



**Dr David
CLARK**

MP for Dunedin North
Spokesperson for Revenue | Small Business
Associate Spokesperson for Finance | Health



23 July 2014

The Controller and Auditor-General
Officer of the Auditor-General
PO Box 3928
Wellington

Dear Ms Provost

Request for Inquiry into the Development and Implementation of AgResearch's Future Footprint Business Case

Thank you for the interest you are showing in asset management across government entities. As you are aware, your draft work programme for 2014/15 was considered by Parliament's Finance and Expenditure Select Committee as noted in 1(a) below.

As committee members on the Finance and Expenditure Committee, Hon David Parker and Dr David Clark note the committee's unanimous agreement to request the Auditor-General broaden her scope to include Crown Research Institutes within the ambit of investigation.

As you know, AgResearch is the largest of the Crown Research Institutes, and you will be aware that its current restructuring proposal is amongst the most publicly contentious current proposals involving Crown Assets.

Given the request of Parliament's Finance & Expenditure select committee, and the degree of public interest (reflected in a 'Save invermay' petition already signed by 8500 New Zealanders) that is being shown in the \$100M capital rebuild that AgResearch is planning to undertake, we believe that proper scrutiny of AgResearch's approach to this matter by your office – as Parliament's independent 'watchdog' – is warranted, in order to address both probity concerns and the wider public interest.

We believe your own assessments in a previous period ('Ratings of asset management in Crown-owned companies, December 2012', (see *Appendix 1*) lend weight to the case for a full and current investigation of AgResearch's asset management in practice.

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Authorised by Dr David Clark, Parliament Buildings, Wellington

Since the public release of the Future Footprint Business Case in late 2013, we have been in touch with numerous individuals, organisations, and agriculture industry representatives that have expressed a variety of serious concerns regarding the processes that lead to the development of the Future Footprint Business Case (FFBC).

In late 2012, AgResearch prepared documents outlining the future property footprint it believes is required for its science to be done most effectively and efficiently. Subsequently Steven Joyce, in his capacity as Minister of Research, Science and Innovation, signed off AgResearch's Future Footprint plan and a business case to support the proposed changes. The proposals were then to be fully consulted upon with relevant stakeholders.

We have concerns about the subsequent consultation process undertaken, and the failure of AgResearch to satisfactorily monitor, review and report on management of identified risks, and other matters around implementation of the FFBC to date.

The concerns we express in this letter have already been raised in a number of ways – including the commissioning of independent research reports, media engagement, various Official Information Act requests to both AgResearch and the Minister of Science and Innovation, Written and Oral Parliamentary Questions to the Minister, and an earlier separate request to your office for a review focused primarily on the FFBC documentation. To date, none of the responses to the various concerns raised have, we believe, been adequately addressed.

We therefore request that your office undertake a formal inquiry that includes the following areas of specific concern relating to the development of AgResearch's Future Footprint Business Case, and steps subsequently taken towards its implementation:

1. Finance and Expenditure Select Committee request to the Auditor-General

- a. In its response to the *'Report from the Controller and Auditor General, Draft Annual Plan 2014/15 (including the Auditor General's proposed work programme 2014/15)'*, as presented to the Finance and Expenditure Select Committee, the Select Committee noted:
 - i. That governance and accountability is an appropriate theme for the coming year's work programme in view of the big recent changes in legislation affecting public-sector accountability arrangements, and
 - ii. We would be interested in some attention being given by the Auditor-General to Crown Research Institutes.

We note that AgResearch, as NZ's largest Crown Research Institute, clearly falls within the scope of this request.

- b. Investigation by the Auditor-General of AgResearch's proposed \$100M capital rebuild programme aligns well with the Auditor-General's stated intention to focus on asset management in the coming period.

2. Lack of quality consultation with Agriculture Industry partners

- a. AgResearch appear to have unilaterally determined that the level of consultation they have undertaken with industry partners has not only been sufficient, but supports the FFBC. This is not the view of a number of such

parties. For example, a survey of Ram Breeders from across NZ (including some 60% from north of the Waitaki River) found that more than 92% did not support AgResearch's proposed transfer of its sheep Genetics and Genomics capacity to Lincoln University.

- b. A review of Otago Daily Times articles highlights at least 12 industry and stakeholder groups opposed to the closure of Invermay – a key component of AgResearch's Future Footprint Plan. (*see Appendix 2*)
- c. Treasury's guidelines for Better Business Cases – the utilisation of which (since July 2010) has been a requirement for all capital proposals from State Sector organisations requiring Cabinet approval – notes that one of the key reasons why projects fail is failure to adequately engage with stakeholders.
- d. A petition, in the name of David Clark, and requesting that the government reverse AgResearch's downscaling of Invermay, has already attracted in excess of 8,500 signatures.
- e. AgResearch's notes from its own annual survey data that, in 2013, the percentage of relevant funding partners and other end-users that had a high level of confidence in the CRI's ability to set research priorities was only 58%¹

3. Inadequate Business Case

- a. Of the five key tests of the Better Business Cases' five case model, at least two have not been adequately met – provision of a compelling case for change, and commercial viability.
- b. The independent analysis of the Future Footprint Business Case undertaken by BERL concludes that, in terms of the Economic Case provided in the FFBC, and economic advantage *"is effectively in the margin of error."*
- c. Further, the BERL analysis (*see Appendix 3*) concludes that, in terms of the Financial Case put by AgResearch in the FFBC, *"in the medium term, i.e. to 2022, both of the BAU Options provide a better financial return than the Future Footprint Plan option. In the very long term (perpetuity) the FFP generates somewhat larger Net Present Value, but with sensitivity analysis, the FFP benefit falls below the BAU Option Two."*
- d. In terms of information publicly released to date, the AgResearch Future Footprint Business Case has failed to demonstrate a sufficient range of other options considered, beyond a couple of 'business as usual' alternatives.

4. Failure to adequately manage Staff Retention

- a. In terms of the Future Footprint Business Case, AgResearch's risk analysis accords highest priority to staff retention.
- b. Advice to the Minister of Science and Innovation (released via OIA requests) indicates that, on 4 November 2013, *"AgResearch restated its view, as expressed in the Future Footprint Business Case and elsewhere, that retaining and relocating current staff was the highest priority."*
- c. In documents obtained by the Otago Daily Times from the Dunedin City Council, The Ministry of Business, Innovation and Employment (MBIE)

¹ AgResearch's Statement of Corporate Intent 2014-2017, p.66

expresses concern with a November 2013 update from AgResearch on the risks of staff losses: *"We remain unable to answer our key questions: Among the population of key affected scientists, are there any concentrations that will make the potential loss more damaging to national capability?"*

- d. The last staff engagement survey results released by AgResearch relate to a staff engagement survey undertaken in July 2013 – i.e. prior to the commencement of their Future Footprint consultation process with staff. However, a subsequent survey undertaken by the Public Service Association in late 2013 of PSA members of AgResearch (*Appendix 4*) showed:
 - i. Only 1 per cent indicated they are happy to relocate
 - ii. One third of those asked to move will leave and seek employment elsewhere while a further 10 per cent indicated they would retire
 - iii. 27 per cent don't want to move but want to stay with AgResearch
 - iv. Of those who have not been asked to move, 10 per cent say they will leave
- e. In addition, despite the recently released AgResearch *Statement of Corporate Intent 2014-2017* noting that "High staff engagement and an enabling working environment and culture are key components of building a high performance organisation", the PSA survey noted the following:
 - i. Just over 25 per cent of staff surveyed are either very or extremely stressed by the restructuring with another 39 per cent saying they are moderately stressed
 - ii. Only 14 per cent of those surveyed indicated that their productivity had not been impacted as a result of Future Footprint
 - iii. Nearly 80 per cent are concerned about the impact of the plans on the science sector and related stakeholders
- f. On 10 April 2014 (in response to Written Parliamentary Question 01650) the Minister of Science and Innovation indicated, *"I am advised that AgResearch have not updated its assumptions around staff retention rates at this time."* This is despite a specific request to AgResearch on 12 September 2013 (from the Ministry of Business, Innovation and Employment, on behalf of the Minister) for *"detailed scenario planning regarding risk and consequence of losing staff in the change process (Updated)."*
- g. AgResearch's *Statement of Corporate Intent 2014-2017*, however, continues to highlight staff retention as a key risk – going into significantly greater detail in outlining no less than five separate risk scenarios relating to staff retention.²
- h. Despite this, the *Statement of Corporate Intent* presents recruiting key staff "as soon as possible" as one its key strategies to mitigate the risk around both staff retention and maintaining science staff capacity.³ Recruitment of new staff, however, fails to address the specific risks AgResearch has noted – namely,
 - i. The impact that the loss of existing staff may have on relationships and stakeholder relationships

² AgResearch *Statement of Corporate Intent 2014-2017*, p.71

³ *Ibid.* p. 70f

- ii. The risk of revenue loss where research has been closely associated with the area of expertise of an individual scientist who leaves the organisation
- iii. The potential the loss IP, institutional knowledge and research information, should existing staff chose not to relocate, and
- iv. The potential impact on staff engagement.

5. Allegations of conflict of interest

- a. While a National Business Review article (*see Appendix 5*) alleges significant conflict of interest on the part of at least four AgResearch board members or senior Lincoln University staff in relation to the preparation of the FFBC, the Minister of Science and Innovation, (on 21 October 2013, in response to Written Parliamentary Question 13819) stated, "I have been informed that no conflicts of interest have been declared by the AgResearch board members in respect of the restructuring proposal announced on 26 September 2013."
- b. We are concerned that, in light of the Minister's response (above), no members of the AgResearch board appear to have declared or had recorded any conflict of interest in relation to the Future Footprint restructuring proposal nor it can be assumed, in light of this, have any mitigating actions been taken (c.f. Auditor-General's 'Managing conflicts of interest: Guidance for Public Entities', <http://www.oag.govt.nz/2007/conflicts-public-entities/part4.htm>).

6. Irregular approach to OIA requests

- a. When public concern was first raised, a substantially abbreviated 40 page version of the Future Footprint document was uploaded onto the AgResearch website – with no indication that this was other than the full business case document. When challenged on this, the full 101 page version of the Future Footprint Business Case was subsequently uploaded – though in heavily redacted form.
- b. The redacted version of the full FFBC does not indicate – in each instance of redacted content – the specific reason for each redaction (as is accepted practice with OIA responses).
- c. Requests not fulfilled within normal statutory deadlines.

We are grateful for your attention to this matter, and look forward to your positive response in due course. In the meantime, if there is any further documentation or clarification in support of our request that we can usefully provide, please do not hesitate to contact us.

Yours sincerely



Hon David Parker
Labour Finance Spokesperson



Dr David Clark
MP for Dunedin North



Clare Curran
MP for Dunedin South



APPENDIX 1

18 July 2014

Mr Paul Goldsmith
Chairperson, Finance and Expenditure Committee
Parliament Buildings
WELLINGTON

Lyn Provost

Dear Mr Goldsmith

Re: Information requested from the *Maintaining a future focus in governing Crown-owned companies* report

As requested, please find attached the individual ratings for asset management for the Crown Research Institutes, State Owned Enterprises and Crown Companies in our report *Maintaining a future focus in governing Crown-owned companies*.

These ratings are based on Appointed Auditor's judgement, which I requested in late 2012. I requested information for entities that have more than \$2 million in property, plant and equipment.

I am aware that since this information was requested, some entities have undertaken significant asset improvement plans, sold assets or are in the process of selling them. Such activity may have affected aspects of asset management such as maintenance and condition, in particular.

The *Managing Public Assets* report (from which this data was derived) was a first step in understanding the management of public assets across the public sector. We expect to be producing additional reporting on specific sectors over the remainder of the year, and as part of the office's "asset management" theme set for 2015/16.

Overall, our report concluded that Crown-owned companies were managing their assets well.

Yours sincerely

Lyn Provost
Controller and Auditor-General

Ratings of asset management in Crown-owned companies, December 2012

Entity Name	Information	Maintenance*	Condition*
Television New Zealand Limited	4.0	3.0	3.7
AgResearch Ltd	2.0	1.7	2.7
Landcare Research (New Zealand) Ltd	2.0	2.4	3.3
National Institute of Water & Atmospheric Research Ltd (NIWA)	2.0	2.8	3.3
Institute of Environmental Science and Research Ltd (ESR)	3.0	3.0	3.0
Institute of Geological and Nuclear Sciences Ltd (GNS)	3.0	3.8	3.4
New Zealand Institute for Plant and Food Research Ltd	3.0	3.4	3.2
New Zealand Forest Research Institute Ltd (SCION)	4.0	3.7	3.3
Meteorological Service of New Zealand Limited	2.0	3.0	3.5
Animal Control Products Limited	3.0	4.0	3.0
Kordia Group Ltd	3.0	3.8	3.0
Landcorp Farming Limited	3.0	3.0	3.0
New Zealand Post Ltd	3.0	3.0	3.0
New Zealand Railways Corporation	3.0	3.5	3.3
Airways Corporation of New Zealand Ltd	4.0	4.0	3.8
AsureQuality Limited	4.0	3.3	4.0
Transpower New Zealand Limited	4.0	3.2	3.2

*Within this category, auditors were asked to rate different asset types (for example, IT, motor vehicles, waste water and land – as relevant to the entity). These are the averaged score across all asset types, which is what was used to produce the table in the report.

Note: The rating scale used was from one to four, with one being the lowest and four the highest. For the 'Information' column, a rating of four meant that an entity holds enough information to ensure that all assets that provide services are kept in a condition that supports the continuing delivery of services and a rating of one meant that the entity holds no such information. For Maintenance, a rating of four meant that maintenance and renewal is in keeping with the plan and a rating of one meant that the entity is not necessarily following a maintenance and renewal plan. For Condition, a rating of four meant that the asset is in very good condition and a rating of one meant that it is in poor condition.

**Agriculture Industry and Stakeholder Groups expressing opposition to the Future
Footprint Business Case**

(Source: Otago Daily Times – www.odt.co.nz, 8/7/14)

- Southern Texel Breeders' Association
- Beef and Lamb NZ
- Otago Regional Council
- Environment Southland
- Dunedin City Council
- Otago University
- NZ Deer Farmers' Association
- Southland Federated Farmers
- Federated Farmers Otago
- Perendale Sheep Society of NZ
- AbacusBio
- Genetics Otago



14 March 2104

Dunedin City Council
Otago Regional Council

By Email

Dear Sirs

Brief Update on Review of Economics of AgResearch FFP Case

In November 2013 I led the BERL team that completed on behalf of Dunedin City Council and Otago Regional Council research described in the report *Review economic basis of AgResearch FFP Business Case*. This research was completed on the basis of two AgResearch documents:

AgResearch Future Footprint Business Case, 40pp. 31st October 2012, and the resulting
Future Footprint Proposal, 15pp. 30 July 2013.

As the base of the Business Case, the **Strategic Case** derived two objectives: The Strategic Case derives two objectives:

- Improving infrastructure quality and utilisation, and
- Catalysing agriculture innovation centres.

The **Economic Case** showed collocation could result in greater collaboration and an increase of 1.6% in the total number of citations of research papers. The indication, if all the AgResearch assumptions held, was that the 'improved quality of R&D would increase GDP by \$20 million per year in the long term.'

The BERL assessment is that increase is very small, could be generated by about 3-5 additional dairy farms, and is effectively in the margin for error. The Economic Case did not describe in any detail alternative developments such as the BAU Options, or others that against which the FFP can be compared.

The **Financial Case** outlines funding of \$99.5 million by sale of farm land, sale of campus facilities and balance from future profits and debt. BERL has since received the more-complete *AgResearch Future Footprint Business Case*, 31st October 2012, of 102 Pages. This includes no more detail on the Economic Case for the BAU Options.

It does show some findings of the Financial Case including the BAU Options. A summary is

Net Present Value of Options (\$million):	At 2022	In Perpetuity
FFP Case	\$33.6 m	\$256m
BAU Option One	\$60.3m	\$221m
BAU Option Two	\$74.8 m	\$235m

These results indicate that in the medium term, i.e. to 2022, both of the BAU Options provide a better financial return than the FFPO. In the very long term (perpetuity) the FFP generates somewhat larger Net Present Value, but with sensitivity analysis, the FFP benefit falls below the BAU Option Two.

In this situation, where the Economic Value of the BAU options has not been measured, and the financial benefits of the FFP over the BAU options is very sensitive to the assumptions made, it is extremely risky to adopt as the preferred case the FFP.

It is imperative that a risk analysis is carried out, as well as an adequate Economic analysis of the BAU Options, including an enhanced one with increased collaboration capability.

Commercial Case:

This revolves particularly around staffing, and property use. We have not studied property use.

In relation to staff, our main points here remain:

- The staff in Ag Research are said to be dominated by older staff. The staff over 50 years are stated to make up 40% of staff. An assumed 'AgResearch life for staff could be age 25 to age 65, thought increasing numbers are likely to work beyond 65 years. The 25 years to 65 years is a 40 year period and the age classes 50 years to 65 make up 15 years of 37.5% of the working life. This is very close to the present 40% of the workforce over 50.
- One key reason for shifting animal science to Lincoln is that the 'Hub' will encourage Lincoln Graduates to join AgResearch. To ratify this one would have to outline the programme of recruitment that AgResearch has undertaken over recent years with under graduates at Lincoln and Massey, and the success in attracting such graduates.
- The other piece of information which is obvious and extremely necessary in order to make a sound decision is the likely transfer of all types of staff to the new Hubs. Also as an prior example it would be valuable to complete a full study of the outcomes resulting from the shift of the Wallaceville operation to Invermay.
- International findings of research published in the last year or two show conclusively that success in Centres of Excellence depend upon
 - Retaining research 'stars' to attract other top staff;
 - Having the research activities embedded in their industry. Given that 30% of sheep are south of the Waitaki, Invermay is the location embedded in the industry.
 - Success is not found to be so dependent on the Cluster approach of the 1990s.

I trust these brief points are useful for you.

Yours sincerely

Kel Sanderson
Director, Economist

Business and Economic Research Limited
BERL House, Level 5, 108 The Terrace

Survey points to major dissatisfaction over AgResearch relocation plans

PSA Media Release - 18 Dec 2013

A survey of PSA members at AgResearch shows only one per cent are happy to relocate, while a third of those who have been asked to move, have indicated they will leave the organisation rather than shift.

AgResearch is moving ahead with plans to shift up to 250 positions over the next 3-4 years as part of a major change in the distribution of resources and infrastructure. It will see about 174 positions from Ruakura in Hamilton and about 80 from Invermay in Dunedin shifted to campuses in either Lincoln or Palmerston North.

The PSA designed a survey to find out how members are responding to AgResearch's Future Footprint plans. 177 members from AgResearch sites around the country responded, including those whose positions are being relocated and those whose aren't.

Key findings

- Only 1 per cent indicated they are happy to relocate
- One third of those asked to move will leave and seek employment elsewhere while a further 10 per cent indicated they would retire
- 27 per cent don't want to move but want to stay with AgResearch
- Of those who have not been asked to move, 10 per cent say they will leave
- Just over 25 per cent are either very or extremely stressed by the restructuring with another 39 per cent saying they are moderately stressed
- Only 14 per cent indicated that their productivity had not been impacted as a result of Future Footprint
- Nearly 80 per cent are concerned about the impact of the plans on the science sector and related stakeholders

PSA National Secretary Richard Wagstaff says the restructure represents a massive change and a lot of uncertainty for staff. It also forces some big life-changing decisions on those who will be asked to relocate.

"We know from the survey results and the accompanying comments made by members that there are serious concerns about the potential loss of staff, expertise and capability out of the organisation."

"There is a clear perception that the Future Footprint plan will seriously undermine AgResearch's ability to deliver quality agricultural science and threaten future funding. The fact that 80 per cent of those surveyed say they are worried about the impact of the restructure on the science sector as a whole is significant and echoes the concerns of many other groups and stakeholders," he says.

The PSA says the relocation plan is also proving to be very stressful for staff.

Richard Wagstaff says "people are struggling to understand the rationale for the plans as well as dealing with the uncertainty around their work and their futures."

"This survey should send a clear message to AgResearch about how staff feel about the Future Footprint plans and the effect it will have on staff retention and organisational capacity, not to mention the provision of quality scientific work to the agricultural sector."

AgResearch restructure sparks call for independent review

Jamie Ball

An independent review into AgResearch's controversial \$100 million Future Footprints plan is being called for to assess any potential conflicts of interests among directors.

AgResearch, however, says its board's judgment is that there have not been any conflicts of interest at play in the plan.

Last year AgResearch announced plans to restructure and upgrade its facilities across its four research centres nationwide.

The divisive four-year plan involves the relocation of about 280 permanent AgResearch staff from its Ruakura (Hamilton) and Invermay (Dunedin) campuses to its Grasslands (Massey University) and Lincoln University campuses.

Critics have highlighted certain external roles held by AgResearch directors that may need scrutiny.

"The problem in a small country with limited availability of expertise

is that the same people appear in different places," Waikato University agribusiness professor Jacqueline Rowarth says.

"When you have several 'might be conflicted' people on a board, an independent review is required."

Prof Rowarth says that in the case of the AgResearch move, it is very difficult for the decision makers to be seen to be independent as there are so many people on the board with interests that could conflict.

For example, AgResearch director Andrew Macfarlane is a member of the Lincoln University Council and chairman of Deer Industry NZ. The effective downgrading of AgResearch's Invermay centre sees much of its current deer research being relocated to Lincoln.

AgResearch chairman Sam Robinson was a board member of AssureQuality, a food safety and biosecurity service that has one of its two New Zealand-based Pest-Labs based in Lincoln: a lab that is

understood to benefit significantly from the AgResearch plan.

While Mr Robinson stood down from the AssureQuality board in October 2013, AgResearch's Footprints plan was completed in October 2012. The 101-page plan does not highlight these associations and it is unclear how they were accounted for at meetings where

website.

"AgResearch follows Institute of Directors guidelines with regard to conflict of interest. For example, all interests are disclosed at the start of each board meeting and any potential conflicts of interest are assessed."

Lincoln University vice-chancellor Andy West was also a board

between them.

"I don't see how the interests are particularly relevant and I certainly don't see any conflicts there," Mr West says.

In recent months Mr West has been regularly quoted in the media discussing Lincoln's financial woes and has been critical of government for its lack of funding for the university, post-earthquake. It is understood that AgResearch staff relocations will enhance the struggling university's balance sheet.

"The AgResearch board has people on levy body organisations (for example, Deer Industry NZ and Dairy NZ) and Lincoln University council," Prof Rowarth says. "The organisations aren't making negative statements about the footprint plan, despite the fact that the farmer levy payers clearly are – while Lincoln University stands to benefit."

"These board members are now in a predicament; an independent review is required."

jo@nz.co.nz

The problem in a small country with limited availability of expertise is that the same people appear in different places

Professor Jacqueline Rowarth

AgResearch made presentations on its Footprints plan, as well as in its releases to media.

AgResearch spokeswoman Sarah Fraser says directors' other board roles are published in the organisation's annual report and on its

member of Deer Industry NZ and is the former AgResearch chief executive, stepping down in 2010.

He says he sees little or no connection between any of the boards on which he sits, and says he is not aware of any money flowing directly

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