



**ORDINARY MEETING OF THE
WATER RACE SUB-COMMITTEE
TO BE HELD IN THE
EXECUTIVE MEETING ROOM
ON MONDAY 12 JUNE 2017
COMMENCING AT 1.30PM**

If you are unable to attend the meeting please advise the Secretary
maree.pycroft@selwyn.govt.nz or phone (03) 347-2891



AGENDA
OF THE ORDINARY MEETING OF THE
WATER RACE SUB-COMMITTEE
EXECUTIVE MEETING ROOM
ON MONDAY 12 JUNE 2017 – 1.30pm

Committee Members

1. Nigel Barnett (Chairman)
2. Cr Pat McEvedy
3. Cr Craig Watson (Selwyn Central)
4. Mike Chaffey (Ellesmere)
5. Harry Schat (Ellesmere)
6. John Clarkson (Malvern)
7. Clayton Fairbairn (Malvern)
8. John Shanks (Paparua)
9. Tim Morris (Paparua)
10. Martin Le Comte (Paparua Water Race Irrigation User Group)
11. Kerry Pauling (Malvern Community Board)
12. M Mora (Christchurch City Council - representing Waimairi and Wigram Wards)

In attendance

13. Murray England, Strategic Manager Water Services
14. Creagh Robinson, Management Accountant
15. Cinnil Thomas, Team Leader, Water Services
16. Daniel Meehan, Surface Water Engineer
17. Maree Pycroft, Secretary

1. APOLOGIES

2. PUBLIC FORUM

2.1 Adrienne Grose, 359 Marshs Road,

Issues with Water Race and questions over rates she has to pay compared to neighbouring properties.

2.2 Peter Schnell, 36 Horndon Street, Darfield

Race closure – letter to Council dated 11 May 2017 attached

3. CONFIRMATION OF MINUTES

The Selwyn District Council Water Race Sub-Committee confirms the minutes of the Ordinary Meeting held on Monday, 10 April 2017 as a true and accurate record

4. MATTERS ARISING

- 4.1** Copy of the rates exemption policy attached (circulated)

- 4.2 Copy of letters to K & K Perry, T Hobson and R Chubb attached
- 4.3 Lemon & Lill fish salvage quotations

5. FINANCIAL

5.1 Finance Report to 30 April 2017

(Creagh Robinson, Management Accountant)

- 1. Ellesmere Water Race
- 2. Malvern Water Race
- 3. Paparua Water Race

5.2 Items of Unplanned Expenditure over \$5,000

(Daniel Meehan, Surface Water Operations Engineer)

6. WATER SERVICES REPORT

6.1 Stock Water Race Fish Screens Update

Tender has been awarded to Isaac Construction. Work has begun onsite at the Waimakariri Scurrs site and other sites will be establishing shortly.

6.2 Potential Water Race Closure - Council Deliberation and Decision

Seeking approval for the closure of 3 lengths of water race totalling approximately 3km in the Paparua, Malvern and Ellesmere schemes

6.3 Proposed Water Race Closures - Proceed to Public Consultation

- a) *Agree to proceed to public consultation for the proposed closure of 5 lengths of water race totalling approximately 7.4km in the Malvern water race schemes.*
- b) *Advise the Council that the proposed closures are considered to be of low significance not impacting the intended level of service provision for the water races*
- c) *Consider any submissions to the proposed closures raised during public consultation and provide an opportunity to those persons wishing to be heard*
- d) *Recommend race closures to Council following the consultative process.*

6.4 Selwyn District Council Long Term Plan 2018-2028 – Water Race Rating Review

- a) *Receive the report for information*
- b) *Committee to provide feedback to the Asset Manager Water Services on potential future steps*

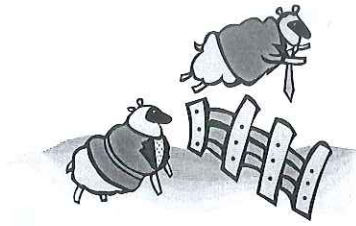
6.5 Water Race Bylaw 2008 Review

- a) *Agree to review the Water Race Bylaw 2008 the ("Bylaw").*
- b) *Consider whether the Bylaw is still the most appropriate way to deal with water race as per Section 155(1) of the Local Government Act 2002 ("LGA").*
- c) *Consider whether the Bylaw is still the most appropriate form to deal with water race as per Section 155(2)(a) of the LGA but requires review to ensure it is still current.*
- d) *Consider whether the Bylaw gives rise to any implications under the New Zealand Bill of Rights Act ("NZBORA").*
- e) *Committee to provide feedback to the Asset Manager Water Services on any amendments sought to the Bylaw.*

7. HEALTH & SAFETY REPORT

8. GENERAL BUSINESS

170524004



Broadview Ltd



"Broadview"
36 Horndon Street
DARFIELD RD 1

Phone: 03 3188446
Email: schnellifarming@gmail.com

11 May 2017

Selwyn District Council
P O Box 90
Rolleston

Dear Sir / Madam

Please find enclosed our agreement to closure of water race for valuation:
2420009200, legal description: LOT DP 21008 BLK VII HAWKINS SD.

Our neighbors: M Reed, I Reed, M Sampson, H Williams & Mitchell Bros are all happy for the water race to closed over time as we all get setup for irrigation under CPW. We have one neighbor that is not happy with the closure that is the end of the line.

They wish the race to stay so that when they have finished the quarry they are operation now they can fill this as a pond on their property. The termination point of this race is on Mitchell Bros land, but the race does not flow to this point any longer, be believe the Saunder's may have the race filling another pond they all ready have.

Our point is that 4 of the properties wishing the closure of the race are paying over \$14,000 a year in rates, and the one that doesn't want the race closed will be paying a very small amount in water race rates. Also why should we maintain the race for this one small user? We regular have to go and clear the intake so that we get flow, if it wasn't for us doing this the end user would not see any water.

For as little as \$2,000 pa you can get 1ltr per second from CPW, which equals 86,400 ltrs per day. Or they could get water from the Darfield township water as the property has a 4" hydrant. The point here is that there are other ways to get water if required.

Also our current farm layout was designed around the contours of the land for water races, and under irrigation we would have to move the race and then it may not flow as well. We also see under our FEP that putting unconsented water into water races as a no go.

Our final point is that we have an agreement with SDC after the closure of Horndon Street water race back in the 1980's that the council will clean when required the race thru our property. This was agreed to due to the increase water flow thru our property. This would be a cost to the council that could be saved if the race is closed.

I'm more than happy to attend a meeting to discuss the issue if required.

Yours faithfully



Peter Schnell
Director

PS: - mitchell Bros have already sent in a water race
Closure form

- m Reed to come (but is the first on the race)



MINUTES
OF THE ORDINARY MEETING OF THE
WATER RACE SUB-COMMITTEE
EXECUTIVE MEETING ROOM
ON MONDAY 10 APRIL 2017 – 1.30pm

Committee Members in Attendance

1. Nigel Barnett (Chairman)
2. Cr Craig Watson (Selwyn Central)
3. Mike Chaffey (Ellesmere)
4. Harry Schat (Ellesmere)
5. John Clarkson (Malvern)
6. Clayton Fairbairn (Malvern)
7. John Shanks (Paparua)
8. Tim Morris (Paparua)
9. Martin Le Comte (Paparua Water Race Irrigation User Group)
10. Kerry Pauling (Malvern Community Board)
11. M Mora (Christchurch City Council - representing Waimairi and Wigram Wards)

In attendance

12. Creagh Robinson, Management Accountant
13. Joanne Golden, Water Services Engineer
14. Cinnil Thomas, Team Leader, Water Services
15. Daniel Meehan, Surface Water Engineer
16. Maree Pycroft, Secretary

1. APOLOGIES

Cr Pat McEvedy

Moved Kerry Pauling / Seconded Harry Schat

“That the Committee receive the apologies.”

CARRIED

2. PUBLIC FORUM

2.1 Ms Rosina Chubb, 399 Hororata Dunsandel Road

Ms Chubb proposed to the Water Race Committee the closure of the Water Race from South Two Chain Road to the Dunsandel Township. The water race covers 86.4 ha of land over several properties.

Ms Chubb has approached 10 water race ratepayers that would be affected by the closure. Eight support the closure and have signed a consent form and 2 have verbally agreed. There are 2 who oppose the closure (one ratepayer in the Dunsandel township and one owner on

51ha of dry land). None of the affected but most rated properties have been contacted. The property on the Main South Rd that opposes does not currently have access to alternative water but may be able to access the town water supply. Ms Chubb highlighted the following points in support of the closure:

- Financial – rated across 14 separate properties
- Inefficiency of farming
- Cost of maintenance
- Weed issues – continual control, cost of spray and weeds not normally found in pasture
- Issues with flooding – there is always a surge of water prior to Christmas which disperses weeds further, ground too soft for stock
- Unreliable supply in summer – those who do have stock need alternative supply anyway
- Cost of excluding stock
- Cost of building culverts and entrance ways
- Environmental costs – unable to fertilise 6 metres from the water race and overall loss of 2.4ha of productive land and more weed control needed
- Water becomes contaminated and is better kept in the river.
- H&S – risk of people driving into the water race, tractors slipping, risk of children falling in

The Committee thanked Ms Chubb for taking the time to come to the meeting to express her concerns and support of a closure and advised the Committee would deliberate the points at the end of the meeting.

3. CONFIRMATION OF MINUTES

Moved Craig Watson / Seconded Harry Schat

“That the Selwyn District Council Water Race Sub-Committee confirms the minutes of the Ordinary Meeting held on Monday, 15 February 2017 as a true and accurate record”.

CARRIED

4. FINANCIAL REPORTS

4.1 Finance Report to 28 February 2017

(Creagh Robinson, Management Accountant)

Ellesmere Water Race - very little expenditure but the reserves are being eroded from the loss of income from water races and the potential of continued maintenance. SICON maintenance contract TOR will be revisited.

Malvern Water Race – the Committee need to address the deficit of expenses of capital expenditure mostly attributed to fish screen installations.

The Management Accountant explained a 20% increase to water race rates over 10 years is required to recover the expenses of fish screens. There are no water race reserves and expenses come from operating expenditure or rates.

The Committee discussed future issues and agreed to hold a rating workshop to discuss strategy and framework of the LTP to consult. Submission hearings for annual plan are in May/June and the proposal needs to be submitted in September.

Creagh will provide arrangement models and determine the timeframes to hold a workshop.

Moved Mike Mora / Seconded Kerry Pauling

"That the financial report to 28 February 2017 is accepted for information."

CARRIED

4.2 Items of Unplanned Expenditure over \$5,000

(Jo Golden, Assets Water Services Engineer)

Noted

5 WATER SERVICES REPORT

5.1 Stock Water Race Fish Screens Update

Noted

5.2 Water Race Closures Proposed February 2017 – Post Consultation Further Investigation

At the February 2017 meeting, a report dated 30 January 2017 was presented to the Committee (post public consultation), on the closure of 2 lengths of race in Malvern and Ellesmere. Further investigation regarding the rating options for the Wells and Mackie properties was requested by the Committee. The following information was provided

1. Mackie Farm Ltd, 1095 Hororata Dunsandel Road

Total property area 272.4ha.

Current Water Race Rate \$4,001.60

7 legal parcels.

5 legal parcels with an area of 158.5ha, would have access to race post closure. There is a main race along the property boundary. Applicable water race rate for the title would be \$2328.36

Options for consideration:

1. Continue rating entire property as prior to water race closure application. This would be in line with policy W109 which references rating of 'a property'.
2. Rating of the legal parcel (part of the total property) that can be considered to have access to the water race, after a closure is requested
3. Provide rates exemption for the entire property

Options 2 and 3 have wider implications if they are applied across all three schemes and would result in a further reduction in rating income on top of the closures being approved. This would affect the viability of the schemes going forward.

Further Example

Should the same principals outlined above be applied, where a race closure cannot occur (e.g. main race), the following could apply:

2. Hobson Property 675 Rakaia Terrace Road (as heard by the Committee in February 2017)

Option 1

Total property area 848.12ha

Current Water Race Rate \$12,458.90

Option 2

Lot 1 DP 24060 with access to the main race with an area of 98ha.

Applicable water race rate for title \$1,439.62

Loss of rating income of \$11,019.28

Option 3

Loss of rating income of \$12,458.90 if property exempt from rates.

Note, some properties such as Hagley Farm (Mr Schat) are only rated over the parcels that had a water race prior to rural amalgamation (as required under the Rating Valuations Act).

The Chairman advised he met with the owners of 1250 Hororata Dunsandel Road and they expressed they would sign a consent form to close the lateral running in front of their property. Water Engineer, Jo Golden is to post a form to them with a covering letter.

Moved Craig Watson / Seconded Harry Schat

“That Council proceed with the closure of:

- *5.5km of race through 6 properties along Hororata Dunsandel Road, Ellesmere.*
- *An additional 200m section of lateral that runs in front of 1250 Hororata Dunsandel Road subject to receipt of the consent form.*
- *0.15km race through 1 property on Tramway Road, Malvern*

CARRIED

A copy of the rates exemption policy is to be circulated to committee members.

It was agreed to defer any change to the water race rating of the Hobson, Mackie and Wells properties until the rating structure has been consulted on as part of the 2018/28 LTP. The committee agreed it cannot put a proposal to Council under the current policy and these closures will be considered in the 2018/28 LTP water race rating structure review. Jo Golden to send a letter to the Hobsons outlining the decision.

Response to Rosina Chubb Closure Proposal

Jo Golden to respond to Rosina Chubb advising that based on the current policy, 100% agreement from affected properties is required but also alternative water supply would be required for the dry land property. Non rated properties in the vicinity also need to be contacted. Ms Chubb has the option of submitting to the LTP consultation process.

6 HEALTH & SAFETY

SICON were issued a Notice to Contractor on 8 November 2016, requesting pricing of minor H&S upgrades. Preliminary feedback is expected end March 2017.

7 GENERAL BUSINESS

7.1 Lemon and Lil Water Race Closures

DOC are unavailable to assist with fish salvage from the above Water Race and for the first time the salvage will need to be at the cost of the property owner.

7.2 Next Meeting – 12 June 2017

Cinnil Thomas will attend the next meeting in place of Jo Golden who will be on extended leave overseas for the next meeting.

- Daniel Meehan will cover the operational matters.
- Jacobs will manage the fish screens construction

8.4 CPW

The Committee asked that CPW provide an update on the extent of their water race closures.

Meeting closed at 3.20pm.

Signed as a true and accurate record of the meeting:

Chairman

12 June 2017

EXEMPTIONS FROM PAYING WATER RACE RATES

W109

MALVERN and ELLESMERE:

- 1) Where the property is within a water race area and stock water is unable to be supplied to that property or it is impracticable to do so, then:
 - a) The property shall be exempted from payment of stock water rates.
 - b) Application for such exemption must be in writing and not be retrospective prior to the current financial year in question.

PAPARUA:

- 2) Where the property is within the water race area and a water race does not go through the property or adjacent to that property, then:
 - a) The property may be exempted from payment of stock water rates.
 - b) Application for such exemption must be in writing and not be retrospective prior to the current financial year in question.

AST-17-3-1

3 May 2017

Rosina Chubb
Pinegrove
399 Hororata Dunsandel Road
RD 2
Leeston 7682

Dear Rosina

WATER RACE CLOSURE REQUEST

Thank you for taking the time to attend the Water Race Sub Committee meeting held at Council on 10 April 2017. The Committee heard your request to close the water race from your property at 399 Hororata Dunsandel Road downstream to Dunsandel.

Under Council's water race closure process, agreement to close a race is required from 100% of affected house-holds. You have confirmed that you are aware that 2 properties oppose the closure of the race with one having no alternative supply. A number of affected households that do not currently pay water race rates have not been contacted. Details of Council's water race closure process can be found on Council's website at www.selwyn.govt.nz/wrclosure.

In the 2017/18 Annual Plan, Council has indicated an intention to review the water race rating structure in the 2018/28 Long Term Plan. Council will be developing a proposal to change the way water races are rated, reducing the reliance on user pays. Council encourages water race rate payers who are currently dissatisfied with the current water race rating structure to submit to the Long Term Plan.

When you obtain 100% support for your proposed closure from affected house-holds, please provide the required agreement forms to Council staff who can then progress your request.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'J. Golden'.

Jo Golden
Water Services Engineer
03 347 2854
Joanne.golden@selwyn.govt.nz

Enc – extract from 2017/18 Annual Plan Consultation Document.

Cc:
Nigel Barnett, Water Race Sub Committee Chairman
Murray England, Asset Manager Water Services

AST-17-3-1

3 May 2017

Trevor Hobson
Te Piritā
693 Rakaia Terrace Road
RD 13
Rakaia 7783

Dear Trevor

WATER RACE CLOSURE RATING

Thank you for taking the time to attend the Water Race Sub Committee meeting held at Council on 13 February 2017. The Committee heard your request to be exempt from paying rates over the entire 848ha of your property at 693 Rakaia Terrace Road. The Committee discussed your request again at the subsequent meeting held on 10 April 17.

In the 2017/18 Annual Plan, Council has indicated an intention to review the water race rating structure in the 2018/28 Long Term Plan. Council will be developing a proposal to change the way water races are rated, reducing the reliance on user pays. Council encourages water race rate payers who are currently dissatisfied with the current water race rating structure to submit to the Long Term Plan.

The Water Race Sub Committee confirmed that your property will continue to be rated for water races as per Council's rating policy until such time that a new rating policy/structure is adopted by Council.

Yours sincerely



Jo Golden
Water Services Engineer
03 347 2854
Joanne.golden@selwyn.govt.nz

Enc – extract from 2017/18 Annual Plan Consultation Document.

Cc:
Nigel Barnett, Water Race Sub Committee Chairman
Murray England, Asset Manager Water Services

2 May 2017

AST-17-3-1

K & K Perry
1250 Hororata Dunsandel Road
RD 2
Leeston 7682

Dear Kathleen and Kelvin

WATER RACE CLOSURE REQUEST

Council has received a request from rate payers to close the Hororata Dunsandel Road water race downstream of Karanga Road. The properties wishing to close the race cover 5.5km of race from your property past Westenras Road to where the race currently terminates. Twin River Dairies adjacent to your property wish to close the race along their boundary upstream of your property.

If you would support the closure of the water race outside your property on Hororata Dunsandel Road, your property would no longer be charged water race rates (\$102.85) and the race could be closed at the divide near Karanga Road. Water would cease to flow in the channel and be directed to other races however, Council would not fill in the remaining channel on the roadside.

If you support the race being closed, please complete and return the attached agreement. A pre-paid envelope is included for your use.

If you do not support the closure and wish to retain the race, the race can be terminated at a soakhole on the road reserve at the downstream boundary of your property. If this option is your preference, do not sign the enclosed form and please advise Council by phoning 347 2800 or emailing waterraces@selwyn.govt.nz so arrangements for a soakhole can be made.

Further details of Council's water race closure process can be found on Council's website at www.selwyn.govt.nz/wrclosure.

Yours sincerely



Jo Golden
Water Services Engineer
03 347 2854
Joanne.golden@selwyn.govt.nz

Cc:
Nigel Barnett, Water Race Chairman
Dan Meehan, Surface Water Operations Engineer



AGREEMENT TO CLOSURE OF WATER RACE

Scheme: Paparua / Malvern / Ellesmere (please circle appropriate scheme)

Valuation No:

Legal Description:

I confirm I am the owner of the above property and where I am not the sole owner, I am duly authorised to sign this agreement on behalf of that owner or those owners.

I hereby agree to the closure of the water race that runs through or adjacent to my property.

I acknowledge I will no longer be liable for rates in respect to the supply of stock water from the date of closure as advised to Council unless other races are on or adjacent to my property.

I understand that LIM information for my property will state that closed water race channels exist on the property.

I acknowledge that I have no further claim against Council for the provision of stock water from the closed water race.

I accept that I am liable for my share of the costs associated with the race closure and Council will bear no costs, including filling in the remaining channel.

I acknowledge that stock water race closures are subject to my acceptance of the following conditions:

1. Either:
 - a. the stock water race channel remains open and I undertake to maintain the channel on my property, or
 - b. I will put in place a soak hole that is sufficient to dispose of water that would have entered and/or been conveyed by the race.
 - c. Should I construct a soak hole and subsequently experience ponding or backflow, it will be my responsibility to take all prudent steps to dispose of that excess water;

I accept responsibility for any loss or damage caused by the closure of the stock water race and the making of the other changes contemplated in this agreement.

I acknowledge that Council is no longer responsible for any works on the race.

Property Owner:

Address of Property:

Telephone No Mobile

Signature of Owner Date.....

PUBLIC REPORT

TO: Chief Executive

FOR: Ellesmere, Malvern and Paparua water race scheme
Sub-Committee – 12 June 2017

FROM: Management Accountant

DATE: 22 May 2017

SUBJECT: **Financial Report to 30 April 2017**

1. RECOMMENDATION

That the financial report for Ellesmere, Malvern and Paparua water race scheme to 30 April 2017 be received for information.

2. PURPOSE

That the financial report to 30 April 2017 be received for information.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Not applicable.

4. HISTORY/BACKGROUND

Attached is the financial report for Ellesmere, Malvern and Paparua water race scheme to 30 April 2017

The accounts represent the financial operating position of the Ellesmere, Malvern and Paparua water race schemes for the period ended 30 April 2017.

COMMENTARY

A Summary of the accounts as at the 30 April 2017 follows.

Ellesmere Water Race

Operational Position Summary

Revenue	YTD Actual \$	YTD Budget \$	Variance	2015/2016 Actual
Targeted Rate	326,003	355,510	(29,507)	404,129
Ellesmere Unit charge	9,373	0	9,373	12,085
General Receipts	0	0	0	338
Irrigation Charges	0	0	0	182,146
Total Revenue	335,376	355,510	(20,134)	416,552
Expenditure				
Total Operational Expenditure	400,862	408,508	7,646	470,187
Total Support	76,863	76,860	(3)	89,640
Total Operational Projects	119	27,630	27,511	26,524
Total Renewals	539	40,500	39,961	0
Total Expenditure	478,383	553,498	75,115	586,351
Operating Surplus/(Deficit)	(143,007)	(197,988)	54,981	(169,799)

Operating Position Summary

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	442,379	422,382	19,997
Plus Operating Surplus/(Deficit)	(143,007)	(197,988)	54,981
Plus Prior year Projects Carried Forward	0	20,000	(20,000)
Less Capital Projects	(9,333)	(16,670)	7,337
Net Reserves Transfers	539	40,500	(39,961)
Closing Account Balance	290,578	268,224	22,354

Special Funds Account - Renewals

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	54,477	54,477	0
Plus Transfers in	0	0	0
Plus Interest	0	0	0
Less Funding of Renewals	(539)	(40,500)	39,961
Closing Account Balance	53,938	13,977	39,961

Year to Date Commentary

Operations to the 30 April 2017 resulted in a net operating deficit of (\$143,007) against a budgeted deficit for the same period of (\$197,988).

Revenue

Total revenue to the 30 April 2017 is unfavourable to budget by (\$20,134) arising from reduced revenue due to water race closures.

Operational Expenditure

Operating expenditure to the 30 April 2017 is favourable to budget by \$7,646. CPW transition costs and Infrastructure Agreement fees are favourable to budget by a total of \$26,387. This is a result of timing and the variance which will reduce over the year as costs are recognised. Maintenance and consultants fees are unfavourable to budget by (\$18,696).

Project expenditure to the 30 April 2017 totals \$119 against a budget of \$27,630. Expenditure to date has been on health and safety improvements.

Renewal expenditure is favourable to budget by \$39,961. Renewals are funded from reserves and do not have an impact on the operating result.

Capital Projects

Capital expenditure to the 30 April 2017 totals \$9,333 against a budget of \$16,670. The expenditure relates to the fish screens on the lower Kowhai. The full year budget for this project is \$20,000

**Malvern Area Water Race
Operational Position
Summary**

Revenue	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$	2015/16 Actual
Targeted Rate	595,904	589,270	6,634	699,803
Urban Public Good	16,035	15,580	455	17,381
General Receipts	13,847	0	13,847	
Malvern irrigation	43,399	41,520	1,879	43,225
Total Revenue	669,185	646,370	22,815	760,409
Expenditure				
Total Operational Expenditure	613,900	569,570	(44,330)	558,371
Total Support	86,977	86,980	3	101,436
Total Operational Projects	47,744	49,641	1,897	55,027
Total Renewals	27,950	24,300	(3,650)	0
Total Expenditure	776,571	730,491	(46,080)	714,834
Operating Surplus/(Deficit)	(107,386)	(84,121)	(23,265)	45,575

Operating Position Summary

	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$
Opening Account Balance	(202,411)	(972,591)	770,180
Plus Operating Surplus/(Deficit)	(107,386)	(84,121)	(23,265)
Plus Prior year Projects Carried Forward	0	770,180	(770,180)
Less Capital Projects	(538,336)	(665,000)	126,664
Net Reserves Transfers	27,950	24,300	3,650
Closing Account Balance	(820,183)	(927,232)	107,049

Special Funds Account - Renewals

	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$
Opening Account Balance	234,993	234,993	0
Plus Transfers in	0	0	0
Plus Interest			0
Less Funding of Renewals	(27,950)	(24,300)	(3,650)
Closing Account Balance	207,043	210,693	(3,650)

Year to Date Commentary

Operations to the 30 April 2017 have resulted in an operating deficit of (\$107,386) against a budgeted deficit (\$84,121).

Revenue

Total revenue to the 30 April 2017 is favourable to budget by \$22,815 due to unbudgeted reimbursement of legal fees from Local Government NZ - \$13,847, additional rates charged - \$6,634 and additional revenue from irrigation charges - \$1,879.

Operational Expenditure

Operating expenditure to the 30 April 2017 is unfavourable to budget by (\$44,340) due to additional reactive maintenance costs being unfavourable to budget by (\$48,747). Urban maintenance and enhancement is favourable to budget by \$5,200

Project expenditure to the 30 April 2017 totals \$42,744 against a budget of \$49,641. CPW transition costs are unfavourable to budget by (\$38,090) with the balance of projects being favourable to budget by \$39,987.

Renewal expenses are unfavourable to budget by (\$3,650) due to timing. Renewal costs are funded from the renewal reserve and do not have an impact on the operating result.

Capital Projects

Capital Projects expenditure to the 30 April 2017 is favourable to budget by \$126,664. The replacement of fish screens at the Upper Kowai, Glentunnel and Waimakariri Intakes account for \$158,847 of this amount and the cost of fish screens at the Upper Kowai Intake is unfavourable to budget by (\$43,043). The full year budget for these projects is \$1,320,180 and is to be funded from rates.

**Paparua Water Race
Operational Position
Summary**

Revenue	YTD Actual \$	YTD Budget \$	Variance \$	2015/2016 Actual
Targeted Rate	346,134	455,960	(109,826)	390,719
Public Good Rate	40,796	0	40,796	45,802
Urban Public Good	91,571	0	91,571	91,005
CCC Share-Public Good	71,696	0	71,696	71,696
Irrigation Right Application	0	0	0	0
General Receipts	0	0	0	763
Dawsons Rd Water Race Upgrade	0	0	0	0
Irrigation Charges	167,107	174,904	(7,797)	167,443
Irrigation Rebate	(7,184)	(38,364)	31,180	(23,582)
Total Revenue	710,120	592,500	117,620	743,846
Expenditure				
Total Operational Expenditure	693,957	574,540	(119,417)	630,738
Total Support	38,432	38,430	(2)	44,820
Total Operational Projects	1,218	21,770	20,552	38,283
Total Renewal Expenditure	58,707	40,500	(18,207)	
Total Expenditure	792,314	675,240	(117,074)	713,841
Operating Surplus/(Deficit)	(82,194)	(82,740)	546	30,005

Operating Position Summary

	Actual \$	YTD Budget \$	Variance \$
Opening Account Balance	(109,979)	(109,979)	0
Plus Operating Surplus/(Deficit)	(82,194)	(82,740)	546
Plus Prior year Projects Carried Forward	0	0	0
Less Net Renewal Expenditure	0		0
Less Capital Projects	0	0	0
Net Reserves Transfers	58,707	40,500	18,207
Closing Account Balance	(133,466)	(152,219)	18,753

Special Funds Account - Renewals

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	264,721	264,721	0
Plus Transfers in			0
Plus Interest	0	0	0
Less Funding of Renewals	(58,707)	(40,500)	(18,207)
Closing Account Balance	206,014	224,221	(18,207)

Year to Date Commentary

Operations to the 30 April 2017 resulted in an operating Deficit of (\$82,194) against a budgeted deficit for the same period of (\$82,740).

Revenue

Total revenue to the 30 April 2017 is favourable to budget by a total of \$117,620 largely due to unbudgeted revenue relating to a charge to the Christchurch City Council regarding their share of public good - \$71,696, an increased rate take - \$22,541 and Increased irrigation receipts - \$23,383.

Operational Expenditure

Operating expenditure to the 30 April 2017 is unfavourable to budget by (\$119,417) due primarily to increased maintenance and urban enhancement costs.

Projects

Project expenditure to the 30 April totals \$1,218 against a budget of \$21,770. The expenditure results from health and safety improvements

Renewal expenses are unfavourable to budget by (\$18,207) due to timing. Renewal costs are funded from the renewal reserve and do not have an impact on the operating result.

Capital Projects

There has been no capital project expenditure as at the 30 April 2017.

5. PROPOSAL

That the interim financial report to 30 April 2017 be received for information.

6. OPTIONS

Not applicable.

7. VIEWS OF THOSE AFFECTED/CONSULTATION

a) Views of those affected

Not applicable.

b) Consultation

Not applicable.

c) Maori implications

Not applicable.

8. RELEVANT POLICY/PLANS

Not applicable.

9. COMMUNITY OUTCOMES

Not applicable.

10. NEGATIVE IMPACTS

Not applicable.

11. LEGAL IMPLICATIONS

Not applicable.

12. FUNDING IMPLICATIONS

Not applicable.

13. HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?

Assets Department has been consulted in preparation of this report.

Creagh Robinson
MANAGEMENT ACCOUNTANT

ENDORSED FOR AGENDA

Greg Bell
MANAGER CORPORATE SERVICES

Financial Month is set to 04/17 and Budget AB01 is in use.

ELLESMERE WATER RACE OPER.

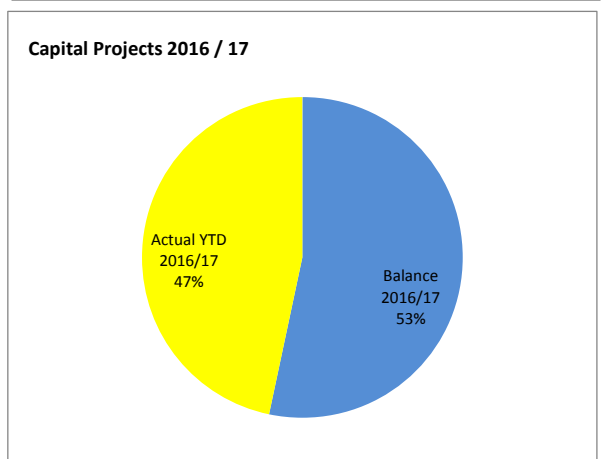
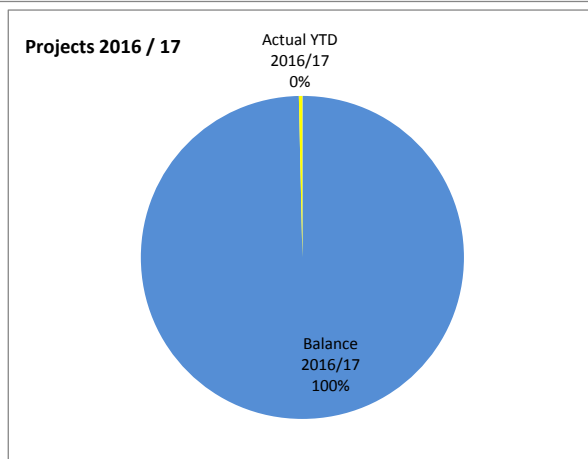
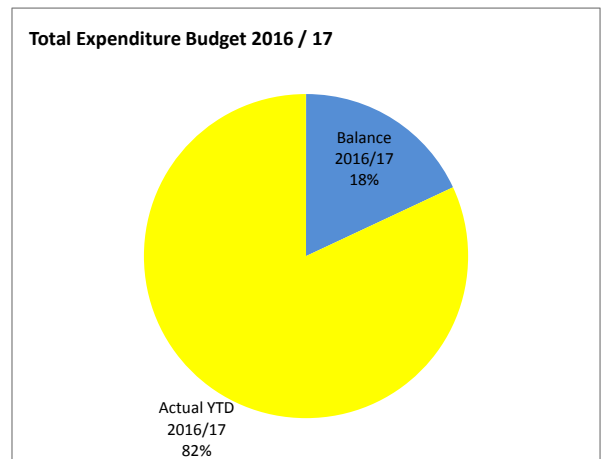
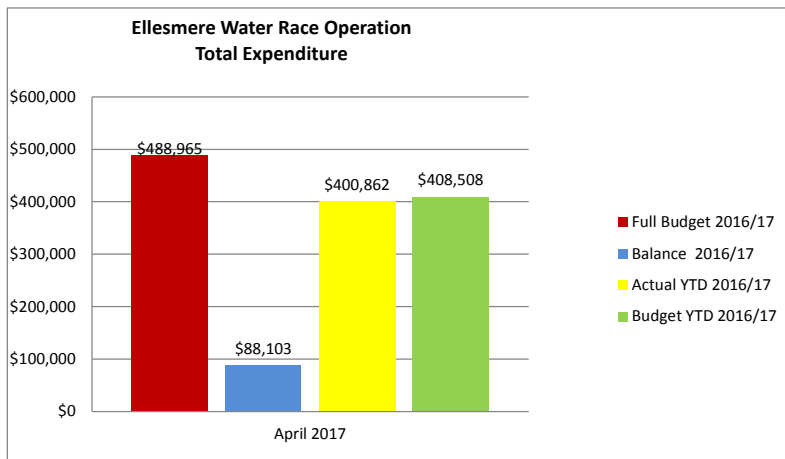
April 2017



Statement of Operations

Account	Detail	Month Actual	Month Budget	Month Variance	YTD Actual 2016/17	Ytd Budget 2016/17	Ytd Variance	Committed Expenditure	FYR Budget 2016/17	Last Year 2015/16
Opening Balance										
3921 980 01	Ellesmere W/Rc Oper Open Blnce	-	-	-	\$442,379	\$422,382	\$19,997	-	\$422,382	\$462,135
	Total Opening Balance	-	-	-	\$442,379	\$422,382	\$19,997	-	\$422,382	\$462,135
Income										
3921 101	Targeted Rate	\$33,980	\$35,551	(\$1,571)	\$326,003	\$355,510	(\$29,507)	-	\$426,611	\$404,129
3921 101 01	Ellesmere Unit charge	\$931	-	\$931	\$9,373	-	\$9,373	-	-	\$12,085
3921 162	General Receipts	-	-	-	-	-	-	-	-	\$338
3921 187	Irrigation charges	-	-	-	-	-	-	-	\$100,000	\$182,146
	Total Income	\$34,911	\$35,551	(\$640)	\$335,376	\$355,510	(\$20,134)	-	\$526,611	\$598,698
Expenditure										
3921 410 01	External Consultants Fee	-	\$216	\$216	\$5,438	\$2,160	(\$3,278)	-	\$2,595	\$1,524
3921 541	Insurance	-	-	-	\$7,418	\$6,228	(\$1,190)	-	\$6,228	\$6,000
3921 583 101	Maint - General S	\$30,053	\$30,053	-	\$301,336	\$300,530	(\$806)	-	\$360,641	-
3921 583 102	Maint - General R	\$2,999	\$4,047	\$1,048	\$53,754	\$40,470	(\$13,284)	\$108	\$48,565	-
3921 583 201	Maint - Reticulation S	-	-	-	-	-	-	-	-	\$182,322
3921 583 202	Maint - Reticulation R	-	-	-	-	-	-	-	-	\$53,558
3921 583 271	Maint - Cleaning S	-	-	-	-	-	-	-	-	\$59,762
3921 583 272	Maint - Cleaning R	-	-	-	-	-	-	-	-	\$3,018
3921 583 291	Maint - Spraying S	-	-	-	-	-	-	-	-	\$8,114
3921 583 601	Maint - Source/Well/Headwork S	-	-	-	-	-	-	-	-	\$78,073
3921 583 602	Maint - Source/Well/Headwork R	-	-	-	\$138	-	(\$138)	\$200	-	\$7,634
3921 593 03	Infrastructure Agreement Fee	-	\$3,893	\$3,893	\$22,408	\$38,930	\$16,522	-	\$46,710	\$63,367
3921 598 01	Reticulation Dayworks Recovers	-	-	-	-	-	-	-	\$1	-
3921 598 02	CPW transition	\$7,435	\$1,730	(\$5,705)	\$7,435	\$17,300	\$9,865	-	\$20,760	-
3921 868	ECan/Los Monitoring	-	\$173	\$173	\$2,473	\$1,730	(\$743)	-	\$2,076	\$6,273
3921 868 01	SCADA Costs	-	\$116	\$116	\$462	\$1,160	\$698	-	\$1,389	\$542
	Total Expenditure	\$40,487	\$40,228	(\$259)	\$400,862	\$408,508	\$7,646	\$308	\$488,965	\$470,187
Support										
3921 890 3900	Support Charges-WTR RACE	\$7,686	\$7,686	-	\$76,863	\$76,860	(\$3)	-	\$92,236	\$89,640
	Total Support	\$7,686	\$7,686	-	\$76,863	\$76,860	(\$3)	-	\$92,236	\$89,640
Projects										
3921 055	Shared Projects total	-	\$1,143	\$1,143	-	\$11,430	\$11,430	-	\$13,710	\$25,128
3921 060	Fix Leakage Sites	-	-	-	-	-	-	-	-	\$1,396
3921 062	Health and Safety improvements	-	\$2,000	\$2,000	\$119	\$16,200	\$16,081	-	\$20,000	-
	Total Projects	-	\$3,143	\$3,143	\$119	\$27,630	\$27,511	-	\$33,710	\$26,524
Transfers - Operations										
3921 970 01	Transfer (to)/from Reserves	-	-	-	-	-	-	-	-	(\$30,000)
3921 970 99	Carry Forward Projects	-	-	-	-	\$20,000	\$20,000	-	\$20,000	-
	Total Transfers - Operations	-	-	-	-	\$20,000	\$20,000	-	\$20,000	(\$30,000)
	Operating Surplus/(Deficit)	(\$13,262)	(\$15,506)	\$2,244	\$299,911	\$284,894	\$15,017	(\$308)	\$354,082	\$444,482
Capital Projects										
3921 900 37	Fish Screen - Lower Rakaia	-	\$1,667	\$1,667	\$9,333	\$16,670	\$7,337	\$28,167	\$20,000	-
3921 900 46	Shared Capital Total	-	-	-	-	-	-	-	-	\$2,100
	Total Capital Projects	-	\$1,667	\$1,667	\$9,333	\$16,670	\$7,337	\$28,167	\$20,000	\$2,100
Renewals										
3921 905 100	Renewals - Linear (Pipe Valve)	-	\$5,000	\$5,000	\$539	\$40,500	\$39,961	-	\$50,000	-
	Total Renewals	-	\$5,000	\$5,000	\$539	\$40,500	\$39,961	-	\$50,000	-
	Closing balance	(\$13,262)	(\$22,173)	\$8,911	\$290,039	\$227,724	\$62,315	(\$28,475)	\$284,082	\$442,382
Special Funds										
3921 982 50	Renewal Reserve	-	-	-	\$54,477	\$54,477	-	-	\$54,477	\$54,477
	Total Special Funds	-	-	-	\$54,477	\$54,477	-	-	\$54,477	\$54,477

	Full Budget 2016/17	Balance 2016/17	Actual YTD 2016/17	Budget YTD 2016/17	% spent
Total Expenditure	\$488,965	\$88,103	\$400,862	\$408,508	82%
Total Projects	\$33,710	\$33,591	\$119	\$27,630	0%
Capital Projects	\$20,000	\$10,667	\$9,333	\$16,670	47%



ELLESMERE WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Details
3921 410 01	External Consultants Fee	\$5,438	\$2,160	(\$3,278)	January - Buddle Findlay - Ellesmere Agreement - 5437.75
3921 541	Insurance	\$7,418	\$6,228	(\$1,190)	August - Marsh Infrastructure insurance - \$7418.16
3921 583 101	Maint - General S	\$301,336	\$300,530	(\$806)	July, August, September, October, November, December, Jan, Feb, Mar, Apr - 30,053.45 - Sicon Ltd - C1170 Claim Water Service O&M , Feb - Sicon Ltd - C1170 Claim Water Service O&M - 801.69
3921 583 102	Maint - General R	\$53,754	\$40,470	(\$13,284)	Sicon C1241 Water Services Networks O&M - July - 2998.96, August - 7203.36, Sept - 3802.58, Oct - 3832.01, Nov - 2998.96, Intech Instruments - 3003.00, Dec - 4283.47, Jan - 3447.46, Malvern News - 200.87, Feb - Buddle Findlay - 181.22, Nairn Electrical - 422.55, Sicon C1241 Water Services Networks O&M - 3746.24, Mar - Sicon C1241 Water Services Networks O&M - 14634.28, Apr - Sicon C1241 Water Services Networks O&M - 2996.00
3921 583 602	Maint - Source/Well/Headwork R	\$138	\$0	(\$138)	Sicon C1241 Water Services Networks O&M - July - 138.00
3921 593 03	Infrastructure Agreement Fee	\$22,408	\$38,930	\$16,522	September - Stockwater advert - 115.04, Oct - Glenroy Charges to December - 11146.43, Jan - Glenroy Charges to March - 11146.43
3921 598 02	CPW transition	\$7,435	\$17,300	\$9,865	Apr - Buddle Findlay - 7425.35
3921 868	ECan/Los Monitoring	\$2,473	\$1,730	(\$743)	August - Boraman Consulting datasets - 213.48, Monitoring/flow measurements - 1060.43, September - Ecan - Consent monitoring - 158.37, Oct - Ecan - Consent monitoring - 67.50, Dec - Boraman Consulting datasets - 498.75, Jan - Boraman Consulting datasets - 384.00, Mar - Ecan - Consent monitoring - 90
3921 868 01	SCADA Costs	\$462	\$1,160	\$698	July - Datran water monitoring - 5.38, Datran software maintenance - 100.14, August - Datran water monitoring - 5.38, Monthly access fee - 51.38, September - Datran water monitoring - 5.38, Monthly access fee - 30.97, Oct - Datran Monitoring - 5.38, Monthly access fee - 33.04, Nov - Datran Monitoring - 5.38, Monthly access fee - 35.82, Dec - Monthly access fee - 30.83, Feb - Monthly access fee - 79.86, Radio Licences - 14.34, Mar - Datran Monitoring - 21.52, Monthly access fee - 37.53
	Total Expenditure	\$400,862	\$408,508	\$7,646	
3921 890 3900	Support Charges-WTR RACE	\$76,863	\$76,860	(\$3)	July, August, September, October, November, December, Jan, Feb, Mar, Apr - 7,686.73 - Selwyn District Council - Standard Charge
	Total Support	\$76,863	\$76,860	(\$3)	
3921 055	Shared Projects total	\$0	\$11,430	\$11,430	
3921 062	Health and Safety Improvements	\$119	\$16,200	\$16,081	Dec - Independent Signs - 118.83
	Total Projects	\$119	\$27,630	\$27,511	
3921 900 37	Fish Screen - Lower Rakaia	\$9,333	\$16,670	\$7,337	Oct - Jacobs - 6333.33, Jan - Jacobs - 3000.00
3921 900 46	Shared Capital Total	\$0	\$0	\$0	
	Total Capital Projects	\$9,333	\$16,670	\$7,337	
3921 905 100	Renewals - Linear (Pipe Valve)	\$539	\$40,500	\$39,961	Sicon C1241 Water Services Networks O&M - Sept - 539.35

ELLESMERE WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Details
	Total Renewals	\$539	\$40,500	\$39,961	
	Total of above	\$487,716	\$570,168	\$82,452	

**Ellesmere Water Race
Operational Position Summary**

Revenue	YTD Actual \$	YTD Budget \$	Variance	2015/2016 Actual
Targeted Rate	326,003	355,510	(29,507)	404,129
Ellesmere Unit charge	9,373	0	9,373	12,085
General Receipts	0	0	0	338
Irrigation Charges	0	0	0	182,146
Total Revenue	335,376	355,510	(20,134)	416,552
Expenditure				
Total Operational Expenditure	400,862	408,508	7,646	470,187
Total Support	76,863	76,860	(3)	89,640
Total Operational Projects	119	27,630	27,511	26,524
Total Renewals	539	40,500	39,961	0
Total Expenditure	478,383	553,498	75,115	586,351
Operating Surplus/(Deficit)	(143,007)	(197,988)	54,981	(169,799)

Operating Position Summary

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	442,379	422,382	19,997
Plus Operating Surplus/(Deficit)	(143,007)	(197,988)	54,981
Plus Prior year Projects Carried Forward	0	20,000	(20,000)
Less Capital Projects	(9,333)	(16,670)	7,337
Net Reserves Transfers	539	40,500	(39,961)
Closing Account Balance	290,578	268,224	22,354

Special Funds Account - Renewals

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	54,477	54,477	0
Plus Transfers in	0	0	0
Plus Interest	0	0	0
Less Funding of Renewals	(539)	(40,500)	39,961
Closing Account Balance	53,938	13,977	39,961

Financial Month is set to 04/17 and Budget AB01 is in use.

MALVERN AREA WATER RACE

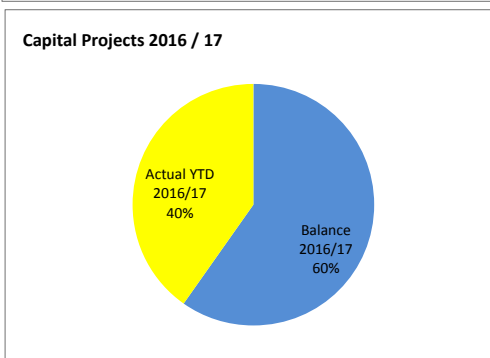
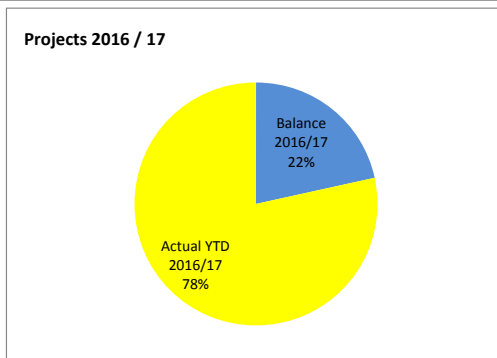
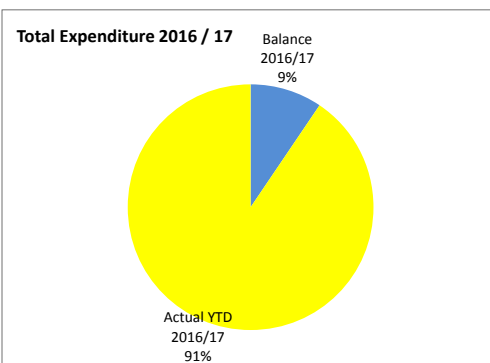
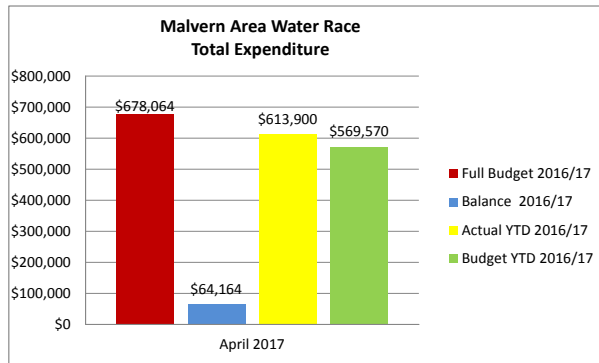
April 2017



Statement of Operations

Account	Detail	Month Actual	Month Budget	Month Variance	YTD Actual 2016/17	Ytd Budget 2016/17	Ytd Variance	Committed Expenditure	FYR Budget 2016/17	Last Year 2015/16
Opening Balance										
3951 980 01	Malvern W/Rc Oper Open Blnce.	-	-	-	(\$182,417)	(\$972,591)	\$790,174	-	(\$972,591)	(\$114,815)
3951 980 02	Opening Balance	-	-	-	(\$2,500)	-	(\$2,500)	-	-	(\$2,500)
3951 980 04	Opening Balance	-	-	-	(\$2,500)	-	(\$2,500)	-	-	(\$2,500)
3951 980 07	Opening Balance	-	-	-	(\$1,666)	-	(\$1,666)	-	-	(\$1,666)
3951 980 08	Opening Balance	-	-	-	(\$1,000)	-	(\$1,000)	-	-	(\$1,000)
3951 980 09	APPROPRIATION ACCOUNT	-	-	-	(\$12,328)	-	(\$12,328)	-	-	(\$12,328)
	Total Opening Balance	-	-	-	(\$202,411)	(\$972,591)	\$770,180	-	(\$972,591)	(\$134,809)
Income										
3951 101	Targeted Rate	\$59,581	\$58,927	\$654	\$595,904	\$589,270	\$6,634	-	\$707,124	\$699,803
3951 101 01	Urban Public Good	\$1,614	\$1,558	\$56	\$16,035	\$15,580	\$455	-	\$18,693	\$17,381
3951 162	General Receipts	-	-	-	\$13,847	-	\$13,847	-	-	-
3951 162 02	Malvern irrigation	-	-	-	\$43,399	\$41,520	\$1,879	-	\$41,520	\$43,225
	Total Income	\$61,195	\$60,485	\$710	\$669,185	\$646,370	\$22,815	-	\$767,337	\$760,409
Expenditure										
3951 410 01	External Consultants Fee	-	\$303	\$303	\$2,223	\$3,030	\$807	-	\$3,633	\$2,480
3951 450	Electricity	\$63	-	(\$63)	\$561	-	(\$561)	-	-	-
3951 540	Rates	-	-	-	\$675	-	(\$675)	-	-	\$698
3951 541	Insurance	-	-	-	\$27,281	\$27,030	(\$251)	-	\$27,030	\$12,259
3951 583 101	Maint - General S	\$47,302	\$47,302	-	\$473,016	\$473,020	\$4	-	\$567,619	-
3951 583 102	Maint - General R	\$14,898	\$5,618	(\$9,280)	\$104,927	\$56,180	(\$48,747)	\$108	\$67,418	-
3951 583 201	Maint - Reticulation S	-	-	-	-	-	-	-	-	\$266,920
3951 583 202	Maint - Reticulation R	-	-	-	-	-	-	-	-	\$24,419
3951 583 271	Maint - Cleaning S	-	-	-	-	-	-	-	-	\$68,549
3951 583 291	Maint - Spraying S	-	-	-	-	-	-	-	-	\$57,458
3951 583 601	Maint - Source/Well/Headwork S	-	-	-	-	-	-	-	-	\$97,732
3951 583 602	Maint - Source/Well/Headwork R	-	-	-	\$30	-	(\$30)	\$80	-	\$28,695
3951 585	Headworks Cleaning & Spraying	-	\$216	\$216	-	\$2,160	\$2,160	-	\$2,595	-
3951 593 282	Maint - Bank Removal R	-	-	-	-	-	-	-	-	(\$10,000)
3951 598 01	Reticulation Dayworks Recovers	-	-	-	-	-	-	-	\$1	-
3951 868	ECan/LoS Monitoring	-	\$173	\$173	\$3,778	\$1,730	(\$2,048)	-	\$2,076	\$8,573
3951 868 01	Scada Costs	-	\$122	\$122	\$1,409	\$1,220	(\$189)	-	\$1,464	\$588
3951 870	Urban Maintenance	-	\$260	\$260	-	\$2,600	\$2,600	-	\$3,114	-
3951 871	Urban Enhancement	-	\$260	\$260	-	\$2,600	\$2,600	-	\$3,114	-
	Total Expenditure	\$62,263	\$54,254	(\$8,009)	\$613,900	\$569,570	(\$44,330)	\$188	\$678,064	\$558,371
Support										
3951 890 3900	Support Charges-WTR RACE	\$8,698	\$8,698	-	\$86,977	\$86,980	\$3	-	\$104,372	\$101,436
	Total Support	\$8,698	\$8,698	-	\$86,977	\$86,980	\$3	-	\$104,372	\$101,436
Projects										
3951 028	Bank Removal	-	-	-	-	-	-	-	-	\$10,000
3951 073	Condition inspection of water race	-	\$2,076	\$2,076	\$5,000	\$16,816	\$11,816	-	\$20,760	-
3951 074	Health and Safety improvements	-	\$2,000	\$2,000	\$449	\$16,200	\$15,751	-	\$20,000	-
3951 090	Shared Projects total	-	\$1,242	\$1,242	-	\$12,420	\$12,420	-	\$14,898	\$27,305
3951 095	Ecological Assessment	-	-	-	-	-	-	-	-	\$2,045
3951 096	CPW Transition	\$18,799	\$519	(\$18,280)	\$42,295	\$4,205	(\$38,090)	-	\$5,191	\$15,677
	Total Projects	\$18,799	\$5,837	(\$12,962)	\$47,744	\$49,641	\$1,897	-	\$60,849	\$55,027
Transfers - Operations										
3951 970 01	Transfer (to)/from Reserves	-	-	-	-	-	-	-	-	(\$103,911)
3951 970 99	Carry Forward Projects	-	-	-	-	\$770,180	\$770,180	-	\$770,180	-
	Total Transfers - Operations	-	-	-	-	\$770,180	\$770,180	-	\$770,180	(\$103,911)
	Operating Surplus/(Deficit)	(\$28,565)	(\$8,304)	(\$20,261)	(\$281,847)	(\$262,232)	(\$19,615)	(\$188)	(\$278,359)	(\$193,145)
Capital Projects										
3951 900 16	LOS improvement storeys rd	-	\$833	\$833	-	\$8,330	\$8,330	-	\$10,000	-
3951 900 17	Fix leakage morrisons main race	-	\$667	\$667	\$4,140	\$6,670	\$2,530	-	\$8,000	-
3951 900 64	Shared Capital Total	-	-	-	-	-	-	-	-	\$2,282
3951 900 66	Fish Screen-Waimak Intake	\$10,165	\$100,000	\$89,835	\$57,165	\$150,000	\$92,835	\$8,000	\$350,000	-
3951 900 67	Fish Screen-Upper Kowai Intake	\$3,424	-	(\$3,424)	\$463,043	\$420,000	(\$43,043)	-	\$770,180	\$33,725
3951 900 72	Glentunnel Intake Upgrade	\$101	\$60,000	\$59,899	\$13,988	\$80,000	\$66,012	\$38,933	\$200,000	-
3951 900 76	Flow Level monitoring	-	-	-	-	-	-	-	-	(\$90,830)
	Total Capital Projects	\$13,690	\$161,500	\$147,810	\$538,336	\$665,000	\$126,664	\$46,933	\$1,338,180	(\$54,823)
Renewals										
3951 905 08	Waimak Ladder Upgrade	-	-	-	\$4,850	-	(\$4,850)	-	-	\$64,089
3951 905 100	Renewals - Linear (Pipe Valve)	-	\$3,000	\$3,000	\$23,100	\$24,300	\$1,200	-	\$30,000	-
		-	\$3,000	\$3,000	\$27,950	\$24,300	(\$3,650)	-	\$30,000	-
	Closing balance	(\$42,255)	(\$172,804)	\$130,549	(\$848,133)	(\$951,532)	\$103,399	(\$47,121)	(\$1,646,539)	(\$138,322)
Special Funds										
3951 982 50	Renewal Reserve	-	-	-	\$234,993	\$234,993	-	-	\$234,993	\$234,993
	Total Special Funds	-	-	-	\$234,993	\$234,993	-	-	\$234,993	\$234,993

	Full Budget 2016/17	Balance 2016/17	Actual YTD 2016/17	Budget YTD 2016/17	% spent
Total Expenditure	\$678,064	\$64,164	\$613,900	\$569,570	91%
Total Projects	\$60,849	\$13,105	\$47,744	\$49,641	78%
Capital Projects	\$1,338,180	\$799,844	\$538,336	\$665,000	40%



MALVERN AREA WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Details
3951 410 01	External Consultants Fee	\$2,223	\$3,030	\$807	August - Flow measurements - 1847.70, Advert public notices - 160.00, Advert stock watterraces - 215.22
3951 450	Electricity	\$561	\$0	(\$561)	Dec - 281.31, Jan - 91.98, Feb - 63.88, Mar - 61.75, Apr - 62.52
3951 540	Rates	\$675	\$0	(\$675)	Oct - 675.00
3951 541	Insurance	\$27,281	\$27,030	(\$251)	August - Infrastructure Insurance - 27259.22, Material Damage Insurance - 21.63
3951 583 101	Maint - General S	\$473,016	\$473,020	\$4	July, August, September, Oct, Nov, Dec, Jan, Feb, Mar, Apr -47,301.60 - Sicon Ltd - C1170 Claim Water Service O&M
3951 583 102	Maint - General R	\$104,927	\$56,180	(\$48,747)	Sicon Ltd - C1241 Claim Water Service O&M - Jul - 5450.27, Aug - 5267.77, Sept - 8281.67, Oct - 7934.27, Nov - 21832.52, Dec - 14221.99, Jan - 5082.27, Buddle Findlay - Deans dispute - 2650.24, Malvern News - 200.87, Boraman - Transducer - 4108.78, Feb - Buddle Findlay - 181.22, Sicon Ltd - C1241 Claim Water Service O&M - 8610.23, Mar - Malvern News - (200.87), Heb Construction - 75, Sicon Ltd - C1241 Claim Water Service O&M - 6332.90, Apr - Sicon Ltd - C1241 Claim Water Service O&M - 14897.61
3951 583 602	Maint - Source/Well/Headwork R	\$30	\$0	(\$30)	Oct - Smiths Mitre 10 sealant - 29.95
3951 585	Headworks Cleaning & Spraying	\$0	\$2,160	\$2,160	
3951 868	ECan/LoS Monitoring	\$3,778	\$1,730	(\$2,048)	August - Upper Kowai level recorder - 173.70, monitoring consents - 90.00, Upper Kowai Sim charges - 42.57, Datasets - 284.63, Monitoring flow measurement - 1685.70, September - Consent nonitoring - 360.00, Monitoring assistance - 49.50, Oct - Consent monitoring - 180.00, Nov - Consent Monitoring - 613.60, Jan - Consent Monitoring - 298.00
3951 868 01	Scada Costs	\$1,409	\$1,220	(\$189)	July - Datran software maintenance - 100.14, August - Monthly access fee - 68.50, September - Single TPS - 496.12, Monthly Access fee - 41.29, Oct - Monthly Access Fee - 44.05, Spark - 34.26, Nov - Spark - 15.62, Monthly Access Fee - 47.76, Dec - Monthly Access Fee - 47.76, Feb - Spark - 29.38, Monthly Access Fee - 99.37, Mar - Boraman consulting - 311.04, Spark - 30.00, Monthly Access fee - 50.04
3951 870	Urban Maintenance	\$0	\$2,600	\$2,600	
3951 871	Urban Enhancement	\$0	\$2,600	\$2,600	
	Total Expenditure	\$613,900	\$569,570	(\$44,330)	
3951 890 3900	Support Charges-WTR RACE	\$86,977	\$86,980	\$3	July, August, September, Oct, Nov, Dec, Jan, Feb, Mar, Apr - 8698.00 - Selwyn District Council - Standard Charge
	Total Support Charges	\$86,977	\$86,980	\$3	
3951 073	Condition inspection of water race	\$5,000	\$16,816	\$11,816	Nov - Aurecon - 5000.00
3951 074	Health and Safety improvements	\$449	\$16,200	\$15,751	Dec - Independent Signs - 448.90
3951 090	Shared Projects total	\$0	\$12,420	\$12,420	
3951 096	CPW Transition	\$42,295	\$4,205	(\$38,090)	September - Buddle Findlay - Initial meeting costs - 11868.17, Oct - Buddle Findlay - 3171.35, Nov - Aqualink - 3495.00, Jan - Buddle Findlay - 4960.90, Apr - Buddle Findlay - 18798.96
	Total Projects	\$47,744	\$49,641	\$1,897	
3951 900 16	LOS improvement storeys rd	\$0	\$8,330	\$8,330	
3951 900 17	Fix leakage morrisons main race	\$4,140	\$6,670	\$2,530	July - Sicon Ltd - C1170 Claim Water Service O&M - 4140.00
3951 900 64	Shared Capital Total	\$0	\$0	\$0	
3951 900 66	Fish Screen-Waimak Intake	\$57,165	\$150,000	\$92,835	Oct - Jacobs - 6333.33, Jan - Jacobs - 3000.00, Mar - Jacobs - 37666.67, Apr - Tenderlink - 165.00, Apr - Riverview farm - 10000.00

MALVERN AREA WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Details
3951 900 67	Fish Screen-Upper Kowai Intake	\$463,043	\$420,000	(\$43,043)	August - Jacobs - Design Upper Kowai trial - 7740.00, September - Jacobs - variations to design - 6839.85, Orion - Capital contribution - 5150.00, Malvern News - Waterrace services advert - 114.78, Jacobs - Fish screen claim - 83401.25, Oct - Sicon C1223 - 77778.66, Jacobs - 11083.60, Nov - Nairns - 10967.68, Sicon C1241 - 517.50, Dec - Sicon C1223 - 218912.50, Nairns - 2526.78, Jacobs - 18542.59, Jan - Nairns - 996.21, Mar - Sicon C1223 - 15048.02, April - Jacobs - 3424.00
3951 900 72	Glentunnel Intake Upgrade	\$13,988	\$80,000	\$66,012	
3951 900 76	Flow Level monitoring	\$0	\$0	\$0	
	Total Capital Projects	\$538,336	\$665,000	\$126,664	
3951 905 08	Waimak Ladder Upgrade	\$4,850	\$0	(\$4,850)	August - Opus - Design advice and sign off ladder - 4850.00
3951 905 100	Renewals - Linear (Pipe Valve)	\$23,100	\$24,300	\$1,200	Nov - Sicon C1241 - 23100.00
	Total Renewals	\$27,950	\$24,300	(\$3,650)	

**Malvern Area Water Race
Operational Position Summary**

Revenue	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$	2015/16 Actual
Targeted Rate	595,904	589,270	6,634	699,803
Urban Public Good	16,035	15,580	455	17,381
General Receipts	13,847	0	13,847	
Malvern irrigation	43,399	41,520	1,879	43,225
Total Revenue	669,185	646,370	22,815	760,409
Expenditure				
Total Operational Expenditure	613,900	569,570	(44,330)	558,371
Total Support	86,977	86,980	3	101,436
Total Operational Projects	47,744	49,641	1,897	55,027
Total Renewals	27,950	24,300	(3,650)	0
Total Expenditure	776,571	730,491	(46,080)	714,834
Operating Surplus/(Deficit)	(107,386)	(84,121)	(23,265)	45,575

Operating Position Summary

	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$
Opening Account Balance	(202,411)	(972,591)	770,180
Plus Operating Surplus/(Deficit)	(107,386)	(84,121)	(23,265)
Plus Prior year Projects Carried Forward	0	770,180	(770,180)
Less Capital Projects	(538,336)	(665,000)	126,664
Net Reserves Transfers	27,950	24,300	3,650
Closing Account Balance	(820,183)	(927,232)	107,049

Special Funds Account - Renewals

	2016 / 2017 YTD Actual	2016 / 2017 YTD Budget	Variance \$
Opening Account Balance	234,993	234,993	0
Plus Transfers in	0	0	0
Plus Interest			0
Less Funding of Renewals	(27,950)	(24,300)	(3,650)
Closing Account Balance	207,043	210,693	(3,650)

PAPARUA WATER RACE

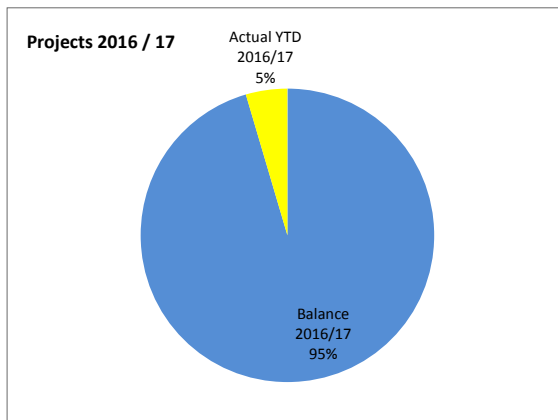
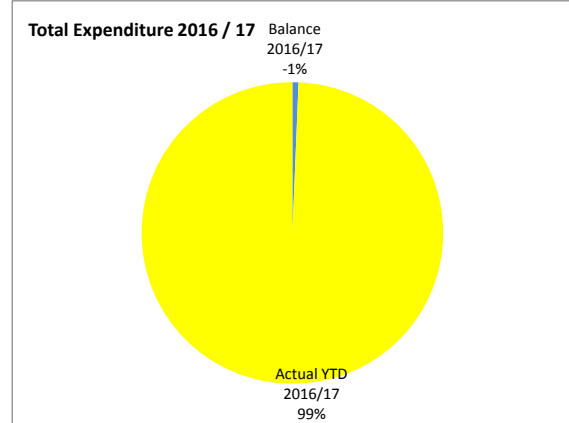
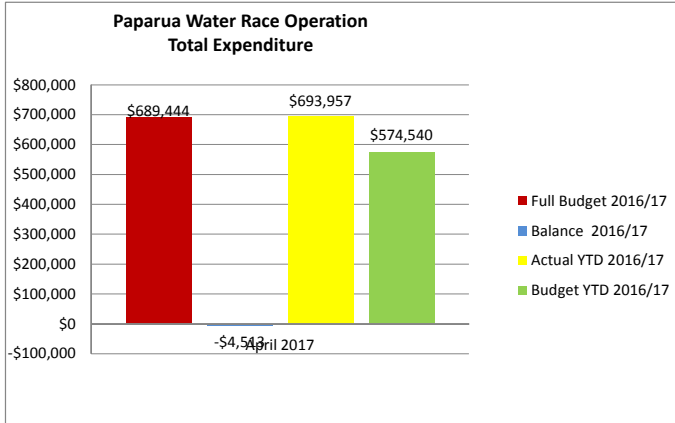
April 2017



Statement of Operations

Account	Detail	Month Actual	Month Budget	Month Variance	YTD Actual 2016/17	Ytd Budget 2016/17	Ytd Variance	Committed Expenditure	FYR Budget 2016/17	Last Year 2015/16
Opening Balance										
3954 980 01	Paparua W/Rc Oper Open Blnce.	-	-	-	(\$109,979)	(\$109,979)	-	-	(\$109,979)	\$89,615
	Total Opening Balance	-	-	-	(\$109,979)	(\$109,979)	-	-	(\$109,979)	\$89,615
Income										
3954 101	Targeted Rate	\$34,762	\$45,596	(\$10,834)	\$346,134	\$455,960	(\$109,826)	-	\$547,156	\$390,719
3954 101 01	Public Good Rate	\$4,094	-	\$4,094	\$40,796	-	\$40,796	-	-	\$45,802
3954 101 02	Urban Public Good	\$9,150	-	\$9,150	\$91,571	-	\$91,571	-	-	\$91,005
3954 135	CCC Share-Public Good	-	-	-	\$71,696	-	\$71,696	-	-	\$71,696
3954 162	General Receipts	-	-	-	-	-	-	-	-	\$763
3954 187	Irrigation Charges	-	-	-	\$167,107	\$174,904	(\$7,797)	-	\$374,904	\$167,443
3954 187 02	Irrigation Rebate	-	-	-	(\$7,184)	(\$38,364)	\$31,180	-	(\$38,364)	(\$23,582)
	Total Income	\$48,006	\$45,596	\$2,410	\$710,120	\$592,500	\$117,620	-	\$883,696	\$743,846
Expenditure										
3954 410 011	External Consultants Fee	-	\$303	\$303	-	\$3,030	\$3,030	-	\$3,633	\$2,403
3954 450	Electricity	\$29	\$50	\$21	\$233	\$500	\$267	-	\$600	\$170
3954 541	Insurance	-	-	-	\$7,706	-	(\$7,706)	-	-	-
3954 583 101	Maint - General S	\$55,579	\$51,438	(\$4,141)	\$555,792	\$514,380	(\$41,412)	-	\$617,254	-
3954 583 102	Maint - General R	\$7,925	\$4,082	(\$3,843)	\$110,084	\$40,820	(\$69,264)	\$108	\$48,981	-
3954 583 201	Maint - Reticulation S	-	-	-	-	-	-	-	-	\$307,704
3954 583 202	Maint - Reticulation R	-	-	-	-	-	-	-	-	\$13,445
3954 583 271	Maint - Cleaning S	-	-	-	-	-	-	-	-	\$68,549
3954 583 272	Maint - Cleaning R	\$125	-	(\$125)	\$1,789	-	(\$1,789)	-	-	\$80,774
3954 583 282	Maint - Removal R	-	-	-	-	-	-	-	-	(\$10,000)
3954 583 291	Maint - Spraying S	-	-	-	-	-	-	-	-	\$11,943
3954 583 601	Maint - Source/Well/Headwork S	-	-	-	-	-	-	-	-	\$53,079
3954 583 602	Maint - Source/Well/Headwork R	\$133	-	(\$133)	\$2,362	-	(\$2,362)	-	-	\$101,010
3954 598 01	Reticulation Dayworks Recovers	-	-	-	-	-	-	-	\$1	-
3954 868	ECan/LoS Monitoring	-	\$173	\$173	\$750	\$1,730	\$980	-	\$2,076	\$1,449
3954 868 01	Scada Costs	-	\$24	\$24	\$241	\$240	(\$1)	-	\$291	\$212
3954 871	Urban Enhancement	-	\$1,384	\$1,384	\$15,000	\$13,840	(\$1,160)	-	\$16,608	-
	Total Expenditure	\$63,791	\$57,454	(\$6,337)	\$693,957	\$574,540	(\$119,417)	\$108	\$689,444	\$630,738
Support										
3954 890 3900	Support Charges-WTR RACE	\$3,843	\$3,843	-	\$38,432	\$38,430	(\$2)	-	\$46,118	\$44,820
	Total Support	\$3,843	\$3,843	-	\$38,432	\$38,430	(\$2)	-	\$46,118	\$44,820
Projects										
3954 002	Dams & Gates	-	-	-	-	-	-	-	-	\$530
3954 022	Bank Removal	-	-	-	-	-	-	-	-	\$19,223
3954 074	Shared Projects total	-	\$557	\$557	-	\$5,570	\$5,570	-	\$6,684	\$12,251
3954 078	Desilting Pond	-	-	-	-	-	-	-	-	\$6,279
3954 082	Health and Safety improvements	-	\$2,000	\$2,000	\$1,218	\$16,200	\$14,982	-	\$20,000	-
	Total Projects	-	\$2,557	\$2,557	\$1,218	\$21,770	\$20,552	-	\$26,684	\$38,283
Transfers - Operations										
3954 970 01	Transfer (to)/from Reserves	-	-	-	-	-	-	-	-	(\$130,213)
	Total Transfers - Operations	-	-	-	-	-	-	-	-	(\$130,213)
	Operating Surplus/(Deficit)	(\$19,628)	(\$18,258)	(\$1,370)	(\$133,466)	(\$152,219)	\$18,753	(\$108)	\$11,471	(\$10,593)
Capital Projects										
3954 900 62	Shared Capital Total	-	-	-	-	-	-	-	-	\$1,024
3954 900 67	Intake power supply	-	-	-	-	-	-	-	-	\$96,575
	Total Capital Projects	-	-	-	-	-	-	-	-	\$97,599
Renewals										
3954 905 100	Renewals - Linear (Pipe Valve)	-	\$5,000	\$5,000	\$58,707	\$40,500	(\$18,207)	-	\$50,000	-
3954 905 110	Renewals - P&E (PS TP Teley)	-	-	-	-	-	-	-	-	\$1,787
	Total Renewals	-	\$5,000	\$5,000	\$58,707	\$40,500	(\$18,207)	-	\$50,000	\$1,787
	Closing balance	(\$19,628)	(\$23,258)	\$3,630	(\$192,173)	(\$192,719)	\$546	(\$108)	(\$38,529)	(\$109,979)
Special Funds										
3954 982 50	Renewal Reserve	-	-	-	\$264,721	\$264,721	-	-	\$264,721	\$264,721
	Total Special Funds	-	-	-	\$264,721	\$264,721	-	-	\$264,721	\$264,721
		-	-	-	-	-	-	-	-	-

	Full Budget 2016/17	Balance 2016/17	Actual YTD 2016/17	Budget YTD 2016/17	% spent
Total Expenditure	\$689,444	\$(4,513)	\$693,957	\$574,540	101%
Projects	\$26,684	\$25,466	\$1,218	\$21,770	5%
Capital Projects	\$0	\$0	\$0	\$0	



PAPARUA WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED - APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Description
3954 410 011	External Consultants Fee	\$0	\$3,030	\$3,030	
3954 450	Electricity	\$233	\$500	\$267	July - 25.11, , September - 24.91, Oct - 24.26, Nov - 24.50, Dec - 26.38, Jan - 27.71, Feb - 27.31, Mar - 24.34, Apr - 28.74
3954 541	Insurance	\$7,706	\$0	(\$7,706)	August - Infrastructure insurance - 7684.15, Material damage - 21.63
3954 583 101	Maint - General S	\$555,792	\$514,380	(\$41,412)	July, August, September, Oct, Nov, Dec, Jan, Feb, Mar, Apr - Sicon Ltd - C1241 Claim Water Service O&M
3954 583 102	Maint - General R	\$110,084	\$40,820	(\$69,264)	
					July - Sicon Ltd - C1241 Claim Water Service O&M - 4081.77, August - Sicon Ltd - C1241 Claim Water Service O&M - 9644.90, September - Sicon Ltd - C1241 Claim Water Service O&M - 4081.77, Oct - 9864.09, Nov - 5059.27, Dec - 14019.52, Jan - 16679.00, Nairns - 651.90, Feb - Buddle Findlay - 181.22, Sicon Ltd - C1241 Claim Water Service O&M - 21162.15, Mar - Qtech - 835.00, Sicon Ltd - C1241 Claim Water Service O&M - 15898.07, Apr - Sicon Ltd - C1241 Claim Water Service O&M - 7925.41
3954 583 272	Maint - Cleaning R	\$1,789	\$0	(\$1,789)	August - Refuse dumping at PRRP - 1582.46, Oct - 7.79, Feb - Refuse disposal - 74.02, Apr - Refuse disposal - 124.66
3954 583 602	Maint - Source/Well/Headwork R	\$2,362	\$0	(\$2,362)	August - Sicon Ltd - C1241 Claim Water Service O&M - 229.26, Oct - Ecan intake rental - 340.00, Independent signs - 1320.00, Mar - Ecan intake rental - 340.00, Apr - Prime Security replace hard drive - 133.00
3954 868	ECan/LoS Monitoring	\$750	\$1,730	\$980	August - Datasets - 71.14, Monitoring flow measurement - 353.47, Oct - Ecan consent monitoring - 67.50, Dec - Boraman Consulting Gaugings - 55.00, Jan - Boraman Consulting Gaugings - 202.50
3954 868 01	Scada Costs	\$241	\$240	(\$1)	July - Datran water monitoring - 5.38, Datran software maintenance - 25.04, August - Datran water monitoring - 5.38, Monthly access fee - 17.13, September - Datran water monitoring - 5.29, Monthly access fee - 10.32, Oct - Datran water monitoring - 5.38, Monthly access fee - 11.01, Nov - Datran water monitoring - 5.38, Monthly access fee - 11.94, Dec - Monthly access fee - 10.28, Jan - Datashed maintenance - 50.00, Feb - Monthly access fee - 30.22, Radio Licences - 14.34, Mar - Datran water monitoring - 21.52, Monthly access fee - 12.46
3954 871	Urban Enhancement	\$15,000	\$13,840	(\$1,160)	Nov - Kauri Park - 15000.00
	Total Expenditure	\$693,957	\$574,540	(\$119,417)	

PAPARUA WATER RACE - FINANCIAL COMMENTARY FOR THE YEAR ENDED - APRIL 2017					
Account	Expenditure	Actual	Budget	Variance	Description
3954 890 3900	Support Charges-WTR RACE	\$38,432	\$38,430	(\$2)	July, August, September, Oct, Nov, Dec, Jan, Feb, Mar, Apr - 3843.17 - Selwyn District Council - Standard Charge
	Total Support	\$38,432	\$38,430	(\$2)	
Projects					
3954 074	Shared Projects total	\$0	\$5,570	\$5,570	
3954 082	Health and Safety improvements	\$1,218	\$16,200	\$14,982	Dec - Independent Signs - 752.57, Mar - Sicon Ltd - C1241 Claim Water Service O&M - 465.41
	Total Projects	\$1,218	\$21,770	\$20,552	
Capital Projects					
3954 900 62	Shared Capital Total	\$0	\$0	\$0	
	Total Capital Projects	\$0	\$0	\$0	
Renewals					
3954 905 100	Renewals - Linear (Pipe Valve)	\$58,707	\$40,500	(\$18,207)	Dec - NZ Rail collapsed culvert repair - 40083.13, Mar - Sicon Ltd - C1241 Claim Water Service O&M - 18624.25
3954 905 110	Renewals - P&E (PS TP Teley)	\$0	\$0	\$0	
	Total Renewals	\$58,707	\$40,500	(\$18,207)	

Paparua Water Race

Operational Position Summary

Revenue	YTD Actual \$	YTD Budget \$	Variance \$	2015/2016 Actual
Targeted Rate	346,134	455,960	(109,826)	390,719
Public Good Rate	40,796	0	40,796	45,802
Urban Public Good	91,571	0	91,571	91,005
CCC Share-Public Good	71,696	0	71,696	71,696
Irrigation Right Application	0	0	0	0
General Receipts	0	0	0	763
Dawsons Rd Water Race Upgrade	0	0	0	0
Irrigation Charges	167,107	174,904	(7,797)	167,443
Irrigation Rebate	(7,184)	(38,364)	31,180	(23,582)
Total Revenue	710,120	592,500	117,620	743,846
Expenditure				
Total Operational Expenditure	693,957	574,540	(119,417)	630,738
Total Support	38,432	38,430	(2)	44,820
Total Operational Projects	1,218	21,770	20,552	38,283
Total Renewal Expenditure	58,707	40,500	(18,207)	
Total Expenditure	792,314	675,240	(117,074)	713,841
Operating Surplus/(Deficit)	(82,194)	(82,740)	546	30,005

Operating Position Summary

	Actual \$	YTD Budget \$	Variance \$
Opening Account Balance	(109,979)	(109,979)	0
Plus Operating Surplus/(Deficit)	(82,194)	(82,740)	546
Plus Prior year Projects Carried Forward	0	0	0
Less Net Renewal Expenditure	0		0
Less Capital Projects	0	0	0
Net Reserves Transfers	58,707	40,500	18,207
Closing Account Balance	(133,466)	(152,219)	18,753

Special Funds Account - Renewals

	YTD Actual \$	YTD Budget \$	Variance
Opening Account Balance	264,721	264,721	0
Plus Transfers in			0
Plus Interest	0	0	0
Less Funding of Renewals	(58,707)	(40,500)	(18,207)
Closing Account Balance	206,014	224,221	(18,207)

TO: Asset Manager, Water Services

FOR: Water Race Sub Committee Meeting – 10 April 2017.

FROM: Daniel Meehan

DATE: 26 May 2017

SUBJECT: Items Of Unplanned Expenditure Over \$5,000

1. RECOMMENDATION

1.1 That the Water Race Subcommittee receives this report. “Items Of Unplanned Expenditure Over \$5,000” for information

2. PURPOSE

2.1 Provide the Water Race Subcommittee with information detailing the water race schemes and individual unplanned expenditure items over \$5,000 in March and April 2017.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

3.1 This report covers the period March and April 17.

Activity occurring over \$5000		
Scheme	Amount	Activity
Paparua	\$16,195	Paparua Culvert Renewals

3.2 Items of expenditure over \$5,000 committed in the next period. May and June 2017.

Activity planned over \$5000		
Scheme	Amount	Activity
Paparua	\$37,500	Culvert Renewals
Ellesmere		
Malvern	\$6,000	Gabion basket replacement, Domain Rd (Work not completed between March and April)

ENDORSED FOR AGENDA

Daniel Meehan
Surface Water Operations Engineer

M F Washington
Asset Manager

REPORT

TO: Chief Executive

FOR: Water Race Sub Committee Meeting – 12 June 2017

FROM: Surface Waters Operations Engineer
Asset Manager Water Services

DATE: 2 June 2017

SUBJECT: **Proposed Water Race Closures To Proceed to Public Consultation**

1. RECOMMENDATION

That the Sub-Committee:

- a) Agree to proceed to public consultation for the proposed closure of 5 lengths of water race totalling approximately 7.4km in the Malvern water race schemes.*
- b) Advise the Council that the proposed closures are considered to be of low significance not impacting the intended level of service provision for the water races.*
- c) Consider any submissions to the proposed closures raised during public consultation, and provide an opportunity to those persons wishing to be heard.*
- d) Recommend race closures to Council following the consultative process.*

2. PURPOSE

Staff seek approval from the Sub-Committee to proceed to public consultation for the following proposed closures:

Malvern

- 1. Closure of 1km of race through 2 property/owners on Kowai River Road (1.6km retrospective)
- 2. Closure (retrospective) of 2.7km of race through 2 property/owners on Odgers River Road
- 3. Closure of 1.7km of race through 1 property/owners on Frasers Road to Barrs Road
- 4. Closure of 0.5km of race through 1 property/owners on Wrights Rd
- 5. Closure of 1.5km of race through 2 property/owners on Bluff Rd

Council has received additional proposed closures where not all property owners have agreed to the closure of the proposed races. These closures are not proposed to progress.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Explicit provision has been made in the 2015/25 LTP for water race closures¹ initiated by rate payers. The LTP has identified the following as major projects:

- Proactively progress the closure of the Haldon water race intake (within the Ellesmere Water Race Scheme) including the down gradient race network which is supplied by this intake. Targeted Stream Augmentation will possibly be taken into account with some lengths of races remaining open to convey this flow.
- Progress ratepayer initiated water race closures once approved by the Water Race Committee for closure.
- Work with Central Plains Water to develop a concept for converting the Kowai River sourced water race network (part of the Malvern Water Race Scheme) into a combined water race and irrigation network. This concept will then be used for further consultation with the community.
- Work with Environment Canterbury and key stakeholders to realise opportunities to use consented stock water for environmental enhancement including targeted stream augmentation.
- To investigate options for integration of the stock water races with Central Plains Water.

Council's Significance and Engagement Policy, reflecting section 5 of the Local Government Act, states 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 3.1 below.

The 2015/25 LTP identifies Water Races 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 well being of the community.

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 Committee's discussion and recommendation.

¹ LGA S 97 (2) a

3.1 Decision Making Considerations

The proposed water race closures included in this report in table 4.1 have been considered against the criteria for assessing significance from the Significance and Engagement Policy contained in the LTP 2015/25 (see page 213-214 of the LTP):

Policy and Outcomes

- The following community outcomes are considered relevant to proposed water race closures:

Table 3.1 – Community Outcomes

Community Outcome	Level of Support
A living environment where the rural theme 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.

- Closing water races that are no longer required by the community, provides benefit to the rural communities of the District and reflects the changing needs of these communities.
- 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.

Communities

- Water race closures are generally driven by the Community.
- The number of property owners affected by each closure is detailed in table 4.1. Consultation to the wider community will occur along with notification of key stakeholders include Department of Conservation, Fish and Game, Environment Canterbury, Historic Places Trust and Ngāi Tahu.
- Affected persons are directly consulted on all water race closures. These include rated and non-rated properties that have a water race on or adjacent to their property. Where a closure has attracted 100% support from directly affected property owner, the closure is considered to be of low significance.
- Following approval by the Water Race Sub Committee, public advertisement of the proposed closures will occur.
- Council are considering the ecological impact of race closures by facilitating salvage of aquatic life where appropriate.
- It is not expected that proposed water race closures will generate wider national or international interest.

Ngāi Tahu

- The impacts on water race closures have been assessed against the Iwi Management Plan and Te Runanga O Ngāi Tahu's Freshwater Policy. These assessments are included in section 7.3 of this report.

Context and Implications

- An assessment of the options considered as alternatives to water race closure is included in section 6 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 they are often on private land and exist extensively in other parts of the District.
 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 a race on or adjacent to their property regardless of whether they are rated for stockwater) are consulted and approval is required for closure to be progressed. Further public submissions are invited from the wider community.
 3. Economic interests – the proposed race closures will have no identifiable economic impact on the wider Selwyn District. Council will monitor the cumulative impact on rate revenue reduction. Rate reduction is discussed further in section 12.
 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 as discussed further in section 7.
- 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 are considered as irreversible where they cross private property. Council do not hold easements for most water races and are unlikely to have the power to enforce reinstatement of water race channels on private property. However, stock water supply can generally be provided from other sources.
- By undertaking public consultation on the proposed water race closures, Council will establish whether the proposed closures are considered controversial.
- All water race closures will be progressed following appropriate consultation in a timely manner
- Closures that have attracted 100% support do not present uncertainty or lack of clarity for Council. Council initiated closures being progressed to

consultation with 70% support or greater attract some degree of uncertainty. Greater certainty will be obtained during the consultation period.

The proposed water race closures represent the following loss to each of the schemes:

Malvern

- Reduction in length of water races 0.77%
- Loss of targeted rates income 0.16%

Based on the above assessment, staff recommend that the proposed closures are considered of **low significance**. The level of significance impacts the degree of consultation undertaken on the engagement spectrum. Council takes a conservative approach to consultation.

4. HISTORY/BACKGROUND

4.1 Proposed Closures Recommended for Progression

Council has received requests for closure of the following races.

Table 4.1 – Proposed Water Race Closures Recommended for Approval to Progress to Public Consultation

Map Ref	Scheme	Received from	Road Name	Number of affected Props/owners	Approx KM Race	Progress
1	Malvern	CPW	Kowai River Road (Closure #1 from CPW)	2	1km to close (1.6km already closed d/s)	100% support from properties downstream Race already closed for part, If shut at Kowai River Road would require 1 additional signature
2	Malvern	CPW	Odgers Road (Closure #3 from CPW)	2	2.7km already closed	Retrospective closure race already closed. Council being one of the two owners
3	Malvern	CPW	Fraser's Road to Barrs Rd (Closure #4 From CPW)	1	1.7km	100% Support, only one property affected.
4	Malvern	CPW	Wrights Road (Closure #5 From CPW)	1	0.5km	100% Support Received, Maps not accurate as race is shown as being open when in fact it is already closed. Other minor amendments in terms of alignment.
5	Malvern	CPW	Bluff Rd (Closure #8 From CPW)	2	1.5km	100% Support, 2 races total of 1.5km of race to close
			TOTAL	8	7.4 km	

Appended to this report are maps showing the location of the above sections of race proposed for closure.

5. PROPOSAL

Staff seek approval to proceed to public consultation for the following proposed closures once all signed agreement forms have been received:

Malvern

1. Closure of 1km of race through 2 property/owners on Kowai River Road (1.6km retrospective)
2. Closure of 2.7km of race through 2 property/owners on Odgers River Road
3. Closure of 1.7km of race through 1 property/owners on Frasers Road to Barrs Road
4. Closure of 0.5km of race through 1 property/owners on Wrights Rd
5. Closure of 1.5km of race through 2 property/owners on Bluff Rd

6. OPTIONS

Where a request for water race closure is received, there are a number of potential options available to Council.

Table 6.0 – Alternative Options Considered

Option	Details	Advantage	Disadvantage
1. Water race closure	Race closure with the agreement of all 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.	Loss of rating income. Ecological values of races not maintained.
2. Piping of water race	Piping can be considered if downstream property owners wish to maintain supply. Piping to be funded by each landowner. Piping a water race will not maintain the ecological value of an open water race channel.	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.

Option	Details	Advantage	Disadvantage
3. Race relocation	Relocation could be considered if downstream property owners wish to maintain supply for stockwater purposes. Costs to be met by landowners.	Rating income retained.	Unlikely to achieve benefits of race closure required by land owners. Potential impacts on adjacent land owners. Cost to land owners.
4. Race retained	Do nothing races retained.	Rating income retained.	Needs of rate payers requesting closure not met.
5. Onsite alternatives	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 on going maintenance. Ecological and other race values not retained.

These options 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 short lengths of race (excluding whole or major part of scheme closures) if 100% support from affected land owners is obtained.

7. VIEWS OF THOSE AFFECTED/CONSULTATION

7.1 Views of those affected

The Local Government Act section 82 requires consultation with persons affected by or have an interest in a decision. They must also be provided with a reasonable opportunity to present their views to the Local Authority.

The level of significance of a proposed water race closure will inform the level of consultation undertaken. The LTP outlines an engagement spectrum which ranges from informing the community to empowering the community.

Significant closures are required to be provided for the LTP. Rate payer initiated closures have been provided for the 2015/25 LTP.

For an individual race closure to be progressed, the Council's water race closure process requires that the initiator of the water race closure obtain agreement from all affected property owners and provide Council with a 'Agreement to Close Water Race' form signed by all affected property owners.

Where a proposed closure has 100% support from affected land owners, the closure is generally considered to be of low significance therefore the inform/consult end of the engagement spectrum is considered appropriate. An affected property owner has been deemed to be those with a race on or adjacent to the property, regardless of whether the property is rated.

Once unanimous support is obtained from land owners, the closure request can proceed to public notification and the water closure request is publicly notified. If interested parties wish to present their views there will be an opportunity at the Water Race Committee meeting every quarter. Should submissions to an advertised closure be received, the hearing panel will consider the objection and its relevance to stockwater supply and pass recommendation to the Water Race Sub-Committee to consider as part of their decision making.

Where a proposed water race closure has attracted 100% support and no submissions are received, the Sub-Committee will progress the closure once approved by Council. For Council initiated closures or strategic closures, Council's process requires 70% support to be gained for proposed closures to progress to public consultation.

7.2 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, all race closures will be publically advertised for a minimum of 2 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 summary of the proposed water race closures is made available on the Council website.

A letter will be sent to all directly affected property owners to notify them that the proposed closure has been approved to progress to public consultation.

Specific stakeholders identified as Department of Conservation, Fish and Game, Kiwirail, NZFS, Historic Places Trust (specifically where structures e.g. headworks are involved) and Te Taumutu Rūnanga will be directly provided with a copy of the above advertisement.

Should any parties wish to present their views on the advertised closures, an opportunity will be provided at the Water Race Sub Committee meeting prior to approval being considered by the Committee.

Council has delegated powers to hear submissions to the Water Race Sub Committee and make recommendation on the significance of water race closures and agree closures not deemed significant.

Minutes from the Water Race Subcommittee meetings are available for public viewing on Council's website.

A public hearing will only occur if persons wish to be heard. Any objections to race closures on grounds other than stockwater supply will be considered during public hearing (if applicable) and the hearing decision confirmed by the Water Race subcommittee. Consideration will need to be given to whether objectors are stockwater rate payers and directly or indirectly affected. Should a race be retained for reasons other than stockwater supply a different rating mechanism may be required.

Once approved by the sub committee a public advert for the above listed closures will be placed.

Letters will also be sent to the following key stakeholders informing them of the proposed closures and providing a copy of the above advert.

- MKT & Te Taumutu Rūnanga
- Department of Conservation
- Fish and Game
- NZ Fire Service

7.3 Māori implications

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.

Mahaanui, The Iwi Management Plan (IMP) 2013, recognises the importance of the water race network and states that they should be managed as waterways. In support of these principals Council require that heavy stock (deer and cattle) is fenced from entering the water races and provides advice to landowners on how to provide stock access to drink without entering the channel.

In support of the principles outlined in the (IMP) Council are currently running a trial for installation of a fish screen at the Upper Kowai intake. Following successful completion of the trial, fish screens will be installed at all active intakes.

At the time of advertising closures, details of the proposed closure will be provided to Ngāi Tahu via MKT. 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.

7.4 Ecological Considerations

The Canterbury Water, Selwyn Wahiora 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.

EOS Ecology undertook an assessment of sites of high ecological value within the Ellesmere and Malvern Water Race schemes in 2011. A copy of the findings of the assessment is included in Appendix B.

In a memo to Council dated 6 July 15, 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. To date this has been the cost of installing a soakhole at approximately \$3,000.

8. RELEVANT POLICY/PLANS

The closures included in this report are consistent with Council Policy W107 Closure of Water Races.

As stated in section 3 Water Race Closures are being done in line with Council's Significance Policy.

9. COMMUNITY OUTCOMES

The role of water races in maintaining a living environment where the rural theme of the District is maintained, has been recognised in the LTP. Providing an effective water race service and delivering levels of service is a key part of delivering community outcomes. Where a race cannot be supplied due to consent limits at the intakes or operational issues and leakage, maintaining channels that are not used or that have intermittent flow is counter to achieving this objective.

10. NEGATIVE IMPACTS

Negative impacts or effects will be considered as part of the race closure approvals process and closures will only proceed if negative effects are mitigated or minimised and affected land owners agree.

11. LEGAL IMPLICATIONS

None.

12. FUNDING IMPLICATIONS

12.1 Rating Impact

The proposed race closures detailed in this report are expected to have the following impact on rating income:

Table 12.1 – Funding Implications of Proposed Race Closures

Ref	Scheme	Received from	Road Name	Loss of Targeted Rating Income	Percentage of Total Rating Income
1	Malvern	CPW	Kowai River Road (Closure #1 from CPW)	\$0.00 (All properties still fed by another race)	0.0%
2	Malvern	CPW	Odgers Road (Closure #3 from CPW)	\$0.00 (Property still has another race)	0.0%
3	Malvern	CPW	Fraser's Road to Barrs Rd (Closure #4 From CPW)	\$0.00 (Property still has race on boundary)	0.0%
4	Malvern	CPW	Wrights Road (Closure #5 From CPW)	\$0.00 (Property still has race on boundary)	0.0%
5	Malvern	CPW	Bluff Rd (Closure #8 From CPW)	\$1348.90	0.16%
			TOTAL	\$1348.90	0.16%

The cumulative impact of closures will continue to be considered as more closure requests are received. This is offset by the annual charge payable by CPW of \$60,000.00 and the contribution to capital improvements within the scheme.

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.

12.2 Closure Costs

The cost of any rate payer requested closures will be met by the benefiting property owners.

13. HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?

A copy of this report has been provided to the Corporate Services Manager as income accounts will be affected.

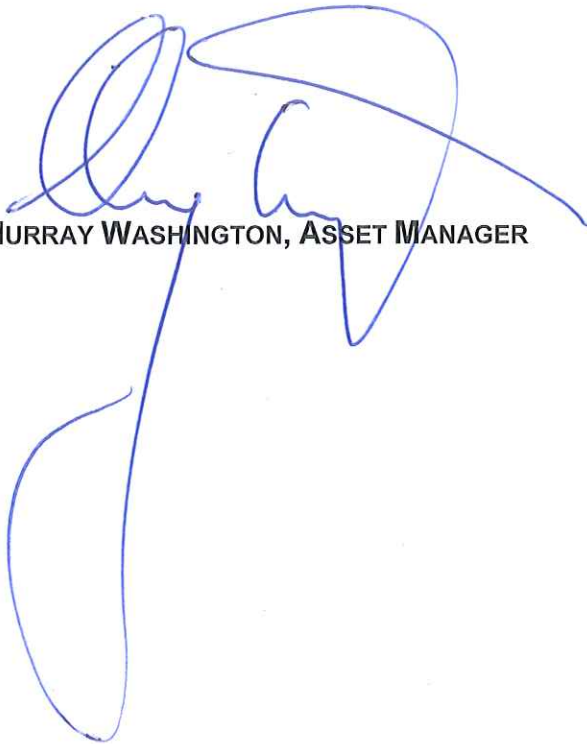


DANIEL MEEHAN
SURFACE WATERS OPERATIONS ENGINEER



MURRAY ENGLAND
ASSET MANAGER, WATER SERVICES

ENDORSED FOR AGENDA

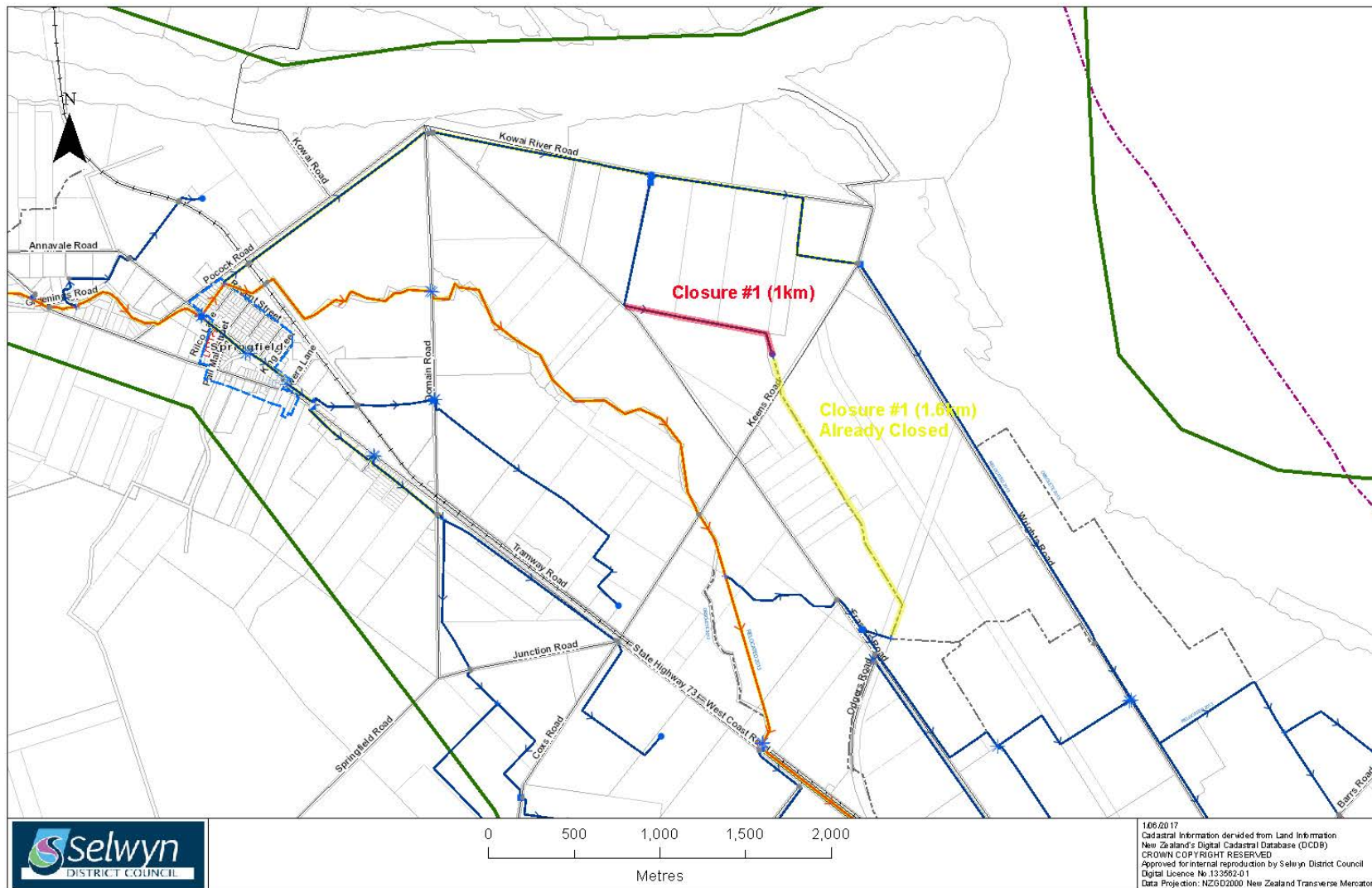


MURRAY WASHINGTON, ASSET MANAGER

APPENDIX A – WATER RACE MAPS

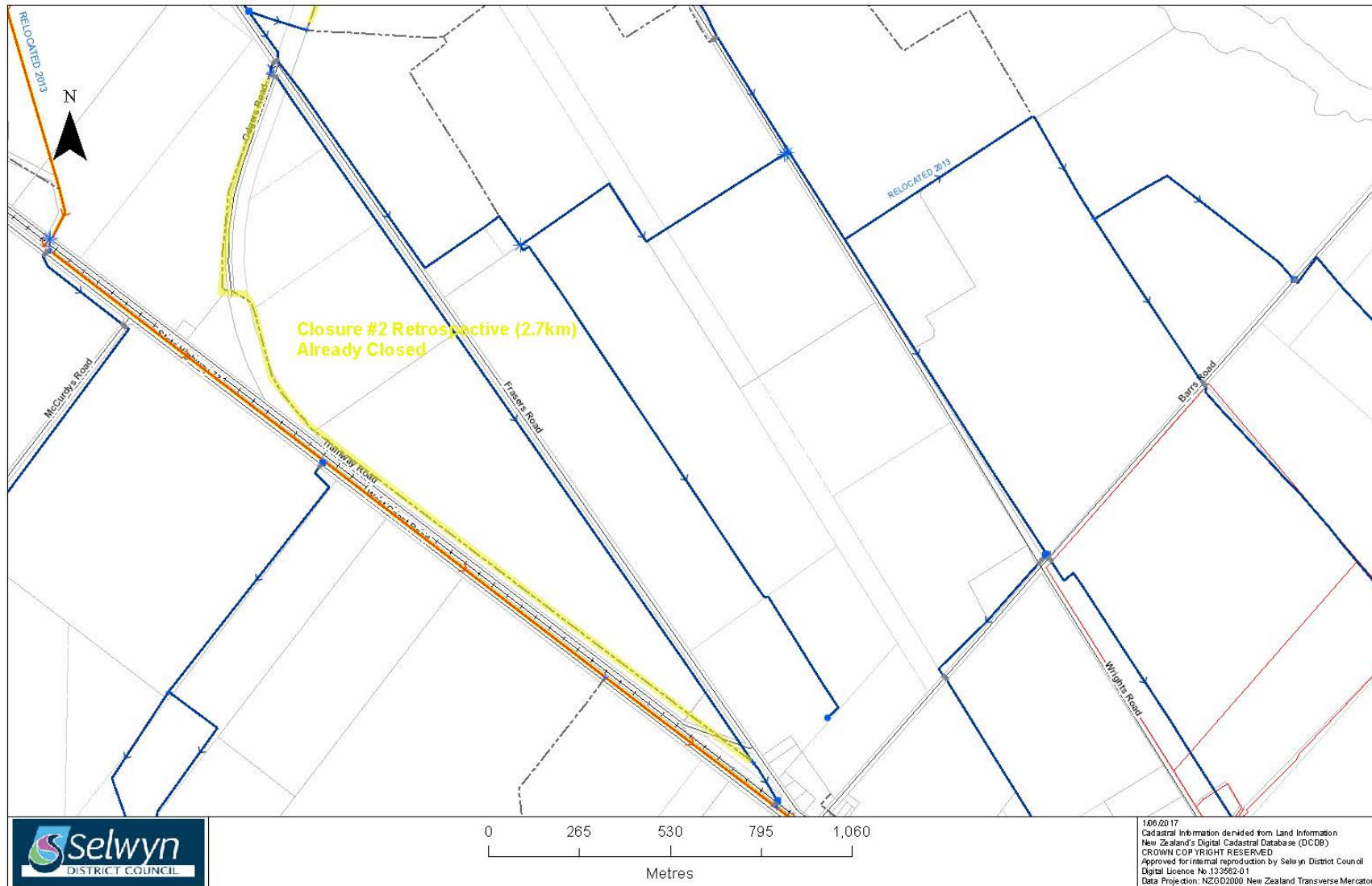
PROPOSED CLOSURE 1 – TRAMWAY RD

Closure 1



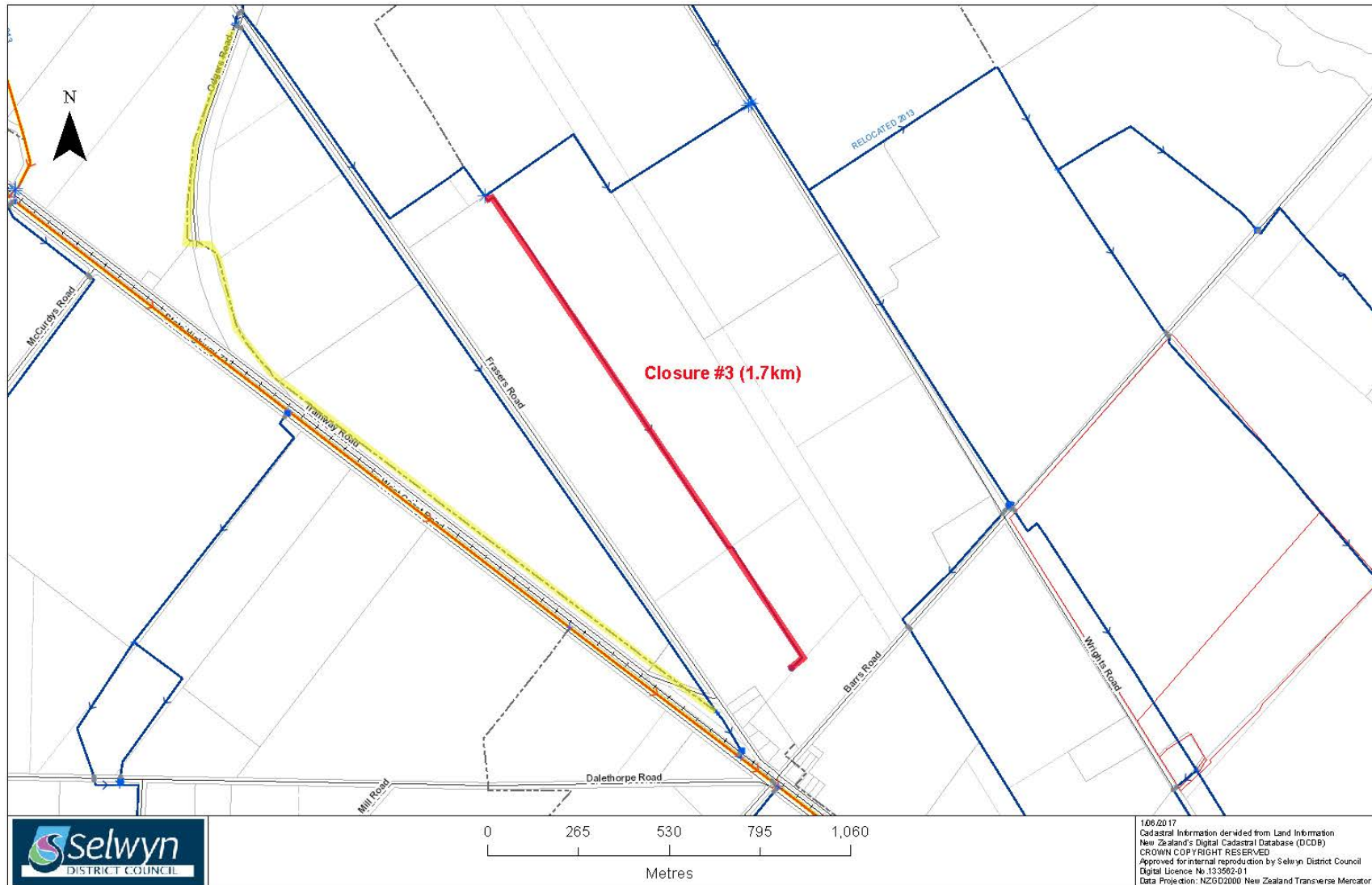
PROPOSED CLOSURE 2 – HORORATA DUNSANDEL RD

Closure 2



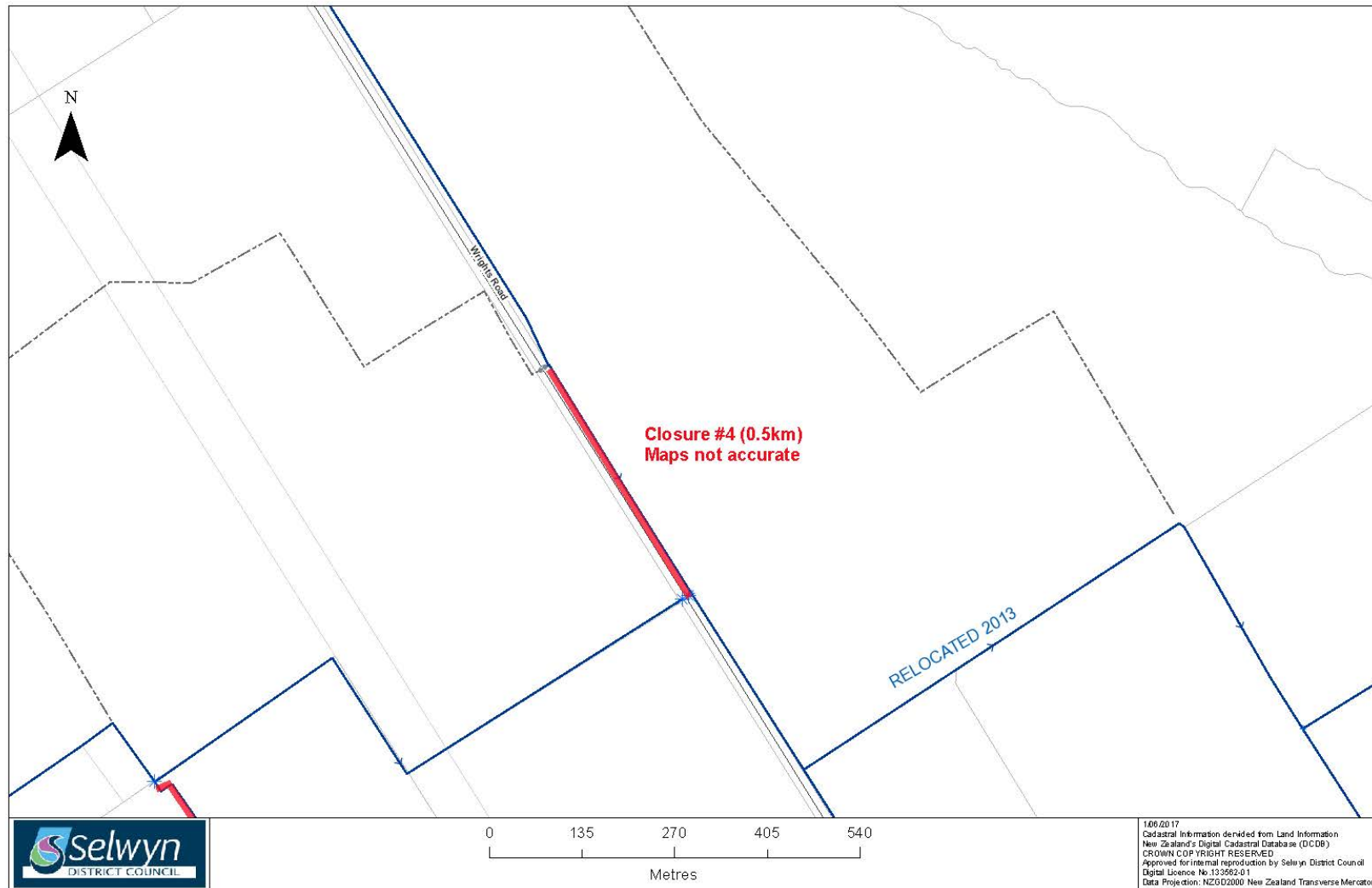
PROPOSED CLOSURE 3

Closure 3



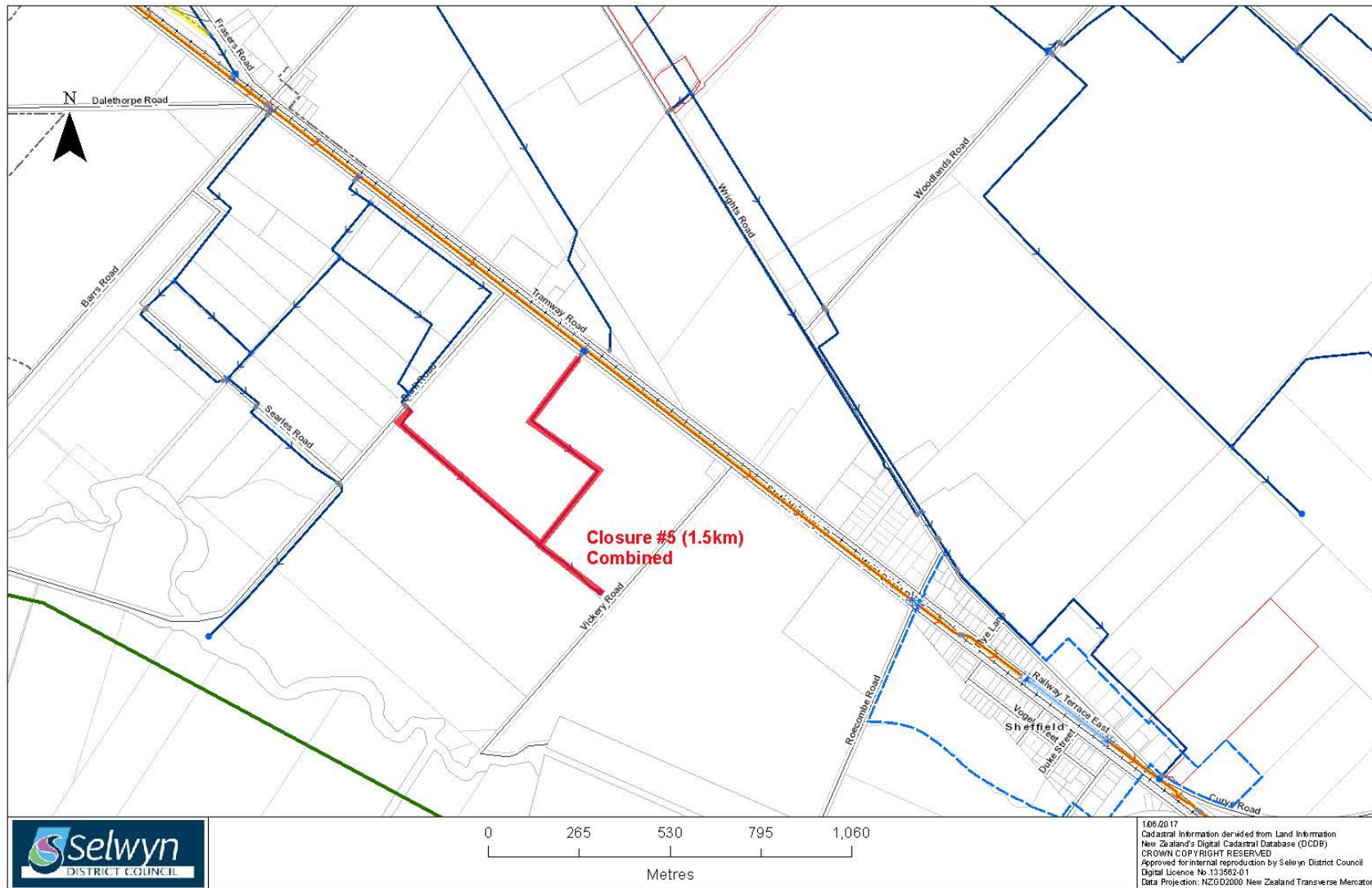
PROPOSED CLOSURE 4

Closure 4

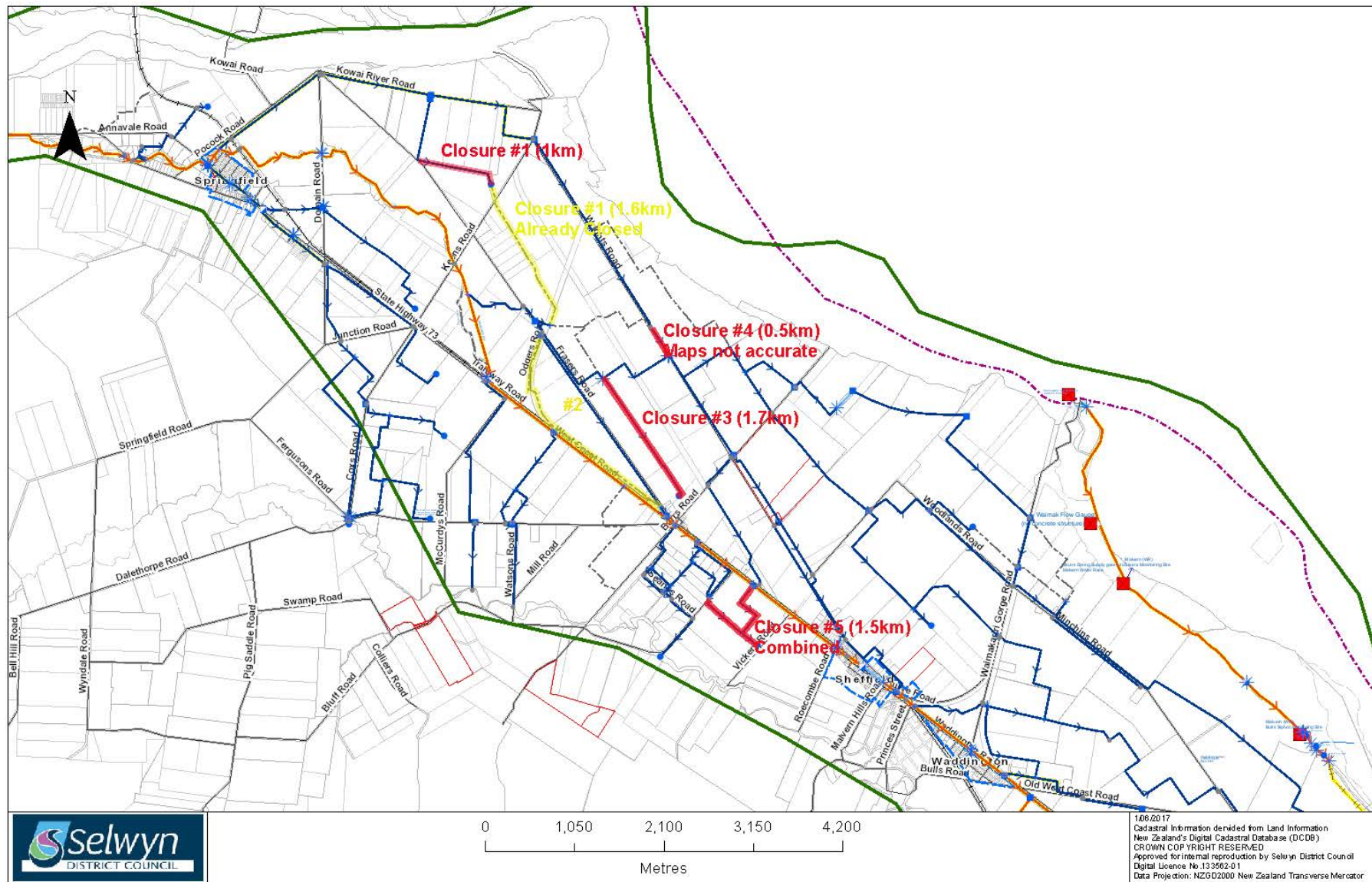


PROPOSED CLOSURE 5

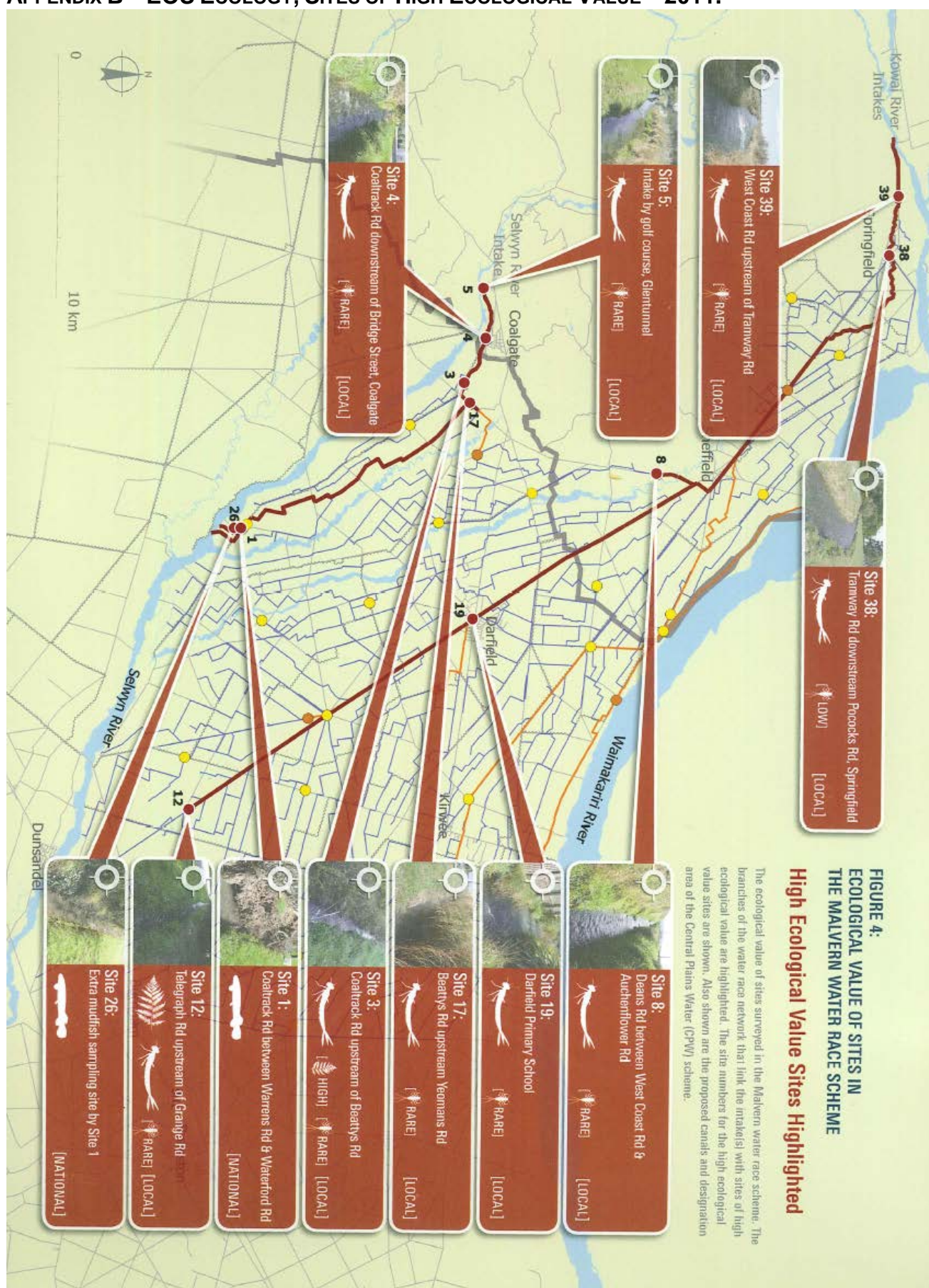
Closure 5



Closures for June Meeting



APPENDIX B – EOS ECOLOGY, SITES OF HIGH ECOLOGICAL VALUE – 2011.



PUBLIC REPORT

TO: Chief Executive

FOR: Water Race Sub Committee Meeting – 12 June 2017

FROM: Asset Manager Water Services

DATE: 1 June 2017

SUBJECT: **Selwyn District Council Long Term Plan 2018-2028 –
Water Race Rating Review**

1. RECOMMENDATION

That the Sub-Committee:

- a) Receive this report for information*
- b) The committee members provide feedback to the Asset Manager Water Services on potential future steps*

2. PURPOSE

The purpose of this report is to provide a summary of the Annual Plan consultation process on the matter relating to 'Water Race Rating Review'.

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

Council's Significance and Engagement Policy, reflecting section 5 of the Local Government Act, states 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 2015/25 LTP identifies Water Races 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 the community.

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.

The level of consultation required will be defined once the future rating structure and water race purpose(s) have been defined.

4. HISTORY/BACKGROUND

The Annual Plan 2017/18 consultation period was opened for submissions on Monday 3 April 2017 with the submissions period ending on Wednesday 3 May 2017. 185 submissions were received to the plan, with 241 people also completing an online survey.

Public hearings on submissions were held on the 18 and 19 of May 2017 with Council deliberations being held on the 25 and 26 May 2017.

The Annual Plan provided a section titled 'Looking ahead to our Long Term Plan'. Within this section Council identified that it would carry out a 'Water race rating review'. A copy of the text is provided below and provided in full within appendix 1.

"The water race network has been operating within Selwyn for over 100 years. Over the past few years, significant changes have been occurring which will have an impact on the future function and use of the water race network. The changes include the development of the Central Plains Water scheme, the Canterbury Water Management Strategy and tensions between requests for race closures by property owners and environmental and public good desires to keep the network operating. The current rating structure for water race is also complicated, with 10 different rating factors operating across three race networks.

These issues will be considered in a review of the water race rating network planned to be included in the Long-Term Plan."

In terms of the above matter, 9 submissions were received. The majority of which were from the upper Ellesmere water race scheme. A copy of the submissions are included within appendix 2.

5. PROPOSAL

That the Selwyn District Council Water Race rating is reviewed by a combined committee consisting of the Councils Water Race Sub-Committee and the Councils Rating Committee with input from Environment Canterbury, Department of Conservation and Ngāi Tahu.

That the rating review commence as soon as practicable with public consultation occurring as part of the initial Long Term Plan pre-consultation in November 2017 and in February 2018 as part of the formal Long Term Plan consultation process.

6. OPTIONS

Options available to the committee include:

- a) **Do nothing** – The water race rates will continue to be adjusted on an annual basis to ensure the activity is appropriately funded.
- b) **Proceed with the review.** Review of the current rating structure and future water race use will ensure it is sustainably managed and funded and appropriately meets the needs of the Community now and into the future.
 - Consult with the Public as part of the 2018-28 Long Term Plan, or
 - Consult with the Public as part of a Special Consultative Process

7. VIEWS OF THOSE AFFECTED/CONSULTATION

a) Views of those affected

The general public will be invited to make submissions on the proposed new rating structure.

b) Consultation

The intention to review the future rating structure and use has been assessed against the Significance and Engagement Policy and has been determined as being of significant interest to the public as it potentially affects a strategic asset (being the Council's water race network).

Consultation will occur either via the Long Term Plan or Special Consultative Process.

c) Maori implications

The public notification and opportunity for submission process will provide appropriate opportunity for Māori contribution to the decision making process. Local Rūnunga will be directly notified of this consultative process.

8. RELEVANT POLICY/PLANS

As part of the future rating structure and water race purpose(s) review, Council staff will ensure there is no inconsistencies with other relevant policy and plans.

9. COMMUNITY OUTCOMES

The review will need to take into account the key community outcomes. Of specific interest are the outcomes of 'a clean environment', a 'A prosperous community' and 'A rural district' (LTP 2015-2025 pg. 19 and 22).

Providing an effective water race service and delivering levels of service is a key part of delivering community outcomes. Where a race cannot be supplied due to consent limits at the intakes or operational issues and leakage, maintaining channels that are not used or that have intermittent flow is counter to achieving this objective.

10. NEGATIVE IMPACTS

The review will need to take into account the potential to negatively impact on the community as a whole or on the Council activities. The purpose of the review is to ensure the long term sustainable management of Councils water race schemes.

11. LEGAL IMPLICATIONS

Any amendments to the rating structure will be made in a democratic manner by the Council publicly notifying its intentions, the taking and hearing of submissions and the final consideration being made by elected members of Council.

No legal implications are foreseen at this time.

12. FUNDING IMPLICATIONS

Funding models are not yet agreed, the outcome of the review cannot be predetermined.

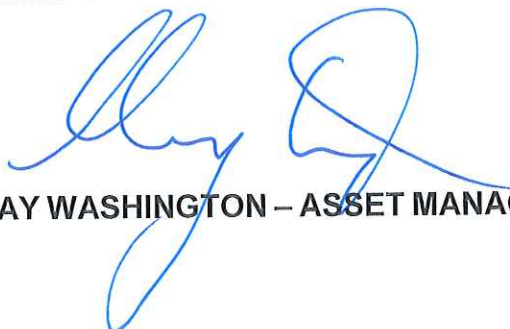
13. HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?

A copy of this report has been provided to the Corporate Services Manager as income accounts will be affected.



MURRAY ENGLAND – ASSET MANAGER – WATER SERVICES

ENDORSED FOR AGENDA



MURRAY WASHINGTON – ASSET MANAGER

APPENDIX ONE

Selwyn District Council Annual Plan 2017/18 – Water race rating review



Water race rating review

The water race network has been operating within Selwyn for over 100 years. Over the past few years, significant changes have been occurring which will have an impact on the future function and use of the water race network. The changes include the development of the Central Plains Water scheme, the Canterbury Water Management Strategy and tensions between requests for race closures by property owners and environmental and public good desires to keep the network operating. The current rating structure for water race is also complicated, with 10 different rating factors operating across three race networks.

These issues will be considered in a review of the water race rating network planned to be included in the Long-Term Plan.

APPENDIX TWO

Selwyn District Council Annual Plan 2017/18 – Water race rating review Submissions

100018

I would like to see the council enclose and pipe the water race that runs the length of Tennyson Street. It remains an eyesore when it is overloaded with rubbish, or overgrown. It generates a health and safety risk to children as an open water source, and to motorists when it constantly overflows at the bottom roundabout, after periods of heavy rain.

As Chairman of the Water Race Committee, I want to raise some issues for Council to consider. The race system is classified as a strategic asset by the Council but this view is not shared by many ratepayers who through land use changes and other supply options are now paying for a service that is no longer required. Council must, through the LTP, determine which races are of strategic importance for not only stock water but for environmental and bio diversity reasons. As CPW comes on stream through the Sheffield scheme and stage 2, we anticipate that many more ratepayers will opt for a reticulated and pressurised system as they have done in stage 1. Future funding of remaining open races will also need to be addressed as any uses other than stock water should be rated from the general rate or some other environmental rate. In the past, only titles that had access to a stock water race were rated. Over time many of these titles have been amalgamated for rating purposes which has meant that the whole property is now rated for water races creating an anomaly that needs to be addressed.

100053

The installation of a waste-water system in Darfield and Kirwee is necessary in the long-term to allow for growth. The real issue is how households will pay the around \$25,000 capital fee, especially beneficiaries and low income earners.

Water Race Rating Reveiw - it is inevitable that many water-races will close due to the use of Central Plains water. Some consideration needs to be given to the environmental impact of losing wildlife and plant habitats. Perhaps an extended public good rate to allow some races to remain open.

100056

Submission for Selwyn District Council Draft Annual Plan 2017/18

WATER RACE RATES

We, Stuart and Gayle Litchfield, hereby submit:

We feel that the Water Race Rates which we currently pay are far too excessive. We get absolutely nothing back for this. We do not draw water from them, we do not water our stock from them and have no use for it at all. If anything they are more of an inconvenience to us, in regards to the fact that sometimes they flood our land.

Currently this service costs us **\$4,365.70** per annum, a huge cost which accumulatively over a period of years is a very very expensive cost.

We understand that these Water Races are an integral part of our wider community and that this is the reason why these races are kept and maintained, and thereby feel that the cost of this should be borne by the wider community and not us, as farmers, alone.

Yours Sincerely,

Stu and Gayle Litchfield.

Regarding the proposed increase to the Water race rate as detailed in the Annual plan. This submission is against any further increases in the Water Race rate and we ask that a referendum be held asking all users of the Upper Ellesmere Water Race system if they require the Race and if they would like the Race closed. The majority of the land use covered by the Upper Ellesmere Race system are irrigated pastoral farms, with most using CPW pressurised irrigation water for irrigation and with all farms having access to potable water from their own stock water well. The Camden Group operate four dairy farms in the Ellesmere Race scheme area. We have developed these farms to a very high standard and have our own potable water wells that provide for housing, dairy shed and stock water requirements. The Water Race rate component of our annual rates charge is a fixed cost to our business that we get no benefit from so an increase in the rate compounds this issue. The Upper Ellesmere Water Race system coverage area has no amenity value to any township or urban rate payer. We appreciate that the Upper Ellesmere Water Race system provides some biodiversity and environmental benefits and so if this Race is not closed in the future we would like to submit that the per hectare rate is changed to a public good rate across all SDC rate payers for the non-farming benefits that the race provides

We are concerned about the future of the water race (Ellesmere Network) that runs through our property and its possible closure in the future. Although it is considered a stock water race for us it has other benefits. Apart from supplying water to a small pond, we consider it an amenity and an asset to our property with significant visual impact. It supports a wide range of fauna which we actively encourage by native plantings at the race edge & surroundings. The race itself currently supports two breeds of frogs, countless small fish/cock-a-bullies & an eel, there may be other wildlife in the race that we are unaware of. Bird life, both native and introduced species are also prevalent in and around the water race. In considering the above we wish to have the water race that passes through our property retained.

Submission for Haglea Farm

I wish to put in a submission on the water race rating review of the Selwyn District council as our property is adjacent to the main race that flows from the Rakaia intake to the Southbridge area.

Since 2001 we have not had access to a water race on our property it runs along our roadside and cannot be used because our farm is run as a dairy unit, my neighbours who don't have a water race next to their farms have been granted exemption from WR rates and these are the problems SDC have created for themselves in now wanting a 10% increase in rates, because of the lower rating base making it unsustainable in its current form. I am happy to leave the water race flowing along Sharlands Road as I believe this one has a place for biodiversity reasons, but I believe it should be funded by a public good rate over the whole of the Ellesmere district and not the few farmers the race runs through or adjacent too. We are reluctant to pay the existing rate let alone the 10% increase as we pay for CPW water and believe this to be an unnecessary double up of charges.

I would also like to put a submission towards the roading in the area.

I have been farming on this property for 20 years, the road past our farm has been sealed since I don't know when but has never been resealed or maintained to a proper standard apart from a little mound of hot mix against the seal edge last year which has not helped one bit, the road is below the minimum width for a sealed road and the number of broken windscreens we have had with meeting oncoming trucks I have almost lost count. Sharlands Road was widened up to South Two Chain Road about 5 years ago prior to that it was resealed in the year 2000 up to and including Mitchells Road but never up to Ardlui Road I spoke to the previous mayor Kelvin Coe about it and he told me that sealed roads were more expensive to maintain than a metal road but how can that be true when no money is spent on that piece of road in at least 30 years. Ardlui Road and Mitchells Road to the north of Sharlands Road being shingle have been totally resurfaced at considerable cost 3 times each in that 20 years, I fail to see the logic as my rates keep going up every year and I see less return for it why should I be funding the growth of Rolleston when nobody looks after our patch.

Yours Sincerely Harry Schat a disgruntled rate payer.

4. Do you have any comments on the proposal to undertake design and planning work for new pool space at Selwyn Aquatic Centre? (see page 15)

6. Do you have any comments on the proposal to establish a Health Hub for Selwyn residents? (see page 17)

5. Do you have any comments on the proposal to continue investment in road maintenance? (see page 16)

7. Do you have any comments on any other proposals for consultation in this document?

Our concerns relate to the increase of the Ellerslie Water Rate not increase.

We like and team within the upper Ellerslie water zone are the support closure by way of a council initiated closure. This is because of the cost of the system and the fact we have a reticulated potable system over our entire property paid entirely at our own expense. We are expected to pay full rates because the local rate tends not our property.

There is an enormous frequency over our district with regard to water rising, which related is good attention by the council. Friends with water meter, now cut off pay no water rate while others are expected to pay more due to costs being spread over a smaller area, but if all the minor meter have been closed.

We strongly advocate for no increase in the Ellerslie water rate as any increase in charges just increases the inequalities that currently exist.

Submission to be considered "in a review of the water race rating network planned to be included in the Long-Term Plan"

Background

We own two properties at Mead, in the Ellesmere Water Race network. One property is located on the North Rakaia Rd and is 204.85 ha and the other is adjoining accessed from South Two Chain Rd and is 160ha.

Both properties have several water races passing through them including the main, council maintained race on the South Two Chain Rd property. Apart from the main race, the other three races terminate into sumps on the nearby Breadings Rd or South Two Chain Road.

Both properties are dairy farms, and the areas with water races are irrigated by centre pivots with water sourced from Central Plains Water Ltd.

Our annual combined water race rate for 2017 is \$4150.00

Submission

We believe that the water race network in the Ellesmere region above the SH1 is no longer necessary for the purposes that it was originally developed. This being to supply stock water to farms and for fire fighting purposes. We are proposing a Council initiated closure of this race network above SH1 be considered.

Our reasons are as follows-

- The rate payers of the Ellesmere Water Race area above SH1 are paying a huge proportion of the rate take for this area to supply race water to a small number of properties still desiring the race. In our specific area, several of these lifestyle properties desire the race for mainly amenity values such as part of landscaping their property and not for the purpose that the race was originally developed- stock water. The larger farmed properties upstream of these races are paying very significant water race rates to supply water for these properties.
- The nature of farming in this region has significantly changed over recent years in that most properties are no longer extensive dryland farms. Intensification that has occurred with the advent of irrigation has meant that a reticulated piped stockwater supply has become a farm necessity. The other consequence of extensive irrigation is that the risk of fire is greatly reduced.

- With the advent of centre pivot irrigation (the best type of irrigation to achieve desirable environmental outcomes in terms of nitrate losses), property owners have had to invest significant amounts to either re-direct water races around irrigation systems or to install culvert crossings for the pivots. In our case we had to install forty eight pivot crossings as the races could not be re-directed. Of these forty eight crossings, about thirty cross minor races which all end in soak pits less than 1km from our two properties. These culverts cost approximately \$400/each plus the cost of a digger to install the culverts.
- Farmers are required to use the water they source for their farms, be it groundwater or CPW supplied water, in an efficient manner, minimising losses. The water race system is not meeting these desired environmental outcomes of water use efficiency at all with an open race suffering huge losses through leakage and evaporation.
- A significant number of farms in this area are now farming cattle as a consequence of irrigation providing the ability to grow reliable and consistent feed. All of these properties, be they dairy farms or not, are required to exclude the cattle from the water races (a SDCo policy). There has been a significant amount required to be spent on the fencing off of the races with on-going costs to maintain these fences. In our case we have approximately 3km of races so 6km of fencing has been required.
- Those farms that are farming dairy cows are also required, as a term of supply, to exclude their cows from waterways as well. We have heard it suggested that the water races are an emergency stockwater supply in the event of power outages affecting pumped water. There are several reasons why this is not correct. Most farms including ourselves, have invested in generators to cover power outages. Secondly, it is virtually impossible to allow cattle to access races for water without them damaging the races and causing sediment loading, which we are not permitted to do.
- Apart from the main Council-maintained race, we are required to keep the water races clean. Digger work to achieve this is priced at \$130/hour and, in our situation, we pay annually approximately \$1800 annually for digger work to clean our unwanted races. There is an additional issue of the noxious weed infestation of these races with the need to eradicate them an on-going issue.
- In some parts of the Selwyn District the water races have significant public amenity value, such as the race in the Darfield township, but on the Ellesmere race network above SH1, we do not believe that this is the case as the races travels only through rural properties.

- A number of properties have been able to close sections of water race through a local rate payer initiated closures, and consequently remove their water race rate obligation. This means that a lesser number of properties are bearing the cost of maintaining the race network or the SDCo is losing money to supply this service. A service, which in the Ellesmere Water Race area above SH1, is not wanted by the majority of rate payers.

PUBLIC REPORT

TO: Chief Executive
FOR: Water Race Sub Committee Meeting – 12 June 2017
FROM: Asset Manager Water Services
DATE: 31 May 2017
SUBJECT: **Water Race Bylaw 2008 Review**

1. RECOMMENDATION

That the Sub-Committee:

- a) Agree to review the Water Race Bylaw 2008 the ("**Bylaw**").*
- b) Consider whether the Bylaw is still the most appropriate way to deal with water race as per Section 155(1) of the Local Government Act 2002 ("**LGA**").*
- c) Consider whether the Bylaw is still the most appropriate form to deal with water race as per Section 155(2)(a) of the LGA but requires review to ensure it is still current.*
- d) Consider whether the Bylaw gives rise to any implications under the New Zealand Bill of Rights Act ("**NZBORA**").*
- e) The committee members provide feedback to the Asset Manager Water Services on any amendments sought to the Bylaw.*

2. PURPOSE

The purpose of this report is to commence the review of the Water Race Bylaw 2008

3. SIGNIFICANCE ASSESSMENT/COMPLIANCE STATEMENT

The intention to review the Bylaw has been assessed against the Significance and Engagement Policy and has been determined as being of significant interest to the public as it potentially affects a strategic asset (being the Council's water race network).

4. HISTORY/BACKGROUND

The Bylaw was adopted as the “Water Race Bylaw 2000” on 13 September 2000.

The Bylaw was reviewed and renamed the “Water Race Bylaw 2008” by the Council on 11 June 2008.

5. PROPOSAL

That the Bylaw is reviewed with input from the Water Race Committee. To review the Bylaw the following questions must be considered by the Council¹:

a) Is the Bylaw is still the most appropriate way to deal with water races as per Section 155(1) of the LGA?

Staff consider that the Bylaw is still the most appropriate way to deal with water races because:

- The water race regime remains much the same as it was in 2008 when the Bylaw was reviewed.
- The regulatory drivers remain the same as they were in 2008.

b) Is the Bylaw is still the most appropriate form to deal with water races as per Section 155(2)(a) of the LGA but requires review to ensure it is still current?

For similar reasons, staff consider that the Bylaw is still in the most appropriate form to deal with water races.

c) Do any issues arise under NZBORA in respect of the Bylaw?

Section 155(2)(b) of the LGA requires that any Bylaw not be inconsistent with the NZ Bill of Rights Act 1990. Council will obtain legal advice to ensure that the Bylaw is consistent with NZBORA.

A copy of the reviewed bylaw will be presented to the water race committee at the August 2017 meeting and will then be presented to Council on the 13th September for adoption for consultation.

6. OPTIONS

Options Available to Council include:

- Do nothing** – failure to review the current Bylaw by 11 June 2018 will result in its lapse by 11 June 2020 and a new process would need to be implemented.
- Revoke the current Bylaw and rely on other methods** – the Council will then have no statutory authority to protect the public asset which is passing through private property.

¹ See full text of the relevant sections in the LGA in Appendix Three.

- c) **Proceed with the review.** Review of the current Bylaw will ensure it is up to date with relevant legislation and also update it in terms of current management and operating best practices.

7. VIEWS OF THOSE AFFECTED/CONSULTATION

a) Views of those affected

The general public will be invited to make submissions on the review of the Bylaw.

b) Consultation

The intention to review the Bylaw has been assessed against the Significance and Engagement Policy and has been determined as being of significant interest to the public as it potentially affects a strategic asset (being the Council's water race network).

c) Maori implications

The Council considers that the public notification and opportunity for submission process will provide appropriate opportunity for Māori contribution to the decision making process. Local Rūnunga will be directly notified of this consultative process.

8. RELEVANT POLICY/PLANS

As part of the bylaw review process, Council staff will ensure there is no inconsistency with other relevant policy and plans.

9. COMMUNITY OUTCOMES

The preparation of the Bylaws promotes the key community outcomes of 'a clean environment', a 'A prosperous community' and 'A rural district' (LTP 2015-2025 pg. 19 and 22).

10. NEGATIVE IMPACTS

The Bylaws are unlikely to negatively impact on the community as a whole or on the Council activities and will assist in the long term sustainable management of Councils water race schemes.

11. LEGAL IMPLICATIONS

The Bylaw will be reviewed in a democratic manner by the Council by consulting in accordance with the procedure set out in section 160 of the LGA and the final consideration being made by elected members of Council.

The Council will take further legal advice as require.

12. FUNDING IMPLICATIONS

There are not expected to be any operational or capital costs to the Council as a result of reviewing the Bylaw.

13. HAS THE INPUT/IMPACT FROM/ON OTHER DEPARTMENTS BEEN CONSIDERED?

A copy of this report has been provided to the Regulatory Manager as bylaws are part of his portfolio.

A handwritten signature in blue ink, appearing to read 'M. England', written over the printed name.

MURRAY ENGLAND – ASSET MANAGER – WATER SERVICES

ENDORSED FOR AGENDA

A handwritten signature in blue ink, appearing to read 'M. Washington', written over the printed name.

MURRAY WASHINGTON – ASSET MANAGER

APPENDIX ONE

Selwyn District Council Water race Bylaw 2008

SELWYN DISTRICT COUNCIL WATER RACE BYLAW 2008

1 TITLE:

- 1.1 This bylaw is made by the Selwyn District Council pursuant to the powers and authority vested in the Council by Section 146 (b)(i) of the Local Government Act 2002. This bylaw shall be known as the Selwyn District Council Water Race Bylaw 2008.

2. INTRODUCTION

- 2.1 The primary purpose of the water race system is to provide drinking water for farm animals. Some properties also use the water race system as an untreated domestic water supply. Secondary purposes of the water race system are for irrigation (where permitted by the Council), fire fighting and enhancement of amenity and ecological values.

The activities governed by this Bylaw, including the taking, use, damming and diversion of water, may also be subject to regional rules in the Waimakariri River Regional Plan and the Proposed Natural Resources Regional Plan for Canterbury. Compliance with this Bylaw does not imply compliance with regional rules and a resource consent may be required.

Land use close to water races that may contaminate water quality and other activities involving discharges into water races are subject to rules in the Proposed Natural Resources Regional Plan for Canterbury, and the Selwyn District Plan. Resource consent may be required for those activities.

- 2.2 The Council also has policies which it uses as part of the management of the water races; they do not form part of these bylaws but should be consulted by any person interested in the management of the water races.

3. DATE OF COMMENCEMENT

- 3.1. This bylaw comes into force on the 1 July 2008

4. REPEALS

- 4.1. The Selwyn District Council Water Race By-law 2000 is hereby repealed.

5. APPLICATION OF BYLAW

- 5.1 This bylaw applies throughout Selwyn District and includes properties that are rated for stock water outside of the Selwyn District boundary.

6. DEFINITIONS

References to a repealed enactment include its replacement.

For the purpose of this bylaw, unless the context otherwise requires;

'Agent' means any person or body authorised by the Council to maintain and administer the water race system

"Accessories" means all objects used in conjunction with a Water Race and includes, where the context so requires, all weirs, gates and valves used for regulating flow, and flow metering equipment

"Agreement" means a written agreement between the landowner and the Council giving permission to do something within the water race system.

"Bylaw" means this bylaw as altered, varied or amended from time to time

"Commercial irrigation" means irrigation using water supplied from a water race for a fee paid to the Council

"Council" means the Selwyn District Council or any person authorised to exercise the authority of the Council, or its agent

"Council water race" means a water race that is on land under the control of the Council

"District" means the Selwyn District and whereby agreement Christchurch City Council.

"Existing Use" means any right to take water from a Water Race where;

- (a) That right was lawfully established at the commencement of this bylaw; and
- (b) The quantity of water taken and use of the water is the same or similar to that which existed before the commencement of this bylaw.

"Farm stock water race" means a water race on land that is not under control of the Council.

"Maintenance" means cleaning and maintaining the water race system in accordance with the Water Race Management Plan

"Non commercial irrigation" means watering a residential garden or shelter belt of trees using water from a water race

"Owner or Occupier" means the owner or occupier of land recorded as such in the valuation roll of the District

"Rural agricultural drinking-water supply" has the same meaning as in the Health [Drinking Water] Amendment Act 2008

"Water race" has the same meaning as in the Local Government Act 2002

"Water Race Management Plan" means the Water Race Management Plan authorised by the Council and altered or amended by the Council from time to time. It is available from the Council on request

"Water Race Policy" means the policies set out in the Water Race Management Plan

“Water Race System” means the system of water races having its origins at;

Earlys Intake on the Rakaia River, grid reference NZMS 260 L35:2413 -5732, and

Lower Rakaia Intake on the Rakaia River, grid reference NZMS 260 L35: 2436-5717, and

Paparua Intake located on the Waimakariri River, grid reference NZMS 260 L35: 2453-5748, and

Lower Kowai Intake located on the Kowai River, grid reference NZMS 260 L35: 1781-6347, and

Upper Kowai Intake located on the Kowai River, grid reference NZMS 260 L35: 1687-6299, and

Waimakariri Gorge Intake located on the Waimakariri River, grid reference NZMS 260 L35: 3297-6054, and

Glentunnel Intake located on the Selwyn River, grid reference NZMS 260 L35: 2479-6478, and

Haldon Intake, located on the Hororata River, grid reference NZMS 260 L35: 2429-5737, and

and any other source of supply from which the Council may take water for water races, including water races and any tail race, branch, artificial or natural channel connected to a water race and channels which are wholly or partially supplied with water from a water race, other than those channels into which water is spilled when that water is no longer required for operation of the water race system.

6. RIGHT TO TAKE WATER

6.1 No person may, whether directly or indirectly, take, divert or use any water in or from a Water Race except;

- (a) Pursuant to a lawfully established existing use, or
- (b) With the agreement of the Council, granted under this bylaw or any other bylaw; and
- (c) Upon the payment of annual charges that may be determined from time to time by the Council: or
- (d) In the case of an emergency, for fire fighting.
- (e) The New Zealand Fire Service for the purposes of training and testing.

6.2 Any person who wishes to take water from a water race may apply to the Council for permission to take water. Such application;

- (a) Must be in writing, and be accompanied by the prescribed application fee.
- (b) Must describe with sufficient particularity:

- (i) The applicant
 - (ii) The land to be served by the water taken
 - (ii) The Water Race from which water will be taken
 - (iii) The purpose or purposes for which water will be taken
 - (iv) The method (such as pipe, open drain or other method) by which water will be taken
 - (v) The place or places in the Water Race from which water will be taken.
- 6.3 Where construction works are proposed to enable water to be taken, the application must be accompanied by plans and specifications which adequately describe the proposed work.
- 6.4 If the Water Race from which water is to be taken is not located on the applicant's land, the application must be accompanied by written evidence of the agreement of the owner or occupier of the land on which the water race is located.
- 6.5 Within 15 working days of receipt of a complete application the Council will, in writing, either:
- (a) Grant the application, with or without conditions, or
 - (b) Decline or defer the application, and give the reasons for its decision.
- 6.6 Notwithstanding Clause 6.5, if the water is required urgently and no other sources of water supply are accessible to the applicant, the application will be assessed and given priority by the Council.
- 6.7 When granting an application subject to conditions, those conditions may include, but are not limited to the following,
- (a) Approval of the construction practices or specifications in accordance with Council requirements;
 - (b) Requiring the supervision of construction works by the Council with the cost of such supervision to be met by the applicant;
 - (c) Requiring the use of contractors approved by the Council, at the applicant's expense, in respect of any work affecting a public road or other utility services
 - (d) Requiring additional work to be undertaken if the Council considers such work necessary for the protection of the Water Race, other water race users, or members of the public;
 - (e) Limiting the quantity of water which may be taken and/or the times at which water may be taken;
 - (f) Limiting the purposes for which water may be taken;
 - (g) Specifying the place or places from which water may be taken;

- (h) Requiring the installation of accessories relevant to the application at the applicant's expense, or
 - (i) Requiring payment of fees.
- 6.7 The applicant may object to any decision of the Council made under this bylaw by giving notice in writing to the Council. Such notice must set out the grounds of the objection. Within 20 working days of receiving a notice of objection, the Council will convene a hearing at which the objection will be heard. Not less than 5 working days notice in writing of the time and place of the hearing will be given to the objector. After hearing the objection the Council may:
 - (a) Confirm the original decision; or
 - (b) Reverse the original decision; and/or
 - (c) Impose new or varied conditions.
- 6.8 An agreement to take water from a water race, when granted, runs with the land described in the application and binds successors in title to that land.
- 6.9 **Commercial Irrigation**
Upon written approval of the Council, water may be taken for commercial irrigation from water races in the Paparua Scheme that have been designated as irrigation water races or combined stock water and irrigation water races.
- 6.10 **Non Commercial Irrigation**
Upon written approval of the Council, water may be taken from water races for non-commercial irrigation of domestic gardens, provided;
 - (a) no more than 4,000 litres of water is taken per day,
 - (b) water is taken in accordance with the water race policy, and
 - (c) the application fee as determined from time to time is paid.
- 6.11 Upon written approval of the Council, water may be taken from water races for non-commercial irrigation of shelter belts, provided;
 - (a) no more than 4,000 litres of water is taken per day,
 - (b) water is taken in accordance with the water race policy, and
 - (c) the application fee as determined from time to time is paid.

7. EMERGENCY

- 7.1 In the case of a fire emergency, water may be taken from water races for fire fighting purposes without the need to first obtain permission from the Council.

8. PROHIBITED USES

The following uses of a water race are prohibited:

- 8.1 No person(s) may bathe or wash clothing or other things in a water race.
- 8.2 Allowing domestic fowl, be they water-fowl or otherwise, into or on a water race.
- 8.3 Allowing detergents, chemicals or nutrients to enter a water race
- 8.4 Allowing backflow from irrigation equipment to enter a water race
- 8.5 Allowing animals to enter a water race, except that a drinking station may be provided outside the water race.
- 8.6 Carrying out any activity on land or in any building or yard which contaminates the water in the water race.
- 8.7 Obstructing the flow of water in the water race by any means whatsoever.
- 8.8 Allowing or causing any animal or vehicle to enter or cross a water race except at bridges, culverts or crossing places provided by the Council or constructed with the Council's written approval.
- 8.9 Allowing or causing any part of any fence to remain in a water race.
- 8.10 Taking or diverting water from a water race without the prior written agreement of the Council.
- 8.11 Allowing water from a water race to be wasted by failing to adequately maintain or repair any pipe or other apparatus.
- 8.12 Interfering with any regulating gate or other apparatus or doing anything which may cause the supply of water from a water race to be increased or decreased without the written approval of the Council.
- 8.13 Permitting a person who does not pay water race rates to take water from a water race.
- 8.14 Widening or deepening any water race or altering the course of any water race without the written approval of the Council.
- 8.15 Permitting or causing any Statutory Nuisance as defined under Section 29 of the Health Act 1956.
- 8.16 Obstructing any crossing point over a water race.
- 8.17 Removing, displacing, altering, damaging or interfering with any bank, dam, sluice, flume, bridge, gauge, meter, reservoir, pipe, or other work or thing used in supplying or distributing water from any water race.
- 8.18 Disturbing the ground so as to uncover any culverts belonging to any water race or lengthening or decreasing the length of any culvert without the written authority of the Council.

- 8.19 Making any structure over, in, or under a water race unless approved by the Council.
- 8.20 Sowing, planting, or allowing to grow any tree, hedge, shrub or other plant of any kind, within a distance of 3 metres of either side of a water race except:
- (a) Crops and pasture are permitted; and
 - (b) Shrubs or plants forming any part of a live fence and maintained to less than 1.5 metres in height may be sown or planted on one side of a water race only, at a distance of not less than 1 metre from the edge of the water race.
 - (c) A strip, at least 6 metres wide, must be left unplanted adjacent to one side of the water race to enable access to the water race for machinery used for cleaning.
 - (d) As otherwise approved by the Council.
- 8.21 Erecting any building or structure of any kind or size within ten metres of either side of any water race without the written authorisation of the Council.
- 8.22 Discharging effluent into a water race.

9. COUNCIL RESPONSIBILITIES

- 9.1 Notwithstanding anything to the contrary in this bylaw, the Council is responsible for the maintenance and repair of:
- (a) The Water Races classified as Council water races and listed in Plan – 006/000/WR (Malvern), 007/000/WR (Paparua), 008/000/WR (Ellesmere);
 - (b) Accessories located within any of the water races listed in Plan 002/000/WR (Malvern), 003/000/WR (Paparua) and 004/000/WR (Ellesmere);
 - (c) Any weir, gate, or valve located in any water race where more than one property is served by the water race downstream of that weir, gate or valve.
- 9.2 Except as provided in clause 9.1, the cost of maintaining and repairing any water race or accessory is the responsibility, as the circumstances require, of either:
- (a) The owner or occupier of the land within which the water race or accessory is located; or
 - (b) Where the water race or accessory is located within a road or a reserve, the owner or occupier of the land which is contiguous to that road or reserve; or
 - (c) Where the water race or accessory is located on or about the common boundary between land in different ownership, the owners of the land in equal shares.

9.3 The person(s) nominated in 9.2 is responsible for the regular inspection, repair, maintenance, and cleaning of the relevant section of the water race to a standard sufficient to ensure that:

- (a) Any obstruction to the free flow of water along the water race is removed as soon as is reasonably practicable;
- (b) As far as is practicable, no water is wasted by seepage or otherwise;
- (c) Continuity of supply and free flow of water downstream is maintained at all times.

10. CLEANING

10.1 Farm Stockwater Race Cleaning

- (a) In addition to Clauses 9.2 and 9.3 the owners or occupiers of land through which a farm stockwater race runs must, at their own cost keep and maintain the water race in good order including the sides and banks in such a condition to ensure a continuous flow preventing any overflow, leakage, or wastage of water to property or roads.

10.2 Other Water Race Cleaning

- (a) Council water races are cleaned by the Council.

10.3 Removal of Matter and Debris

- (a) All matter or debris deposited as part of the cleaning of a water race must be removed by the owner or occupier of the land through which that water race runs, at the time that cleaning is undertaken, or as soon as practicable thereafter; and
- (b) The cost of the removal of that matter and debris will be borne by the owner or occupier of the land through which that water race runs; and
- (c) The owner or occupier will take all reasonable steps to prevent any matter or debris removed from the water race from re-entering the water race; and
- (d) Allow access to the water race by machinery used to clean the water race.
- (e) When working within road reserve a traffic management plan will be required. The person undertaking the work will obtain this approval prior to any work being carried out.

10.4 Maintaining, Cleaning and/or Improving the Races

- (a) When the Council clears, cleans, renovates or improves any part of a water race or any land adjoining a water race, it may deposit any matter removed on any part of the land adjacent to the water race, except where the land is a formed public road.

- (b) When working within road reserve a traffic management plan will be required. The person undertaking the work will obtain this approval prior to any work being carried out.
- (c) All such matter or debris deposited by the Council must be placed in such a manner as to prevent the matter re-entering the water race and to allow access to the water race by machinery used for maintenance.
- (d) If material cleaned from a water race is to be deposited in an area where grass is regularly mown, the Council will notify the owner or occupier of the land 48 hours prior to cleaning work being commenced,
- (e) Material cleaned from Council water races adjacent to a road and deposited in an area of the road verge which is regularly mown will be removed for a length of 50 metres. Removal of any additional material is at the cost of the owner or occupier of the land.
- (f) With the prior agreement of the Council, the owners or occupiers of land through which a water race runs may develop or implement a management plan to enhance that water race for ecological purposes. Where the Council gives its approval, and such a plan is implemented, that section of the water race will be listed by the Council in the Water Race Management Plan.

11 FAILURE TO REPAIR OR CLEAN A WATER RACE

- 11.1 Pursuant to s.182 of the Local Government Act 2002, if an owner or occupier of land fails to comply with any provision of this bylaw, having been required to do so in writing by the Council, the Council may enter onto the land, make good such failure, and charge the owner or occupier for any costs incurred.
- 11.2 Notwithstanding 11.1, if following a complaint of lack of water or flooding, the Council discovers an obstruction which is capable of an immediate remedy, the Council may, without notice to the owner or occupier of the land upon which the obstruction is located:
 - (a) Forthwith remove that obstruction; and
 - (b) Require the owner or occupier of that land to pay an "obstruction removal fee" the amount of which may be prescribed by the Council from time to time.
 - (c) An obstruction removal fee when charged is a debt due from the owner or occupier of the land and the Council may take action to recover such debt without further notice, if the debt remains unpaid after 1 calendar month.

12. DIVERTING WATER

- 12.1 The Council may grant permission to divert water from a water race to a pond or reservoir provided that:
 - (a) No person may divert water from a water race unless the Council has issued an agreement to do so in writing. Such an agreement may be

revoked by the Council after giving three months notice of its intention to do so.

- (b) The pond or reservoir must be watertight and lined with impervious material.
- (c) The intake and outlet of the pond or reservoir must be able to be shut off as required to ensure compliance with water restrictions or resource consent conditions.
- (d) An outfall must be provided from the pond or reservoir such that any overflow flows back to the water race, at the same water level as the water race.
- (e) The Council may impose conditions restricting the area, volume or depth of any pond or reservoir.
- (f) No pond or reservoir may cause any reduction in water flow in the water race from which water is diverted.
- (g) No person may construct a dam to raise the water level in the water race for the purpose of creating a pond or reservoir.

13. EXISTING USES

13.1 If, at the date this bylaw comes into force there are obstructions, including but not limited to;

- (a) Trees, hedges, other plants or shrubs of any kind, growing or dead, in the form or nature of stumps or otherwise, situated contrary to the provisions of this bylaw and irrespective of how, when or by what means they came to be there, or
- (b) Structures, buildings, yards or ponds which are situated contrary to the provisions of this bylaw, and
- (c) If, in the opinion of the Council, any such obstruction interferes with the flow of the water or creates excessive maintenance issues in any water race, the Council may;

Require the owner or occupier of the land on which the obstruction is located to remove that obstruction by giving notice accordingly.

13.2 An owner or occupier who objects to a requirement to remove an obstruction will be given an opportunity to be heard by the Council regarding that objection.

13.3 If, having heard the objection, the Council confirms its opinion that the obstruction must be removed, it will notify the owner or occupier accordingly and will consider whether compensation is payable to the owner or occupier.

13.4 If, after an objection has been heard and the Council has given notice in accordance with Clause 13.3, an owner or occupier fails to remove an obstruction within a reasonable timeframe the Council may take action pursuant to these bylaws and in particular Clause 11.1.

14. EXTRA OR ABNORMAL SUPPLIES

- 14.1 The Council may, at its discretion, grant an extra supply of water from a water race for special purposes, including fire fighting, or for purposes not otherwise authorised by this bylaw, at a cost to be established by the Council at the time of an application for such extra supply. Such cost may be varied from time to time.

15. POWERS OF THE COUNCIL

- 15.1 The Council may, pursuant to the powers vested in it under the Local Government Rating Act 2002, the Local Government Act 1974 and the Local Government Act 2002, vary, alter, reduce, increase or remove charges and rates levied for the maintenance and operation of the water race system.
- 15.2 The Council may alter the basis or manner or scale on which any or all such charges or rates are to be assessed as it sees fit in accordance with the powers vested in it.
- 15.3 The Council may impose restrictions on taking water from time to time.
- 15.4 Where a person is lawfully entitled to take water from a water race for any purpose other than for stock drinking water, including but not limited to irrigation, the Council may impose a charge.
- 15.5 Nothing in this bylaw limits the entitlement of the Council to levy a rate to recover the cost incurred in maintaining and operating any water race.
- 15.6 The Council may, at any time and from time to time, set or vary by ordinary resolution, application fees, obstruction removal fees, and charges for taking water for purposes other than stock drinking water.
- 15.7 The Council may perform its obligations and exercise its rights under these bylaws or otherwise in relation to the water race system through its nominated agents, employees or contractors, or the Agent, as the Council determines from time to time.

16. BREACHES OF THIS BYLAW

Every person commits an offence who -

- 16.1 Defaults in payment of any rate imposed on their land in respect of the supply of stock water or irrigation water
- 16.2 Fails to do or perform any act, or thing, that he or she is required to do by these bylaws
- 16.3 Permits, allows, or does, any of the acts that are prohibited in this bylaw

16.4 Fails to comply with his or her water supply agreement with the Council

16.5 Breaches this bylaw.

17. PENALTIES

17.1 Every person who contravenes this bylaw is liable to a fine not exceeding \$20,000 or other such amount as may be provided for under the Local Government Act 2002.

17.2 In addition to any penalty imposed by any court for a breach of this bylaw, the Council may sue for and recover from any person, the cost of damage done or caused to a water race or associated works, or in respect of any water unlawfully taken or diverted or wasted or lost due to any failure to comply with this bylaw.

18. SAVINGS

18.1 Nothing in this bylaw is an undertaking or guarantee by the Council that it will provide water in any water race either at all, or to any quantity or to any specified quality.

18.2 Nothing in this bylaw renders the Council responsible or liable to any person or body for the total or partial failure of any water supply from whatever cause such failure may arise.

The **COMMON SEAL** of the
SELWYN DISTRICT COUNCIL
was hereunto affixed, in accordance
with the Special Order made by the
Council on 11th June 2008
in the presence of:



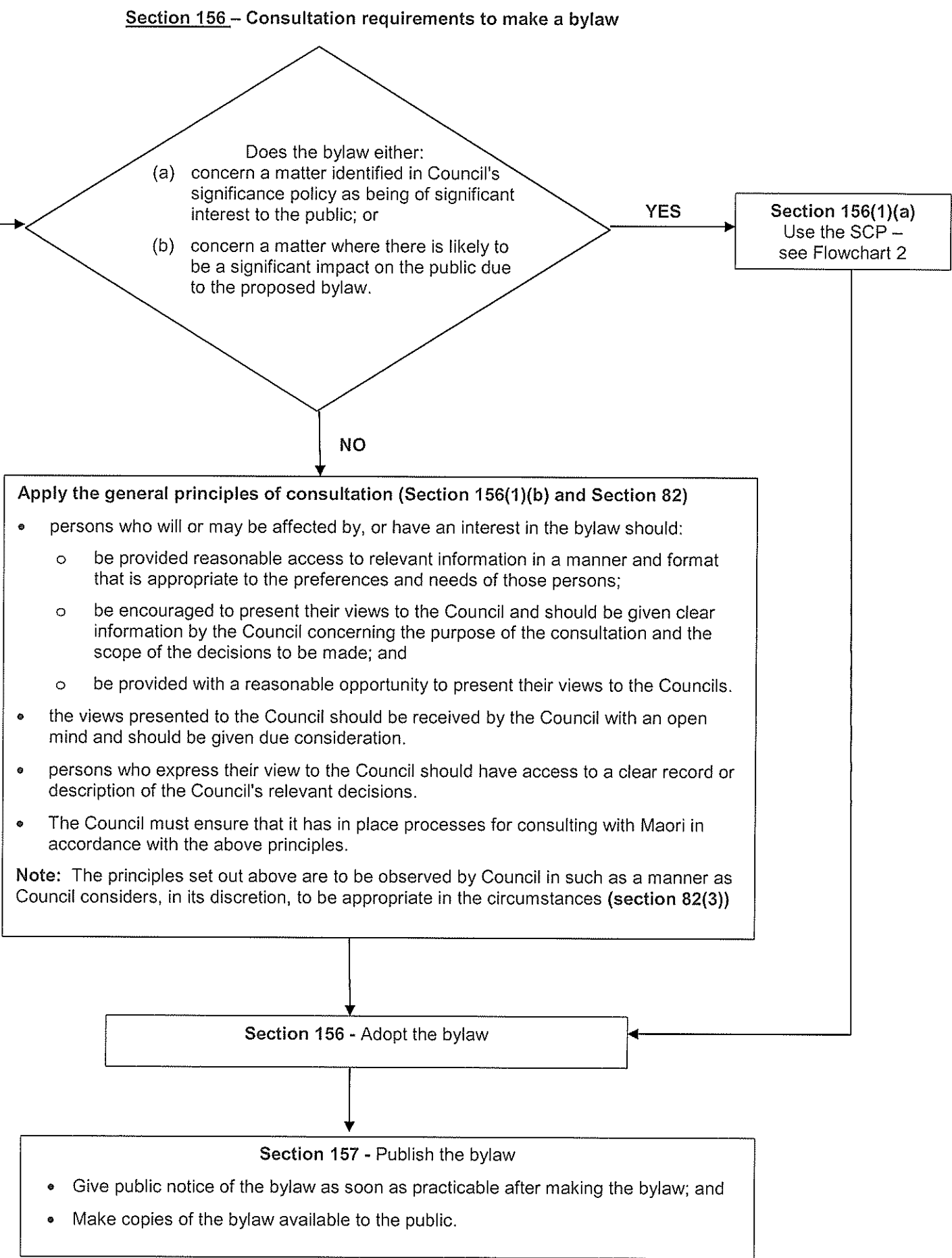
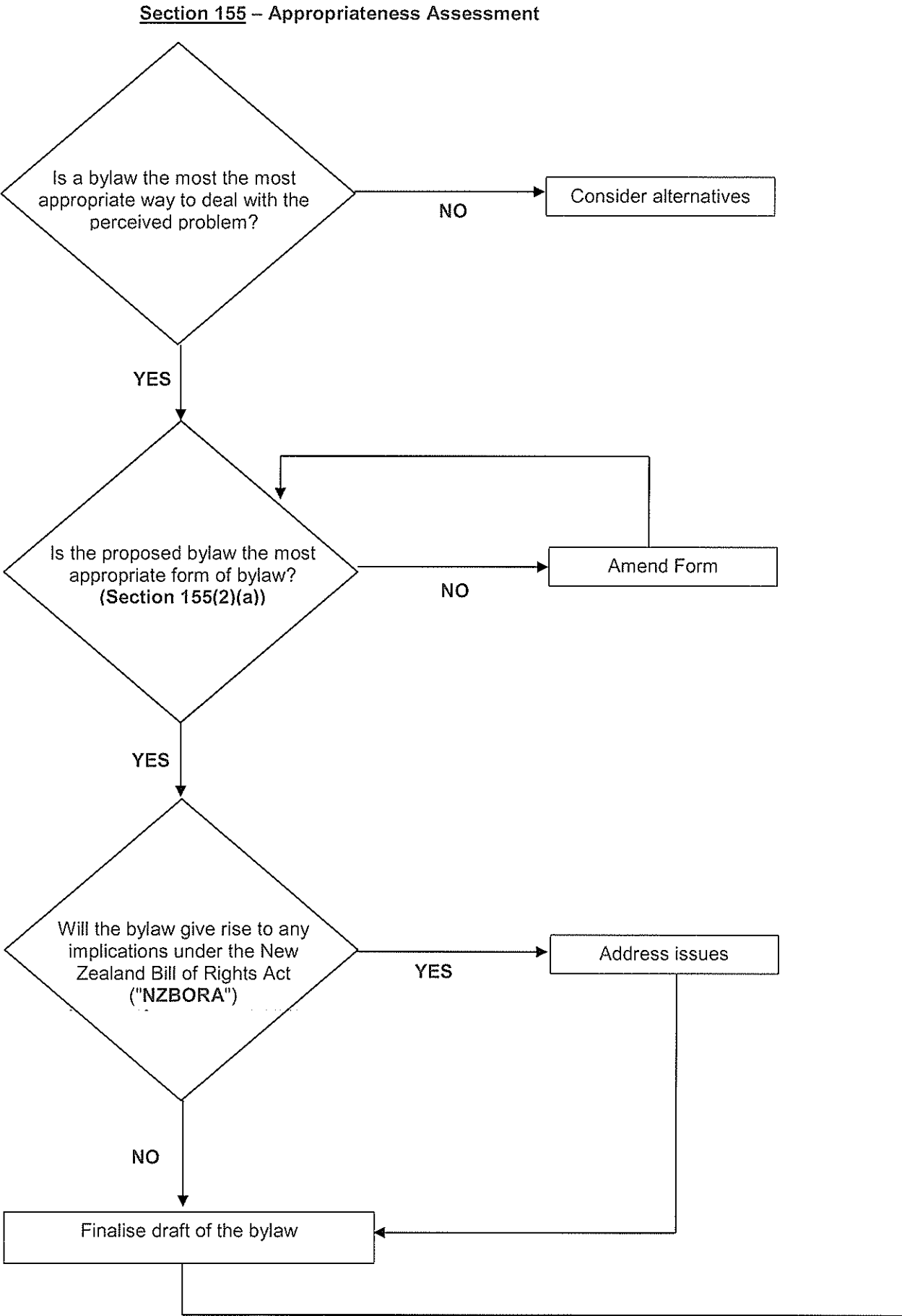
[Signature] Mayor

[Signature] Chief Executive

APPENDIX TWO

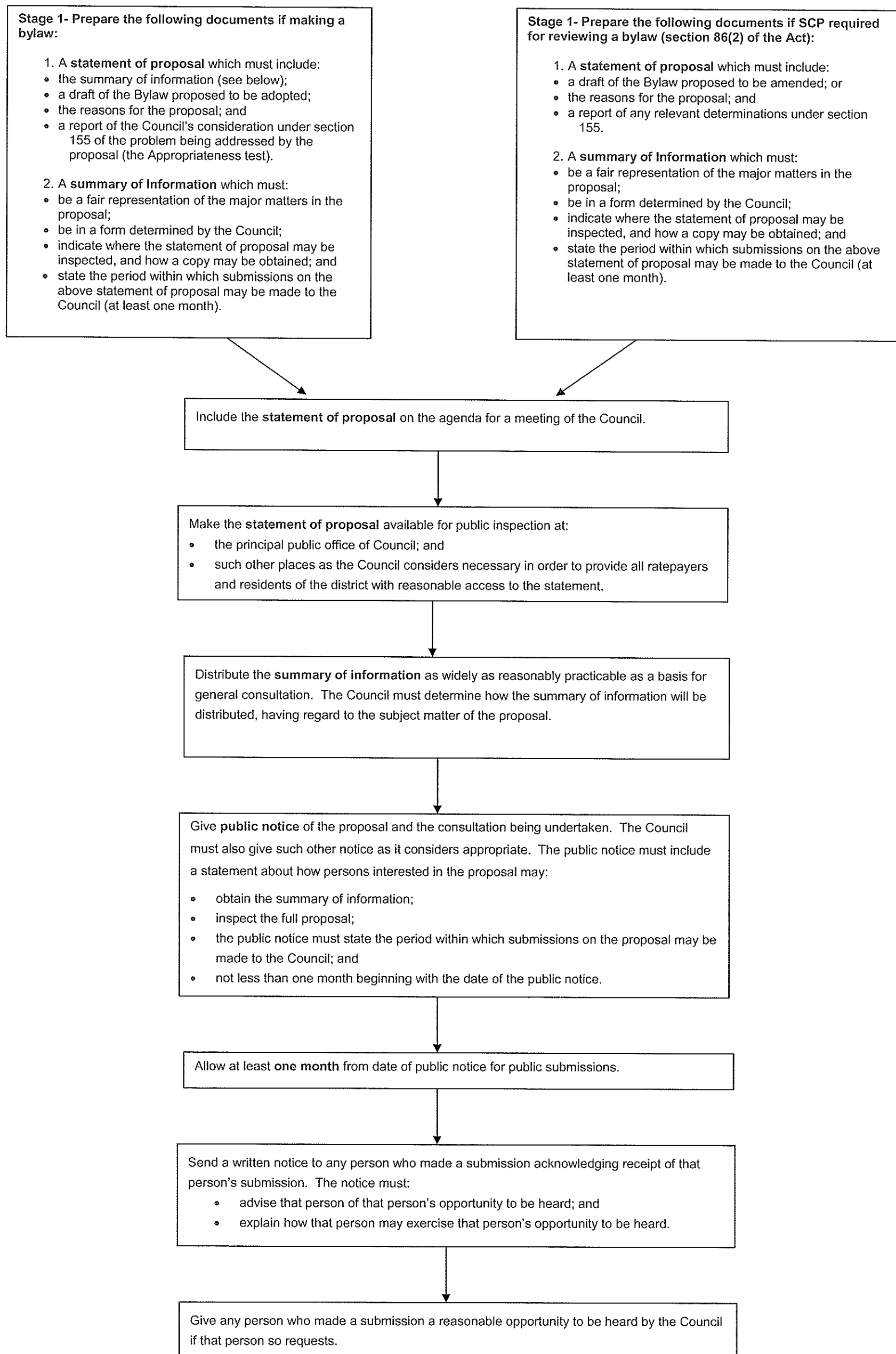
Flowchart 2 and 3

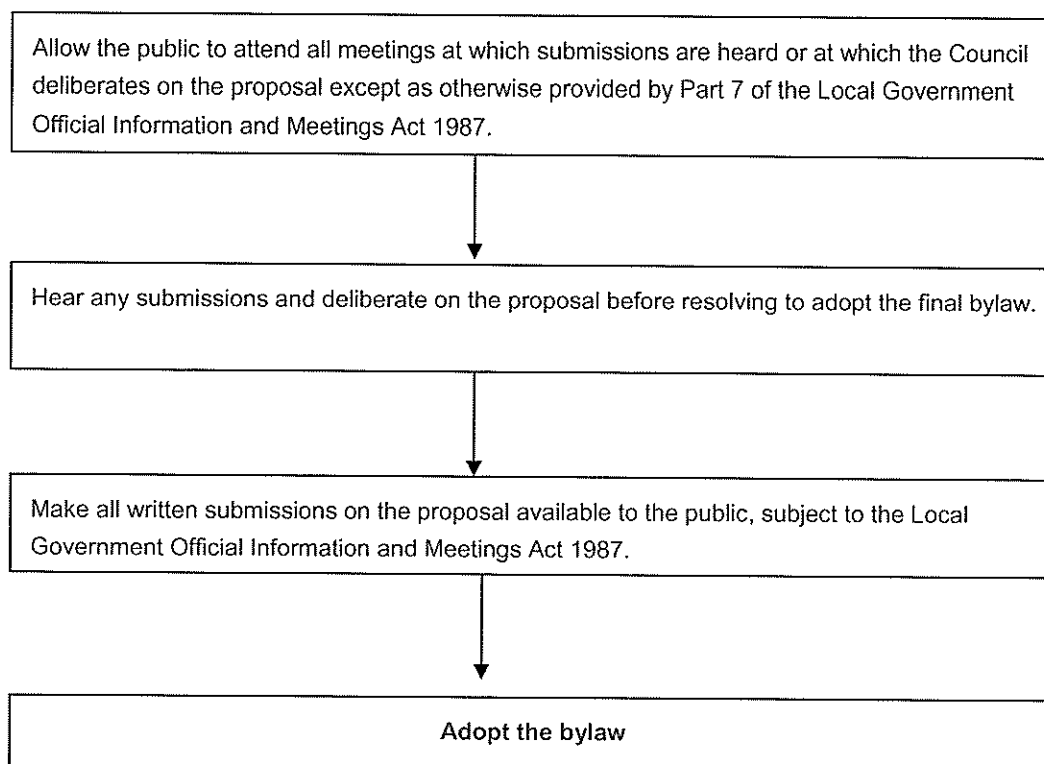
Flowchart 1 – Overview of procedure to make a bylaw



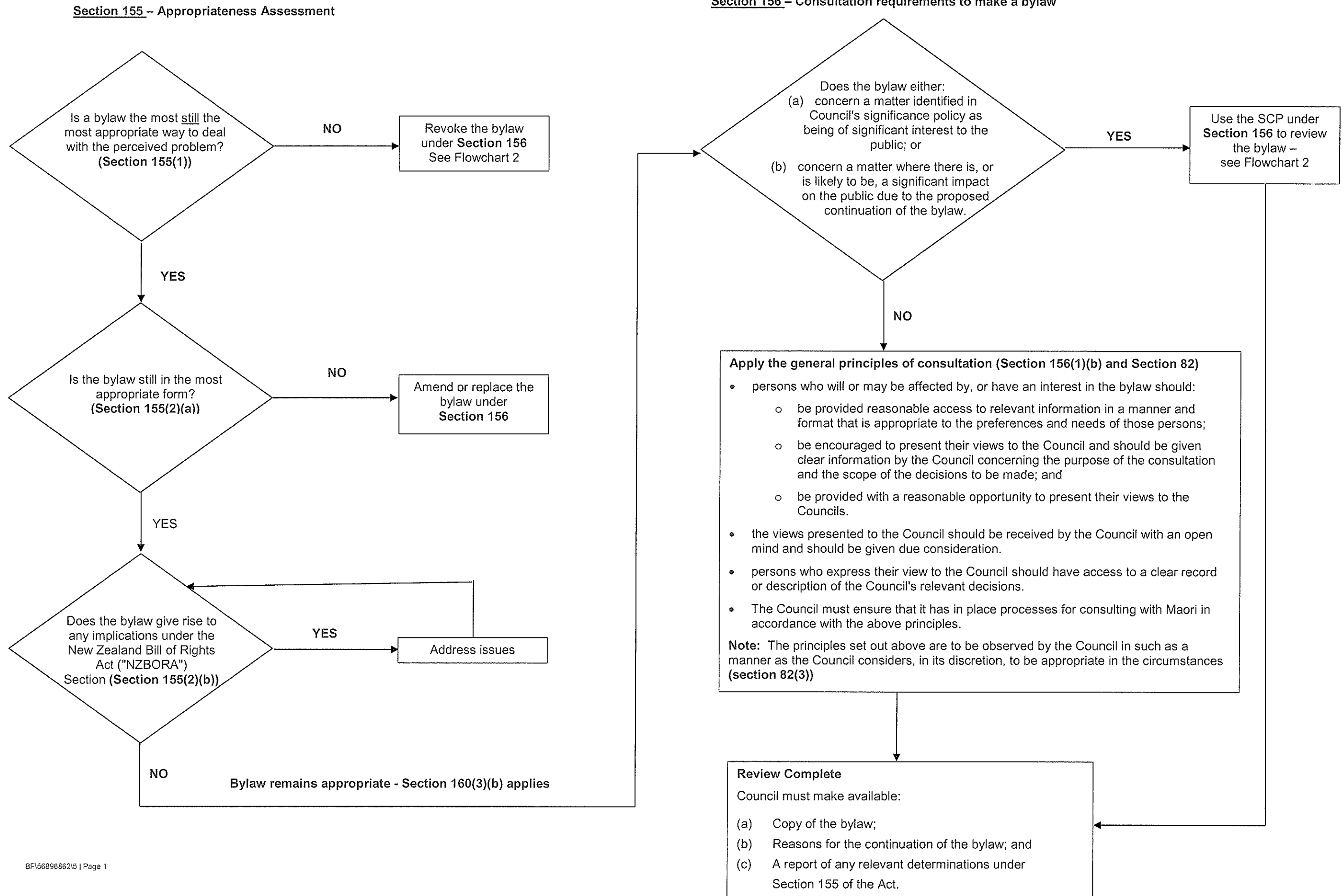
Flowchart 2 - Special consultative procedure for making or reviewing a bylaw

Sections 83, 86, 156 and 160 of the Act





Flowchart 3 – Overview of procedure to review a bylaw



APPENDIX THREE

LGA provisions

Procedure for making bylaws

155 Determination whether bylaw made under this Act is appropriate

(1AA) This section applies to a bylaw only if it is made under this Act or the [Maritime Transport Act 1994](#).

- (1) A local authority must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem.
- (2) If a local authority has determined that a bylaw is the most appropriate way of addressing the perceived problem, it must, before making the bylaw, determine whether the proposed bylaw—
 - (a) is the most appropriate form of bylaw; and
 - (b) gives rise to any implications under the [New Zealand Bill of Rights Act 1990](#).
- (3) No bylaw may be made which is inconsistent with the [New Zealand Bill of Rights Act 1990](#), notwithstanding [section 4](#) of that Act.

Section 155 heading: amended, on 28 June 2006, by [section 16\(1\)](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 155(1AA): inserted, on 28 June 2006, by [section 16\(2\)](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 155(1AA): amended, on 23 October 2013, by [section 90](#) of the Maritime Transport Amendment Act 2013 (2013 No 84).

156 Consultation requirements when making, amending, or revoking bylaws made under this Act

- (1) When making a bylaw under this Act or amending or revoking a bylaw made under this Act, a local authority must—
 - (a) use the special consultative procedure (as modified by [section 86](#)) if—
 - (i) the bylaw concerns a matter identified in the local authority's policy under [section 76AA](#) as being of significant interest to the public; or
 - (ii) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed bylaw or changes to, or revocation of, the bylaw; and
 - (b) in any case in which paragraph (a) does not apply, consult in a manner that gives effect to the requirements of [section 82](#).
- (2) Despite subsection (1), a local authority may, by resolution publicly notified,—
 - (a) make minor changes to, or correct errors in, a bylaw, but only if the changes or corrections do not affect—
 - (i) an existing right, interest, title, immunity, or duty of any person to whom the bylaw applies; or
 - (ii) an existing status or capacity of any person to whom the bylaw applies;
 - (b) convert an imperial weight or measure specified in a bylaw into its metric equivalent or near metric equivalent.

Section 156: substituted, on 28 June 2006, by [section 17](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 156 heading: replaced, on 8 August 2014, by [section 48\(1\)](#) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 156(1): replaced, on 8 August 2014, by [section 48\(2\)](#) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 156(2): amended, on 8 August 2014, by [section 48\(3\)](#) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

159 Further reviews of bylaws every 10 years

A local authority must review a bylaw made by it under this Act, the [Maritime Transport Act 1994](#), or the [Local Government Act 1974](#) no later than 10 years after it was last reviewed as required by [section 158](#) or this section.

Section 159: substituted, on 28 June 2006, by [section 19](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 159: amended, on 23 October 2013, by [section 90](#) of the Maritime Transport Amendment Act 2013 (2013 No 84).

160 Procedure for and nature of review

- (1) A local authority must review a bylaw to which [section 158](#) or [159](#) applies by making the determinations required by [section 155](#).
- (2) For the purposes of subsection (1), [section 155](#) applies with all necessary modifications.
- (3) If, after the review, the local authority considers that the bylaw—
 - (a) should be amended, revoked, or revoked and replaced, it must act under [section 156](#);
 - (b) should continue without amendment, it must—
 - (i) consult on the proposal using the special consultative procedure if—
 - (A) the bylaw concerns a matter identified in the local authority's policy under [section 76AA](#) as being of significant interest to the public; or
 - (B) the local authority considers that there is, or is likely to be, a significant impact on the public due to the proposed continuation of the bylaw; and
 - (ii) in any other case, consult on the proposed continuation of the bylaw in a manner that gives effect to the requirements of [section 82](#).
- (4) For the purpose of the consultation required under subsection (3)(b), the local authority must make available—
 - (a) a copy of the bylaw to be continued; and
 - (b) the reasons for the proposal; and
 - (c) a report of any relevant determinations by the local authority under [section 155](#).
- (5) This section does not apply to any bylaw to which [section 10AA](#) of the Dog Control Act 1996 applies.

Section 160: substituted, on 28 June 2006, by [section 19](#) of the Local Government Act 2002 Amendment Act 2006 (2006 No 26).

Section 160(3)(b): replaced, on 8 August 2014, by [section 49\(1\)](#) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).

Section 160(4): amended, on 8 August 2014, by [section 49\(2\)](#) of the Local Government Act 2002 Amendment Act 2014 (2014 No 55).