of the draft of Waikirikiri Ki Tua Future Selwyn. The draft of Waikirikiri Ki Tua Future Selwyn incorporates feedback received from communities through other processes, with the proposed public consultation offering the opportunity to test whether Council staff have accurately and sufficiently heard and represented the views, aspirations and expectations of the community. The special consultative procedure in section 83 of the Local Government Act 2002 will inform the public consultation. An overview of the proposed public consultation process is set out in **Appendix 2**.

**6. VIEWS OF THOSE AFFECTED / CONSULTATION**

**(a) Views of those affected and Consultation**

This report seeks the endorsement of the draft of Waikirikiri Ki Tua Future Selwyn for the purpose of public consultation. The submission and hearing



process will provide the opportunity for the public, our strategic partners, neighbouring territorial authorities and others to provide feedback on the draft of Waikirikiri Ki Tua Future Selwyn. This will influence changes to the draft and ultimately the final form of Waikirikiri Ki Tua Future Selwyn.

**(b) Māori and Treaty implications**

The draft of Waikirikiri Ki Tua Future recognises and acknowledges the importance of Te Tiriti, the Ngāi Tahu Deed of Settlement 1997 and the Ngāi Tahu Claims Settlement Act 1998 as well as the Relationship Agreement between Te Taumutu Rūnanga and Selwyn District Council.

A large part of the content of the draft of Waikirikiri Ki Tua Future Selwyn in relation to mana whenua and te ao Māori was derived from a report authored by Mahaanui Kurataiao Ltd. This report provided an overview of Ngāi Tahu's historical occupation of Waikirikiri Selwyn along with a description of cultural values and principles. The draft of Waikirikiri Ki Tua Future Selwyn is intended to provide implicit direction on progressing towards a Tiriti based future. This includes a direction to honour Te Tiriti and strengthen our partnership with mana whenua. The draft of Waikirikiri Ki Tua Future Selwyn also seeks to better draw upon te ao Māori and mātauraka Māori than previous Council strategies and plans. Much of the content of the draft of Waikirikiri Ki Tua Future Selwyn will be of interest to Rūnaka and Iwi Māori. Through the inclusion of the Healthy Water outcome the involvement, knowledge and expertise of mana whenua in the development of the One Water Strategy has been transplanted into Te Aka ā-Rautaki | the Strategic Framework. Similarly, the involvement, knowledge and expertise of mana whenua in the development of the Selwyn Biodiversity Strategy has been transplanted into the Thriving Biodiversity and Ecosystems outcome. Te Pou Mataaho will support by facilitating engagement with Rūnaka on the draft of Waikirikiri Ki Tua Future Selwyn so that the final version is able to reflect the aspirations, expectations and priorities of mana whenua.

**(c) Climate Change considerations**

The decisions and matters of this report are assessed to have medium climate change implications. As Waikirikiri Ki Tua Future Selwyn is long-term and future focused; climate change is a primary and underlying concern throughout. The review of Selwyn 2031 in 2020 found that it contained little strategic direction or mention of climate change. This was an overwhelming consideration for a comprehensive update of the DDS.

Waikirikiri Ki Tua Future Selwyn synthesises the most up to date and available information on climate change as it relates to Waitaha Canterbury and Waikirikiri Selwyn. This includes but is not limited to:

- Technical information, reporting and modelling from the District Plan Review;
- National Institute of Water and Atmospheric Research (NIWA) Climate Projections for Canterbury which is based on global climate model simulations from the Intergovernmental Panel on Climate Change (IPCC) Fifth Assessment, scaled down for Aotearoa New Zealand, with a focus on Waitaha Canterbury;

- Canterbury Climate Change Risk Assessment (CCCRA) prepared for the Canterbury Mayoral Forum in 2022;
- Aqualinc (2023) Impact of Climate Cycles and Trends on Council Assets; and
- The first greenhouse gas emissions inventory report for Waitaha Canterbury (2023) which is disaggregated by territorial authority area.

Te Aka ā-Rautaki | the Strategic Framework includes important direction on climate change adaptation and mitigation which will support climate action by Council and local communities in the future.

Te Aka ā-Rautaki | the Strategic Framework complements regional collaborative action on climate including the work of the Canterbury Climate Change Working Group. Directions of Te Aka ā-Rautaki | the Strategic Framework align with the Strategic Framework of the proposed Canterbury Climate Change Partnership Plan.



**Figure 3: Strategic Framework of the proposed Canterbury Climate Change Partnership Plan**

Waikirikiri Ki Tua Future Selwyn has also incorporates key information from the climate strategy for Taumutu Rūnanga shared with Council staff in March 2024 acknowledging that there significant impacts from climate change on Taumutu Rūnanga.

For further information on the likely impact of climate change in the Waikirikiri Selwyn refer to Council's Climate Change Policy. Further information can also be found on the Ministry for the Environment website.

## 7. FUNDING IMPLICATIONS

The funding for the development of Waikirikiri Ki Tua Future Selwyn, including public consultation and hearings is provided for within current budget. Therefore, there are no direct budget considerations associated with the recommendations of this report. If Waikirikiri Ki Tua Future Selwyn is adopted in a similar form to the present draft, Waikirikiri Ki Tua Future Selwyn would provide the overarching direction for Council, which includes our preferred direction for growth and future investment which would be implemented through Long-Term Plans and Annual Plans.



George Sariak  
**ACTING STRATEGY TEAM LEADER**

***Endorsed For Agenda***



Ben Baird  
**ACTING HEAD OF STRATEGY AND POLICY**



Ben Baird  
**ACTING EXECUTIVE DIRECTOR – DEVELOPMENT AND GROWTH**

**Appendix 1: Waikirikiri Ki Tua Future Selwyn – Strategic Framework**

**Appendix 2: Public Consultation Process**

## Te Aka ā-Rautaki | Strategic Framework

### Ō Mātou Wawata Pae Tawhiti | Our Long Term Aspirations

Te Aka ā-Rautaki | the Strategic Framework sets out our ō mātou wawata pae tawhiti | long-term aspirations, guided by kā putaka | outcomes and kā ahuka | directions. Our long term aspirations are in two parts, te kiteka | the vision and the Spirit of Selwyn. Te kiteka | the vision encapsulates the overarching long-term aspirations for Waikirikirī Selwyn and its people in one short statement. The Spirit of Selwyn is a detailed, clear and cohesive narrative of the future of Waikirikirī Selwyn. Kā putaka | outcomes express what our aspiration is, and kā ahuka | directions set out what we all need to do to achieve our aspiration.

### Te Kiteka | Vision

“A liveable, innovative and connected Waikirikirī Selwyn filled with opportunity and prosperity”

### Spirit of Selwyn

Our Waikirikirī Ki Tua Future Selwyn is a Waikirikirī Selwyn in balance, from the mountains to the sea, and everything in between. Our Waikirikirī Ki Tua Future Selwyn is one of sustainable prosperity, where innovation, creativity and ambition ensures intergenerational wellbeing and opportunities for all. Our places are distinct, liveable, vibrant, resilient and connected; enriching our lives now and into the future. Our sustainable and connected urban form sees improved connections between towns, new opportunities and choices for how we live, work and get around. Our growth is in harmony with with te taiao on which we depend and care for so that we and future generations can prosper. The mauri and health of Te Waihora is restored, there is an abundance of mahinga kai and other resources. Our big backyard, with all its mountains, lakes, forests, wetlands, rivers, estuaries, the coast, and our clear sky is a taonga on our doorstep which we all collectively care for.

Our Waikirikirī Ki Tua Future Selwyn is a place where people feel they belong, are able to connect with one another, share experiences, celebrate our differences and value our heritage. Like the kahikatea the strength and resilience of communities comes from how we support and connect with one another. Our Waikirikirī Ki Tua Future Selwyn is a place where we ensure that we can all prosper and lead fulfilling lives. Our economy is productive and resilient, driven by innovation and creativity. We embrace new technologies and get ahead of the curve, with infrastructure and investment unlocking the full potential of Waikirikirī Selwyn.

Our Waikirikirī Ki Tua Future Selwyn is a shared future, where enduring and collaborative relationships are built on trust, reciprocity, commitment and mutual respect. Te Tiriti o Waitangi guides our partnership with mana whenua where we work together to realise intergenerational wellbeing for our people and te taiao. Our local voice is loud; we advocate and influence for our people and all of Waikirikirī Selwyn. Our communities are empowered to take action on the things they care about and are listened to when they call upon others for change.

## A Healthy and Restored Environment



A Rich and Diverse Land	Thriving Ecosystems and Biodiversity	Healthy Water	Living within Environmental Limits
<ol style="list-style-type: none"> <li>1. Protect highly productive land for land-based primary production</li> <li>2. Protect important natural areas, features and landscapes</li> <li>3. Integrate nature-based solutions</li> <li>4. Increase the extent, connectivity and accessibility of the green network</li> <li>5. Green our urban environment</li> </ol>	<ol style="list-style-type: none"> <li>1. Protect and maintain indigenous biodiversity</li> <li>2. Restore habitats and ecosystems</li> <li>3. Protect and enhance the health and abundance of taoka species and mahika kai</li> <li>4. Enhance the services provided by ecosystems</li> </ol>	<ol style="list-style-type: none"> <li>1. Prioritise the health and wellbeing of water</li> <li>2. Protect and restore the mana and mauri of water</li> <li>3. Protect and enhance Te Waihora and all tributaries</li> <li>4. Protect sources of water and human health</li> <li>5. Recognise the interconnectedness of the blue network</li> </ol>	<ol style="list-style-type: none"> <li>1. Reduce Greenhouse Gas Emissions</li> <li>2. Conserve Finite Resources</li> <li>3. Promote the use of renewable resources over non-renewable resources</li> <li>4. Protect the life supporting capacity of the natural environment</li> <li>5. Reduce waste and promote circular practices</li> </ol>

## A Regenerative Economy



Prosperous People	A Productive, Low-Carbon and Diverse Economy
<ol style="list-style-type: none"> <li>1. Provide equitable access to employment and economic opportunities</li> <li>2. Develop and prepare our people through education, training and lifelong learning</li> <li>3. Support and Enable Local Business to Thrive</li> <li>4. Promote A Just Transition Through Disruption and Change</li> <li>5. Support Social Enterprise</li> <li>6. Support Iwi Maori Economic Aspirations</li> <li>7. Facilitate connections, collaboration and the sharing of knowledge</li> <li>8. Attract and Retain Talent and Skills</li> </ol>	<ol style="list-style-type: none"> <li>1. Promote economic diversification to build economic resilience</li> <li>2. Decarbonise the economy</li> <li>3. Support a high performance and sustainable rural economy</li> <li>4. Support growth in industries with high innovation potential</li> <li>5. Enable Sufficient Development Capacity for Business Land</li> <li>6. Encourage Visitors to the District</li> <li>7. Improve the efficient movement of freight and goods</li> <li>8. Attract Spending and Inward Investment</li> </ol>



## A Sustainable and Connected Urban Form



Liveable Low Carbon Towns	Sustainable and Accessible Transport	Quality Infrastructure
<ol style="list-style-type: none"> <li>1. Manage growth in accordance with the Township Network</li> <li>2. Enable Kāika Nohoaka</li> <li>3. Promote and incentivise intensification in appropriate locations</li> <li>4. Enable Sufficient Development Capacity for Housing</li> <li>5. Promote quality housing</li> <li>6. Enable housing choice and affordability</li> <li>7. Strengthen the resilience of towns to natural hazards and climate change</li> <li>8. Focus and incentivise growth in areas free from significant risks from natural hazards</li> </ol>	<ol style="list-style-type: none"> <li>1. Prioritise sustainable transport options</li> <li>2. Enhance accessibility</li> <li>3. Improve connectivity within and between towns</li> <li>4. Support a safe and efficient transport system</li> <li>5. Support and develop connected public transport and active transport networks</li> </ol>	<ol style="list-style-type: none"> <li>1. Strategically plan and coordinate infrastructure</li> <li>2. Strengthen the resilience of infrastructure to shocks and stresses</li> <li>3. Deliver timely and intergenerational infrastructure</li> <li>4. Make efficient use of existing infrastructure</li> <li>5. Maintain and operate infrastructure efficiently and affordably</li> <li>6. Prioritise investments in infrastructure that deliver on multiple outcomes over generations</li> <li>7. Encourage the reduction of emissions from the construction and operation of infrastructure</li> </ol>

## A Great Place to Call Home



Inclusive Communities	Thriving Communities	Resilient Communities	Recognised Communities
<ol style="list-style-type: none"> <li>1. Honour Te Tiriti and strengthen our partnership with Mana Whenua</li> <li>2. Promote biculturalism, cultural knowledge and cultural competence</li> <li>3. Focus our efforts on communities and areas that experience the greatest inequalities</li> <li>4. Design safe, accessible and welcoming places for all</li> <li>5. Foster a sense of belonging and connection</li> <li>6. Value and celebrate our diversity and multiculturalism</li> </ol>	<ol style="list-style-type: none"> <li>1. Empower and support communities to enjoy and fully participate in community and civic life</li> <li>2. Invest in and shape our public spaces</li> <li>3. Provide community spaces and facilities responsive to the needs of present and future generations</li> <li>4. Advocate for greater provision and accessibility of services and facilities that improve quality of life</li> <li>5. Support and encourage our communities to lead healthy, active and fulfilling lives</li> <li>6. Provide opportunities for social connection and building relationships</li> </ol>	<ol style="list-style-type: none"> <li>1. Focus on place-based solutions and the needs of local communities</li> <li>2. Enable and enhance community resilience</li> <li>3. Empower collective action, responsibility and community-led initiatives</li> <li>4. Reduce risks faced by communities from natural hazards and the impacts of climate change</li> <li>5. Increase our readiness for emergencies and disasters</li> <li>6. Increase our ability to effectively respond to and recover from emergencies and disasters</li> </ol>	<ol style="list-style-type: none"> <li>1. Protect our culturally significant sites and areas</li> <li>2. Protect and Promote Our Local Heritage and Notable Trees</li> <li>3. Promote the unique identity of our towns and places</li> <li>4. Promote our rural identity</li> <li>5. Celebrate Our Local Arts and Traditions</li> <li>6. Support community events and programmes</li> </ol>

DRAFT

# Waikirikiri Ki Tua

Future Selwyn

## Consultation Plan and Hearings Overview

George Sariak, Strategy Team Leader  
Natalie Cahill, Marketing Manager

## BACKGROUND

Waikirikiri Ki Tua Future Selwyn is a long-term strategic approach for intergenerational wellbeing, sustainability, resilience, growth, change, and development in Waikirikiri Selwyn. It serves as a guide for the Selwyn District Council's decision-making, planning, and investment, aligning current and future strategies, plans, and policies. Ō Mātou Wawata Pae Tawhiti | Our Long Term Aspirations are the anchor of Waikirikiri Ki Tua Future Selwyn. These are set out in Te Aka ā-Rautaki | the Strategic Framework, guided by kā putaka | strategic outcomes and kā ahuka | directions.

Kā Whakaarotau ā-Rautaki | Strategic Priorities set out where we will focus our efforts in order to unlock transformational opportunities that hold the potential to make substantial progress towards the vision and deliver on multiple outcomes of Te Aka ā-Rautaki | the Strategic Framework. Kā Whakaarotau ā-Rautaki | Strategic Priorities will guide detailed spatial planning as part of our Area Plans. These are as follows:



The Blue  
Green Network



Transport



Housing



People &  
Communities



Economic  
Development



Infrastructure

Waikirikiri Ki Tua Future Selwyn will play a pivotal role in determining how our district grows, develops, and invests in its various areas and towns. We are seeking to consult with our community to ensure that our proposed direction aligns with the desires and needs of our residents.



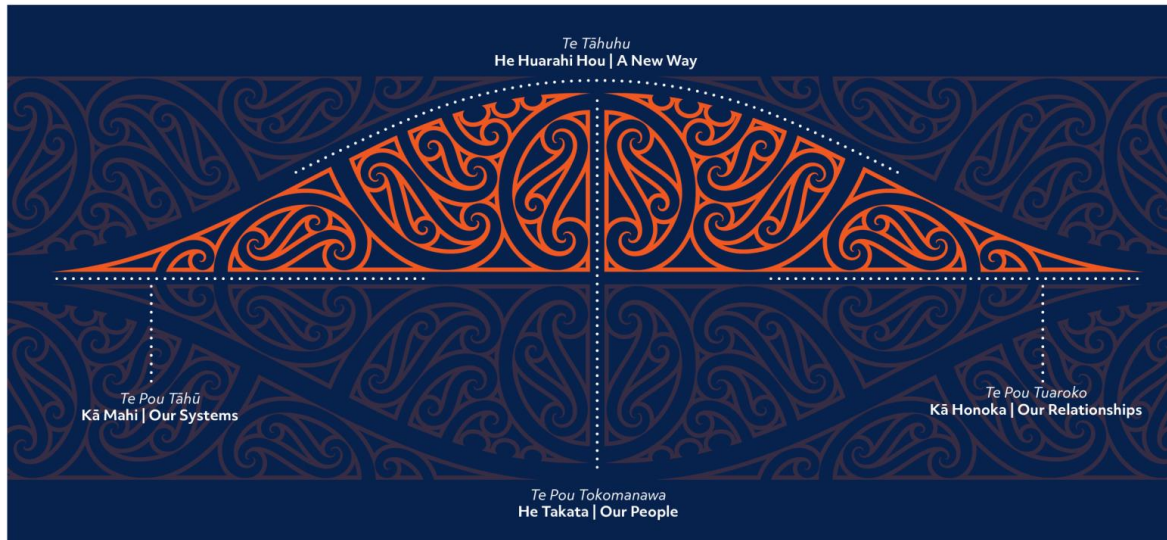
**Waikirikiri Ki Tua**  
Future Selwyn



## TELLING THE STORY

### Te Whare O Waikirikiri | The House of Selwyn

This kōwhaiwhai pattern is intricately linked to the overarching concept of the Wharenui within our framework. It not only embodies the essence of the heke within our wharenui, serving as a focal point for our thoughts and conversations to gather and eventually transcend through the tahuu towards our tipuna and Atua, but also symbolises our commitment to nurturing and supporting our takiwā region. The Pātiki design reflects our deep-rooted sense of manaaki for our land and communities, signifying our collective aspirations for the renewal of our whenua and the prosperity of our people. Each Pou is recognisable as elements within the visual representation. As the design reflects, we recognise the mirror image of our Wharenui found in our significant bodies of water, symbolising our interconnectedness and continuity. Numerous elements within the design speak to the cultivation of relationships, the potential for growth represented by ngā kakano (seeds), and the resilience embodied by Mangopare, a reference to the agility and strength of the Mako. This kōwhaiwhai pattern supports the Te Whare o Waikirikiri framework described in Te Rautaki Tikaka Rua Bicultural Strategy.



**Waikirikiri Ki Tua**  
Future Selwyn

## BRAND IDENTITY



A Great Place to Call Home



Infrastructure



**Waikirikiri Ki Tua**  
Future Selwyn

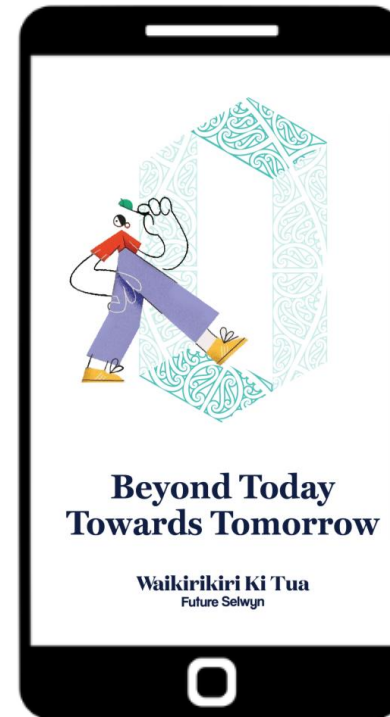


## CAMPAIGN IDENTITY

Lead-in campaign



Formal Consultation



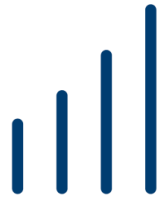
**Waikirikiri Ki Tua**  
Future Selwyn

## CONSULTATION OBJECTIVES

To reach and engage with as many community groups as possible for the Selwyn District Council Waikirikiri Ki Tua Future Selwyn Consultation through a combined lead-in and formal consultation campaign to drive awareness and engagement.



**Targeted Reach**



**High frequency**



**Increased brand  
visibility of  
Waikirikiri Ki Tua**



**Drive engagement  
& clicks**

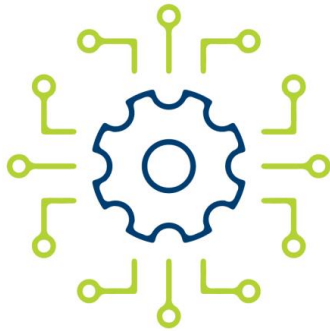


**Drive conversion  
and submissions**



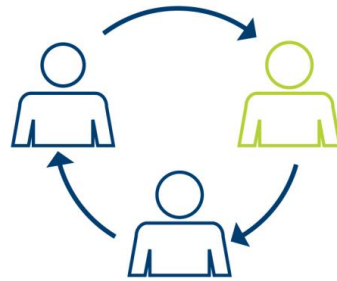
**Waikirikiri Ki Tua**  
Future Selwyn

## CONSULTATION APPROACH



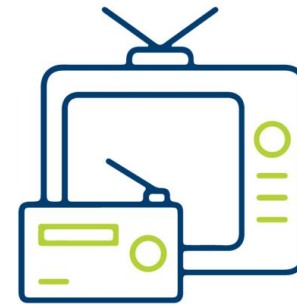
### Digital

To drive awareness,  
action, conversion and  
be adaptable



### In-person

Activation stations, drop-  
ins, Staff engagement,  
Customer Service and  
Facilities



### Traditional

PR, Radio, local  
newspapers, digital  
screens, billboards  
rates insert



**Waikirikiri Ki Tua**  
Future Selwyn

## AWARENESS LEAD-IN CAMPAIGN

The awareness campaign will run from 17 June – 07 July (21 days).

The budget is relatively light for this phase; however it does run off the back of our LTP campaign which has already introduced 'Your Future Selwyn' to market

We will use a mix of platforms to concentrate on building reach through impressions, video views and clicks to the web-based strategy.

Platforms include:

Facebook & Instagram using newsfeed, stories and reels placements

Programmatic Video

YouTube Non-Skippable Video

Audio across Rova and iHeartradio

LinkedIn video ads

Digital screens

Stuff.co.nz



**Waikirikiri Ki Tua**  
Future Selwyn

## FORMAL CONSULTATION APPROACH

The formal consultation phase will run from 8 July – 4 August and our objective moves to engagement clicks to Your Say Selwyn (consultation platform), and conversion (submissions).

All digital channels will be integrated back to Engagement HQ creating a space for conversations around Waikirikiri Ki Tua and providing a direct link back into the submission tool.

Selected media platforms will continue to deliver reach, but with website traffic and conversion as the goal.



**Waikirikiri Ki Tua**  
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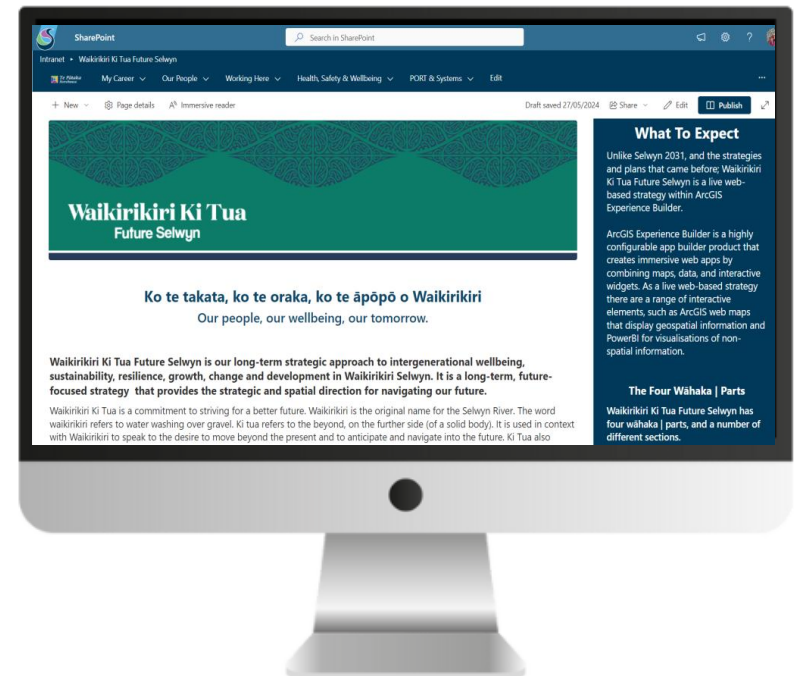
## COMMUNICATIONS TO STAFF

Our communications toolbox is a mix of internal communications to help facilitate effective communication with our community during consultation, and includes an internal guidance booklet, a series of videos and host of internal communications, weekly e newsletter to staff, an Future Selwyn hub on Te Pātaka, and regularly updated FAQ's to assist with any difficult to answer questions.

Councillors also have access to this content so there is consistency.

This is all housed within the Future Selwyn Hub on Te Pātaka from 17 June

The purpose behind this is to ensure there is a culture of connectedness across the organisation in what the Waikirikiri Ki Tua Future Selwyn is and what we need the community to do.



**Waikirikiri Ki Tua**  
Future Selwyn

## COMMUNICATIONS TOOLBOX

### Stakeholder: Councillors, Staff & Facilities

#### Toolbox

The Waikirikiri Ki Tua Future Selwyn communication toolbox, is a collection of tools, resources, and videos that will be made available to key stakeholders. This Hub will ensure our teams are equipped with effective materials to communicate & engage with the community.

#### Assets



##### Key Resources

- Key talking points
- Internal Guidance Flyer
- What is Waikirikiri Ki Tua Future Selwyn
- Where to find out more
- Your Say Selwyn / how to make a submission
- Key dates & consultation activity



##### Video

- Intro Video
- What is Waikirikiri Ki Tua Future Selwyn
- 15" Animation
- 6" Bumper
- Slido session



##### Supporting assets

- Internal e-newsletters
- CEO Updates
- Information Powerpoint
- Hub on Te Pataka
- Community Information flyer
- Live-web based strategy



**Waikirikiri Ki Tua**  
Future Selwyn



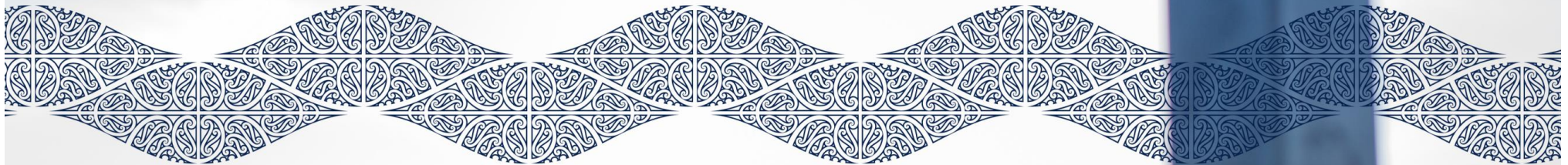
## TIMEFRAMES



**Waikirikiri Ki Tua**  
Future Selwyn

**Ko te takata, ko te  
oraka, ko te āpōpō  
o Waikirikiri**

**Our people, our  
wellbeing, our  
tomorrow.**



# **Waikirikiri Ki Tua**

## **Future Selwyn**

## REPORT

**TO:** Sharon Mason - Chief Executive Officer  
**FOR:** Council Meeting – 12 June 2024  
**FROM:** Policy Team Leader - Rachael Carruthers  
**SUBJECT:** **VARIATION TO THE PARTIALLY OPERATIVE DISTRICT PLAN**

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## RECOMMENDATION

*'That the Council:*

- a. Endorses the development of Variations to the Partially Operative District Plan for the purposes of simplifying, correcting, and clarifying Plan Provisions; and*
- b. Agrees that the Policy Team will report back to Council through an issues and options paper seeking Council approval for each individual Variation.*

### 1. PURPOSE

The purpose of this report is to seek support for beginning variations to the Partially Operative District Plan.

Every district is required by the RMA to have and maintain a district plan to assist the council in carrying out its function of promoting the sustainable management of natural and physical resources within the district.

District plans are not static in nature, and are expected to evolve over time, where those changes give better effect to the purpose of the RMA. Further, it is standard practice for council to initiate a plan change within the first year of a new plan to simplify, correct, and clarify provisions that are being implemented.

### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

As decisions on variations and plan changes, including Council-initiated variations and plan changes, are made in accordance with the Schedule 1 of the RMA, Council's Significance and Engagement Policy states that those procedures are to be used instead of those contained in the Policy.

### 3. HISTORY/BACKGROUND

Decisions on what is now the Partially Operative District Plan (the Plan) were made on 19 August 2023, with provisions having some legal effect from that

date. Those rules that are not subject to appeal are now treated as operative, with the equivalent parts of the 2000 Operative District Plan ceasing to have effect.

This increased reliance on the new provisions has resulted in the identification of errors and inconsistencies within the Plan. Many of these errors and inconsistencies have been able to be rectified through the use of Clause 16(2) of the First Schedule of the RMA, but others fall outside the ambit of C16(2) and will require a plan change/variation process to rectify.

Some of the errors and inconsistencies identified above arose during the initial drafting but were not identified through submissions and so could not be addressed through that process, while others arose through decisions that were made about submissions on the Plan. Fifty-nine individual decisions were made on the Proposed District Plan, including Variation 1. In some instances, decisions were made to change one part of the Plan which resulted in inconsistencies with other provisions, but either the inconsistency was not identified at the time, or there was no legal scope to address those inconsistencies through decisions.

In one instance, an amendment to the Plan is required to bring through to the Plan a decision of the Environment Court on an appeal to a private plan change request to the Operative Plan.

Issues have been identified by members of the Strategy and Policy Team, Resource Consents staff, the Building Department, Infrastructure and Property staff, the Compliance Team and members of the development and wider community.

It is therefore proposed to undertake a variation or series of variations to the Partially Operative District Plan, in order to address these errors and inconsistencies. Such a mop-up process is common, following the release of decisions on a Plan review.

#### **4. PROPOSAL**

The proposal is to initiate a series of variations to address these errors. A variation follows the same process as a plan change, but is the term used before a plan is fully operative.

##### **Issues and Options Report**

Each variation will be initiated with an issues and options report to Council, containing a description of the issues that have been identified in the implementation of the relevant Plan chapter(s), a description of the possible approaches to resolving the issues, and a recommended option for further development and community engagement.

The general scope of the proposed changes is to undertake one variation to simplify and clarify provisions where the nature of changes goes beyond the

scope of Clause 16 but are unlikely to be contentious, with separate variations for each Plan chapter or set of related Plan chapters, where addressing identified gaps in the Plan will require a greater degree of community consideration. Undertaking a series of variations, rather than a single variation, will allow the timing of processes to diverge if necessary, so where one topic requires greater consideration it does not adversely affect the progress of others.

## 5. OPTIONS

### ***Option 1 – initiate a variation or variations to address identified minor issues with current provisions (recommended option)***

Option 1 is to initiate a variation or series of variations to address minor errors and inconsistencies across the Plan. The decision between one or several variations would depend on the extent of changes – it is proposed to separate the very minor amendments from those that would require more detailed community consideration, so that potentially contentious issues do not delay amendments about which there is likely to be common agreement. It is also proposed to group amendments by topic to the extent possible, so that members of our community can easily identify those variations that are of particular interest to them.

Multiple variations could be notified and heard at or about at the same time, as there is no requirement to get to a certain point in the process with one before commencing the next.

The variation/s would reduce the consenting burden on both staff and the community.

In other instances, the variation/s would clarify the intent of provisions, to make it easier for the community to identify and interpret the provisions that apply to their proposal without requiring specialised advice.

In each instance, it is proposed that an issues and options report be presented to Council for their consideration, before any variation is finalised.

### ***Option 2 - initiate a variation or variations to address a wide range of issues***

Option 2 goes further than Option 1, by including amendments to provisions where the Hearings Panel considered that changes should be made to the Plan, but that a future plan change would be more appropriate.

### ***Option 3 – do nothing/rely on private plan change requests***

Option 3 is to rely on private plan change requests to address errors and inconsistencies within the Plan. It is unlikely that that a private request would address the identified issues and so Option 3 is considered ineffective and inefficient and is not recommended.

### **Recommended Option**

It is recommended that Option 1 is supported. This focuses the initial plan changes on those areas that clarify the plan and improve its efficiency and effectiveness. The process will follow what is outlined in the Proposal section under Issues and Options Report.

## **6. VIEWS OF THOSE AFFECTED / CONSULTATION**

### **(a) Views of those affected and consultation**

The variation/s will be subject to the statutory consultative provisions of the RMA, providing the community with an opportunity to participate in the process. Council would be required to publicly notify each variation and serve notice on all directly affected parties and organisations who then can participate in the process.

### **(b) Māori and Treaty implications**

Runanga involvement will be sought as part of the development of the Variations, as well as Iwi Authority involvement through the required Schedule 1 consultation process.

### **(c) Climate Change considerations**

The decisions and matters of this report are assessed to have no climate change implications. The purpose of the proposed variation/s is to simplify, correct and clarify existing Plan provisions, without altering the intent of the Plan.

## **7. FUNDING IMPLICATIONS**

The main financial implications will be the staff time of the Policy Team to prepare the Variations. However, there will be external costs relating to consultant use, consultation, and the hearings process. These costs have been factored into the Long Term Budget and therefore won't have any additional financial impact above what has been budgeted.

## **8. INPUT FROM OTHER DEPARTMENTS**

Input from Council staff organisation-wide would be required for this project. In particular, assistance from Building, Compliance, and Infrastructure & Property will be required in the issues and options identification stages, while assistance from Digital and Marketing & Communications will be required in the notification stages.

## **9. LEGAL CONSIDERATIONS**

There are no legal considerations.





Rachael Carruthers  
**POLICY TEAM LEADER**

***Endorsed For Agenda***



Robert Love  
**ACTING EXECUTIVE DIRECTOR DEVELOPMENT AND GROWTH**

## REPORT

**TO:** Chief Executive  
**FOR:** Council Meeting – 12<sup>th</sup> June 2024  
**FROM:** Kate Attwood – Surface Water Lead  
**DATE:** 13<sup>th</sup> May 2024  
**SUBJECT:** **PUBLIC INITIATED WATER RACE CLOSURES**

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## RECOMMENDATIONS

*‘That the Council*

- a. Approve the closure of four lengths of water race, referred to as the Maddisons Road, Selwyn Road, Old West Coast Road, and Cowans/Bealey Road closures respectfully, totalling approximately 10.6 km across the Selwyn District Council Stock Water Race Network*
- b. Form a hearing panel, consisting of two Councillors to be nominated, to hear submissions and consider the proposal to close one section, Pound Road totalling approximately 2.78 km of race that received objections during the public consultation process’*

### 1. PURPOSE

Council consider this report regarding the above stock water race closure applications and implement the above recommendations.

Council has received applications from private landowners proposing the closure of sections of stock water race within the Council's stock water race network. All closure requests follow the process outlined in [Selwyn District Council policy W107](#) (page 233) including public consultation and notification.

A table summarising the closures issued for public consultation during April and May 2024 attached within Appendix A, Summary of Proposals, with a map and details for each section of race.

### 2. SIGNIFICANCE ASSESSMENT

Assessing the level of significance of the decision is required to ensure compliance with the decision making requirements under Section 5 of the Local Government Act 2002. The Significance and Engagement Policy also sets out criteria for assessing significance. The assessed level of significance determines the degree to which options are identified and analysed and the extent to which community views are sought and considered.

Significance should be assessed in terms of consequences for:

- The district or region
- Any persons who are likely to be particularly affected by or interested in the proposal, decision or matter
- The capacity of the local authority to perform its role, and the financial and other costs of doing so.

The proposed water race closures included in this report have been considered against the criteria for assessing significance from the Policy and are assessed as low significance. This is also aligned with previous water race closures of similar location and scale. Further information relating to this assessment can be found in Appendix E.

### 3. HISTORY/BACKGROUND

Council allows for the public to request a closure of the water race where it is no longer required. All closure requests follow the process outlined in [Selwyn District Council policy W107](#) (page 233) including public consultation and notification.

Five closures were submitted to Council and have now progressed through to Council for approval.

### 4. PROPOSAL

Council has received requests to close five sections of stock water race from private landowners. Table 11 summarises all the races which were advertised during the public consultation period. For further detail a reference number is given for each closure requested, with specific details of the proposed closures, including maps, found within the Summary of Proposals document, refer to Appendix A.

**Table 1 - Summary of Closures**

Closure Ref.	Scheme	Road Name	Page Ref.	Approx. Closure Length (km)	Affected Parties in Agreement	Closure Involves Strategic Race(s)	Closure Involves Ecological Impacts
1	Paparua	Pound Road	4	2.78	92%	No	No
2	Paparua	Maddisons Road - Roydon Quarry	5	1.53	100%	No	No
3	Paparua	Selwyn Road	6	2.8	100%	No	No
4	Malvern	Old West Coast Road	7	5.75	100%	No	No
5	Ellesmere	Cowans / Bealey Rd	8	0.51	100%	No	No*

\* There is an ecologically significant habitat upstream of this proposed closure. Any species found downstream within the closure section will require fish salvage and relocation to the upstream habitat.

Staff progressed each of these closures after applications and proposals were received. Each race is assessed for the following:

- Confirmation that a minimum of 80% of landowners affected had agreed to the closure

- Review of race sections against the maps of ecological value shown in Appendix C of this report.
- Review of race sections against map of strategic races, as shown in Appendix D of this report.
- Review of operation impact for each closure with SDC and CORDE Water Race Operational Staff.

These steps are completed prior to a recommendation being made by the Group Manager (Executive Director of Infrastructure) for these races to proceed to the public consultation phase of the closure process.

In accordance with Selwyn District Council policy W107, Public Consultation of the proposed closures occurred during April and May 2024, this included letters being sent to all affected landowners and key stakeholders.

## 5. OPTIONS

Where a request for water race closure is received, there are a number of potential options available to Council. Table 2 below outlines the alternative options assessed before it was determined closure was the best option for these proposals.

**Table 2 - Alternative Options Considered**

Option	Details	Advantage	Disadvantage
<b>1. Water race closure</b>	Race closure with the agreement of >80% affected land owners (rate payers on the race or directly adjacent to the race), subject to public consultation and reasoned consideration and response to issues raised during consultation.	Objective is achieved and wishes of rate payers considered. Water can be prioritised to other parts of scheme.	Loss of rating income. Ecological values of races not maintained. Race cannot be re-opened for future use.
<b>2. Piping of water race</b>	Piping can be considered if downstream property owners wish to maintain supply. Piping to be funded by each landowner.	Supply to downstream property owners maintained.	Landowners responsible for maintenance of pipes with potential upstream impacts if not maintained. Higher cost to land owners. Ecological values of races not maintained.
<b>3. Race relocation</b>	Relocation could be considered if downstream property owners wish to maintain supply for stockwater	Rating income retained.	Unlikely to achieve benefits of race closure required by land owners. Potential impacts on adjacent land owners. Cost to land owners.

Option	Details	Advantage	Disadvantage
	purposes. Costs to be met by landowners.		
<b>4. Race retained</b>	Do nothing, races retained.	Rating income retained.	Needs of rate payers requesting closure not met.
<b>5. Onsite alternatives</b>	On site alternatives e.g. a well, could be considered if land owners wish to retain a stockwater service.	Stockwater supply retained.	High cost to property owners for installation and ongoing maintenance. Ecological and other race values not retained. Resource consents required from the Regional Council.

Options (2) to (5) are alternatives to closure of an open race if a downstream landowner requires a stockwater supply to continue. Water race closures will only occur for lengths of race (excluding whole or major part of scheme closures) if 80% support from affected land owners is obtained.

## **6. VIEWS OF THOSE AFFECTED / CONSULTATION**

### **(a) Interested Parties Consultation**

To allow any parties with an interest in water race closures to input into the process as required by S 82 (1 (a)) of the LGA, the closures were publicly advertised for a minimum of 3 weeks on the Council website. Adverts were also placed in the Selwyn Times and The Press newspapers. A summary including maps of the proposed water race closures were made available to view on the Council's website.

As required under Council's water race closure process, 'Agreement to Close Water Race' forms have been received from affected properties. An affected property owner has been deemed to be those with access to a race on or adjacent to the property, regardless of whether the property is rated. All directly affected property owners were notified that the proposed closure has been approved to progress to public consultation. Affected landowners who have not signed the closure approval form were sent a letter and given the opportunity to submit on the proposed closure.

The proposed closures have been publicly advertised in the following ways:

Public advertisement in the Selwyn Times (24<sup>th</sup> April, 1<sup>st</sup> May and 8<sup>th</sup> May) and The Canterbury Press Newspapers (26<sup>th</sup> April).

Email sent to Mahaanui Kurataiao (Mahaanui) & Te Rūnanga o Ngāi Tahu, Department of Conservation, Fish and Game, Environment Canterbury Regional Council and the NZ Fire Service on 24<sup>th</sup> April 2024.

A summary of proposal, maps, and copy of the public advert detailing the proposed race closures was posted on Council's website from 24<sup>th</sup> April 2024.

**(b) Views of those affected**

Four sections, Maddisons Road, Selwyn Road, Old West Coast Road, and Cowans/Bealey Road, received no formal objections during the public consultation phase.

One objection was received to the closure of the Pound Road water race during the public consultation period from an affected landowner. In this closure proposal there are a total of 12 affected properties/landowners, with 11 landowners (92%) in agreement for closure and one property/landowner against (8%).

The landowner in opposition to the closure is the first affected property (503 Buchanans Road) from where this lateral race diverges from the main water race running along Buchanans Road. All other landowners downstream of this property are in support of the closure.

The landowner has however proposed an alternative solution to Council regarding the closure, suggesting that a soakpit be installed on the roadside berm of Hasketts Road (not within their private property) before the race crosses the road again downstream via a culvert.

Costs of a soakpit will have to be shared by the affected landowners and specific approvals will have to be sought either from the Christchurch City Council to construct a soakpit within the roadside berm, or from the next available property owner (252 Hasketts Road) downstream of the 503 Buchanans Road property if a soakpit is to be constructed within their land.

If this objection cannot be resolved between the applicant(s) and affected landowner the decision regarding this closure is recommended for consideration at a Council hearing panel, in accordance with policy W107. The correspondence and objection will then be discussed when Council considers this closure application request.

No feedback was received from other key stakeholders during the consultation period.

Where a proposed water race closure has attracted at least 80% support and no submissions are received, the closure will progress once approved by Council.

Where a proposed water race closure has attracted at least 80% support and did receive submissions objecting to the closure, a hearing will be held to consider submissions before making recommendation for the closure to progress once approved by Council.

**(c) Ngāi Tahu views**

Te Runanga O Ngāi Tahu's Freshwater Policy recognises the importance of providing a stockwater supply to communities. This principal is considered alongside a number of others which seek to protect the environment and its inhabitants. By proposing the closure of ineffective, inefficient, and no longer required water race

assets, Council is proposing to better balance the needs of rate payers, Iwi, and the environment.

It should be noted that the [Mahaanui Iwi Management Plan 2013](#) requires that stock water races are managed as waterways as per the Ngā Kaupapa / Policy RH4.2

***RH4.2 - To require that stock water races in the catchment are managed as waterways. This means:***

- (a) Water in stock water races is accounted for in catchment assessments of water use;*
- (b) Stock access is prohibited;*
- (c) Appropriately sized buffers and riparian margins; and*
- (d) Native fish values are protected, including fish passage.*

Details of the proposed closure were provided to Ngāi Tahu and Mahaanui, no feedback was received.

It should be noted that in general water races requested for closure are often tail-end races (lateral races) where excess water is disposed of to ground. Where a water race feeds another water course further consideration will be given to impacts on that waterway.

#### **(d) Ecological Considerations**

The Canterbury Water, Selwyn Waihora Zone Implementation Programme acknowledges that Council are reviewing the operation of the stockwater race network and seeking opportunities for rationalisation while managing some races for biodiversity and community values.

The Implementation Plan supports race rationalisation and recognises the importance of reliable stockwater supplies while identifying opportunities for supporting an aquatic corridor from mountains to sea via water races and creating wetlands at discharge to ground locations.

*Mahaanui*, the Iwi Management Plan 2013, recognises the importance of the water race network for biodiversity and habitat for native freshwater fish. Where appropriate opportunities for salvage of aquatic life and relocation will be provided to DoC and Fish and Game prior to a water race closure occurring.

Council engaged ecologists to undertake assessments of sites with medium and high ecological value within the Ellesmere and Malvern Water Race schemes in 2011 and in 2023, and the Paparua Water Race scheme in 2022. A copy of the findings of these assessments are included in Appendix C.

DoC have indicated that the level of input from DoC may need to be prioritised based on predicted distribution of threatened species and external contractors may need to be used if DoC staff cannot assist. DoC may however provide guidance to Council and Contractors on the process the suitable sites for relocation. Where DoC staff are not available to undertake salvage of aquatic life and it is deemed necessary, consulting companies exist that are equipped to undertake electrofishing, however this may attract significant cost. The Agreement to Close Water Race form states that



the benefiting property owners are liable for their share of the costs associated with the closure.

Four sections of Water Race proposed for closure are noted to be of low ecological value. One proposed closure (Cowans/Bealey Road) may have some protected species present within the 0.51 km stretch of race proposed for closure. An ecological assessment was carried out in December of 2023 upstream of the proposed closure section (the end of line) and found a large population of kākahi, upland bully and shortfin eels to be present in the artificial ponds constructed within the two upstream properties. Fish species relocation is recommended upstream to the ponds discussed above. The landowner of the property with the ponds has agreed to accepting the relocated species from downstream.

The decisions and matters of this report are assessed to have low climate change implications.

## 7. FUNDING IMPLICATIONS

### (a) Rating Impact

The total loss of rating income from the sections recommended for closure is \$25,090.10 that reflects 1.04% of total rating income. Table 3 of this report shows the impact of the proposed closures.

**Table 3 – Rating Impact of Closures**

Water Race	Reduction in length (km)	Reduction in length (%)	Loss of targeted rate income (\$)
Paparua	7.11	1.73 %	0.96 %
Malvern	5.75	0.67 %	1.47 %
Ellesmere	0.51	0.18 %	0.33 %
<b>Total</b>	<b>13.37 km</b>	<b>2.58 %</b>	<b>1.04 %</b>

The detailed loss of rating income for each section of race is shown in Appendix B.

Properties that continue to have access to other races following closure will continue to pay full water race rates. Properties that no longer have access to stock water races will be changed to the Amenity stock water race rate which this financial year is set at \$45.00.

The total income from the current year targeted stock water race rates is \$2,408,890 for all properties with access across the district.

The cumulative impact of closures will continue to be considered as more closure requests are received over time. Rates are reviewed and adjusted at each annual plan and long term plan rating review.

**(b) Cost Savings**

Many of the closures to date have been short lengths of lateral water race that are maintained by the property owners. Closure of these races have minimal impact on operational costs.

**(c) Closure Costs**

The cost of any rate payer requested closures will be met by the benefiting property owners.



Kate Attwood

**SURFACE WATER LEAD**

***Endorsed For Agenda***



Elaine McLaren

**WATER SERVICES DELIVERY MANAGER**



Gareth Morgan

**HEAD OF OPERATION DELIVERY**

***Approved For Agenda***



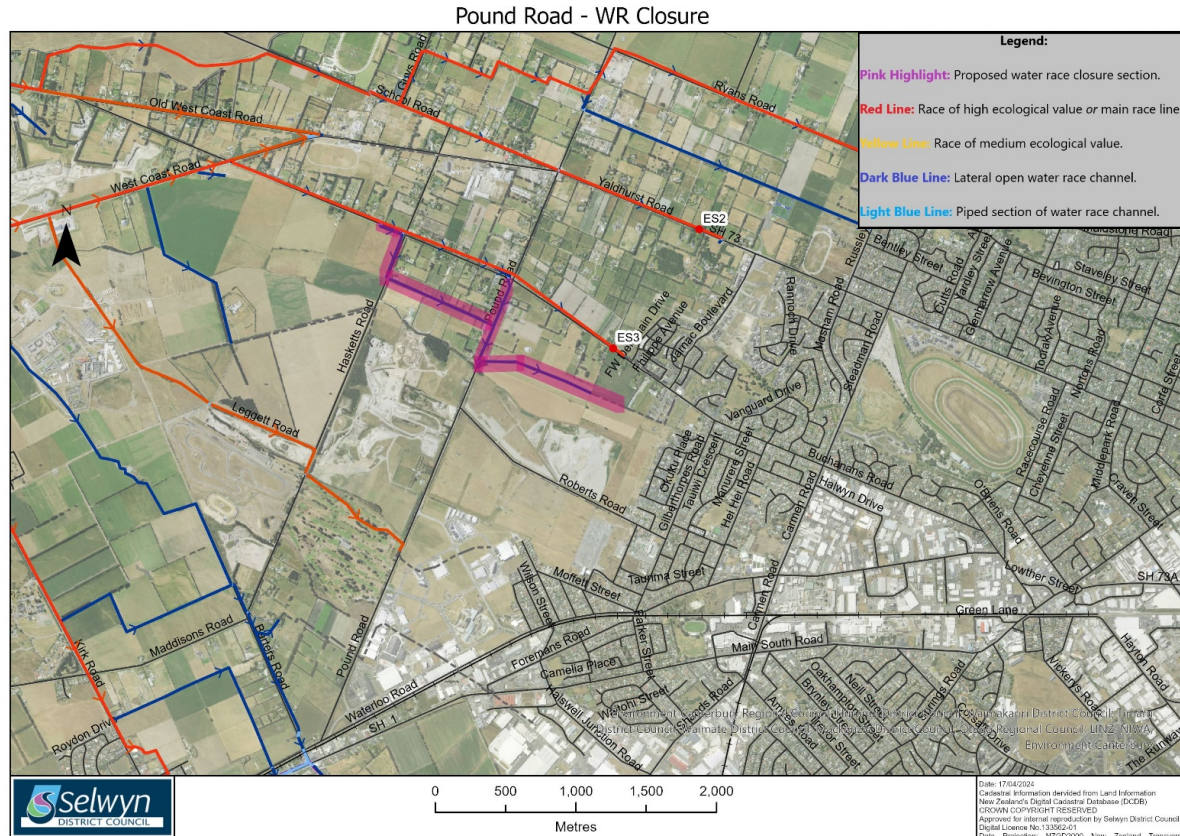
Tim Mason

**EXECUTIVE DIRECTOR INFRASTRUCTURE AND PROPERTY**

## Appendix 1 – Closure Maps and Details

**Closure Reference:** #1 Pound Road

**Map and Location:**



**Scheme:** Paparua

**Nearest Town:** Christchurch

**Length of Proposed Closure:** 2.78 km

**Application Received From:** D Park

**Number of Affected Properties:** 12

**Number of Properties agreed to Closures:** 11 – 92 %

**Percentage Loss of Rating Income:** 0.00 % (This race is within Christchurch City Boundary)

**Reason for Closure:** Safety improvements following recent incidents. Alternative sources of stock water available. Water race no longer needed by landowners. Race has run dry for over 8 months.

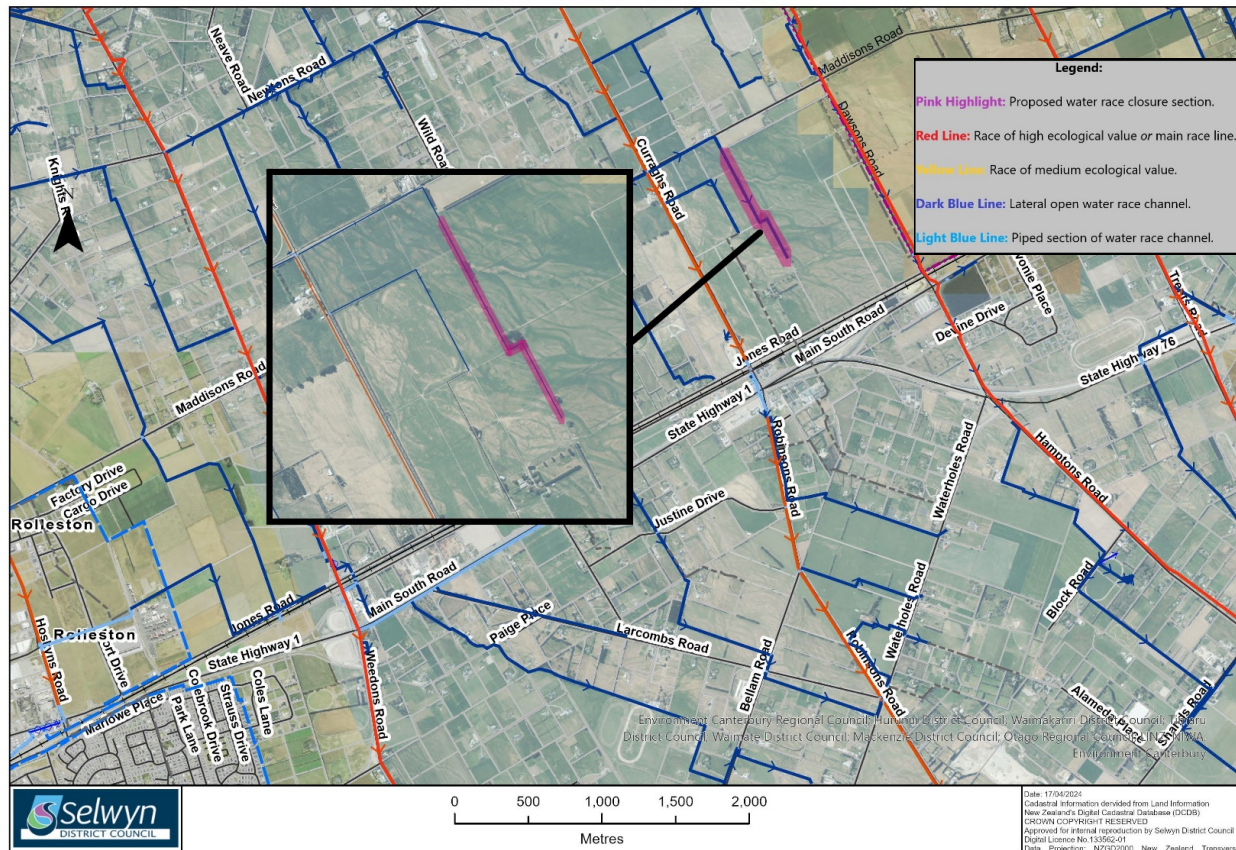
**Details of Closure:** This is the end of line race and has previously been shortened to its current termination point. Decommissioning of the race culvert under Buchanans Road from the main line is proposed.



**Closure Reference: #2 Maddisons Road - Roydon Quarry**

**Map and Location:**

Maddisons Road - WR Closure



**Scheme:** Paparua

**Nearest Town:** Templeton

**Length of Proposed Closure:** 1.53 km

**Application Received From:** Fulton Hogan Ltd

**Number of Affected Properties:** 2

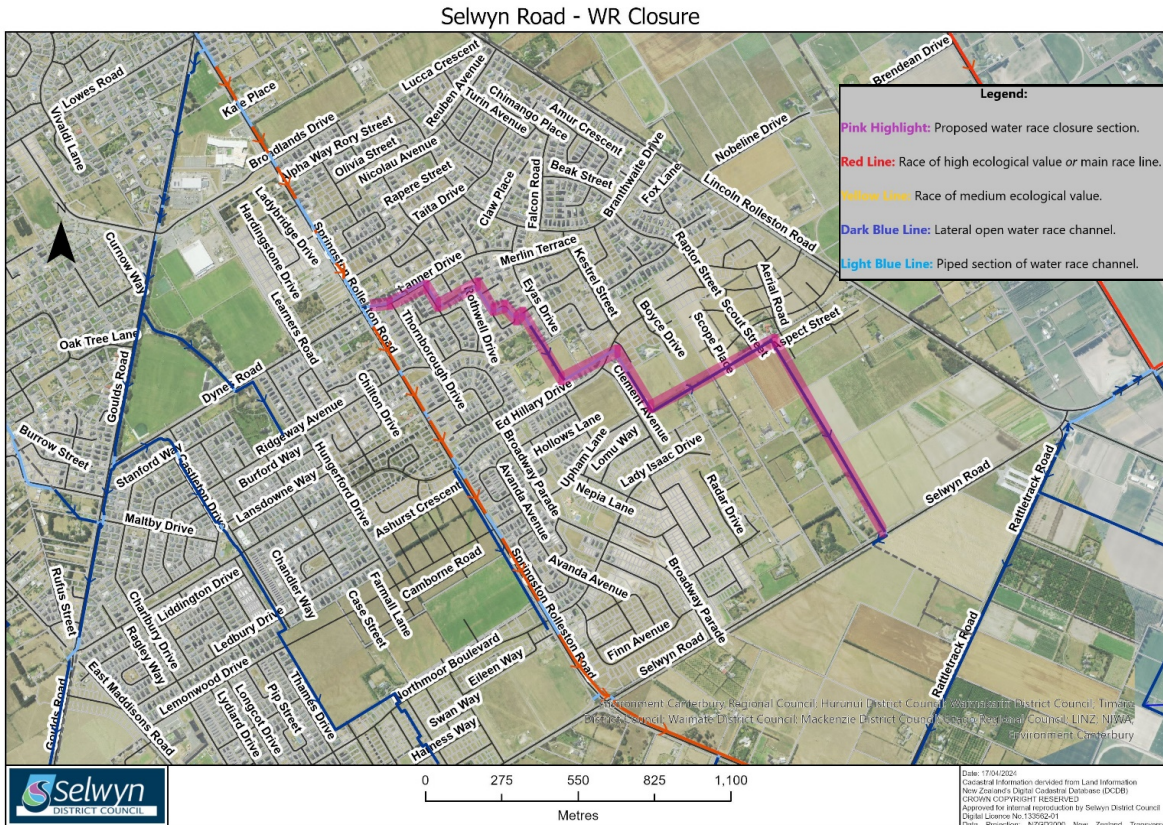
**Number of Properties agreed to Closures:** 2 – 100 %

**Percentage Loss of Rating Income:** 0.39 %

**Reason for Closure:** The Roydon Quarry wishes to shift the soakpit for the end of the water race line further up within their property to the boundary instead.

**Details of Closure:** This is a minor end of line race. The closure only requires the race to be shortened by installing a new soakpit further upstream within the same property. Existing access for upstream water race users will remain in place.

**Closure Reference: #3 Selwyn Road**  
**Map and Location:**



**Scheme:** Paparua

**Nearest Town:** Rolleston

**Length of Proposed Closure:** 2.8 km

**Application Received From:** Mike Greer Homes Ltd / Urban Estates Ltd / YourSection Ltd

**Number of Affected Properties:** 14

**Number of Properties agreed to Closures:** 14 – 100 %

**Percentage Loss of Rating Income:** 0.57 %

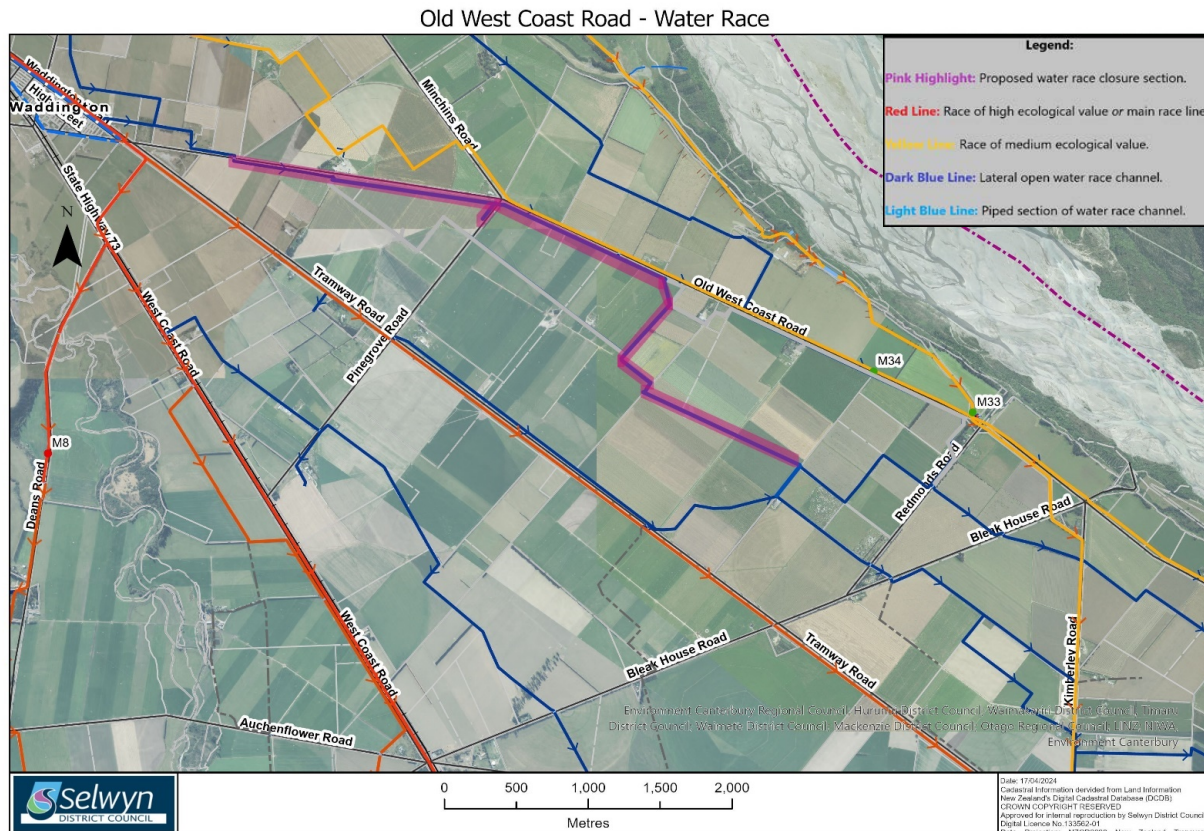
**Reason for Closure:** Land is being developed to allow for housing. Stock water is no longer required and the race currently terminates to ground within the Broadfield Grange property boundary. The race is often dry and large portions have been piped upstream already.

**Details of Closure:** This is a minor end of line race with 100% affected landowner support where the race flows in an open channel. Decommissioning of the race culvert under Springston Rolleston Road from the main line is proposed.



**Closure Reference: #4 Old West Coast Road**

**Map and Location:**



**Scheme:** Malvern

**Nearest Town:** Waddington

**Length of Proposed Closure:** 5.75 km

**Application Received From:** Hollands Farm Ltd

**Number of Affected Properties:** 7

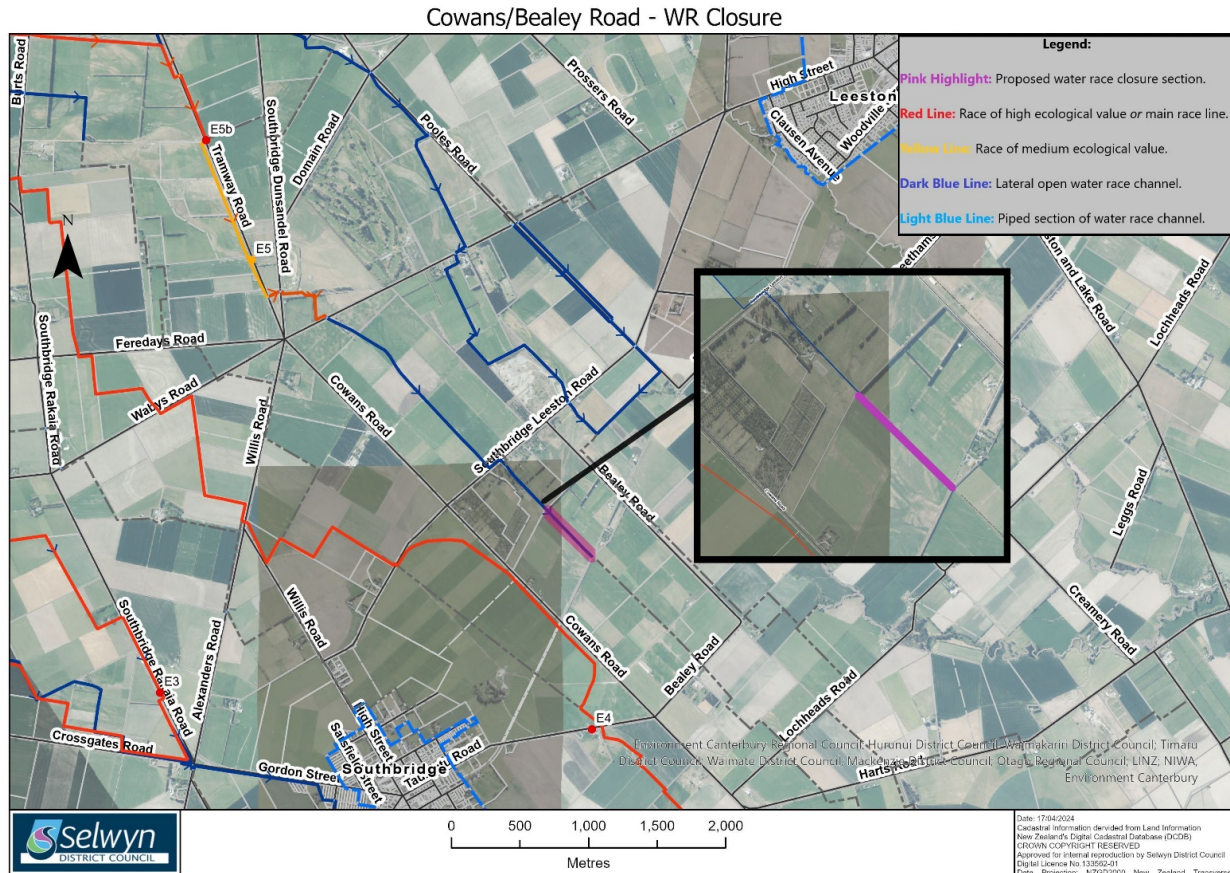
**Number of Properties agreed to Closures:** 7 – 100 %

**Percentage Loss of Rating Income:** 1.47 %

**Reason for Closure:** Water race no longer needed with alternative sources of stock water available. Increased rates and high cost to maintain for landowners.

**Details of Closure:** This is a minor lateral race with 100% affected landowner support where the race flows in an open channel. Sealing of the race top-up culverts under Old West Coast Road from the main line is proposed with an additional soakpit also needed to be installed at the upstream termination point. A linking channel has been installed previously to continue flows downstream.

**Closure Reference: #5 Cowans / Bealey Rd**  
**Map and Location:**



**Scheme:** Ellesmere

**Nearest Town:** Southbridge

**Length of Proposed Closure:** 0.51 km

**Application Received From:** I Densem

**Number of Affected Properties:** 3

**Number of Properties agreed to Closures:** 3 – 100 %

**Percentage Loss of Rating Income:** 0.33 %

**Reason for Closure:** Water race no longer needed with alternative sources of stock water available. Increased rates and high cost to maintain for landowners.

**Details of Closure:** This section is the end the race. The closure requires a soak pit to be installed at the termination point further upstream of where it currently is. There is an ecologically significant habitat upstream of this proposed closure. Any species found downstream within the closure section will require fish salvage and relocation to the upstream habitat.



## Appendix A

### Summary of Proposal – Water Race Closures April 2024

#### 1. Proposed Closures

Council has received formal requests to close the sections of water race listed in Table 1 below.

The closure of these races is considered to be of low impact to the network. The closure of races in Table 1 will not significantly alter the intended level of service provision of the Ellesmere, Malvern and Paparua water race schemes.

Subject to public consultation and Council approval, these races will be closed and stock water supply in these races will cease.

Details of each closure, including maps showing the location, can be found on the page referenced in Table 1.

**Table 1 – Proposed Water Race Closures**

Closure Ref.	Scheme	Road Name	Page Ref.	Approx. Closure Length (km)	Affected parties in Agreement	Closure involves strategic race(s)	Closure involves Ecological impacts
1	Paparua	Pound Road	4	2.78	92%	No	No
2	Paparua	Maddisons Road - Roydon Quarry	5	1.53	100%	No	No
3	Paparua	Selwyn Road	6	2.8	100%	No	No
4	Malvern	Old West Coast Road	7	5.75	100%	No	No
5	Ellesmere	Cowans / Bealey Rd	8	0.51	100%	No	No*

\* There is an ecologically significant habitat upstream of this proposed closure. Any species found downstream within the closure section will require fish salvage and relocation to the upstream habitat.

#### 2. Impact of Closures

The proposed water race closures represent the following loss to each of the schemes:

**Table 2 - Impact of Closure**

Water Race	Reduction in length (km)	Reduction in length (%)	Loss of targeted rate income (\$)
Paparua	7.11	1.73 %	0.96 %
Malvern	5.75	0.67 %	1.47 %
Ellesmere	0.51	0.18 %	0.33 %
<b>Total</b>	<b>13.37 km</b>	<b>2.58 %</b>	<b>1.04 %</b>

Closure of these races has been assessed for operational impact to each of the Selwyn District Stock Water Race Schemes. It has been determined disturbance and cost impact to operations and maintenance of each scheme will be minor.

### 3. Consultation Process

#### 3.1 Views of those affected

The Local Government Act (LGA) section 82 requires consultation with persons affected by or have an interest in a decision. These persons must also be provided with a reasonable opportunity to present their views to the Local Authority.

For an individual race closure to be progressed the Council requires that the initiator of the water race closure request obtain agreement from at least 80% of affected property owners and provide Council with an 'Agreement to Close Water Race' form signed by affected property owners.

Where a proposed closure has 80% support from affected landowners, the closure is generally considered to be of low impact, therefore the 'inform/consult' end of Council's engagement spectrum, as outlined in the LTP, is considered appropriate. An affected property owner has been deemed to be those with access to a race on or adjacent to the property, regardless of whether the property is rated.

Where a proposed water race closure has attracted 100% support and no further objections are received, the closure will progress once approved by Council.

It should be noted that the [Mahaanui Iwi Management Plan 2013](#) requires that stock water races are managed as waterways as per the Ngā Kaupapa / Policy RH4.2

***RH4.2** - To require that stock water races in the catchment are managed as waterways. This means:*

- (a) Water in stock water races is accounted for in catchment assessments of water use;*
- (b) Stock access is prohibited;*
- (c) Appropriately sized buffers and riparian margins; and*
- (d) Native fish values are protected, including fish passage.*

#### 3.2 Interested Parties Consultation

To allow any parties with an interest in water race closures to input into the process, as required by section 82 (1 (a)) of the LGA, all race closures will require:

- Public advertisement for a minimum of 3 weeks, in Council Call and on the Council website. Maps of proposed water race closures will be available to view at Council or on the website.
- A letter to be sent to all directly affected property owners to notify them that the proposed closure has been approved to progress to public consultation.
- Specific partners/stakeholders, identified as Ngāi Tahu, Department of Conservation, Fish and Game, Fire and Emergency New Zealand, Environment Canterbury, Heritage New Zealand (specifically where structures e.g. headworks are involved) will be directly provided with a copy of the above advertisement.

If interested parties wish to present their views there will be an opportunity to present at Council. Should objections to an advertised closure be received, a hearing panel will consider the objection and its relevance to stock water supply as part of their decision making.

A formal public hearing will only occur if persons wish to be heard. Any objections to race closures on grounds other than stock water supply will be considered during public hearing (if applicable) and the hearing decision confirmed by Council. Consideration will need to be given to whether objectors are stock water rate payers and directly or indirectly affected. Should a race be retained for reasons other than stock water supply a different rating mechanism may be required.

### **3.3 Ecological Considerations**

The races proposed for closure will be assessed for their ecological value.

The Canterbury Water, Selwyn Waihora Zone Implementation Programme acknowledges that Council are reviewing the operation of the stock water race network and seeking opportunities for rationalisation while managing some races for biodiversity and community values. By rationalising ends of the network this will help to have a more reliable network overall for the areas that remain and create areas that can sustain higher value.

The Ecological Assessment undertaken in the Ellesmere, Malvern, and Paparua schemes by ecologists in 2011 and 2022 identified that a number of water races have high ecological value with kākahi (freshwater mussels) among other native aquatic invertebrate species being present in the races. In response to the recommendations of these surveys and reports, the following actions are being taken:

- The Department of Conservation are provided an opportunity, via the key stakeholder consultation process, to assess all races proposed for closure to assess ecological value and undertake salvage of aquatic life if deemed beneficial.
- The Council is considering options to retain and fund nominated races of high ecological value for environmental purposes or strategic importance.
- A programme of fish screen installations have been funded for all active intakes, which all now have functioning fish screens

If a race has been dry for a period of time, low levels of aquatic life are expected to be present and limited to isolated pools where they exist.

Where a salvage of aquatic life is deemed necessary, consulting companies exist that are equipped to undertake electrofishing and salvage. However, this may attract significant cost. The Agreement to Close Water Race form states that the benefiting property owners are liable for their share of the costs associated with the closure.

## **4. Further Information**

For further information on the proposed closures, or to make a submission, please contact Council on 03 347 2800 or via [SurfaceWaters@selwyn.govt.nz](mailto:SurfaceWaters@selwyn.govt.nz).

Any persons wishing to present their views on this matter should notify Council by **5pm on the 15<sup>th</sup> of May 2024**.

## Appendix B

Closure Ref.	Scheme	Closure / Road Name	Total Affected parties	Affected Parties in FOR closure	Affected Parties in AGAINST closure	Affected parties in Agreement	Approx. Closure Length (km)	% Loss per Scheme Length	Loss of Rateable Incolme (\$)	% Loss per Scheme Rateable Income	Closure involves strategic race(s)	Closure involves Ecological impacts	Submission(s) Received?
1	Paparua	Pound Road	12	11	1	92%	2.78	0.68%	0	0%	No	No	Yes (1)
2	Paparua	Maddisons Road - Roydon Quarry	2	2	-	100%	1.53	0.37%	2,635.35	0.39%	No	No	No
3	Paparua	Selwyn Road	14	14	-	100%	2.8	0.68%	3,889.8	0.57%	No	No	No
4	Malvern	Old West Coast Road	7	7	-	100%	5.75	0.67%	16,631.05	1.47%	No	No	No
5	Ellesmere	Cowans / Bealey Rd	3	3	-	100%	0.51	0.18%	1,933.9	0.33%	No	No*	No

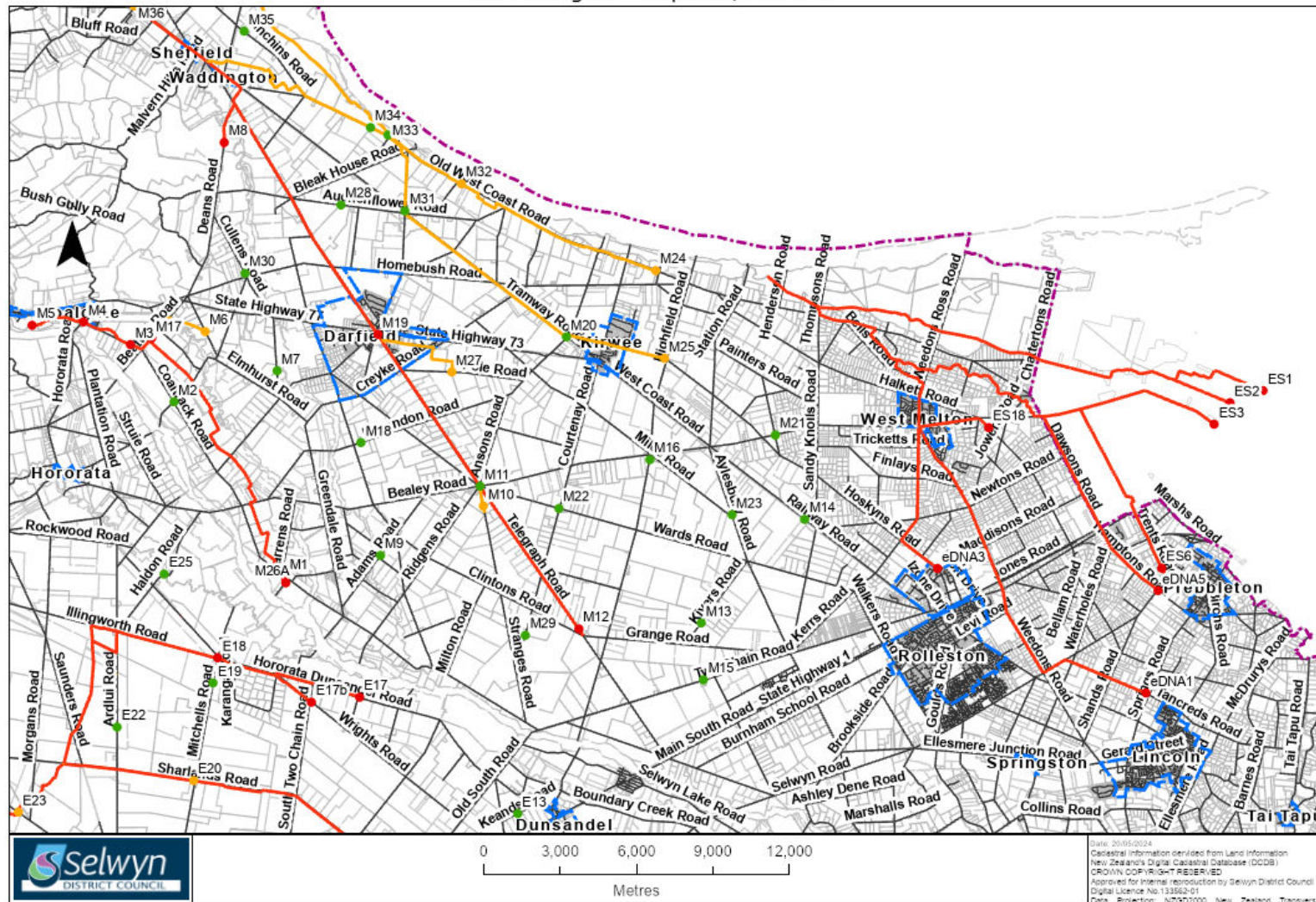
\* There is an ecologically significant habitat upstream of this proposed closure. Any species found downstream within the closure section will require fish salvage and relocation to the upstream habitat.

SDC Surface Waters staff recommend the following for each closure, following assessment of the information summarised in the above table *after* public consultation has been undertaken:

1. **Pound Rd** – A hearing is required for this application as one submission has been received by an affected party in opposition to the closure.
2. **Maddisons Rd** – Progress this closure as 100% affected parties have signed and are in agreement. No roadblocks have been identified for this application.
3. **Selwyn Rd** - Progress this closure as 100% affected parties have signed and are in agreement. No roadblocks have been identified for this application.
4. **Old West Coast Rd** - Progress this closure as 100% affected parties have signed and are in agreement. No roadblocks have been identified for this application.
5. **Cowans/Bealey Rd** - Progress this closure as 100% affected parties have signed and are in agreement. No roadblocks have been identified for this application.

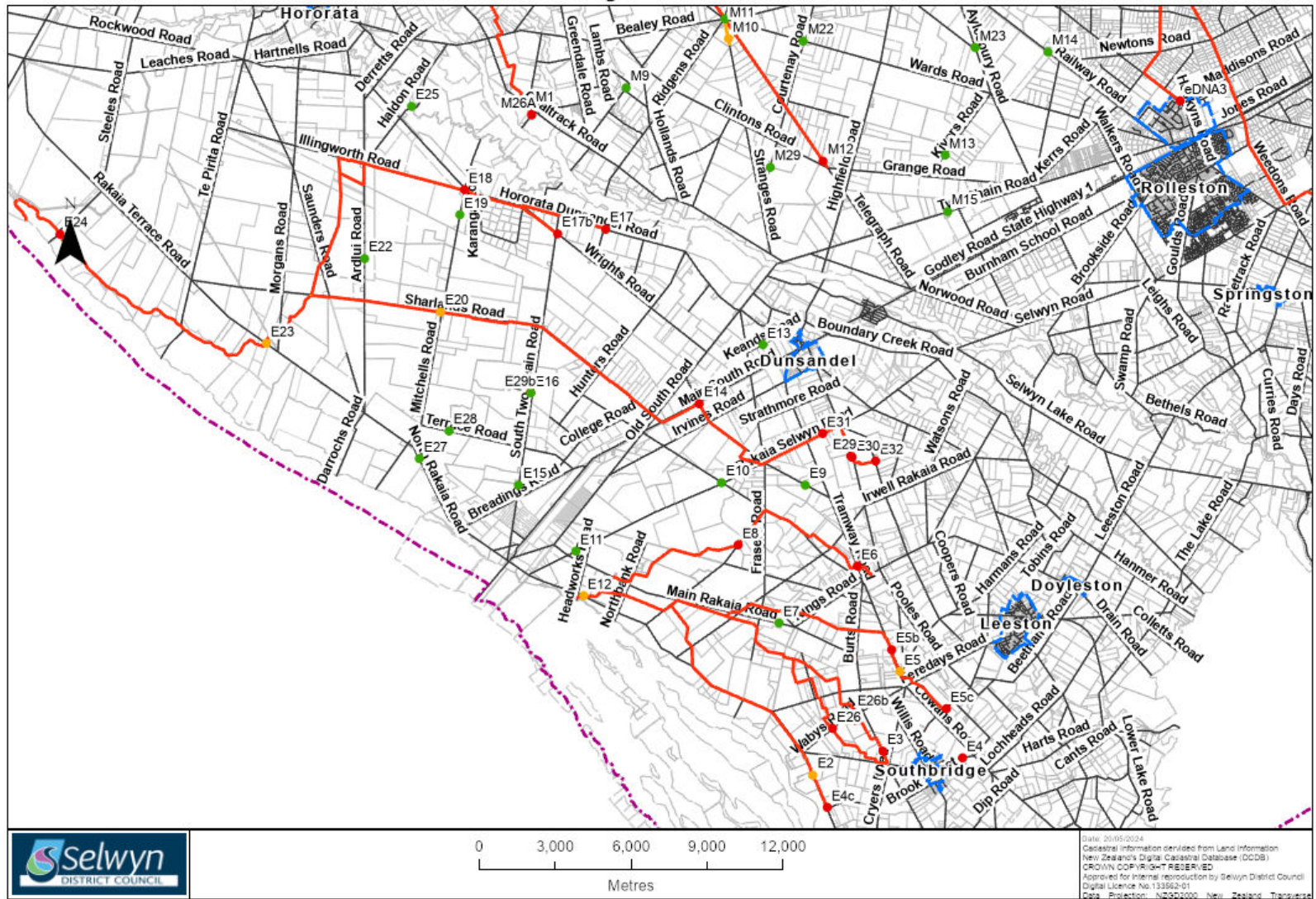
## Appendix C – SDC MapViewer Water Race layer with mapped ecological sites overlaid (20/02/2024).

WR Ecological - Paparua/Malvern

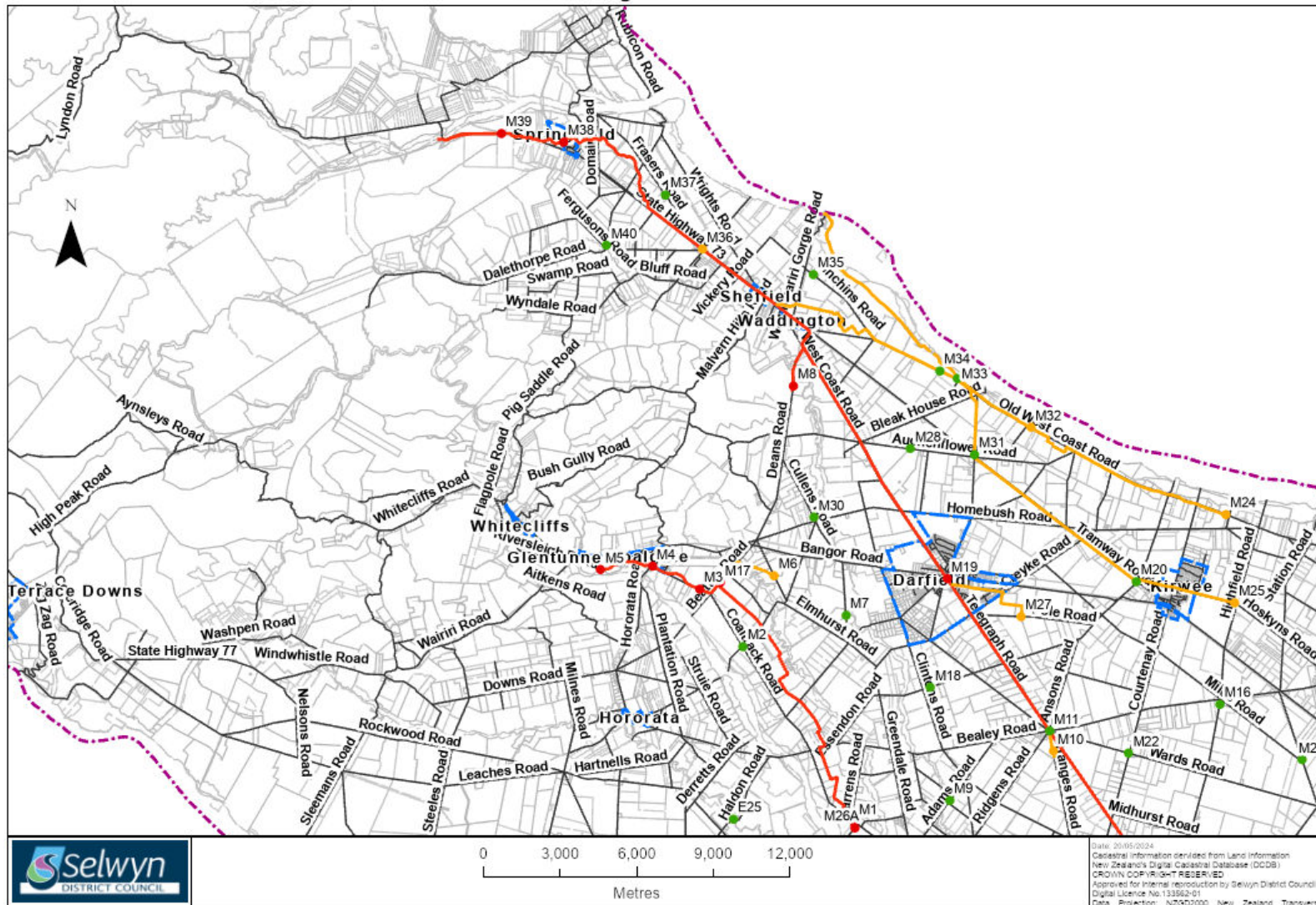




## WR Ecological - Ellesmere



## WR Ecological - Malvern





## EOS Ecology, Sites of High Ecological Value, Ellesmere and Malvern – 2011.

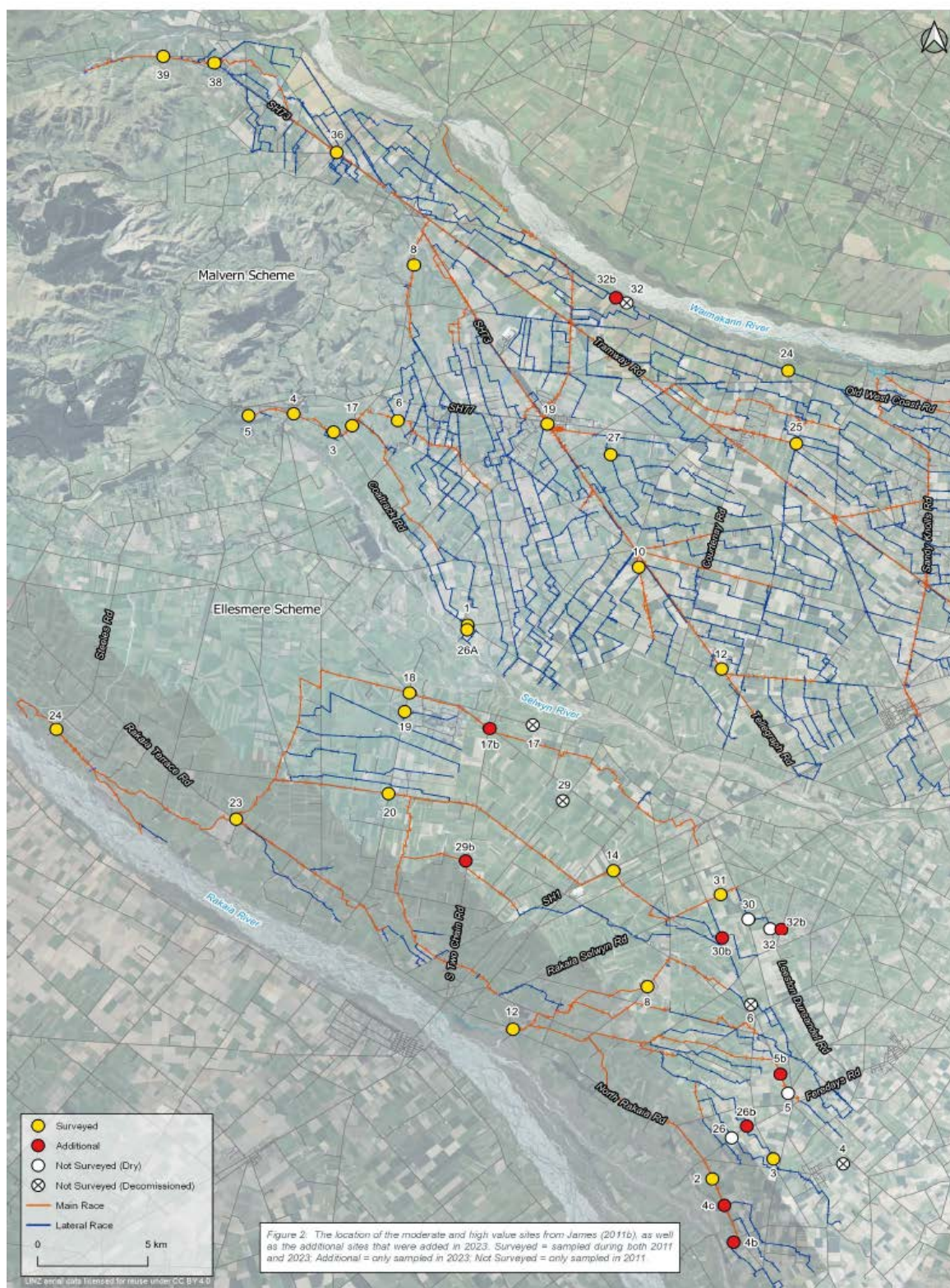






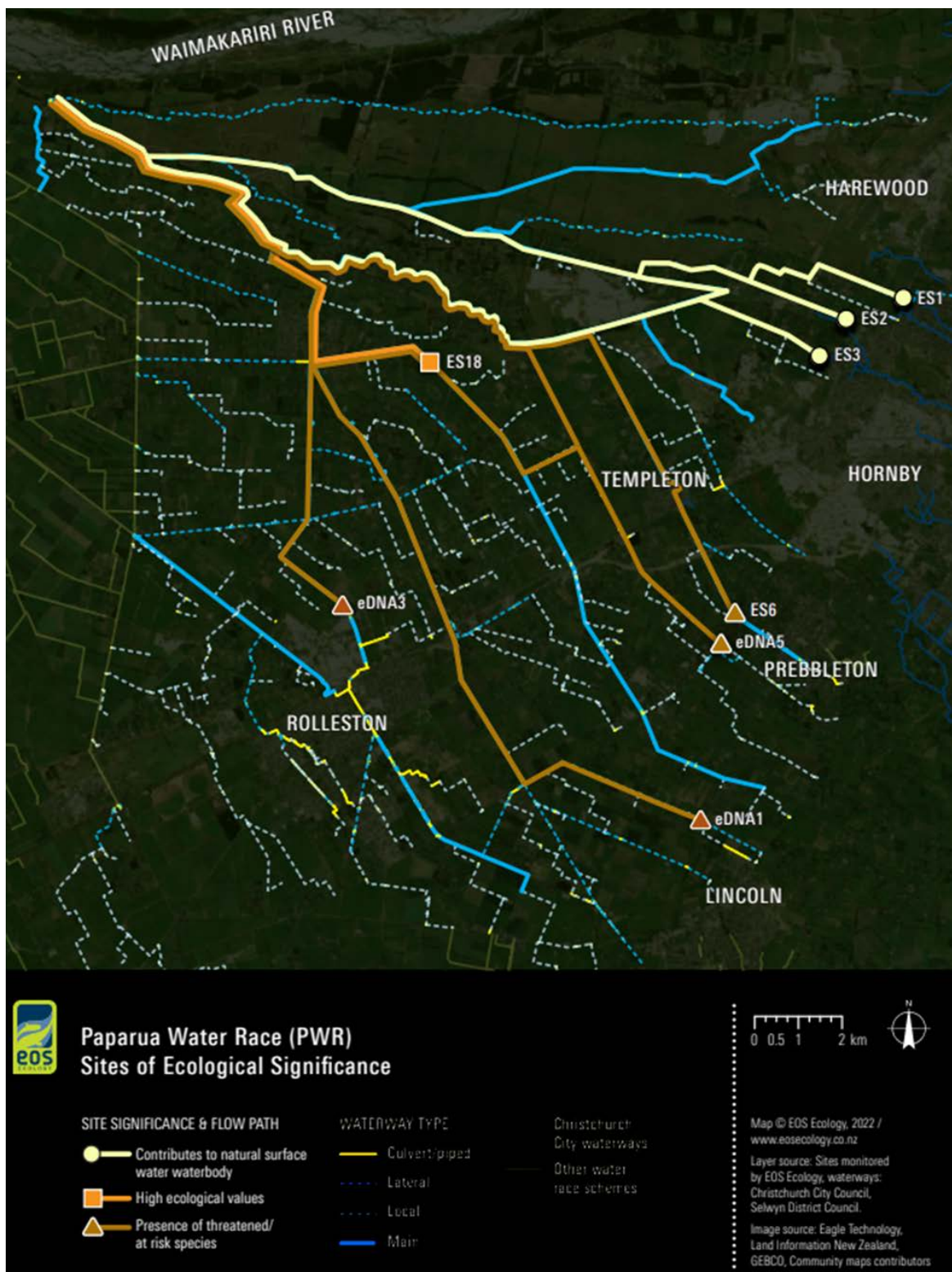


## Ecological Values of the Malvern and Ellesmere Water Race Schemes: 2023

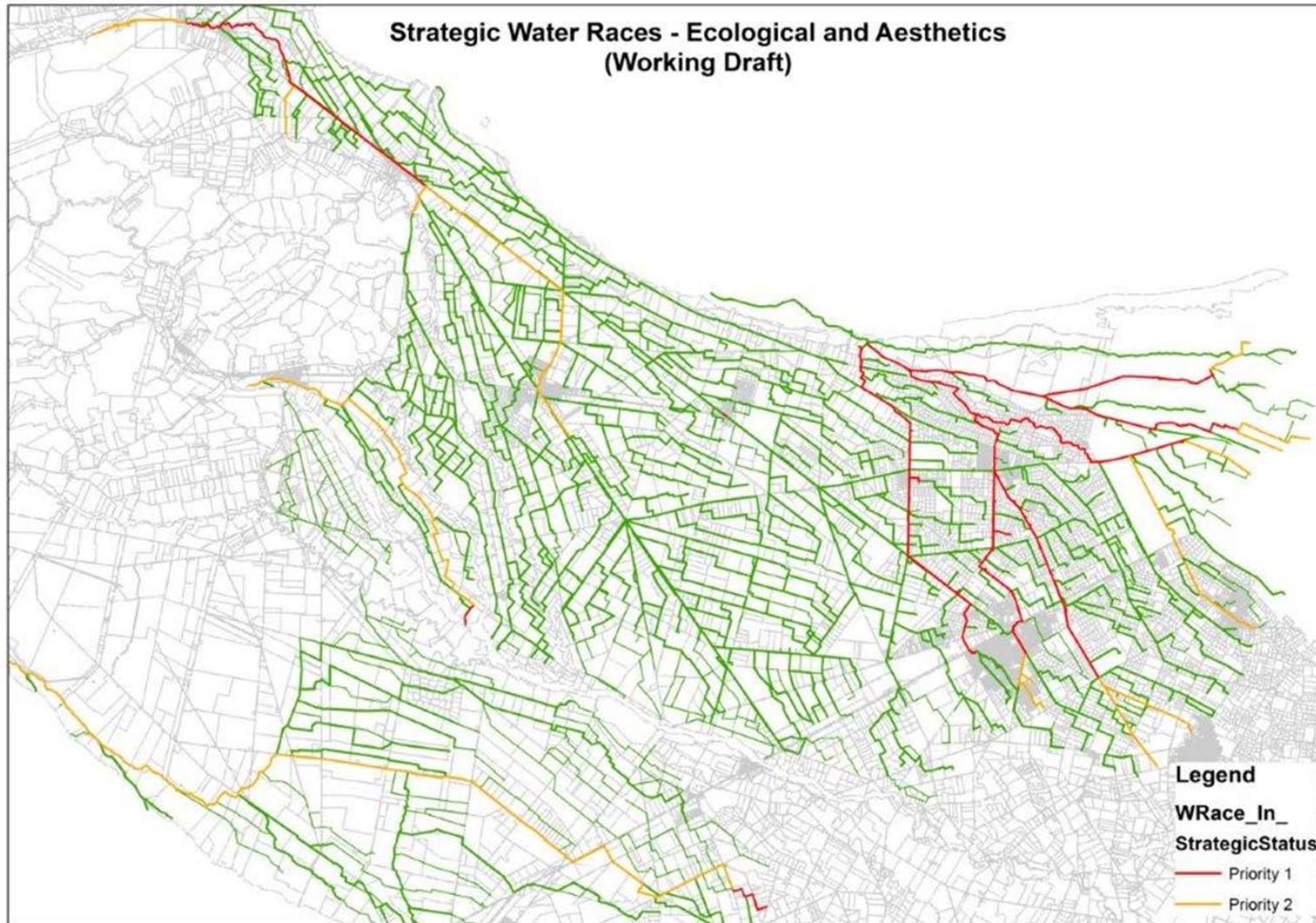




## EOS Ecology, Sites of High Ecological Value, Paparua - 2022



## Appendix D - Strategic Water Races - Ecological and Aesthetics





## Appendix E – Significance and Engagement Policy Assessment

Significance is interpreted in Section 5 of the Local Government Act 2002. The Council's Significance and Engagement Policy further outlines the meaning of 'significance' by stating that:

Significance should be assessed in terms of consequences for:

- The district or region
- Any persons who are likely to be particularly affected by or interested in the proposal, decision or matter
- The capacity of the local authority to perform its role, and the financial and other costs of doing so.

The Significance and Engagement Policy also sets out criteria for assessing significance which are applied in Section 1.1 below.

The 2021/31 LTP identifies the Stock Water Race Network as a strategic asset. Strategic assets are assets or groups of assets that the local authority needs to retain to maintain its capacity to achieve or promote any outcome that is important to the current or future wellbeing of a community. Explicit provision has been made in the 2021/31 LTP for water race closures<sup>1</sup> initiated by rate payers.

The LTP states that the level of significance of a decision will determine the process used by the decision maker considering Council's commitment to constructive community engagement. An assessment of significance has been included below for the Council's discussion and recommendation.

### 1.1 Level of Community Interest

The community outcomes are considered relevant to proposed water race closures and provided in Table 1

*Table 1 - Community Outcomes*

Community Outcome	Level of Support
A living environment where the rural identity of Selwyn is maintained	Rural land use is changing. The proposed water race closures are being driven by the Community in line with their changing needs, therefore water race closures support this community outcome.
Selwyn has a strong economy which fits within and complements the environmental, social and cultural environment of the District.	Council seeks to support existing agriculture and other land based sectors. Ceasing to operate inefficient and ineffective assets that are no longer required by the Community supports the local economy.

Water race closures are generally driven by the Community. The water races proposed for closure are no longer required by the community. They no longer provide economic benefit to the rural communities of the District and this reflects the changing needs of these communities.

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<sup>1</sup> LGA 2002 S97(2)a

Consultation to the wider community has occurred along with notification of key stakeholders, including Mahaanui Kurataiao (Mahaanui) & Te Rūnanga o Ngāi Tahu, Department of Conservation, Fish and Game, Environment Canterbury Regional Council and the NZ Fire Service. Affected persons are directly consulted on all water race closures. These include rated and non-rated properties that have access to a water race on or adjacent to their property. Where a closure has attracted 100% support from directly affected property owners, the closure is considered to be of low significance.

Following approval by the Group Manager Infrastructure, public advertisement of the proposed closures has occurred during April to May 2024 and posted in the SDC website URL: <https://www.selwyn.govt.nz/services/water/water-race/water-race-closure-requests>

As all but one (Pound Road closure, with 92% affected party agreement) water race closure application has gained 100% affected party agreement, it is considered that these closures represent the communities interest in their discontinuance and are considered of low significance.

## 1.2 Ngāi Tahu

The impacts on water race closures have been assessed against the Iwi Management Plan and Te Rūnanga O Ngāi Tahu's Freshwater Policy. These assessments are included in Section 6.3 of the attached report.

## 1.3 Rating & Financial Impacts

There are no known impacts on Council's capacity to undertake its statutory responsibilities. There are no known inconsistencies with any existing policy, plan, or legislation with the sections of race recommended for closure to proceed.

The proposed water race closures are considered as irreversible where it crosses private property. Council do not hold easements for most water races. A sufficient amount of legal and economic controls will be needed for reinstatement of water race channels on private property, which have cost and political implications. However, stock water supply can be provided from other sources.

The proposed water race closures are not considered to impact a scarce resource. The provision of water for stock can generally be provided from alternative sources.

The proposed water race closures represents the following loss to each of the schemes:

Closure Ref.	Scheme	Road Name	Page Ref.	Approx. Closure Length (km)	Affected Parties in Agreement	Closure Involves Strategic Race(s)	Closure Involves Ecological Impacts
1	Paparua	Pound Road	4	2.78	92%	No	No
2	Paparua	Maddisons Road - Roydon Quarry	5	1.53	100%	No	No
3	Paparua	Selwyn Road	6	2.8	100%	No	No
4	Malvern	Old West Coast Road	7	5.75	100%	No	No
5	Ellesmere	Cowans / Bealey Rd	8	0.51	100%	No	No*

\* There is an ecologically significant habitat upstream of this proposed closure. Any species



found downstream within the closure section will require fish salvage and relocation to the upstream habitat.

Based on the above assessment, it is recommended that the proposed closures are considered of **low significance** in terms of consultation requirements. The level of significance impacts the degree of consultation undertaken on the engagement spectrum. Council takes a conservative approach to consultation.

Water Race	Reduction in length (km)	Reduction in length (%)	Loss of targeted rate income (\$)
Paparua	7.11	1.73 %	0.96 %
Malvern	5.75	0.67 %	1.47 %
Ellesmere	0.51	0.18 %	0.33 %
<b>Total</b>	<b>13.37 km</b>	<b>2.58 %</b>	<b>1.04 %</b>

Closure of these races has been assessed for operational impact to each of the Selwyn District Stock Water Race Schemes. It has been determined disturbance and cost impact to operations and maintenance of each scheme will be minor.

## 2.4 Impact on levels of service

An assessment of the options considered as alternatives to water race closure is included in Section 5 of this report. The proposed water race closures are not expected to have any unintended consequences for community interests. The environmental, social, and cultural impacts of the closures have been considered as outlined below:

1. Cultural interests – the race closures proposed are not considered to impact the character of the District, as they are often on private land and exist extensively in other parts of the District. There are no historic assets/fabric as part of the proposed closure. There are not known cultural links to these sections of closure.
2. Social interests – water races on private property are not considered to provide amenity value to the wider community and their closure is therefore not considered significant. Race closures on the roadside may have some visual impact in areas with high amenity. Under Council's process, for a rate payer initiated race closure to proceed, all affected property owners (those with access to a race on or adjacent to their property regardless of whether they are rated for stock water) are consulted and approval is required for closure to be progressed. Further public submissions are invited from the wider community.
3. Economic interests – Council will monitor the cumulative impact on rate revenue reduction.
4. Quality of the Environment – opportunities for salvage of aquatic life will be provided in consultation with the Department of Conservation prior to any race closure. Closing ineffective and inefficient races provides environmental benefit.

The proposed water race closures are assessed as **low** significance.

## REPORT

**TO:** Chief Executive Officer

**FOR:** Council Meeting – 12 June 2024

**FROM:** Bonnie Denson – Senior Administrator District Licensing Committee  
Malcolm Johnston – Chief Licensing Inspector  
Susan Atherton – Head of Regulatory Manager (Secretary of District Licensing Committee)

**DATE:** 14 May 2024

**SUBJECT:** **Joint District Licensing Committee and Chief Licensing Inspector  
Monthly Report for period 1 March 2024 to 30 April 2024**

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### RECOMMENDATION

*'That the Council receives the report on the activities of the District Licensing Committee and the Chief Licensing Inspector for March and April 2024.'*

#### 1. PURPOSE

The purpose of the report is to inform the Council of activity in the Alcohol Licensing section.

#### 2. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

As this report is for information only it is not considered to be significant in the context of Council's Significance Policy.

#### 3. PROPOSAL

Licences issued in March and April 2024.

##### ***Special Licences for March 2024:***

- SP240017 – Rolleston Rugby Football Club – Rolleston Rugby Club  
On Site Licence: Saturday 14 September 2024 from 7.00pm to 12.00am (midnight).
- SP240016 – Lincoln Bowling Club – Lincoln Bowling Club  
On Site Licence: Friday 19 April 2024 from 6.00pm to 12.00am (midnight).
- SP240015 – Kirwee Rugby Football Club - Kirwee Rugby Football Club  
On Site Licence: Friday 22 March 2024 from 7:00pm to 11:00pm.
- SP240014 – Lincoln Cricket Club – Lincoln Events Centre  
On Site Licence: Friday 5 April 2024 from 6:00pm to 11:00pm.
- SP240013 – Shaughn McNabb – Lincoln Events Centre  
On Site Licence: Friday 12 April 2024 from 5:00pm to 12:00am (midnight).

- SP240006 – Rolleston Rugby Football Club – Rolleston Rugby Football Club  
On Site Licence: Friday 19 April 2024 from 5:00pm to 12:00am (midnight).
- SP240011 – Rolleston Rugby Football Club – Rolleston Rugby Football Club  
On Site Licence: Sunday 21 April 2024 from 3:00pm to 5:00pm.
- SP240010 – Glenroy Collie Club – Glenroy Collie Club  
On Site Licence: Monday 11 March 2024 from 11:00am to 11:00pm  
Tuesday 12 March 2024 from 11:00am to 11:00pm.
- SP240012 – Rolleston Rugby Football Club – Rolleston Rugby Football Club  
On Site Licence: Thursday 25 April 2024 from 12:00pm to 10:00pm.

***Special Licences for April 2024:***

- SP240026 – Selwyn Lions Club – Lincoln Events Centre  
On Site Licence: Friday 19 April 2024 from 6.00pm to 9.30pm.
- SP240019 – West Melton Rugby Club – West Melton Rugby Club  
On Site Licence: Saturday 11 May 2024 from 6.00pm to 11.45pm.
- SP240022 – Southern Ranges Limited – Mt White Station  
On Site Licence: Saturday 27 April 2024 from 1.30pm to 4.00pm.
- SP240021 – West Melton Netball Club Inc – West Melton Rugby Club  
On Site Licence: Friday 3 May 2024 from 6.30pm to 10.30pm.
- SP240023 – Straight 8 Estate – Lincoln Events Centre  
On & Off Site Licence: Friday 19 April 2024 from 6.00pm to 9.00pm.
- SP240018 – Longshot Distillery – Lincoln Events Centre  
On & Off Site Licence: Friday 19 April 2024 from 6.00pm to 9.00pm.
- SP240020 – Ellesmere Clay Target Club Inc – Ellesmere Clay Target Club  
On Site Licence: Saturday 13 April 2024 from 5.00pm to 10.00pm  
Friday 19 April 2024 from 10.00pm to 12.00am (midnight)  
Saturday 11 May 2024 from 5.00pm to 10.00pm  
Friday 24 May 2024 from 10.00pm to 12.00am (midnight)  
Saturday 15 June 2024 from 5.00pm to 10.00pm  
Saturday 6 July 2024 from 5.00pm to 10.00pm  
Saturday 3 August 2024 from 5.00pm to 10.00pm  
Saturday 21 September 2024 from 5.00pm to 10.00pm  
Saturday 5 October 2024 from 5.00pm to 10.00pm  
Saturday 26 October 2024 from 5.00pm to 10.00pm  
Saturday 2 November 2024 from 5.00pm to 10.00pm  
Saturday 28 December 2024 from 5.00pm to 10.00pm.

***New Managers Certificates for March 2024:***

- R962072 – Luella Osborne – New World Lincoln.
- R962068 – Katie Pritchard – Liquorland Tennyson Street.
- R962059 – Nicole White – The Good Home Prebbleton.
- R962057 – Veera Siekkeli – Porters Lodge.
- R962067 – Rebecka Slaven – Fable Terrace Downs Resort.
- R961926 – Ramanjeet Singh – Drafters.
- R962071 – Ellie Dunn – Maddison Eatery.

***New Managers Certificates for April 2024:***

- R962075 – Tobias Messerer – Kirwee Rugby Football Club.
- R962053 – Madison Lynskey-Reid – The Bealey Hotel.
- R962073 – Peijie Zhang – The Phenix Chinese Restaurant.
- R962070 – Gagandeep Singh – Liquorland Rolleston Drive.
- R962080 – John Baines – Southbridge Bowling Club.
- R962029 – Renee Norrell – The Pedal Pusher.
- R962081 – Caitlyn Robertson – The Bridge Prebbleton.
- R962074 – Dayna Morrison – New World Lincoln.

***Renew Managers Certificates for March 2024:***

- R961928 – Milena Cragg – New World Lincoln.
- R961931 – Megan Austin – The Good Home Prebbleton.
- R961940 – Lesley Long – Longshot Distillery.
- R961334 – Natasha Karst – Hororata Village Bar & Café.
- R961952 – Isabel Condon – The Laboratory Lincoln.
- R961924 – Rosanne Croft – Kirwee Bowling Club.
- R961137 – Desrae Johnson – Special Licence Events.
- R962066 – Alexandra Tschampel – G&T Catering and Events.
- R961943 – Jonathan Alve – Thirsty Acres.
- R961936 – Abdu Khan – Mughal Kitchen.
- R962063 – Amritpal Sidhu – Lone Star Rolleston.
- R962064 – Tania Parker – Freshchoice Prebbleton.
- R961933 – Tara Lawrie – Wine Divine.
- R961942 – Sonia Gulati – Super Liquor Lincoln.
- R962069 – Deepak Kumar – Rossendale Weddings & Events.
- R961934 – Sheldon Reed – Darfield Rugby Football Club.
- R961925 – Grace Neill – Lone Star Rolleston.

***Renew Managers Certificates for April 2024:***

- R961955 – Lucinda Levi – Rossendale Weddings & Events.
- R961947 – Boston Taylor – Liquorland Rolleston Drive.
- R960417 – Marie Gilmore – Prebbleton Tavern.
- R961957 – Anil Mathew – Countdown Rolleston.
- R961958 – Jin Chang – Countdown Rolleston.
- R961954 – Russell Morrison – Coalgate Bowling Club.

***New On Licence for March 2024:***

- R910200 – WM1313 Limited  
West Melton Tavern – 1147 West Coast Road, West Melton.

***New Off Licences for March 2024:***

- R920176 – WM1313 Limited  
West Melton Tavern – 1147 West Coast Road, West Melton.
- R920175 – Prebbleton Supermarket Limited  
Freshchoice Prebbleton – 9 Tosswill Road, Prebbleton.

***Renew On Licences for March 2024:***

- R910062 – Jacquesy Rocks Limited  
The Rock Rolleston – 82 Rolleston Drive, Rolleston.
- R910120 – Hickman Hospo Limited  
Two Fat Possum – Unit A, 736 Weedons Ross Road, West Melton.

***Renew On Licences for April 2024:***

- R910172 – Randhawa Enterprises Limited  
Dalchini Taste of India – 88 High Street, Leeston.
- R910182 – Ratana Limited  
Ratana Restaurant & Pizzeria – Unit 8, 43-51 Tennyson Street, Rolleston.
- R910152 – Fine Dining Hospitality Group 3 Limited  
Corianders Rolleston – Shop 8, 70-76 Rolleston Drive, Rolleston.

***Renew Off Licences for April 2024:***

- R920166 – ADRWines Limited  
ADRWines Limited – 73 Summers Road, Darfield.

***Temporary Authority On Licence for March 2024:***

- R910175 – WM1313 Limited  
West Melton Tavern – 1147 West Coast Road, West Melton.

***Temporary Authority Off Licence for March 2024:***

- R920153 – WM1313 Limited  
West Melton Tavern – 1147 West Coast Road, West Melton.

**Licences currently being processed in March 2024:**

A total of **35** applications are currently being processed and awaiting issue, which can be broken down into the following categories:

***On Licence: 1 New application***

- R910202 – Saini Bros Limited – (Springfield Hotel).

***Off Licence: 2 New applications***

- R920168 – Arthurs Pass Alpine Distillery Limited (Arthurs Pass Alpine Distillery).
- R920177 – SSP Enterprises Limited (Barrel House).

***On Licence: 7 Renewal applications***

- R910172 – Randhawa Enterprises Limited (Dalchini Taste of India).

- R910180 – Canterbury Hospo Group Limited (Drafters).
- R910182 – Ratana Limited (Ratana Italian Restaurant & Pizzeria).
- R910183 – Thirsty Acres Limited (Thirsty Acres).
- R910152 – Fine Dining Hospitality Group 3 Limited (Corianders).
- R910166 – Tap and Go Limited (Grain & Grape Restaurant & Bar).
- R910106 – GLS Restaurant Limited (Langdale Vineyard Restaurant).

***Off Licence: 2 Renewal applications***

- R920113 – Townill Limited (Thirsty Liquor Darfield).
- R920166 – ADRWines Limited (ADR Wines Limited).

***On Licence: 2 Variation applications***

- R910053 – Porters Ski Area Limited (Porters Café/Sundance Bar).
- R910049 – Flockhill Holdings Limited (Flockhill Lodge).

***Off Licence: 1 Variation application***

- R920020 – Prebbleton Hotel Limited (Henrys Prebbleton).

***Club Licence: 1 Renewal application***

- R900007 – Temple Basin Ski Club Inc (Temple Basin Ski Club).

***Managers Certificate: 9 New applications***

***Managers Certificate: 4 Renewal applications***

***Special Licence: 6 Applications***

**Licences currently being processed in April 2024:**

A total of **41** applications are currently being processed and awaiting issue, which can be broken down into the following categories:

***On Licence: 2 New applications***

- R910202 – Saini Bros Limited (Springfield Hotel).
- R910203 – BLT Express Limited (Origami).

***Off Licence: 2 New applications***

- R920168 – Arthurs Pass Alpine Distillery Limited (Arthurs Pass Alpine Distillery).
- R920177 – SSP Enterprises Limited (Barrel House).

***On Licence: 4 Renewal applications***

- R910180 – Canterbury Hospo Group Limited (Drafters).
- R910182 – Ratana Limited (Ratana Italian Restaurant & Pizzeria).

- R910183 – Thirsty Acres Limited (Thirsty Acres).
- R910166 – Tap and Go Limited (Grain & Grape Restaurant & Bar).

***Off Licence: 4 Renewal applications***

- R920113 – Townill Limited (Thirsty Liquor Darfield).
- R920164 – The Ellesmere Victualler Limited (Freshchoice Leeston).
- R920163 – Thirsty Acres Limited (Thirsty Acres).
- R920165 – Two Phil Limited (Xbeerience).

***On Licence: 2 Variation applications***

- R910053 – Porters Ski Area Limited (Porters Café/Sundance Bar).
- R910049 – Flockhill Holdings Limited (Flockhill Lodge).

***Off Licence: 1 Variation application***

- R920020 – Prebbleton Hotel Limited (Henrys Prebbleton).

***Club Licence: 1 Renewal application***

- R900007 – Temple Basin Ski Club Inc (Temple Basin Ski Club).

***Managers Certificate: 10 New applications***

***Managers Certificate: 10 Renewal applications***

***Special Licence: 5 Applications***

**4. COMMENTS FROM THE DISTRICT LICENSING COMMITTEE**

**Waiver requested and approved in March**

Straight 8 Estate – Lincoln Events Centre  
Accidently forgot to send but had prepared ahead of time.

**Waiver requested and approved in April**

Selwyn Lions Club – Lincoln Events Centre  
Wasn't aware an overarching special licence was required for the event.

**5. INSPECTOR'S REPORT FOR MARCH & APRIL 2024**

The District Licensing Committee hearing for the Dalchini Taste of India Restaurant in Leeston, resulted in the DLC renewing the on-licence for the Restaurant. The renewal



had been opposed by Police, The Chief Licensing Inspector, and the Medical Officer of Health.

The Chief Licensing Inspector met with the applicant for the Springfield Hotel. Two brothers from Rakaia are applying for an on-licence for the Hotel. At this stage the application is opposed by the agencies. Public objections have also been received. A bottle store application for a site in Rolleston has also attracted a number of public objections. This application is also opposed by the agencies. Hearings for these two applications will be set down in due course.



Bonnie Denson  
**SENIOR ADMINISTRATOR  
DISTRICT LICENSING COMMITTEE**



Malcolm Johnston  
**CHIEF LICENSING INSPECTOR**



Susan Atherton  
**HEAD OF REGULATORY (SECRETARY DISTRICT LICENSING COMMITTEE)**

***Endorsed For Agenda***



Bob Love  
**ACTING EXECUTIVE DIRECTOR DEVELOPMENT & GROWTH**



## SDC Licences Report

### Licences Aggregate Report for the period 2024-03-01 to 2024-03-31

Licence Type	# Issued	% in time*	Avg Days
Club Licence	0	0%	-
On Licence	3	100%	20
Off Licence	2	100%	20
Special Licence	9	100%	14
Manager's Certificate	24	100%	13

\* = 'In time' is 15 days for Special licences and 20 days for other licences

### Licences Aggregate Report for the period 2024-04-01 to 2024-04-30

Licence Type	# Issued	% in time*	Avg Days
Club Licence	0	0%	-
On Licence	3	100%	20
Off Licence	1	100%	20
Special Licence	7	100%	15
Manager's Certificate	14	100%	13

\* = 'In time' is 15 days for Special licences and 20 days for other licences

**REPORT**

**TO:** Sharon Mason - Chief Executive Officer

**FOR:** Council Meeting on 12 June 2024

**FROM:** Susan Atherton - Head of Regulatory

**DATE:** 27 May 2024

**SUBJECT:** **ANIMAL CONTROL FEES AND CHARGES 2024**

**RECOMMENDATION**

*‘That:*

- a) Council receives this report; and*
- b) Council confirms the fees and charges for Dog Registration for the 2024/ 25 year as prescribed in Appendix 1.’*

**1. BACKGROUND**

An increase to annual dog registration fees was included within the draft schedule of fees that was considered in the consultation of the Long-Term Plan 2024-2034.

Council is due to confirm those fees and charges through the Long-Term Plan 2024-34 on 03 July 2024. The timing of this does not align with the requirements of section 37(1) of the Dog Control Act 1996, which requires Council to publicly notify the registration fees within June.

As such it is necessary to seek endorsement of the proposed increase to dog registration fees so that we may advertise those fees and meet our legislative obligations.

The last increase to dog registration fees was three years ago in 2020/21. The proposed increase is approximately \$15 per dog per year.

As a comparison the following table indicates the current fees, the proposed fees, and the current comparative fees of neighbouring Councils:

	Selwyn District Council		Christchurch City Council 2023/24	Ashburton DC 2023/24	Waimakariri DC 2023/24
	Current Fee	Proposed Fee			
Comparables	Selwyn 2023/24	Selwyn 2024/25			
Regular fee/1st dog	60	75	128	99	133.5
Regular fee/2nd dog	45	55	128	99	133.5
Early Payment Discount Fee 1st dog	45	60	60	99	89
Early Payment Discount Fee 2nd dog	30	40	42	99	89

## 2 LEGAL/POLICY IMPLICATIONS

Section 78 of the Local Government Act 2002 (**LGA**) places the Council under a general requirement to give consideration to the views and preferences of people most likely to be affected by, or have an interest in, the decision to increase charges. The inclusion of the draft fee schedule supporting the consultation of the 2024-2034 Long Term Plan was sufficient for the Council to consider community views (pursuant to section 78 of the LGA) for the purposes of increasing the dog registration fees.

Section 37(6) of the Dog Control Act provides that the Council must (in the month of June) publicly notify the dog control fees fixed for the registration year in a newspaper circulating in the Selwyn District.

Following resolution of the proposed increase to dog registration fees, this fee increase will be advertised in sufficient time.

## 3. SIGNIFICANCE ASSESSMENT

This matter is considered low significance in terms of the Council's significance and engagement policy.

The proposed fees and charges had already been included within the 2024-2034 Long Term Plan, and this was sufficient for Council to consider community views (pursuant to section 78 of the LGA) for the purposes of increasing the dog registration fees.

## 4. OPTION ANALYSIS

Option one – that the Council endorses the fees and charges for Animal Control (this is the recommended option).

<b>Advantages:</b>	Continuation of core service delivery. Delivery of educational programmes. Faster response times. Continued free microchipping. Proactive approach to annual dog registration. Service costs recovered through dog registration. Value for money.
<b>Disadvantages:</b>	Increase in dog registration fee for dog owners
<b>Risks:</b>	None

Option two –existing fees and charges remain unchanged.

<b>Advantages:</b>	No cost increase for registered dog owners.
<b>Disadvantages:</b>	Reduced staff to dog ratio. Staff are unable to attend all call outs. Slower staff response times to call outs. No service resilience.

	No time for staff to deliver educational training. No ability for staff to be proactive around registration.
<b>Risks:</b>	Potential for an increase in dog attacks. Current staff resources unable to meet the demands of the service. Reduction in public satisfaction levels.

## 5. VIEWS OF THOSE AFFECTED / CONSULTATION

### (a) Views of those affected and Consultation.

The proposed fees and charges had already been included within the 2024-2034 Long Term Plan, and this was sufficient for Council to consider community views (pursuant to section 78 of the LGA) for the purposes of increasing the dog registration fees.

### (b) Māori and Treaty implications.

No implications for Māori are anticipated.

### (c) Climate Change considerations.

The recommendations in this report have no impact on climate change.

## 6. FINANCIAL IMPLICATIONS (OPTION ONE)

- There are no cost implications to rates.
- Budget expenditure will align with income through dog registration fees.



Susan Atherton  
**HEAD OF REGULATORY**

**Endorsed For Agenda**



Robert Love  
**ACTING EXECUTIVE DIRECTOR – DEVELOPMENT AND GROWTH**

**Appendix 1: Dog Registration and Animal Control Fees**

Variable	Proposed Fee 2024/25
Regular Fee – 1 <sup>st</sup> dog	\$75
Regular Fee – each additional dog above the 1 <sup>st</sup>	\$55
Early Payment Discount – 1 <sup>st</sup> dog	\$60
Early Payment Discount – each additional dog above the 1 <sup>st</sup>	\$40

**RESOLUTION TO EXCLUDE THE PUBLIC**

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

<b>General subject of each matter to be considered</b>		<b>Reasons for passing this resolution in relation to each matter</b>	<b>Ground(s) under Section 48(1) for the passing of this resolution</b>	<b>Date information can be released</b>
1.	Minutes	<i>Good reason to withhold exists under Section 7</i>	<i>Section 48(1)(a)</i>	
2.	Reappointment of an Independent Member to SDC Audit & Risk Subcommittee			
3.	Acquisition of Land – Hamptons Road, Prebbleton (Kakaha Park Extension)			
4.	Proposed Acquisition Investigation – Gerkins Road			
5.	CORDE Board Report			
6.	Adoption of Strategic Investment Strategy			
7.	CEO Job Sizing & Remuneration			



This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act or Section 6 or Section 7 or Section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

1, 3, 4, 5 & 6	Enable the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities; or	Section 7(2)(h)
1, 3, 4, 5 & 6	Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations); or	Section 7(2)(i)
1, 2 & 7	Protect the privacy of natural persons, including that of deceased natural persons	Section 7(2)(a)

*that appropriate officers remain to provide advice to the Committee.'*

Unuhia, unuhia  
Te pou, te pou  
Kia wātea, kia  
wātea  
Āe, kua wātea

Remove, uplift  
The posts  
In order to be  
free  
Yes, it has been  
cleared