

**Council Members**

Chairman Nicol Horrell  
Cr Jeremy McPhail (Deputy)  
Cr Neville Cook  
Cr Paul Evans

Cr Alastair Gibson  
Cr Robert Guyton  
Cr Lyndal Ludlow  
Cr Peter McDonald

Cr Jon Pemberton  
Cr Phil Morrison  
Cr Maurice Rodway  
Cr Eric Roy



## Ordinary Meeting of Council Te Huinga Tu

Environment Southland Council Chambers  
and via Zoom digital link

10.30 am

3 May 2023

### AGENDA Rarangi Take

1. Welcome | Haere mai
2. Apologies | Ngā Pa Pouri
3. Declarations of Interest
4. Public Forum, Petitions and Deputations | He Huinga tuku korero
5. Confirmation of Minutes | Whakau korero
  - (a) Ordinary Meeting of Council 8 March 2023
6. Adoption of Committee Resolutions
  - (a) Otago Southland Regional Transport Committees 3 March 2023
  - (a) Strategy and Policy Committee 29 March 2023
  - (b) Risk and Assurance Committee 29 March 2023
  - (d) Southland Civil Defence Emergency Management Group 17 April 2023
7. Notification of Extraordinary and Urgent Business | He Panui Autaia hei Totoia Pakihi
  - 7.1 Supplementary Reports
  - 7.2 Other

Note: Councillors are reminded to advise the Chairman, at least a day prior to the meeting, of your intention to raise any matters.
8. Questions | Patai



9. Chairman and Councillors’ Reports I Ngā Purongo-a-Tumuaki me ngā Kaunihera
10. Staff Report - 23/C/23
- Item 1 - Chief Executive’s Report .....41
  - Item 2 – 2023/24 Annual Plan Update.....53
  - Item 3 – 2023/24 Fees and Charges Schedule .....60
  - Item 4 - Local Government New Zealand Annual General Conference and Regional Sector Group Pre-conference Tour .....98
  - Item 5 - Local Government New Zealand – Nominations for President and Vice President.....100
  - Item 6 - Local Government New Zealand Annual General Meeting and Remit Process .....106
  - Item 7 - Councillors’ Meeting Schedule – May 2023 .....111
  - Item 8 – Moth Plant Biocontrol Submission .....119
  - Item 9 - Common Seal .....126
11. Extraordinary and Urgent Business I Panui Autaia hei Totoia Pakihi
12. Public Excluded Business I He hui Pakihi e hara mo te iwi
- Confirmation of Minutes  
*Ordinary Meeting of Council – 8 March 2023*
  - Adoption of Committee Resolutions  
*Strategy and Policy Committee – 29 March 2023*  
*Risk and Assurance Committee – 29 March 2023*
- Staff Report - 23/C/23
- Item 10 - Appointment of Hearing Panel for the Regional Coastal Plan for Southland - Proposed Plan Change 5.....136
  - Item 11 - Appointment of Independent Chair to Risk and Assurance Committee .....140

Wilma Falconer  
Chief Executive

RECOMMENDATIONS IN COUNCIL REPORTS ARE NOT TO BE CONSTRUED  
AS COUNCIL POLICY UNTIL ADOPTED BY COUNCIL



## Confirmation of Minutes

- **Ordinary Meeting of Council – 8 March 2023**

**Minutes of the Ordinary Meeting of the Southland  
Regional Council, held in Regional House, corner  
North Road and Price Street, Invercargill, on  
Wednesday, 8 March 2023, at 10.39 am**



**Present:** Chairman N Horrell (Chair)  
Cr N Cook  
Cr P Evans  
Cr A Gibson  
Cr R Guyton  
Cr L Ludlow  
Cr P McDonald  
Cr J McPhail  
Cr P Morrison  
Cr J Pemberton  
Cr M Rodway  
Cr E Roy

**In Attendance:** Ms W Falconer (Chief Executive)  
Ms L Hicks (GM, Policy & Government Reform)  
Ms A Kubrycht (GM, People & Customer)  
Mr P Hulse (GM, Integrated Catchment Management)  
Mr D Rikiti (GM, Business Services)  
Mrs A Henderson (TL – Strategic Communications)  
Mr L Cleaver (Harbourmaster/Maritime Manager)  
Mrs D Ferguson (Resource Management Manager)  
Mr B Halligan (Consents Manager)  
Ms B Lawrence (Chief Advisor)  
Ms A Meade (Biosecurity & Biodiversity Manager)  
Mr N Perham (Integration & Implementation Manager)  
Mrs J M Brown (Executive Officer)

**1 Welcome | Haere mai**

The Chairman welcomed members to the meeting of Council.

**2 Apologies | Nga Pa Pouri**

No apologies for absence were recorded, as all members were present.

**3 Declarations of Interest**

There were no declarations of interest made at this time.

**4 Public Forum, Petitions and Deputations | He Huinga tuku korero**

There were no Public Forum, Petitions and Deputations.

**5 Confirmation of Minutes | Whakau korero**

**(a) Ordinary Meeting of Council – 1 February 2023**

*Resolved:*

**Moved Cr Ludlow, seconded Cr Gibson, that the minutes of the Ordinary Meeting of Council held on 1 February 2023 be taken as read and confirmed as a true and correct record.**

**Carried**

**6 Adoption of Committee Resolutions**

**(a) Strategy and Policy Committee – 15 February 2023**

Cr Ludlow highlighted the significant workload being undertaken by the meeting, particularly the submissions made to central government, both individually and jointly with the territorial authorities. She also noted the comprehensive and informative analysis of New Zealand's response to climate change, and looked forward to the Strategy & Policy Committee being able to assist the Climate Change Subcommittee with this work.

In response to questions from the meeting, Cr Morrison noted there had been a very positive first meeting of the Climate Change Working Group, which was focusing on two distinct areas – mitigation and adaptation. The degree to which has priority was yet to be determined at the cross-TA level.

*Resolved:*

**Moved Cr Ludlow, seconded Cr Rodway that the resolutions from the Strategy and Policy Committee meeting held on 15 February 2023 be adopted.**

**Carried**

**(b) Regulatory Committee – 15 February 2023**

In moving the adoption of the resolutions, Cr Cook highlighted the interconnectedness of the work of Council, as presented to the Committee.

With regards to the proposed Bluff haul-out facility, Mr Hulse advised the meeting he had a site visit set up in the coming weeks where staff would undertake a stocktake of the work of the various organisations involved in this issue, to be able to update Council on this matter.

**Resolved:**

Moved Cr Cook, seconded Cr McPhail, that the resolutions of the Regulatory Committee meeting held on 15 February 2023 be adopted.

Carried

**(c) Finance and Performance Committee – 22 February 2023**

**Resolved:**

Moved Cr Rodway, seconded Cr McDonald, that the resolutions of the Finance and Performance Committee meeting held on 22 February 2023 be adopted.

Carried

**(d) Regional Services Committee – 22 February 2023**

Cr McDonald summarised the key matters covered off by the meeting, noting that river management was a highlight currently, particularly around the leasehold land administered on behalf of the ratepayer.

**Resolved:**

Moved Cr McDonald, seconded Cr Rodway, that the resolutions of the Regional Services Committee meeting held on 22 February 2023 be adopted.

Carried

**7 Notification of Extraordinary and Urgent Business | He Panui Autaia hei Totoia Pakihi**

**7.1 Supplementary Reports**

There were no supplementary reports tabled for inclusion in the agenda.

**7.2 Other**

There were no other items of business raised by Councillors for inclusion in the agenda.

**8 Questions | Patai**

*Cr Guyton:* “Given that the Council is charged with managing Southland’s resources, are we actively managing the resource that is food? We give a great deal of time and energy and thought to livestock farming; food for export, but do we give any time at

all to developing and supporting the production of food for Southlanders; that is, locally-produced food for locals?”

Staff noted this topic had been raised through the Climate Change Strategy and also in the policy area of Council. The NPS for Highly Productive Land is intended to protect land that is most productive, and needs to be connected to the work done by the Regional Climate Change Subcommittee and also through the Regional Spatial Strategy that is being developed. There will be opportunities to work on this further moving forward.

Cr Guyton noted the conference future Whenua that was coming up and hoped that Environment Southland would be represented at same.

## 9 Chairman and Councillors’ Reports | Nga Purongo-a-Tumuaki me nga Kaunihera

### ⇒ Chairman’s Report

A report outlining the activities the Chairman had been involved in on behalf of the Council since the last meeting had been circulated with the agenda. In addition to his report the Chairman advised he had attended the public forum session of the Invercargill City Council meeting to discuss the Climate Resilience projects. Good interaction had occurred, with a large number of questions raised – focused largely on managed retreat and resilience.

### ⇒ Councillors’ Reports

The meeting noted the report provided by Crs Morrison, Rodway, Ludlow and Gibson on their Hydrogen Workshop attendance.

In addition, Cr Cook advised he had attended a presentation by the Richardson Group, who this month were installing a hydrogen producing site in Gore and were investing directly in this new technology. Cr Ludlow noted the concerns about freshwater needs in relation to green hydrogen generation, and noted much will be learned from the Richardson’s project.

Cr McPhail updated the meeting on his involvement with the drop-in sessions held in Gore and Maitua in relation to the work on the stopbanks, and on his participation (with Cr Gibson) in the Waikaia Catchment Group meeting re environmental challenges facing Murihiku Southland.

## 10 Staff Report – 20/C/13

### ⇒ Item 1 – Chief Executive’s Report

The Chief Executive’s report was distributed with the agenda which highlighted the support being provided to the North Island councils as a result of Cyclone Gabrielle (EMS staff and river engineers largely).

Addition items discussed included:

- Mataura left bank emergency works are likely to be completed this week.
- Noted the cost of this work is yet to be finalised, but staff will report back to Council on same when it is finalised. There are no “left over funds” as the works undertaken were unbudgeted.
- Waihopai left bank works have commenced.
- Scoping up of a potential infrastructure work programme for the next two years is occurring (in consultation with central government funders).
- True right bank works for the Mataura project are not considered “an emergency” and will form part of an ongoing work programme.
- Learnings from the North Island’s recent emergency response/flooding experiences will be brought back to Council to assist with its maintenance and work programme planning.
- Work on Master plans for catchments/at risk areas will be developed, but need significant data to be compiled, bathometric surveys to complete modelling, etc. Will require consultation with communities and TAs also. This work will be done after the immediate risks have been addressed.
- Tiwai sampling work was undertaken to provide baseline information around the coastal marine area (CMA) that was independent. The results will be discussed with the smelter.
- The Long-term Plan (LTP) will be addressing the work required to continue and improve on maintenance of stopbanks in the region, and at the same time will involve discussions around how that work is funded and by whom.
- Risks to flooding from forestry slash – noted the scale and slopes are different in Southland to the North Island. Conversations with relevant organisations will continue, as issues with slash in Southland have been encountered in the past.
- The need for a Regional Spatial Strategy including the information from all agencies, was evident, to bring the climate change and district planning conversations together.
- The Environmental Protection Agency (EPA) fast track application process was briefly outlined, noting a decision was likely in the 2023/24 year.
- Cr Guyton sought information on the hydrological effects of wilding pines (if it was available).
- The Chief Executive outlined how iwi were involved in the Tiwai project, both locally and through Te Rūnanga ō Ngai Tahu.

**Resolved:**

**Moved Cr Roy, seconded Cr McPhail, that Council note the report.**

**Carried**

**⇒ Item 2 – Update to Staff Delegations Manual**

Council approval of amendments proposed to the Staff Delegations Manual, as outlined in the staff report, was sought.

**Resolved:**

**Moved Cr Rodway seconded Cr Gibson that Council approve the proposed changes to the Staff Delegations Manual as outlined in**



**Schedule 1, and as appropriate in other sections of the manual, effective immediately.**

**Carried**

⇒ **Item 3 – Local Government NZ Zone 5 and 6 Meeting - Attendance**

This item sought Council approval for the attendance of Council representatives at the Local Government NZ Zone meeting scheduled to be held in Queenstown on Thursday 20, and Friday 21 April 2023.

**Resolved:**

**Moved Cr Cook, seconded Cr McPhail, that Council:**

- (1) Appoint Chairman Horrell, Crs Gibson, Ludlow, McDonald and McPhail as its delegates to attend the LGNZ Zone meeting to be held on 20 and 21 April 2023.**
- (2) Meet the associated costs of travel, accommodation and meals for those delegates appointed.**

**Carried**

⇒ **Item 4 – Councillors' Meeting Schedule – February-April 2023**

Council approval of the meeting schedule as circulated with the agenda was sought. The following is a list of the amendments made to that schedule, together with the leave of absence requests raised.

- The Te Rōpu Taiao hui on 10 March 2023 was to be held in Gore
- Recruitment Panel sessions scheduled for 20 March 2023 involving Chairman Horrell, Crs Ludlow, McPhail and Evans @ ES
- Catchment Liaison Committee Chairs meeting with Regional Services Committee is to be held at Salvation Army Hall, Winton on 21 March 2023
- Catchment Liaison Committee chairs meeting with Council and mana whenua representatives on 18 April 2023
- Climate Change Subcommittee meeting scheduled for 27 April 2023
- Climate Change Subcommittee meeting on 15 March 2023 – Cr McDonald to be included in attendees.
- Leave of Absence requests – Cr Roy – 3-17 April 2023; Cr Gibson 30 March to 7 April 2023.

**Resolved:**

**Moved Cr Cook, seconded Cr Ludlow, that Council note the planned meetings and:**

- (1) appoint members to represent Council at the meetings marked on the schedule and as amended today.**

- (2) pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule.
- (3) grant the leave of absence requests as lodged at the meeting today.

Carried

#### ⇒ Item 5 – Common Seal

This item was for Council to note the documents to which the Common Seal had been applied under approved authorisation.

**Resolved:**

Moved Cr Roy, seconded Cr McPhail that Council note the list of documents to which the Common Seal has been affixed under approved authorisation.

Carried

#### ⇒ Item 6 – Reporting of Expenditure above Delegated Authority

This item reported on expenditure incurred by staff above the delegated authority provided, as required by Council's Delegations Manual.

**Resolved:**

Moved Cr Cook, seconded Cr Roy, that Council note the report and the expenditure of \$836,237.32 (inclusive of GST) for work associated with the Mid Dome Wilding Trees programme for the month of December 2022.

Carried

The meeting also noted the informal meeting that was scheduled for 1.00 pm today, between Councillors and the members of the Mid Dome Wilding Trees Charitable Trust, in order for them to provide the Council with an update on their programme of work.

#### 11 Extraordinary and Urgent Business

There was no extraordinary or urgent business considered by the meeting.

#### 12 Public Excluded Business

**Resolved:**

Moved Cr McPhail, seconded Cr McDonald, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest/s protected by section 6

or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), the public be excluded from the following parts of the proceedings of this meeting, namely:

- ⇒ Confirmation of minutes – Ordinary meeting of Council – 1 February 2023
- ⇒ Adoption of Committee Resolutions – Strategy & Policy Committee – 15 February 2023
- ⇒ Adoption of Committee Resolutions – Regional Services Committee – 22 February 2023

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds for excluding the public, as specified by Section 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
Confirmation of Minutes – Ordinary meeting of Council – 1 February 2023	To enable to the local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h)
	To protect the privacy of natural persons.	S.7(2)(a)
Adoption of Committee Resolutions – Strategy & Policy Committee – 15 February 2023	The matter under discussion is before the Environment Court and therefore Council is authorised to deliberate in private.	S.498(1)(d) as qualified by S.48(2)(a)(i)
Adoption of Committee Resolutions – Regional Services Committee – 22 February 2023.	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h)
	To protect the privacy of natural persons.	S.7(2)(a)

**Carried**

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 11.51 am.



## **Adoption of Committee Resolutions**

- **Otago Southland Regional Transport Committees – 3 March 2023**
- **Strategy and Policy Committee – 29 March 2023**
- **Risk and Assurance Committee – 29 March 2023**
- **Southland Civil Defence Emergency Management Group – 17 April 2023**

## Minutes of the Otago and Southland Regional Transport Committees meeting held at Balclutha City Council on Friday 3 March 2023 at 10:00

### Regional Transport Committees Membership:

<p><b>Otago:</b>          Cr Kate Wilson (ORC, RTC Chair-) –  <b>Meeting Chair</b>          Cr Alexa Forbes (ORC, RTC Deputy Chair)          Cr Bruce Graham (CDC)          Cr Stuart Duncan (CODC)          Cr Jim O’Malley (DCC)          Cr Quentin Smith (QLDC)          Cr Jim Thomson (WDC)          Mr James Caygill (NZTA)</p>	<p><b>Southland:</b>          Cr Jeremy McPhail (ES, RTC Chair)          Cr Phil Morrison (ES, RTC Deputy Chair)          Cr Christine Menzies (SDC)          Cr Ria Bond (ICC)          Cr Joe Stringer (GDC)          Mr James Caygill (NZTA)          Chairman Nicol Horrell (ES) – ex officio</p>
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### In attendance:

Cr Kevin Gilbert (DCC) – On-line  
 Cr Paul Duffy (SDC Alternate)  
 Mr Peter Brown (Waka Kotahi Alternate)

Mr Russell Hawkes (ES)  
 Ms Lorraine Cheyne (ORC)  
 Ms Laura Faulkner (ORC – Minute-taker)

Mr Chris Bopp (CDC)

Ms Stacey Hitchcock (DCC)  
 Ms Jeanine Benson (DCC)  
 Mr Kevin (alternate)  
 Mr Doug Rodgers (ORC)  
 Mr Chad Barker (NZTA)  
 Mr Chris Baker (NZTA)  
 Mr Tony Pickard (QLDC)  
 Mr Stacey Hitchcock (DCC)  
 Mr Murray Hasler (GDC)  
 Mr Hartley Hare (SDC)  
 Mr Mike Harrison (WDC)  
 Mr Dean Lowry (ES)  
 Ms Lesley McCory (ICC)  
 Mr Quinton Penniall (CODC)

## 1. Welcome

Cr Kate Wilson welcomed all to this meeting at 10:00am

## 2. Apologies

**Resolution: Cr Kate Wilson Moved. Cr Jim O'Malley Seconded**

*Apologies for absence were recorded for Cr Alexa Forbes, Cr Christine Menzies, Cr Jo Stringer, Cr Ria Bond, and James Caygill (NZTA).*

**MOTION CARRIED**

## 3. Public Forum, Petitions and Deputations

No Public forum, petitions and deputations were held.

## 4. Confirmation of Minutes

**Resolutions: Cr Wilson Moved, Cr O'Malley Seconded**

*Resolution: That the minutes of the meeting held 15 July 2022 be received and confirmed as a true and accurate record.*

**MOTION CARRIED**

## 5. Actions from Minutes of 15 July 2022

The actions from minutes from 15 July 2022 were reviewed.

## 6. Notification of Extraordinary and Urgent Business

### 6.1 Supplementary reports

There were no supplementary reports tabled for inclusion on the agenda.

## 7. Questions

Cr Jim O'Malley asked that previously requested data regarding traffic accidents, deaths, and serious injury is sent through. Yet to be supplied, AADT for two stretches of SH 1 from Christchurch south will be supplied with circulation of minutes.



FW\_ AADT numbers  
for SH 1 South - RTC

### **Item 1 - Induction Briefing Otago Southland Regional Transport Committees**

Mr Hawkes introduced the paper outlining the legal framework committee works under. Framework from Land Transport Management Act 2003. Intended to be sufficient information for new members of the Committee. Chair Cr Kate Wilson spoke to the Committee about the challenges of funding, climate change and resilience and the need for the RLTC to be future-focussed and plan for something that may be different from what we have now.

#### **Resolution: Cr Wilson Moved. Cr O'Malley Seconded**

*That the Regional Transport Committees receive the report and provide comment or direction on further information or actions the Committees require.*

#### **MOTION CARRIED**

### **Item 2 – Review of Combined RTC Terms of Reference**

Query as to whether the ToR have been updated for requirement of 2022 Speed Management Rule/ Regional Speed Management Plans. While each Regional council has to prepare a speed management plan, Rule allows for each Road Controlling Authority (RCA) to prepare its own Speed Management Plan, then all become part of the regional plan. Chair Cr Kate Wilson suggested that there may be some benefit of each Regional Councils bringing its plan to joint RTC to look at consistency. Staff to come back regarding further terms-of-reference and how this works.

#### **Resolution: Cr Kate Wilson Moved. Cr Jim Thomson Seconded**

*That the Regional Transport Committees receive the report and:*

- 1. provide direction on changes or further development of the Regional Transport Committee Terms of Reference;*
- 2. provide direction on changes or further development of the Technical Advisory Group Terms of Reference.*

#### **MOTION CARRIED**

### **Item 3 – Mid-Term Review of the 2021-2031 Regional Land Transport Plan**

Chair Cr Kate Wilson advised that the Otago Regional Council Public and Active transport Committee will be doing KPI's for public and active transport. Noted that Queenstown Lakes District needs 40% mode shift required, and the question was raised of who is keeping track of how these Transport objectives are being measured. Is this data being collected and who is holding it. Cr Stuart Duncan queried what happens if key targets aren't met, noting that mode shift is tough. Recognition that there is room for improvement in reporting on monitoring of RLTP.

Chair Cr Kate Wilson noted the need for the Committee to work collaboratively then report to TA's. Plan on how we plan and report around our RLTP goals.

In general discussion on the review the Committee was advised that it was possible to start the plan afresh as a new Committee, but timeframes are now very tight. The last meeting of the Committee



determined the overall direction of the plan. Noted that RCAs are preparing their activity management plans to be signed off mid-September. Draft RLTP to go out for consultation end of September. Short time to make any big changes.

Query around scope (of “land transport), noted the definition in LTMA is:

**land transport—**

(a) means—

- (i) transport on land by any means;
- (ii) the infrastructure, goods, and services facilitating that transport; and

(b) includes—

- (i) coastal shipping (including transport by means of harbour ferries, or ferries or barges on rivers or lakes) and associated infrastructure;
- (ii) the infrastructure, goods, and services (including education and enforcement), the primary purpose of which is to improve public safety in relation to the kinds of transport described in paragraph (a)(i)

Acknowledgment that it is a land transport plan not road transport plan, thinking is now beyond just roads. Staff to go back to the documents to see what can be strengthened and re-framed to meet carbon reduction targets/aspirations. Also noted substantially less funding and further impacts on budget due to recent climate events. RLTP will have to “do more with less”

**Resolution: Cr Kate Wilson Moved. Cr Stu Duncan Seconded**

*That the combined Regional Transport Committees note the report:*

1. *adopt the approach recommended for the Regional Land Transport Plan with updates to reflect a greater emphasis on transport options and resilience;*
2. *note the Regional Land Transport Plan development programme proposed.*

**MOTION CARRIED**

**Item 4 – Request for External Membership on the Regional Transport Committees**

General discussion and consensus on Chair Cr Kate Wilson for committee to welcome members of Transporting New Zealand to attend public forums, but not membership of Committee. Membership to be kept to specific technical advisors. Staff to consider other groups to attend in public forum, eg presentation to understand Hydrogen as a potential option and the supply chain of this.

**Resolution: Cr Kate Wilson Moved. Cr Phil Morrison Seconded**

*That the Regional that the that Committees receive the report and:*

1. *that Transporting NZ are welcome to address the committee at public forums but not as members of the committee, which is not a matter delegated to the committee*

**MOTION CARRIED**

## **Item 5 – Waka Kotahi NZ Transport Agency Update**

Considerable work being done in Waka Kotahi to recover from Cyclone Gabrielle and other extreme weather events, while delivering the business-as-usual work from Waka Kotahi. In summary:

- Maintenance and operations on State highways in the South Island Programme is on-track and contractors have benefited from the dry conditions in the South.
- The Interim SH Speed Management Plan is being developed, with the focus on stage speed reduction at schools, marae and high-risk areas.
- One Network framework (ONF) to replace One Network Classification
- Beaumont bridge: Excellent progress with only minor traffic management issues on weekends.

Chair Cr Wilson noted the Beaumont Bridge work it will be a dramatic improvement for SH, important connectivity for everyone in Otago. Cr Jim O'Malley noted that the bridge is being constructed as two-lane due to RTC. General discussion on maintenance repairs versus more permanent fixes/rehabilitation of pavement; and level of push-back on speed reductions due to loss of productivity. However, school routes, maraes etc, it can be a difficult conversation in rural areas.

**Resolution: Cr Jeremy McPhail Moved. Cr Jim Thomson Seconded**

*That the Regional that the Committees note the report*

**MOTION CARRIED**

## Items to Action

### Action:

- Bring back advice regarding new Speed Management Rule for next meeting
- Bring RLTP monitoring framework back to next meeting
- To note the introduction and three-year goals of committee members in order to bring out future-focus of the Committees.
- Circulate AADT information with minutes - Table supplied by Waka Kotahi below.
- **AADT for State Highway 1 (South)**

Location	AADT	% Heavy
Christchurch (at SH1)	25,000	11
Christchurch (SH76)	14,500	6
Rolleston (SH1)	21,700	11
Mosgiel (north of interchange)	11,200	5
Mosgiel (south of interchange)	10,200	7
Airport turn-off (just north)	9,200	19
Airport turn-off (just south)	6,800	12
Waihola	6,800	12
Milton	7,000	11
Balclutha	10,300	20

**Minutes of the Strategy and Policy Committee,  
Rautaki me Mahere, meeting of the  
Southland Regional Council, held in Regional House,  
Corner North Road and Price Street, Invercargill, on  
Wednesday, 29 March 2023, at 10.00 am**



<b>Present:</b>	Cr L Ludlow	(Chair)
	Cr M Rodway	(Deputy)
	Cr A Gibson	
	Cr R Guyton	
	Cr P McDonald	
	Cr J McPhail	
	Cr J Pemberton	
	Cr P Evans	(Via Zoom)
	Cr P Morrison	
	Cr E Roy	
	Mr S Bull	(Mana Whenua appointee)
	Chairman N Horrell	(ex officio)
<b>Staff Present:</b>	Ms L Hicks	(General Manager, Policy and Government Reform)
	Ms A Kubrycht	(General Manager, People and Customer)
	Mr J Prince	(Science informatics and Operations Manager)
	Mr C Jenkins	(Team Leader, Hydrological Response)
	Ms A Habgood	(Senior Strategy Advisor)
	Mrs A Henderson	(Team Leader Strategic Communications)
	Ms N McRobie	(Mana Whenua support)
	Mrs M Wass	(Personal Assistant)

**1 Welcome | Haere mai**

The Chairperson welcomed everyone to the Strategy and Policy Committee meeting for March 2023, including the wider public via livestream.

**2 Apologies | Ngā Pa Pouri**

**Resolved:**

**Moved Cr McPhail, seconded Chairman Horrell that apologies be accepted on behalf of Ms Ann Wakefield.**

**Carried**

### **3 Declarations of Interest**

There were no declarations of interest made to the meeting.

### **4 Public Forum, Petitions and Deputations | He Huinga tuku korero**

There were no public forum, petitions or deputations presented at the meeting.

### **5 Confirmation of Minutes | Whakau korero – 15 February 2023**

*Resolved:*

Moved Cr McPhail, seconded Cr Roy that the minutes of the Strategy and Policy Committee meeting, held on 15 February 2023, be taken as read and confirmed as a true and correct record.

Carried

### **6 Adoption of Climate Change Sub-committee Resolutions – 15 March 2023**

*Resolved:*

Moved Cr Rodway, seconded Cr McDonald that the minutes of the Climate Change Sub-committee meeting, held on 15 March 2023, be taken as read and confirmed as a true and correct record.

Carried

### **7 Notification of Extraordinary and Urgent Business | He Panui Autaia hei Totoia Pakihi**

#### **7.1 Supplementary Reports**

There were no supplementary reports tabled for inclusion in the agenda.

#### **7.2 Other**

There were no other items of business raised by Councillors for inclusion in the agenda.

### **8 Questions | Patai**

There were no questions asked by the meeting.

## 9 Chairman and Councillors' Reports | Ngā Purongo-a-Tumuaki me ngā Kaunihera

Cr Morrison spoke to his previously circulated email update from the Regional Climate Change Working Group (RCCWG). He advised that notes from the RCCWG meeting would be provided to future Strategy and Policy Committee and Climate Change sub-committee agendas. It was also suggested that there could be a standing item added to agendas for work progress updates.

Cr Rodway spoke to his report that had been circulated via email. He acknowledged the opposition he had observed from the farming community to converting farm land to forestry. After a lengthy discussion it was noted that the community required more information and options before a more positive outlook could be taken. Mrs Hicks took an action for staff to discuss options with Southland District Council (SDC) and to prepare a paper with recommendations for the next Strategy and Policy Committee meeting.

Chairman Horrell reported on the visit from Minister Kiri Allan which included a blessing of the new whale tail sculpture on Airport Avenue and viewing the Stead Street pump station project on-site.

### **Resolved:**

**Moved Cr Pemberton, seconded Cr McDonald that the Chairman and Councillor reports be received.**

**Carried**

## 10 General Manager, Strategy, Science and Engagement and General Manager, Policy & Government Reform's Report – 23/S&P/20

### ⇒ **Item 1 – Organisational Net Zero Greenhouse Gas Emission Target 2050**

This item provided Council with an update of progress being made in the climate change and community resilience portfolio, as well as to enable the consideration of setting an organisational net zero greenhouse gas emission target of 2050.

Ms Habgood went through a detailed presentation which was retained on file. She gave an overview of the discussion and direction that was provided at the Climate Change sub-committee meeting.

### **Resolved:**

**Moved Chairman Horrell, seconded Cr Rodway that Council:**

- 1. note the update regarding the ongoing climate change and community resilience work programme and associated progress; and**

2. **set an organisational net zero greenhouse gas target of 2050 (noting that further work will be undertaken prior to interim targets being recommended to the Strategy and Policy Committee).**

Carried

#### ⇒ **Item 2 – Science Update – Data to Life and Space Time Image Velocimetry**

The purpose of this item was to update Council on the STIV (Space Time Image Velocimetry) and the new web camera network (Bringing data to Life long-term plan objective). Mr Jenkins gave a detailed presentation to the committee on how these systems worked.

**Resolved:**

**Moved Cr McPhail, seconded Cr Gibson, that Council note the report.**

Carried

#### ⇒ **Item 3 – Water and Land Portfolio Update**

This item was to update Council on the Water and Land portfolio work that had advanced since the last update to the committee on 14 September 2022 and a specific update on the proposed Southland Water and Land Plan (pSWLP) appeals. Mrs Hicks took the report as read and advised that since the writing of the report the sixth interim decision from the Environment Court had been received and a detailed update would be provided at the next meeting.

**Resolved:**

**Moved Cr Rodway, seconded Cr Gibson, that Council note the report and that staff will continue water portfolio related work with Te Ao Mārama Inc, including conversations with stakeholders and the community.**

Carried

#### ⇒ **Item 4 – Strategy, Science and Engagement Group and Policy and Government Reform Group Work Plan including External Agency Reports**

This item provided Councillors with the Strategy, Science and Engagement Group and Policy and Government Reform Group work plan, which was updated for each Strategy and Policy Committee meeting. It also included a summary of recent reports and discussion papers received from external agencies that may be of interest to Councillors. Mrs Hicks noted errors in the report (pg 35, hazard management – correct to March 2023 and pg 38 there would be no separate item about local government reform).

**Resolved:**

Moved Cr Roy, seconded Cr McPhail, that Council note the Strategy, Science and Engagement Group and Policy and Government Reform Group work plan, including External Agency Reports.

Carried

**11 Extraordinary and Urgent Business | Panui Autaia hei Totoia Pakihi**

There were no items of extraordinary or urgent business considered by the meeting.

**12 Public Excluded Business | He hui Pakihi e hara mo te iwi**

**Resolved:**

Moved Cr McPhail, seconded Cr Pemberton, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest/s protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), the public be excluded from the following parts of the proceedings of this meeting, namely:

⇒ Confirmation of Minutes – 15 February 2023

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds for excluding the public, as specified by Section 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)(d)</i>
⇒ Confirmation of Minutes – 15 February 2023	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)

Carried

**Termination**

There being no further business, the meeting closed at 11:27 pm.



**Minutes of the Risk and Assurance Committee,  
Arataki Mahi me Tātaki Kauta, Meeting of the  
Southland Regional Council, held in  
Regional House, corner North Road and Price Street,  
Invercargill, on 29 March 2023, at 1.30 pm.**



<b>Present:</b>	Cr L Ludlow	(Chair)
	Cr A Gibson	left meeting 2:50 pm – 2:55 pm
	Cr J McPhail	
	Cr P Morrison	
	Cr J Pemberton	left meeting 4:12 pm
	Cr M Rodway	
	Chairman N Horrell	(ex-officio) left meeting 3:19 pm -3:29 pm
<b>In Attendance:</b>	Ms A Kubrycht	(General Manager, People & Customer)
	Mr P Hulse	(General Manager, Integrated Catchment Management)
	Mrs T Hawkins	(Chief Financial Officer) by zoom
	Mr P le Roux	(Health & Safety Risk Manager)
	Ms T Cribb	(Risk Assurance and Internal Audit Officer)
	Mrs T Magi	(People and Capability Manager)
	Mr L Cleaver	(Regional Harbourmaster & Maritime Manager)
	Mr K Lyu	(Digital & Channel Advisor)
	Mr D Storey	(Corporate Affairs Advisor) by zoom
	Ms N Sharp	(Corporate Communications Advisor)
	Mrs M Weston	(Team Leader Organisational Support) by zoom
	Ms M Geldenhuys	(PA)

**1 Welcome | Haere mai**

The Chair welcomed everyone to the Risk and Assurance Committee meeting for 29 March 2023, including those attending the live stream.

**2 Apologies | Ngā Pa Pouri**

There were no apologies for absence.

**3 Declarations of Interest**

There were no declarations of interest raised at the meeting.

**4 Public Forum, Petitions and Deputations | He Huinga Tuku Korero**

There were no public forum, petitions or deputations presented at the meeting.

## 5 Confirmation of Minutes | Whakau Korero – 6 December 2022

**Resolved:**

Moved Cr McPhail, seconded Cr Morrison, that the minutes of the Risk and Assurance Committee meeting held on 6 December 2022 be confirmed as a true and correct record.

Carried

## 6 Notification of Extraordinary and Urgent Business | He Panui Autaia hei Totoia Pakihi

### 6.1 Supplementary Reports

There were no supplementary reports tabled for inclusion in the agenda.

### 6.2 Other

No other items were raised for discussion.

## 7 Questions | Patai

No questions were asked at this time.

## 8 Chairman and Councillors' Reports | Ngā Purongo-a-Tumuaki me nga Kaunihera

The Chairman referred the meeting to the Office of the Auditor General's (OAG) recently published article "Getting the most out of your department's Audit and Risk Committee". She felt the article provided good advice relating to:

- the benefits of having an Audit & Risk Committee;
- what an Audit and Risk Committee should do and not do;
- what a good work programme looks like.

The document had been circulated to Councillors last term; however, the Chair encouraged the committee to review the article as a reminder as to what was expected of them.

An update on the recruitment process for an Independent Chair for the Risk and Assurance Committee was provided. A recommendation would be made to Council before a final appointment is made.

**Resolved:**

Moved Cr Ludlow, seconded Chairman Horrell, that the Chair report be received.

Carried

## 9 General Manager – People & Customer Report – 23/R&A/21

### ⇒ Item 1 – Risk Management Report

The purpose of this item was to provide a quarterly report for the period to 31 December 2022 on the Risk Management programme. Ms Tania Cribb spoke to this report, highlighting the key actions taken to develop the risk management programme of work. It was noted there were no trends showing at this stage as the risk management programme was in its early days, however the information being provided by staff is detailed.

**Resolved:**

**Moved Chairman Horrell, seconded Cr Rodway that Council note the report.**

**Carried**

### ⇒ Item 2 – Organisational Risk Quarterly Report

This report updated the committee on progress with identifying Council's key organisational risks and work streams associated with managing them. Ms Cribb spoke to this item, noting that the table presented on page 15 was not listed in any particular order. Councillors agreed that the risks relating to the following were key:

- health and safety risks adversely affecting the community and staff;
- community and stakeholders have trust and confidence in council;
- maintaining momentum of direction of travel;
- having key information, data systems to support effective decision-making.

These risks will be prioritised for a “deep dive” and report back to the Committee's next meeting.

**Resolved:**

**Moved Cr McPhail, seconded Cr Gibson that Council note the report.**

**Carried**

### ⇒ Item 3 – Health, Safety and Wellbeing Management Systems Report

A report was provided on the operation of the Health, Safety and Wellbeing (HSW) Management system. Mr le Roux spoke to this report, which included:

- an update on a recent investigation into aggressive customer behaviours towards staff;
- details relating to an internal “stop work” notice which was issued to a contractor;
- the recent spike in Covid cases in Southland
- Goodyarn workshops, which were recently completed.

It was noted that future Fleet Management Reports would be discussed at the Finance and Performance Committee meetings. A new “book it” system was being trialled around the utilisation of the organisations’ vehicles and the data collated from this would be reported to a future meeting.

**Resolved:**

**Moved Cr McPhail, seconded Cr Morrison that Council note the Health, Safety and Wellbeing Management report to 31 December 2022.**

**Carried**

⇒ **Item 4 – Annual Activity Plan**

This item sets out the annual plan of items to be delivered on by the committee and provided an opportunity to input into the proposed plan. Ms Kubrycht spoke to this item, which was to be updated each month.

**Resolved:**

**Moved Cr McPhail, seconded Cr Morrison that Council, having reviewed the Annual Activity Plan, note it.**

**Carried**

**10 Extraordinary and Urgent Business | Panui Autaia hei Totoia Pakihi**

There were no items of extraordinary or urgent business considered by the meeting at this time.

**11 Public Excluded Business | He hui Pakihi e hara mo te iwi**

**Resolved:**

**Moved Chairman Horrell, seconded Cr McPhail, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest/s protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), the public be excluded from the following parts of the proceedings of this meeting, namely:**

- **Confirmation of Minutes – 6 December 2022**
- **Item 5 – Conflict of Interest Policy and Employee Interest Register**
- **Item 6 – Economic Recovery Projects – Risk Management Report**
- **Item 7 – Cybersecurity Update**

- **Item 8 – Local Government Official Information and Meetings Act 1987 – Summary of Enquiries for 1 July to 31 December 2022**
- **Item 9 – Divisional Update**
- **Item 10 – Overview Governance Level Risk Management**

The general subject of the matters to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds for excluding the public, as specified by Section 48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
→ <b>Confirmation of Minutes – 6 December 2022</b>	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations.)	S.7(2)(i)
→ <b>Item 5 – Conflict of Interest Policy and Employee Interest Register</b>	To protect the privacy of natural persons, including that of deceased natural persons.	S.7(2)(a)
→ <b>Item 6 – Economic Recovery Projects – Risk Management Report</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
→ <b>Item 7 – Cybersecurity Update</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
→ <b>Item 8 – Local Government Official Information and Meetings Act 1987 – Summary of Enquiries for 1 July to 31 December 2022</b>	To protect the privacy of natural persons, including that of deceased natural persons.	S.7(2)(a)
→ <b>Item 9 – Divisional Update</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
→ <b>Item 10 – Overview Governance Level Risk Management</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)

**Carried**

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 4.25 pm.

**Minutes of the Southland Civil Defence Emergency Management Group (*Te Manatu Arai Mate Ohore o te Tonga*) Meeting, held in the Council Chambers, Environment Southland, cnr Price Street and North Road, Invercargill, on Monday 17 April 2023 at 10.00 am**



<b>Present:</b>	Cr NMG Cook	(Environment Southland)
	Mayor R Scott	(Southland District Council)
	Mayor B Bell	(Gore District Council)
	Mr M Day	(Invercargill City Council)
	Mr C McIntosh	(Southland District Council)
	Mr J Domigan	(Gore City Council)
	Cr C Menzies	(Southland District Council)
	Cr K Hovell	(Gore District Council)
	Mr T Campbell	(Invercargill City Council)
<b>Also Present:</b>	Mr O Varley	(NEMA)
<b>In Attendance:</b>	Mr S Mapp	(EMS Manager)
	Ms B Pickett	(Strategic Communications Advisor)
	Mrs M Weston	(Minutes)

**1 Welcome (*Haere mai*)**

Cr Cook welcomed everyone to the meeting of this group for 17 April 2023.

**2 Apologies (*Nga Pa Pouri*)**

An apology for absence was later recorded on behalf of Evelyn Cook.

**3 Declarations of Interest**

There were no declarations of interest made at this time.

**4 Public Forum, Petitions and Deputations (*He Huinga tuku korero*)**

There were no public forums, petitions or deputations presented to the meeting.

**5 Confirmation of Minutes (*Whakau korero*) – 16 December 2022*****Resolved:***

Moved Cr Cook, seconded Mayor Scott, that the minutes of the Southland Civil Defence Emergency Management Group meeting held on 16 December 2022 be taken as read and confirmed as a true and correct record.

Carried

**6 Notification of Extraordinary and Urgent Business  
(*He Panui Autaia hei Totoia Pakihi*)****6.1 Supplementary Reports**

There were no supplementary reports tabled for inclusion in the agenda.

**6.2 Other**

There was no other business tabled for inclusion in the agenda.

**7 Questions (*Patai*)**

There were no questions raised.

**8 Chairman's Report (*Te Purongo a Tumuaiki*)**

Cr Cook congratulated EMS for hard work over the since the last meeting, but did not present a report.

**9 Report – 23/SCDEMG/26****⇒ Item 1 – Co-ordinating Executive Group (CEG) Chair Report**

The item reported on the activity undertaken by the Co-ordinating Executive Group since the last meeting. Cr Cook congratulated Cameron McIntosh, Chief Executive - Southland District Council (SDC) on his recent appointment as Chair for the Co-ordinating Executive for the Southland Civil defence Emergency Management Group. It was agreed that nominations for a Deputy Chair would be carried over to the next meeting of the Co-ordinating Executive. Group.

Items discussed included details on reduction and response activities. Readiness activities was also discussed, including the ongoing training for Council staff and Councillors. It was important that Councillors knew how to assist in an event and future dates for further training would be communicated.



**Resolved:**

**Moved Mayor Scott, seconded Mayor Bell, that the Southland Civil Defence Emergency Management Group note the report.**

Carried

## ⇒ Item 2 – Annual Business Plan

The Joint Civil Defence Services Agreement requires a business plan to be developed by November each year. The Emergency Management Southland Business Plan for 2022/23 was circulated with the agenda prior to this meeting for the group to review. Mr Mapp requested that there be a discussion on the groups requirements would be for the new business plan. Discussions focused on the recent events occurring in New Zealand, such as Auckland Flooding and Cyclone Gabrielle following areas:

- increasing capacity and capability of council and EMS staff in a response to an event;
- the importance of ongoing CIMS training (Co-ordinated Incident Management System) for the four councils' staff.
- Mayors, Deputy Mayors, and Chair were interested in focusing on training for their roles, especially in declarations.
- Continue flood modelling and on-going working relationships between Environment Southland Catchment Team and EMS.
- Concentration on PIM and emergency messaging

**Resolved:**

**Moved Mayor Bell, seconded Mayor Scott that the Southland Civil Defence Emergency Management Group discussed its expectations and provided direction relating to the strategic direction to develop the 2023/24 business plan.**

Carried

## ⇒ Item 3 – Te Aratahi Matua – Mana Whenua Emergency Facilitator

This item provided the Group with information relating to consultations between EMS and Ngāi Tahu regarding a co-funding a manu whenua role and the request from EMS to start negotiations on the development of the role.

This role will provide support to Papatipu Runanga tino rangatiratanga in emergency readiness, reduction, response, and recovery. It will also support manu whenua input into emergency planning to ensure mana whenua values and needs are factored into regional planning, preparedness, and response for emergencies.

Mr Mapp advised that it is likely this position would be held at Te Aro Marama working in partnership with EMS, reporting the Joint Committee and the Southland Civil Defence Emergency Management Group.

Mr Mapp was seeking authorisation to start negotiating the role with Ngai Tahu.

**Resolved:**

**Moved Mayor Scott, seconded Mayor Bell, that the Southland Civil Defence Emergency Management Group approve the proposal to start negotiations on a jointly funded Man Whenua Emergency Facilitator role.**

**Carried****⇒ Item 4 – Reduction Activities**

The purpose of this item was to brief the Group on several projects which EMS were involved in during this reporting period. Mr Mapp spoke to this item which included:

- Mataura stopbank information sharing and drop-in sessions;
- development of a flood impact and risk strategy team;
- development of a standard operating procedure (SOP) for the water shortage;
- the involvement of EMS in natural hazards and adaptation.

He further added that EMS had undertaken 4731 engagements for the 12 August 2022 to 30 March 2023 and provided a breakdown of those engagements.

**Resolved:**

**Moved Mayor Scott, seconded Mayor Bell that the next meeting of the Southland Civil Defence Emergency Management Group note the report.**

**Carried****⇒ Item 5 – Readiness**

The Group received an update from Mr Mapp which included the following:

*Community Engagement Programme*

The programme changed its approach from solely a “town hall meeting” to one of several levels of engagement and the inclusion of key stakeholders, FENZ and Rural Support Trust to promote readiness. Community barbecues were held in Tuatapere, Edendale, Gore, Wyndham and Riversdale and excellent feedback from those attending these meetings was received. The community feedback discussed many topics, Mr Mapp also explained that the community enquired about correct signage to distinguish Community Hubs from more traditional civil defence centres which is being investigated.

### *Training*

Mr Mapp explained that ongoing training is offered for Council staff, expanding from the traditional CIMS training to include induction, Foundation, CIMS and function manager training.

Councillors expressed a desire to also receive training in their part of the emergency and also looking at Induction and Foundation training as well.

Exercises were planned for May to cement learnings and practice a response.

### ***Resolved:***

**Moved Mayor Bell, seconded Mayor Scott that the Southland Civil Defence Emergency Management Group note the report.**

**Carried**

## **⇒ Item 6 – Response**

This item provided the Group with information relating to the deployment of staff to Auckland, Kaikohe and Hawkes Bay to assist with both Auckland's torrential rain event on 27 January 2023 and Cyclone Gabrielle including observations and outcomes.

Mr Mapp thanked Councils for making staff available for the response and that the contributions of those deployed staff was greatly appreciated by NEMA and the areas in which they were deployed to. He also thanked staff for absorbing workloads of those who were deployed.

The Auckland Flood Response Review was circulated information purposes.

### ***Resolved:***

**Moved Mayor Bell, seconded Mayor Scott that Southland Civil Defence Emergency Management Group note the report.**

**Carried**

## **⇒ Item 7 – Recovery**

Mr Mapp provided an update on the AF8 programme to the Group. Items addressed in this discussion included:

- the issue of power outages and how this would could affect future messaging?
- continuation of funding required for the programme and increased contributions of the six groups;
- wellbeing initiatives which includes additional courses for front line workers;

Mr Oliver Varley, a representative from NEMA was invited to speak at this time and provided a verbal update to the Group. The recent response resulted in the following:

- 17 emergency centres were activated;
- 479 personal were deployed into those areas;
- international assistance received included, Fire and Defence Force Services from Australia, United States and Fiji.

Mr Varley acknowledged the support received from the Southland Region and a special word of thanks to those who were deployed. Cr Cook thanked Mr Valey for his informative report.

**Resolved:**

**Moved Mayor Scott, seconded Mayor Bell that the next meeting of the Southland Civil Defence Emergency Management Group note the report.**

Carried

⇒ **Item 8 – Updates**

The purpose of this item was to allow for an update from Emergency Management Southland and the National Emergency Management (NEMA) teams. Mr Mapp gave a verbal update of this report to the Group.

Mr Mapp also noted that “preparedness of a life style block” booklets were available for the Group to review and that EMS were also considering a booklet for ‘on farm”.

**Resolved:**

**Moved Mayor Bell, seconded Mayor Scott, that the Southland Civil Defence Emergency Management Group note the following updates:**

- **Emergency Management Southland**
- **National Emergency Management Agency**

Carried

⇒ **Item 9 – Next Meeting**

The next meeting is scheduled for Friday 30 June 2023.

**Resolved:**

**Moved Cr Cook, seconded Mayor Bell, that the Southland Civil Defence Emergency Management Group note the next meeting date for the Group.**

Carried

## Termination

There being no further business, the meeting closed at 11.46 am.



# Chairman and Councillors' Reports



## Chairman's Report

### Activities undertaken by the Chairman since the last meeting

#### March 2023

- 8 Ordinary meeting of Council  
Informal meeting with Mid Dome Wilding Trees Charitable Trust representatives  
Council Workshop – Annual Plan
- 10 Te Rōpu Taiao hui at Gore District Council  
Southland Regional Leadership Group
- 13 Meeting with Federated Farmers Executive
- 15 Council Workshop  
Climate Change Subcommittee
- 16 OSPRI Stakeholder council meeting, Wellington
- 20 Interviews for Independent Chair role for Risk & Assurance Committee
- 21 Catchment Liaison Committee Chairs with Regional Services Committee  
Councillor caucus session
- 22 Councillor Strategy Session
- 23 Councillor Field Trip – Waituna and ES Landholdings on Matura  
Dinner with Minister Kiri Allan
- 24 Stead Street Stopbank Blessing  
Visit to SpouthPAN Uplink processing centre with Minister O'Connor and LINZ
- 27 Interview for Independent Chair role for Risk & Assurance Committee  
Te Anau Gun Club meeting @ Te Anau  
Meridian Board Dinner @ Te Anau
- 28 Livestrands meeting @ Winton
- 29 Meeting with Tailor Inc and staff  
Strategy & Policy Committee meeting  
Risk & Assurance Committee meeting
- 30 Chair's Business Meeting
- 31 Southland Mayoral Forum

#### April 2023

- 3 Great South AGM
- 4 Ballance Farm Environment Awards event
- 5 Council Workshop – Leadership and Investment Strategy Introduction  
Regional System Leadership Murihiku Hui
- 18 Catchment Liaison Committee Chairs Hui with Councillors @ Winton
- 19 Chair's Business Meeting  
Council Workshop – Annual Plan/Fees and Charges/Beyond 2025
- 20/21 LGNZ Zone 5 and 6 Meeting @ Queenstown
- 26 Council Workshop – Treaty of Waitangi #2
- 27 Climate Change Subcommittee meeting  
Chair's Business Meeting
- 28 Whakamana te Waituna Trust hui

#### May 2023

- 1 Federated Farmers AGM
- 2 Site visit to Stead Street Pump Station



**Attendance at LGNZ Zone 5/6  
Meeting - Queenstown**

I was one of four Councillors who attended the LGNZ Zone 5/6 meeting in Queenstown, and we have agreed to report back on different parts of that meeting between us. Here is my section of the report for your information.

On Wednesday night there was an informal get together of delegates preceding the official conference opening at 9.00 am on Thursday 20 April 2023.

One of the highlights of the evening was getting to know the Chatham Island delegation (who always attend zone meetings despite their isolation and the travel time and other constraints they have to deal with) and hearing about the issues they are facing locally. I have always found the conversations you have outside the formal conference settings are often more valuable than the meetings themselves.

On Thursday afternoon we had round table updates for five minutes each from all the South Island Councils. In the main, most of the territorial councils are holding their Annual Plan rate rises below the current rate of inflation (with some notable outliers), while several regional councils rate increases are significantly above the inflation rate.

The Government's flip flop on 3Waters entities going from four to ten is causing a fair degree of uncertainty around the South Island, particularly around the directive not to include 3Waters infrastructure in their Long-term Plans.

I attended part of the Queenstown Lakes Destination Management Plan presentation which had a real focus on less but higher spending tourists going forward, as well as a Carbon neutral 2050 target.

Hon. David Parker, Minister for the Environment, was the last speaker for the afternoon. He remains very confident that RMA reform will be enacted before Parliament rises before the general election later this year. In conversations afterwards he made very positive comments about Environment Southland's support and working relationship with him and the Ministry for the Environment.





**Item 1 Chief Executive’s Report**

<b>Objective ID:</b> -	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Wilma Falconer, Chief Executive	<b>Approved by:</b> -
<b>Executive Approval:</b> -	

**Purpose**

To provide Council with a governance overview of pan organisational current matters.

**Summary**

This is the Chief Executive’s report for the month of April 2023. It provides an update from all direct reports to the Chief Executive, on topical matters.

**Recommendation**

**It is recommended that Council resolve to note the report and the delegation of the role of Acting Chief Executive to Amy Kubrycht (General Manager, People & Customer) for the period from midnight on Wednesday, 5 April 2023 to midnight on Thursday, 6 April 2023 and then from midnight on Tuesday, 11 April 2023 through until midnight on Sunday, 16 April 2023.**

**Report**

**Report – Office of the Chief Executive**

As per Council’s Delegations Manual requirements, I advise that Amy Kubrycht, General Manager, People & Customer was appointed Acting Chief Executive from midnight on Wednesday, 5 April 2023 to midnight on Thursday, 6 April 2023 and then from midnight on Tuesday, 11 April 2023 through until midnight on Sunday, 16 April 2023, whilst I was on annual leave.

Climate resilience continues to be a major focus for Environment Southland with the region hosting Hon. Kiri Allan and Robert Pigou, MBIE Deputy Chief Executive and Head of Kānoa-Regional Economic Development and Investment Unit, in late March 2023. The Chair and I joined the Minister and the Kānoa team to discuss the Council’s programme of work and future requirements to support climate resilience in the region. The following morning the Minister, the Kānoa team, ICC, iwi and ES representatives visited Stead Street pump station site, following a blessing of the waka carvings on Stead Street. The Minister was enthusiastic about the project and the employment opportunities that it has provided.

In our discussions with the Minister, we highlighted the need for the community to have certainty around immediate and medium-term planning to manage climate events, while longer-term climate resilience options are considered. Regional leadership through the Climate Change Working Group and other forums such as the Mayoral Forum, Great South and Just Transitions are critical to co-ordinate how the region responds and how well the agencies work together. At its March meeting, the Mayoral Forum reflected on region-wide matters such as climate change and the need for joined up long-term planning. There was a strong desire to work together to be more effective for the region.



Relationships with central government agencies such as Waka Kotahi and KiwiRail will also be important to ensure coordination of climate resilience with regional transport and alignment with the Regional Transport Strategy.

After Easter the Regional Sector Chairs and Chief Executives met in Wellington, with a focus on providing a sector-wide response to climate change and to explore how regional expertise in response to flood control and climate adaptation might work more closely with central government.

The meeting received reports from the Mayor of Gisborne District Council and the Chair of Hawkes Bay Regional Council, on their respective council's roles in providing leadership in the response to Cycle Gabrielle. The briefing included the extent of the recovery effort, and together with a report from the Secretary of the Environment, encouraged Councils nation-wide to be planning for further events of this kind.

I joined the Chair and three Councillors at the LGNZ Zone 5/6 meeting held in Queenstown last week. The majority of the conversation was focused on the Water Services Reform Programme and the now proposed creation of 10 entities and implications for the Otago and Southland regions. Minister McAnulty addressed the conference, along with the National Party Local Government Spokesperson Simon Watts. Minister David Parker spoke the following day, on the programme for changes to the Resource Management Act (RMA) and expected timeframes for new legislation to go through the House. In addition to discussion around the RMA reform programme, the Minister also commented positively about improvements in winter grazing and the leadership shown in the southern region for the creation of the winter grazing module.

The newly appointed Chief Executive of what was previously known as Entity D (Michael Brewster), attended the conference and spoke during dinner on the Thursday, about his experiences in delivering a centralised water services programme for Tasmania, but with regional input into decision-making.

## **Report – Strategy, Science & Engagement Group**

### **Communications**

The team has been preparing information for the public release of the 2023/24 Annual Plan explaining the rates increase and work programme. Further preparation has been underway for the 2023/24 Fees and Charges Schedule consultation, which has some inflation-adjusted changes. The consultation period is 4 May to 4 June 2023.

Seasonal promotions include the end of the summer toxic algae campaign, which as well as social media and advertising channels, posters were created and delivered to veterinary clinics asking people to take care as dogs can be particularly adversely affected.

The winter air quality season is underway with a refreshed campaign across a range of channels promoting good domestic burner practice to reduce smoke. The weekly public reporting of winter air quality results in Gore and Invercargill is due to begin in May.

Work to support the climate resilience projects and flood infrastructure maintenance projects continues. Communication has focused on progress on the Stead Street pump station upgrade and the importance of tree removal to stopbank integrity on the true right bank of the Mataura River in Gore. Media enquiry topics included the Riverton boating incidents, synthetic nitrogen reporting,



gravel, high river watch, toxic algae, predator free, fire at the Freight Haulage building, policy on slash and cruise ship cancellations. The latest edition of EnviroSouth, which includes a feature on new councillors, was distributed to all Southland mail boxes during the last week of April.

### **Strategy & Partnership**

Work continues to focus on the finalisation of the 2023/24 Annual Plan and subsequent 2024-2034 Long-term Plan process, along with work in the climate change space.

A second meeting of the regional climate change inter-agency governance group was held on 6 April 2023 to progress a regional climate change strategy and inform the long-term planning of the individual agencies. A staff level group has been working collaboratively to support this work since late last year.

Organisational efforts continue with a 2050 net zero greenhouse gas emissions target being set by the Strategy and Policy Committee in March 2023. Interim targets are also in development, alongside an organisational carbon footprint baseline and work into how to best achieve reductions.

### **Science Strategy & Investigations**

The 2022/23 recreational waters season monitoring wrapped up at the end of March 2023. The warmer and drier summer saw a greater number than usual of potential toxic algae alerts, with 14 alerts in total spread across six locations, including one area on the Aparima River responsible for almost half those reported. Over the season, staff saw an increase in public enquiries about toxic algae from concerned locals throughout the region. At the end of each season, staff evaluate data and processes with improvements implemented into the next season's monitoring programme. However, this winter, staff will also be undertaking a review of the entire programme including signage criteria, with the results to be reported to Council later in the year.

Guidance material is being prepared to assist with the identification and delineation of wetlands in the region. This project saw staff visiting Environment Southland-leased land in the lower Maitai where drone footage and aerial images are being used to identify areas within paddocks that are wetlands according to Ministry for the Environment criteria. A wetlands database and data capture tools are also being developed. When completed, these tools will provide outputs that can be used in Farm Environmental Management Plans and will assist with achieving wetlands statutory requirements in the Essential Freshwater package.

### **Science Informatics & Operations**

#### **Hydrological Response**

A continuous sea level recorder and water temperature probe have been installed on the Jacobs River Estuary for long-term monitoring purposes. This data will feed into many projects and will be valuable for benchmarking current sea levels and corresponding levels around the coast for risk assessment purposes. Several high flows were recorded in late March (measurements carried out on the Waikaia River at Piano Flat were the highest done since the site was installed in the 1970s).

Rainfall during March 2023 brought river and groundwater levels back to normal or above normal levels for most parts of Southland for this time of year. The region received between 40-70 mm of rain during the period. Aquifers, with the exception of Edendale and Wendon, have responded well, and soil moisture levels have recovered.



The Water Shortage response was scaled back to Status 1 – business as usual, once rivers, groundwater and rainfall were within expected ranges.

### **Data Ecosystems**

The team has received and serviced 28 requests relating to our environmental monitoring data since the last update on 22 February 2023. Work is ongoing providing data to the Science team for an updated water quality state assessment. This is being undertaken to meet the requirements of the National Policy Statement for Freshwater (2020).

### **Monitoring & Evaluation**

- The recreational bathing season has been completed.
- Lakes and lagoons sampling is on schedule.
- Quarterly groundwater quality runs have been completed.
- Due to low flow conditions, almost 100% biomonitoring sample collection has been achieved – often this is not possible due to unsuitable river levels/flows.
- Water shortage gaugings have ceased.
- Site station inspections/installations/maintenance progressed during low river levels and before paddocks get wet.

## **Report – Policy & Government Reform Group**

### **Regional Planning**

The Environment Court's sixth interim decision on the proposed Southland Water and Land Plan (pSWLP) appeals was received on 23 March 2023. This interim decision deals with the majority of remaining items not ruled upon in the earlier interim decisions. This includes multiple policies and rules relating to farming provisions. As part of the document, the Court directed further work on a number of matters and staff are currently working through these actions.

Following the receipt of the fifth interim decision before Christmas, Environment Southland lodged an appeal in the High Court on the application of Section 70 of the RMA, in relation to Rule 24 and the incidental discharge of contaminants from farming activities. Since then, the High Court has agreed to the application for a priority hearing. The Court has indicated that the appeals should be set down for a combined priority fixture as soon after 3 June 2023 as possible, commencing no later than 30 October 2023.

Preparations for the Hearing on the Surface Water Activity Plan Change to the Regional Coastal Plan are continuing and scheduled for the end of June 2023.

Detailed work on the required policy discussion papers and associated engagement requirements have been progressing over the last few months on the Freshwater Farm Plan regulations as well as Plan Change Tuatahi. There will be Councillor workshops on these over the coming months with community communication and engagement commencing in June.

### **Policy and Government Reform**

The Environment Select Committee has finished its hearings on the Resource Management Act Reform Bills (the Natural and Built Environment and the Spatial Planning Acts) and is due to provide its response to Ministers by the end of May 2023. Staff continue to be involved at national and



regional sectors and with our local partners on the development of the secondary legislation, as well as planning for the implications of the new legislation.

## Report – Integrated Catchment Management Group

### ICM Partnerships

#### Water Shortage Update

Due to significant rainfall across the region (mid-late March 2023), Environment Southland has called an end to the water shortage response and returned to business-as-usual. Monitoring of rivers, groundwater and aquifers show almost all of these are at or above normal levels. The Water Shortage Advisory Team will undertake a review of the water shortage process and response and apply any learnings to any future situations.

#### ICM Partnerships

The focus continues on Whakamana te Waituna and working with Reimagining Maitua (<https://www.reimaginingmaitua.org.nz/>) and Hokonui Rūnanga.

### Catchment Operations

#### Gravel management

The Bathymetric survey data for the Maitua and Waikāia Rivers and the Tomogalak Stream is still undergoing the quality assurance process. Council has received the first tranche of data for the priority area that is needed for the Gore and Maitua 2D Hydraulic model, which shows the complex interactions between waterways and structures. The Gore and Maitua 2D Hydraulic model build is expected to be completed by May 2023 and will be used for river management and long-term solution assessments.

#### Consents for Catchment Operational Activities

Consultants have been engaged to prepare consent renewals for the removal of willow and erosion protection in the coastal marine area, extraction and redistribution of gravel in the Maitua and Waikāia districts, Titiroa flood control gates, Waihōpai Dam and the Opio sediment traps.

#### Annual Dam Inspections

Work is underway to meet the new regulations of the New Zealand Dam Safety Regulations (that were announced in May 2022) that come into effect in May 2024. Council will be required to have a Dam Safety Assurance programme that includes specific roles of Dam Manager and Dam Safety Manager, which will be assigned to staff. The Potential Impact Classifications (PIC) for each dam (Low, Medium or High) that were assessed five years ago will be reviewed as part of this process. Staff are also investigating the background to the ownership of the rural dams.

#### Gore Stopbank Tree Removal

Work to remove the high risk trees from the stopbank along River and Richmond Streets was completed over the weekend of 15-16 April 2023.

Community “drop in” sessions to share more information on the work programme were held on 28 February and 3 March 2023 and information was provided to a Gore District Council workshop held on 27 March 2023.



### **Mataura Stopbank Rock Work**

The strengthening work on Mataura’s true left stopbank has been completed. A design and scope of works for the true right stopbank is underway.

### **Climate Resilience Projects**

Work is progressing well on the Stead Street pump station, with a Council visit to the site planned for 2 May 2023. Work is also progressing on the Waimumu, and Waihōpai projects. The South-East Gore project (Ontario Street) is scheduled to start in April 2023, as contractor resources from the Wyndham project are freed up. Bulk earth works have ceased due to recent rain making the material too wet to use.

### **Catchment Integration**

The Freshwater farm plan implementation process is a key focus given the roll-out in Southland will commence in early August 2023 (once the legislation is gazetted in late May). Currently, staff are providing technical support to the development of training programme for certifiers, preparing the catchment context and confirming the data capture requirements.

The team has been following up with farmers and graziers who have wintering paddocks that may not comply with permitted conditions in the national regulations. This includes advice and grazing plans for farmers and graziers to help them move with the new regulations.

The environmental education team has reconnected with all Enviroschools in the region over the past 12 months. A number of events have been held, connecting community, biodiversity, local place and freshwater, notably the project underway with Hedgehope School and Hokonui Runanga at Sherwood Forest.

### **Biosecurity & Biodiversity Operations**

The Biodiversity team has been focusing on supporting landowners to complete the Environmental Enhancement Fund Projects. The Biosecurity team has been completing seasonal work such as the Gunnera control around Blue Cliffs. Unfortunately, staff are continuing to find a high number of new Purple Loosestrife and Old Man’s beard sites, including the first “naturalised” wetland site of Purple Loosestrife. This site has been controlled and will continue to be checked.

Animal control work has focused on the new Pukerau Possum Control Area, possum control maintenance work and rabbit inspections. The two Department of Conservation Jobs for Nature funded projects (Fiordland *Undaria* Control and Weeding Fiordland’s Buffer) are both entering their final quarter and transition work planning is underway.

### **Consents**

The Consents team continues to keep on top of processing timeframes and workloads. There has been 105 applications lodged in the February/March period. There are several more complex applications anticipated in the next three months based on recent pre-application discussions and other enquiries.

There has been a slight reduction in incoming consents compared to the previous period and associated reduction in the amount of work outsourced for external processing. Eight of the 205 consents currently in progress (4%) have been outsourced for external processing, to maintain timeframe compliance and ensure workloads are manageable.



Staff continue to receive intensive winter grazing (IWG) consent applications, and a smaller number of applications for deemed permitted activities (available on land between 10 and 15 degrees slope, where all other permitted activity criteria are met). As at 31 March 2023, 54 landowners had either registered their intensive winter grazing permitted activity status through the online portal or used the application process. This volume is manageable, and most applicants are lodging via the Environment Southland online application form.

### **Environment Court appeals**

An Environment Court appeal has been lodged by Alpine Group in relation to a decision in early 2022 to decline consent to the group. The Alpine Group sought changes to its existing floating facility in Cascade Cove, Milford Sound. A meeting to discuss this appeal between the parties took place on 5 December 2022 in Dunedin. The parties are continuing to discuss the appeal, which remains live at the time of writing.

### **Fast track application – Environmental Protection Agency (EPA)**

An application was lodged in December 2019 for consent for the Hananui open ocean aquaculture proposal. The applicant opted to withdraw from the RMA process with Environment Southland and lodge through the fast track legislation with the EPA. The EPA invited comments from Environment Southland in relation to the project application. Commentary on the application was provided to the expert consenting panel on 14 February 2023, which was within the 10 day requirement. Comment was also received from various other parties, and the application is progressing through the fast track process, with the panel having also undertaken a physical site visit. The relevant documents can be viewed at this link:

<https://www.epa.govt.nz/fast-track-consenting/referred-projects/hananui-aquaculture-project/>

### **Hearings**

A hearing was held for Fawna Farms for a dairy farming/forestry proposal on 21 March 2023 before a panel made up of independent commissioner Allan Cubitt and Cr Cook. The decision is subsequently been released and the application was granted.

A hearing is scheduled for 23 May 2023 for Capil Grove Limited for a dairy farming proposal before a panel made up of independent commissioner Bianca Sullivan and Cr Ludlow.

### **Consents Consultants Forum**

Regular meetings of the forum have been held in February and March 2023, with the next meeting scheduled for 27 April 2023. This remains a useful forum for exchange of information and feedback. At the March 2023 meeting a presentation was provided by the Catchment Integration team on progress on certified freshwater farm plans, which was well received.

### **Applications under action/in progress:**

There are 200 (including 31 Maitua Water Conservation Order review applications) applications currently in progress.

The following applications are currently progressing via a publicly notified or limited notified process:

1. **Suelen Properties Limited** – two applications to establish and operate a marine farm for the cultivation of oysters at two sites situated in Horseshoe Bay, Stewart Island and Nathans Island, Stewart Island. The hearing timeframe has been extended, due to the Ministry for Primary Industries' (MPI) involvement. The applicant is considering options for its operation following recent discussions with MPI. A hearing date has yet to be scheduled.



2. **Sean Ellis & Maria Kuster** – to undertake commercial surface water activities in Fiordland. Submissions closed on 11 August 2021. Two submissions were received. The application process is on hold awaiting a hearing deposit payment.
3. **Gravity Fishing Limited** - commercial surface water activities in the coastal waters from Yates Point to Dusky Sound - publicly notified. Submissions closed on 25 August 2022. The processing of the application is currently on hold awaiting a hearing deposit.
4. **Real Journeys Limited (APP-20221951)** – commercial surface water – limited notified. Submissions closed on 1 July 2022. Two submissions received. The processing of the application is currently suspended under s91A by the applicant.
5. **Real Journeys Limited (APP-20221947)** – commercial surface water – limited notified. Submissions closed on 28 June 2022. Two submissions received. The processing of the application is currently suspended under s91A by the applicant.
6. **Fulton Hogan Limited** – gravel extraction, Maitara catchment – limited notified. Submissions closed on 27 September 2022. Application currently on hold awaiting a hearing deposit.
7. **Fawna Farms Limited** – dairy farming and land use – publicly notified. The decision is pending – see hearings section above.
8. **Capil Grove Limited** – dairy farming and land use - publicly notified. A hearing has been scheduled for 23 May 2023 – see hearings section above.
9. **Kanadale Limited** – dairy farming and land use – publicly notified. Submissions closed on 8 November 2022. One submission received. The processing of the application is currently suspended by the applicant under s91A.
10. **Blue Sky Meats** – industrial related activities – publicly notified. Submissions closed on 20 February 2023. Two submissions received. The next steps in the processing of the application are currently being considered.  
**Daringdale Trust - O'Meara** – dairy farming related activities – limited notified. Submissions closed on 13 March 2023. No submissions received. Application granted under delegated authority.
11. **Pahia Dairies Limited** – dairy farming related activities – publicly notified. Submissions close on 22 March 2023. One submission received. Pre-hearing meeting is being scheduled for late April/early May.
12. **Fiordland Discovery Limited** – commercial surface water activity – limited notified – Submissions closed on 18 April 2023.
13. **South Pacific Meats** – industrial related activity – limited notified. Submissions closed on 17 April 2023.
14. **Triflor NZ Limited** – irrigation water take – limited notified. Submissions close on 24 April 2023.
15. **Roger & Marilyn Olsen** – coastal protection – limited notified. Submissions closed on 23 March 2023. One submission received. The next steps in the processing of the application are currently being considered.
16. **Mount Linton Station** – intensive winter grazing – limited notified. Submissions closed on 3 April 2023. No submissions have been received. The processing officer will be progressing next steps.

#### **Timeframe compliance**

Compliance with statutory processing timeframes for resource consent applications for the period 21 February to 3 April 2023 was 100%. This includes instances where the applicant has agreed to a timeframe extension.

It is noted that 10 applications remain on hold, due to linkages with the Maitara Water Conservation Order over-allocation issue, which is being worked through at present. Thirty-one s128 review notices have been issued for consents that have a review notice deadline period requirement of





July and September 2022. This is to create an overall alignment of the timing of review of all consents. The affected consent holders were contacted prior to the issue of the notices.

## **Compliance**

### **Monitoring**

Dairy monitoring is continuing while staff prepare for winter inspections. Groundwater sampling is also underway for the first of two rounds for 2023 and industrial monitoring continues.

### **Winter grazing**

The resource management team will be undertaking proactive roadside monitoring in early May 2023, providing advice to landowners and ensuring they are adhering to the new rules. Any non-compliance identified will be investigated via the standard processes.

### **Outdoor burning**

This winter, the resource management team will increase its response for confirmed breaches of the Regional Air Plan in relation to outdoor burning between 1 May and 31 August. Any confirmed breaches could incur instant infringements.

### **Incident response**

The resource management team has recently been involved in the management of two building fires. The fire at the Freight Haulage site in Clifton took a number of days to manage and a number of the team were involved during this time. Abatement notices have been issued to Freight Haulage. The second fire in Makarewa happened in the same week, but took less resource to manage. An abatement notice has been issued to the owner of the building. The investigation files for both incidents remain open.

## **Tiwai**

The report from the independent monitoring to determine if there is any contamination issues in the coastal environment relating to the adjacent 50-year-old landfill on the Tiwai site is expected shortly.

## **Harbour Management**

The significant weather event that swept through Southland on 20 March 2023 resulted in the maritime team responding to several vessel related incidents over a number of days. A vessel grounded on the mudflats of Jacob's River Estuary during this event is currently in the process of being salvaged. A minor diesel leak on the vessel was confirmed at the time of the incident, and oil spill booms were put in place to contain the leak. Environment Southland liaised with relevant stakeholders, including the local rūnaka and district council, on the salvage of the vessel.

The oil spill response team undertook an exercise at Riverton to test the team's response and preparedness. The exercise scenario, held on 7 March 2023, was around a boat coming to grief on Riverton's bar at the entrance to the harbour, spilling a significant amount of oil into the marine environment. The exercise involved planning and deployment of oil spill equipment and the team was able to successfully achieve all the aims of the exercise. Exercises are held twice a year within the region and are invigilated by Maritime New Zealand, which provides funding for oil spill response training and guidance for the 20 Environment Southland volunteers that make-up the team.

Both Environment Southland's and South Port's safety management systems underwent a combined peer review to ensure the systems/processes and risks are adequately assessed and remain



consistent with the Port & Harbour Marine Safety Code. Reviews are undertaken every three to four years.

The Code is intended to assist port operators, councils and Maritime New Zealand to work together to manage the safety of marine activities in New Zealand's ports and harbours by providing a voluntary standard to support national and local legislation. It promotes a high level of collaboration between operators of commercial ports, and councils (or unitary authorities) and Maritime New Zealand, as the local and national regulators, to provide a safe operating environment within ports and harbours.

Both Environment Southland and South Port's safety management systems have been assessed by the peer review group as being consistent with the Port & Harbour Marine Safety Code.

## **Report – People and Customer Group**

### **People & Capability**

In March 2023, the People & Capability Manager was deployed to support the national cyclone response in Hawke's Bay. This was a two-week deployment based at the Group Emergency Co-ordination Centre in Hastings.

As part of Council's immigration accreditation, the team has produced a support document for migrants joining the organisation. This was released to new employees in March 2023, as well as to some employees who commenced earlier. Feedback is being sought to ensure that the information contained is fit-for-purpose.

Turnover continues to trend downwards, with the organisation's turnover now lower than the public sector average.

### **Health, Safety and Risk**

#### **Health, Safety and Wellbeing**

An investigation into a chainsaw incident involving an Environment Southland (ES) contractor late last year found inconsistencies of chainsaw training standards across ES and its contractors. An internal Safety Alert was released to all ES divisions for discussion at team meetings. Safety Alerts are a new health and safety initiative that informs the organisation about an incident and actions taken to address the root causes. The objective of a Safety Alert is to deliver "a single source of truth" after an incident, to direct immediate changes to process and standardise the best practice across the organisation.

The Health and Safety team has continued its ongoing support to the Climate Resilience Projects by providing advice, undertaking safety visits of contractor sites and investigating any reported incidents or near misses. The site visits help us to ensure that there are good health and safety practices on these sites and that work is being undertaken safely.

COVID-19 remains a risk to the organisation and staff are being reminded to take appropriate action if they are feeling unwell. The annual flu vaccination programme is currently being scheduled.



### **Risk Management, Internal Audit and Business Continuity**

Work continues on developing elements of the risk management framework. Following an Executive Team workshop, a list of critical risks and risk owners has been collated. Meetings are being scheduled with General Managers to agree the wording, causes and consequences identified and to provide a risk rating.

Work continues to engage a third party to develop and support an internal audit programme and Business Impact Analysis workshops have been scheduled for late-April 2023 to inform the overall business continuity plan.

### **Democracy Services**

The focus for the Democracy Services team since the last meeting has been on:

- agenda preparation of Committee and Council meetings;
- agenda preparation for workshops and briefings;
- Chair and Councillor administrative support, including travel arrangements, strategy sessions, field trip, training, and Zone meeting attendance;
- Annual Plan support work (meetings, agendas etc);
- Chief Executive and Executive support.

### **Information & Support**

The Digitisation Pilot project has now commenced with an external vendor. A total of 300 physical consent files will be scanned in this project, with an upload of content into the document management system. This will improve access for end users.

The upgrade of the Objective ECM (document management system) was successfully completed mid-March 2023.

Both the Organisation Support and Democracy Services teams are currently carrying vacancies which are proving difficult to fill.

## **Report – Business Services Group**

### **Finance**

The Finance team continues to work with ratepayers and debtors, following up on outstanding rates debt and putting new payment plans in place for ratepayers.

The Corporate reporting team is busy with the Annual Plan and quarterly reporting to the Finance and Performance Committee.

A project to replace the “TM1” budgeting programme and a systems upgrade to the accounting and rates software are underway, which will bring new features and benefits to the team and the organisation.



### Information Systems

The Geospatial team continues to focus on aerial imagery (new photography of the region), which is used on Council's website and in applications Beacon and LiDAR.

During March 2023, the rural areas flown increased to 51% completed (up from 23% in February) and 100% of the urban areas have been captured. This project is expected to be completed by October 2023.

In total, at the end of March, 81% of the Provincial Growth Fund contracted LiDAR project was flown. Since then, all five blocks of data have been received for further quality assurance. The next step is for the Geospatial team to complete its checking process before the data is passed onto Land Information New Zealand (LINZ) for final approval. Once approved, the data will be made publicly available.

### Report – Emergency Management Southland

All staff have returned from deployments to the Cyclone Gabrielle affected regions. Emergency Management Southland completed six deployments to Auckland, Kaikohe and Hawkes Bay and Environment Southland staff completed three deployments to Auckland and Hawkes Bay. A debrief was held on 31 March 2023 where the following outcomes were noted:

- donating funds to the affected areas' Mayoral Relief Fund is the best way to provide help to those regions. Donating goods, although well intentioned, requires a lot of time to manage;
- deployment arrangements in the early stages of an event need improvement;
- the EMS "group" model removes complication and duplication of effort in a response;
- the community hub/community plan model run in Southland makes response more effective for communities in affected areas;
- training for Council staff as liaison people in community hubs.

A second debrief was held on 26 April 2023.

The AF8 (Alpine Fault Magnitude 8) roadshow was held recently, with public talks and school visits in Tuatapere, Te Anau and Winton. Presentations were given by Alice Lake-Hammond AF8 Programme Manager, Dr Caroline Orchiston, Associate Professor and Alpine Fault Science lead, Dr Jack Williams, Geologist Otago University and EMS staff. Approximately 120 members of the public attended the talks with feedback being very favourable from both schools and members of the public.

Emergency Management Southland, in partnership with FENZ and Rural Support Trust, has adopted a new community engagement strategy, starting with community barbecues being held in Edendale, Tuatapere, Mossburn, Gore and Wyndham. These are held in the evening and on weekends and are growing in popularity. Readiness and community hub (response) advice is provided to members of the public.

Emergency management training is ongoing, with 138 staff from all four Southland councils attending the induction or foundation courses. Fifty-four staff were from Environment Southland.

### Attachments

None



**Approvals Required  
Whakaengia**

**Item 2      2023/24 Annual Plan Update**

<b>Objective ID:</b> A890696	<b>Strategic Direction:</b>
<b>Report by:</b> Rachael Millar, General Manager, Strategy, Science & Engagement and Tanea Hawkins, Chief Financial Officer	<b>Approved by:</b> Wilma Falconer, Chief Executive
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

**Purpose**

To provide an update on the 2023/24 Annual Plan and seek approval of the proposed allocation for the marine fee, average rate increase and consultation process for the 2023/24 year.

**Summary**

This item provides an overview of Council discussions in recent workshops on the 2023/24 Annual Plan.

Workshop discussions have focused on how to best progress the 2023/24 work programme contained in the 2021-2031 Long-term Plan in the face of rising costs. Key considerations include:

- the budgeted costs to deliver work programmes for the coming year are 9% (\$3.9 million) higher than forecast in the 2021-2031 Long-term Plan. This is primarily due to increased inflation and staff costs associated with the increased workload derived from legislative change;
- the return of cruise ship visits and marine fee will likely bring more than \$2.5 million of income for the 2023/24 year than budgeted for in the Long-term Plan. This will help offset the rates required to deliver work programmes and enable Council to break even if it wishes instead of projecting an operating deficit;
- last year, Council held the rate increase to 5% in the face of 7% inflation. However, it is not sustainable to keep doing this;
- Council is very aware that everyone in the community is facing increasing costs and wishes to do everything possible to ensure the best value for money for ratepayers.

**Recommendation**

**It is recommended that Council resolve to:**

- 1. note the report;**



2. **approve the allocation of the projected \$2.8 million of marine fee income for the 2023/24 year as follows:**

<b>Marine Fee Allocations</b>	<b>2023/24 year</b>
Transfer to Marine Fee Reserve	\$0.22 million <sup>1</sup>
Contribution to core coastal programmes previously funded by the marine fee (notably Harbour Management and the Regional Coastal Plan)	\$1.8 million
Coastal science programme	\$0.25 million
Fiordland <i>Undaria</i> control programme	\$0.5 million
Community activity allocations	\$0.03 million

- 3 **confirm the average rates increase for the 2023/24 year at X.X%;**
4. **direct the draft Annual Plan to be prepared on the above basis for Council adoption in June 2023;**
5. **pursuant to Section 95(2A) of the Local Government Act 2002, not undertake formal consultation on the 2023/24 Annual Plan but instead seek informal feedback.**

## Report

### Background

The Local Government Act 2002 (LGA) sets out the purpose and requirements for an Annual Plan. These include:

- (a) setting out the proposed annual budget and funding impact statement for the relevant year;
- (b) identifying any variation from the financial statements and funding impact statement included in the Long-term Plan (LTP) in respect of the year;
- (c) providing for integrated decision making and co-ordination of resources of the local authority;
- (d) contributing to the accountability of the local authority to the community.

There are occasions where extraordinary projects or changes to the level of service may be needed outside of the LTP process. The Annual Plan is an opportunity to raise these variances to ensure that the ongoing needs of the community are being met.

### Work Programme

The 2023/24 financial year is Year 3 of the current LTP. The top priorities outlined in the LTP were building resilience to the impacts of climate change, addressing freshwater challenges and undertaking transformative work within the organisation to increase its efficiency and meet the needs of its customers. These continue to be the organisation’s priorities and the draft Annual Plan is consistent, to a significant and material extent, with the content of Year 3 of the LTP.

#### ***Climate resilience work programme***

The \$10.6 million of funding included as income in the financial statements is the government contribution for climate resilience projects to improve the region’s flood defences. This means that although the climate resilience funding from Government may appear on our income statements as

<sup>1</sup> Any marine fees received in excess of that budgeted will also be transferred to the marine fee reserve.



additional funds, it is specifically targeted to climate resilience projects and cannot be used for any other Council activity.

While the LTP forecast debt for the climate resilience projects for the 2023/24 year was \$7.4 million, the change in these projects' costs and expenditure over the previous two financial years brings the forecast net debt for the 2023/24 year to \$17.8 million. How this debt is to be repaid (timing and apportionment) will be a key conversation with the community in the lead-up to the 2024-2034 LTP.

### **Cost reductions**

A management review of all planned activity for the 2023/24 year has been undertaken in recent months and cost savings found. A final review of the budget resulted in a \$0.5 million reduction in the planned operating expenditure. This reduction does not affect overall levels of service and enables some of the operating cost increases in other areas to be offset.

Fifty percent of the \$0.5 million of savings comes from the Regional Leadership group of activities and includes some of the funding set aside for the review of the Regional Policy Statement and strategic planning work. There have been delays to these work programmes as a result of pending legislative changes and staff vacancies and therefore they are not at the stage envisaged at the time the LTP was prepared.

The other fifty percent comes from a reclassification of expenditure relating to the transformation programme. This has moved from operating expenses to capital which better reflects the type of planned expenditure.

Neither of the above changes to the LTP require formal approval from Council as they are in line with financial delegations.

### **Cost increases**

The changes proposed for 2023/24 Annual Plan result from higher than planned expenses. In August 2020, when the 2023/24 LTP budgets were created, the substantial increases in costs, predominantly from higher than anticipated inflation and interest rates could not be foreseen. The proposed budget reflects the adjustments needed to maintain Council's strategy of balancing the achievement of outcomes with ratepayer needs and prudent financial management.

### **Inflation and interest rates**

Inflation is significantly impacting the community, affecting the cost of living. It is also impacting Council, although because Council purchases a different range of services than the typical household, this impact is seen in different ways.

More has to be spent to maintain our existing levels of service. Cumulative inflation since the LTP budgets were created has added 9% to expenditure over the period.

### **Staff cost changes**

Inflation and wage increases are impacting staff salaries. Since covid, immigration settings and near full-employment have created a shortage of skillsets in some areas also driving up demand for, and the price of labour. This is affecting markets for both employees and consultants/contractors. In order to retain and recruit the workforce needed to deliver services, Council must maintain a level of parity with the market. Council uses a number of economic indicators, salary benchmarking information and local market knowledge in determining salary levels. In addition, there has been an



increase in the staff numbers associated with delivering legislative workloads since the LTP was developed.

### **Expenses**

Expenses for the 2023/24 year are forecast to be \$3.9 million higher than the LTP budget. This is primarily because of inflation and the need to employ the number of staff required to deliver the increased work associated with legislative change.

A rates increase to 5%, 6.9% or 8.5% will provide \$1.2 million, \$1.7 million or \$2 million respectively of additional income compared to the 2022/23 year. The balance of income needed to fund the increased expenditure will come from anticipated Marine Fee income, as outlined below.

### **Income changes**

The return of cruise ship visits and marine fees is estimated to bring in \$2.8 million for the 2023/24 year, in comparison to the \$0.25 million forecast for the 2023/24 year in the LTP. This income can only be spent on coastal activities.

During covid, the marine fee income disappeared because cruise ships were not visiting. Core coastal programmes that had been funded from this income were therefore funded from the general rate. With the return of the marine fee in the 2023/24 year, it is proposed revert to funding core coastal programmes by this method. This enable us to free up revenue from the general rate to offset rising costs on other programmes.

In addition, it is proposed to use a portion of the income to establish a coastal science programme. The last few years have seen increased activity in the coastal marine area. Intentions to establish coastal science and monitoring programmes to better understand this environment and the impacts of activities to inform the review of the Regional Coastal Plan were put on hold as a result of the loss of the marine fee at the time of the development of the LTP. The return of this income creates the opportunity to re-establish that work to meet the demand for it.

Another portion of the expected marine fee income is proposed to be used to continue to fund the Fiordland *Undaria* control programme<sup>2</sup> for one year while alternative funding is sought. This programme was delivered through central government's Jobs for Nature funding until March this year, and other central government funding opportunities are being investigated to continue this work in the longer-term.

It is also proposed that some funding be set aside to support community requests for coastal activities aligning with the *Environment Southland Marine Fee Reserve Allocation Policy* such as the Southern Coastal Charitable Trust's coastal clean-up and Stewart Island Helicopter Pad.

The remaining income will be used to build the marine reserve back up.

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<sup>2</sup> <https://www.es.govt.nz/jobs-for-nature/fiordland-undaria-control-programme>





The proposed allocation schedule is as follows:

<b>Marine Fee Allocations</b>	<b>2023/24 year</b>
Transfer to Marine Fee Reserve	\$0.22 million <sup>3</sup>
Contribution to core coastal programmes previously funded by the marine fee (notably Harbour Management and the Regional Coastal Plan)	\$1.8 million
Coastal science programme	\$0.25 million
Fiordland <i>Undaria</i> control programme	\$0.5 million
Community activity allocations	\$0.03 million

A separate item in this agenda sets out a range of proposed changes to fees and charges, which will maintain the cost share between user charges and general ratepayers.

### **Options to address rising costs**

The 2021-2031 LTP projected an average 5% rates increase for the 2023/24 year. Last year, Council held the rates increase to 5% (as indicated in the LTP) in the face of 7% inflation. However, it is not sustainable to keep doing this.

Council is very aware that everyone in the community is facing increasing costs and wishes to do everything possible to ensure the best value for money for ratepayers. A number of options have been considered to offset rising costs during the Annual Plan process and savings have been found as outlined previously.

The final consideration is determining how to set rates for the coming year. Options workshopped with Council are set out below, along with the resulting operating deficit/surplus:

<b>Options – Proposed Average Rates Increase</b>	<b>Forecast 2023/24 Operating Surplus/(Deficit)</b>
Option 1 - LTP 5%	(\$305,000)
Option 2 – 6.9%	\$0
Option 3 – 8.5%	\$383,000

Option 1 from the table above results in a forecast operating deficit, Option 2 forecasts breaking even and Option 3 projects an operating surplus for the 2023/24 year.

Council is required to run a balanced budget and if it cannot do that, demonstrate how it plans to reduce any deficit to return to a balanced budget state. Typically, operating deficits require rate increases in future years.

Council previously agreed that it would fund its share of climate resilience programme funding from debt. This is due to be incurred at the start of the next LTP. Incurring debt on top of an operating deficit will significantly add to ratepayer burden in subsequent years as Council will be holding and servicing higher debt for longer.

Therefore, staff recommend that Council adopt 6.9% (Option 2), as a position where current and future rates and debt are best balanced.

<sup>3</sup> Any marine fees received in excess of that budgeted will also be transferred to the marine fee reserve.



The financial statement attached provides a detailed comparison of the between the LTP rate of 5% and proposed rate of 6.9%.

### **Community Views**

The community was consulted on the LTP in 2021, which included a forecast rates increase of 5% for 2023/24.

Pursuant to Section 95(2A) of the Local Government Act 2002, we are not intending to undertake formal consultation on the 2023/24 Annual Plan. While consultation on the Annual Plan is not required because none of the changes are considered to be a significant or material difference to the LTP, we do propose to seek feedback from the community on the intended position for the Annual Plan.

A potential rate increase of 6.9% would equate to approximately \$23 per year for residential ratepayers, whereas a 5% increase would equate to about \$17 per year and an 8.5% increase would equate to about \$28 per year. Actual amounts for individual ratepayers will always vary due to differences in property valuations.

### **Attachments**

1. Financial Statement

## Annual Plan Financial Summary - Proposed Rate Increases

FY23-24 (\$000's)

	Original LTP @ 5.0%	Proposed @ 6.9%	Proposed @ 8.5%	Change @ 6.9%	Change @ 8.5%
<b>Income:</b>					
Rates	25,205	25,660	26,045	455	840
Other Income	8,843	9,675	9,675	833	833
Marine Fee	250	2,800	2,800	2,550	2,550
South Port Dividend	4,535	4,709	4,709	174	174
Income from Investments	627	806	806	179	179
	<b>39,460</b>	<b>43,651</b>	<b>44,035</b>	<b>4,191</b>	<b>4,576</b>
<b>Less Expenditure:</b>					
People Costs	18,200	20,613	20,613	2,413	2,413
Contractors & Consultants	7,100	9,298	9,298	2,198	2,198
Operational Expenses	14,465	13,740	13,740	(725)	(725)
	<b>39,765</b>	<b>43,651</b>	<b>43,651</b>	<b>3,886</b>	<b>3,886</b>
<b>Total Operating Surplus/(Deficit)</b>	<b>(305)</b>	<b>(0)</b>	<b>384</b>	<b>305</b>	<b>690</b>
Government Funded Projects	(269)	10,379	10,379	10,648	10,648
<b>Total Surplus/(Deficit)</b>	<b>(574)</b>	<b>10,379</b>	<b>10,763</b>	<b>10,953</b>	<b>11,338</b>



### Item 3 Fees and Charges Schedule 2023/24

<b>MORF ID:</b> A890722	<b>Strategic Direction:</b> Managed access to quality natural resources
<b>Report by:</b> Tanea Hawkins, Chief Financial Officer	<b>Approved by:</b> Dom Rikiti, General Manager, Business Services
<b>Executive Approval:</b> Dom Rikiti, General Manager, Business Services	

#### Purpose

This item seeks Council approval of the 2023/24 Fees and Charges Schedule for consultation.

#### Summary

Council regularly reviews and updates its Fees and Charges Schedule. Primarily, the changes proposed this year are to keep up with inflationary costs and better reflect the services being provided and how they are charged.

#### Recommendation

**It is recommended that, pursuant to Sections 36 and 36AAA of the Resource Management Act 1991 and Sections 83 and 87 of the Local Government Act 2002, Council resolve to adopt the 2023/24 Fees and Charges Schedule and Statement of Proposal for consultation.**

#### Report

##### Background

The 2023/24 Fees and Charges Schedule has been created as a result of a thorough review of the current schedule. Opportunities to improve readability, clarity and understanding were key objectives. Ensuring that the schedule reflected all current and pending legislation including council bylaws was a second key outcome.

Lastly, the fees and charges contribute significantly to the funding of essential council activities and balance the amount of rates needed for such activities. The proposed schedule mainly increases the fees and charges by 7%. The financial assumption is that overall fees will rise in line with inflation.

The objectives have been achieved, the schedule incorporates many small improvements in addition to advising the new fees and charges.

A revised Schedule is appended showing the proposed updates highlighted in yellow. None of the proposed changes affect the overall intent or direction of the wider cost recovery regime.

The staff hourly charge out rates listed in Table 1 of the Schedule are a charge in accordance with Section 36 of the Resource Management Act 1991 (RMA). These must be set in the manner outlined in Section 150 of the Local Government Act 2002 (LGA), which requires the use of the special consultative procedure set out in Section 83 of the LGA in accordance with Section 36AAA of the RMA. A Statement of Proposal (SOP) to meet these statutory requirements is appended.



## **Summary of Changes 2023/24 Fees and Charges Schedule**

### **Section 1 – Principles (page 5)**

- Additional wording explaining the basis for the charges (numbers 1-4).

### **Section 2 – General Provisions applicable to fees and charges (pages 6-8)**

- Additional Bylaws/charges added to list – not new, but not included in previous schedule.
- Table 1 - Staff services and hourly rates – “team leader” and “harbourmaster” added into the table.
- 2.3.2 Travel - vessel costs have been previously incurred but not on-charged - added to schedule both hourly staff rate and vessel hourly running costs.
- 2.5 Review - additional wording explaining the annual review process.
- 2.6 Minimum amount for invoicing and refunds - reduced minimum charge from \$50 to \$45, to line up with quarter hour charging.
- 2.7 Debt Collection costs - added interest charge of 12% on overdue invoices.

### **Section 3 – Resource Management Act 1991 Charges (pages 8-9)**

- Added clarification about the Council charges for a range of activities under the RMA.
- 3.2 Contaminated land – section added explaining contaminated land costs and applicable legislation.
- Section 3 Table 2 – Policy Statements Change requested – increased initial fixed fee from \$20,000 to \$40,000 reflecting the substantial costs involved in such an application.

### **Section 4 – Resource Consent Applications (pages 10-12)**

- 4.2 Resource consent application processing – reduced the amount to be refunded from \$50 to \$45 in line with the above change and added explanations of Deemed Permitted activities and their applicable RMA sections. A paragraph after Table 3 has been deleted as its explanation is now embodied in new text.
- 4.2 - Table 3 Application fee type – Added “deemed permitted activity” and a charge of \$500, added words “including partial transfers” to the description “All other activities”.
- 4.3 Pre-hearing meetings and hearings – new wording for explanation and clarification of charges.

### **Section 5 – Resource Consent and Compliance Monitoring (pages 12-16)**

- 5.3 Resource consent compliance monitoring – additional explanation of monitoring and what Council does, removed original words (duplication).
- 5.4 Resource consent compliance additional charges – extra wording explaining the purpose of additional monitoring and associated charges.
- Table 4 Consent compliance – additional table illustrating the associated costs.
- 5.5 Incident and recovery charges – additional wording (and footnote) determining charges associated with inspections under Section 332 RMA.
- 5.6 National Environment Standards for Plantation Forestry – added section explaining NES monitoring in greater detail than the previous schedule.
- 5.7 National Environment Standards for Freshwater - added section explaining NES monitoring in greater detail than the previous schedule.



- Table 5 – added words clarifying the permitted activities charges. Added “Other Inspections” and “Actual costs” per Section 332 RMA (see Section 7.1). Changed wording from “Sampling” to “Groundwater Monitoring”.
- Table 6 – Gravel table – Description expanded to include the word “excavated”. Following the table additional explanation added relating to gravel extraction and monitoring. This approach is intended to improve the data Environment Southland relies on to support decisions on allocations.

### **Section 6 – Other fees and charges (pages 27-33)**

- 6.1 Biosecurity Act 1993 – additional explanation outlining the Biosecurity Act and recovery of costs under the Act.
- 6.2 Recovery of costs from Marine Biosecurity Activities – section added, with Table 17 illustrating the breakdown of costs. The minimum hours for “Failure to produce a Clean Vessel Pass” has increased from ½ hr to 2 hours to recognise the actual costs.
- 6.5 LGOIMA – additional wording to clarify that charges only apply after one hour, and additional information about the actual charges based on guidance from the Ombudsman. Fee of \$38 per half hour remains unchanged as per current legislation.
- 6.8 Regional Harbourmaster – greater detail of costs that can be recovered by the Harbourmaster, costs that have always been recoverable, but not clearly laid out in the past.
- Table 19 Regional Harbourmaster office services and Navigational Safety – additional Table 19 illustrates the applicable charges (section 6.8)
- 6.9 Southland Flood Control & Drainage Management Bylaw 2020 - section added, detailing the costs associated with the Flood Control Bylaw 2020. Table 20 illustrates the applicable charges

**Table 21 – Annual Coastal occupation charges - increased by 7.2% CPI as per the Regional Coastal Plan.**

### **Next steps**

The special consultative procedure set out in Section 83 of the LGA requires a consultation period of no less than one month. This will occur during May 2023, with an analysis of submissions and a hearing if required to be held during the Extraordinary Council meeting on 30 June 2023. The new fees and charges schedule will take effect from 1 July 2023.

### **Attachments**

1. Revised Fees and Charges Schedule
2. Statement of Proposal

# Draft 2023/24 Fees and Charges Schedule

# **Fees and Charges Schedule 2023/24**

Publication No 2023-02  
ISBN No 978-0-909043-88-9



# Table of Contents

- 1. Principles ..... 5
- 2. General provisions applicable to fees and charges ..... 6
  - 2.1 Charging Formula ..... 6
  - 2.2 Staff services and hourly charge out rates ..... 6
  - 2.3 Disbursements..... 7
  - 2.4 Goods and Services Tax (GST) ..... 7
  - 2.5 Review ..... 7
  - 2.6 Minimum amount for invoicing and refunds ..... 8
  - 2.7 Debt Collection Costs ..... 8
- 3. Resource Management Act 1991 Charges ..... 8
  - 3.1 Objections..... 9
  - 3.2 Contaminated Land ..... 9
  - 3.3 Changes to Policy Statements and Plans (Section 36(1)(A)) ..... 9
- 4. Resource Consent Applications ..... 10
  - 4.1 Resource consent pre-application advice and information ..... 10
  - 4.2 Resource consent application processing (Section 36(1)(b)) ..... 10
  - 4.3 Pre-hearing meetings and hearings ..... 11
  - 4.4 Discount policy for applications processed in excess of statutory timeframes ..... 12
- 5. Resource Consent and Compliance Monitoring..... 12
  - 5.1 Annual resource consent holder charges..... 12
  - 5.2 Resource consent compliance monitoring initial fixed charges (Section 36(3)) ..... 13
  - 5.3 Resource consent compliance monitoring (variable) charges (Section 36(1)(c)) ..... 13
  - 5.4 Resource consent compliance additional charges (Section 36) ..... 14
  - 5.5 Incident and recovery charges (LGA (Section 150)) ..... 15
  - 5.6 National Environmental Standards for Plantation Forestry ..... 16
  - 5.7 National Environmental Standards for Freshwater..... 16
- 6. Other fees and charges ..... 27
  - 6.1 Biosecurity Act 1993..... 27
  - 6.2 Recovery of costs from Biosecurity Activities ..... 28
  - 6.3 Spatial Information Data (LGA Section 150)..... 28
  - 6.4 River and catchment service charges (LGA Section 150) ..... 28
  - 6.5 Local Government Official Information and Meetings Act 1987 (Section 13(1A)) ..... 29

6.6 Building Act 2004 (Section 243)..... 30  
6.7 Maritime Transport Act 1994 ..... 30  
6.8 Regional Harbourmaster’s Office Services and Navigation Safety ..... 30  
6.9 Southland Flood Control & Drainage Management Bylaw 2020 ..... 32  
6.10 Annual Coastal Occupation Charges (Regional Coastal Plan p 9.1.9)..... 32

## Environment Southland Fees and Charges Schedule

Environment Southland may charge people when discharging a range of its functions and responsibilities under legislation, including under the Resource Management Act 1991 (RMA), the Local Government Act 2002 (LGA), the Building Act 2004 and the Biosecurity Act 1993. This schedule outlines Environment Southland's current policy and charges payable under the specific legislative functions.

### 1. Principles

The following principles are applied to the Council's decision to set charges in this Fees and Charges Schedule.

#### 1. Charges must be lawful

The Council can only levy charges which are allowed by legislation. Charges set under this Schedule are set under a range of different legislation, including the Resource Management Act 1991, Local Government Act 2002, and Local Government Official Information and Meetings Act 1987. The statutory basis for charges is set out within this schedule.

#### 2. Charges must be reasonable

The purpose of a charge is to recover the reasonable costs incurred by the Council in respect of the activity to which the charge relates. Actual and reasonable costs will be recovered from resource users and resource consent holders where the use of a resource directly incurs costs to the Council. For more information about how the Council funds its activities from its various funding sources, please refer to its revenue and financing policy.

Some charges imposed on consent holders are based on the full costs of the Council's administration and monitoring of their consents, plus a share of the costs of its state of the environment monitoring activities that relate to the resource used by those consent holders.

#### 3. Charges must be fair

Charges must be fair and relate to resource users' activities. The Council can only charge resource users to the extent that their actions have contributed to the need for the Council's work.

Wherever possible, the Council will look for opportunities to streamline and improve processes to ensure that consent processing and compliance monitoring functions continue to be cost effective and efficient.

#### 4. Charges must be transparent

Charges should be calculated in a way that is clear, logical and justifiable. The work of the Council for which costs are to be recovered should be identifiable. Charges should be clear and easy to understand, and their administration and collection should be simple and cost effective.

Consent applicants and resource users are entitled to certainty about the cost of their dealings with the Council. The manner in which charges are set should enable customers to evaluate the extent of their liability. Some charges associated with resource consent application processing contain both initial charges, and additional charges. Where additional charges apply, applicants are able to request an estimate of the consent processing charge. These matters are detailed further in the Consents sections.

## 2. General provisions applicable to fees and charges

The following section of this Schedule outlines the formula and other matters that apply to the calculation of all charges within the following schedules (except for fixed charges).

To calculate the fee and charges payable you will need to consult the relevant section of this Schedule, along with these general provisions.

The Schedule contains fees and charges relating to:

- Resource Management Act 1991 charges under Section 36 of the RMA:
  - changes to policy statements and regional plans;
  - resource consent application charges (including transfers of resource consents and reviews of resource consents);
  - annual consent holder charges and compliance charges
- Local Government Act 2002 charges for incident cost recovery;
- Biosecurity Act 1993 charges;
- Local Government Act 2002 charges for Spatial Information Data;
- Local Government Act 2002 charges for River and Catchment Services;
- Local Government Official Information and Meetings Act 1987 charges;
- Building Act 2004 charges;
- Maritime Transport Act 1994 and Southland Regional Council Navigation Bylaw charges;
- Southland Flood Control & Drainage Management Bylaw 2020 charges; and
- Coastal Occupation Charges from Policy 9.1.9 of the Southland Regional Coastal Plan.

Unless otherwise stated in this Fees and Charges Schedule, all of the following general provisions applicable to fees and charges apply to any fee and charge imposed by the Council.

### 2.1 Charging Formula

Other than in relation to fixed charges (as specified in this Schedule) Environment Southland will apply the following formula to calculate the charge payable in relation to any matter that it is entitled to charge for in accordance with this Schedule:

$$(\text{Staff hours} \times \text{hourly charge-out rate}) + \text{disbursements} = \text{charge payable}$$

### 2.2 Staff services and hourly charge out rates

Staff time is charged on the basis of actual time spent at a rate consistent with the staff members experience level and role.

**Table 1 – Staff services and hourly rates**

Staff type and Service	Charge per hour (GST exclusive) 2023/24	Charge per hour (GST exclusive) 2022/23
Customer services officer / Administration officer	\$112	\$105
Technical officer including consent / resource management and field officers	\$161	\$150
Senior consent /resource management/ technical specialist / manager / team leader / harbour master	\$193	\$180
General Managers	\$321	\$300

## 2.3 Disbursements

Disbursements include advertising costs, legal charges, laboratory analysis, travel, consultant(s), consultation with mana whenua, photocopying and hearing logistic costs (other than staff time).

### 2.3.1 Consultancy costs

Environment Southland uses consultants in a range of situations (both in relation to processing resource consents, but also in other situations, including in relation to charges under the Local Government Act 2002). Consultants are used where the person subject of the charges has required or requested the use of the consultant, the matter involves urgency, the matter involves complex and/or technical matters, or a peer review is necessary or in the case of a resource consent application, where a report is commissioned under Section 92 of the RMA. In all of these situations the full cost of the consultant will be charged to the person as a disbursement.

Consultant costs will include the time and cost spent by Environment Southland staff engaging and managing the consultant.

### 2.3.2 Travel

Environment Southland charges for the travel costs of its staff when making site visits.

The travel cost will consist of the hourly charge out rate of the staff member, see Table 1, and the vehicle mileage cost at the current km rate recommended by the Inland Revenue Department (IRD).

Vessel charges will be incurred for any coastal monitoring or where access to the sea, lake or a river is otherwise requested. Staff time and vessel costs will apply as per Table 19.

### 2.3.3 Photocopying charges

Black and White A4 or A3:

- First 20 pages – free of charge
- Excess of 20 pages – 0.20 cents per page

Colour A4 or A3:

- 0.40 cents per page

## 2.4 Goods and Services Tax (GST)

Charges outlined in this Schedule exclude GST unless otherwise stated.

## 2.5 Review

The Fees and Charges set under this Schedule are reviewed annually with the policy remaining in effect until such time as it has been reviewed, all consultation requirements have been completed and have been amended or revoked by Council resolution.

Fees and charges that require formal adoption under Section 150 of the Local Government Act 2002 (LGA) may be consulted on in conjunction with the Long-term or Annual Plan.

The fees set out in this schedule will come into effect on 1 July 2023 and will continue until superseded. A copy of this Fees and Charges Schedule will also be published on Council's website.

The fees and charges set out in this document are consistent with the Council's revenue and financing policy, which sets out the funding and cost recovery targets for each Council activity.

## 2.6 Minimum amount for invoicing and refunds

Refunds of charges or invoicing of charges for consent applications or monitoring shall only occur if the amount is greater than \$45.

## 2.7 Debt Collection Costs

All collection costs incurred by Environment Southland in the recovery of a debt will be added to the amount due.

Overdue invoices will incur an interest charge at 12% per annum.

## 3. Resource Management Act 1991 Charges

Section 36 of the RMA enables Environment Southland to charge for a range of matters including in relation to plan change requests, resource consent applications and compliance monitoring.

The Council may charge for costs under the RMA for a range of activities. These include the following:

- processing resource consent applications, including additional costs which may be incurred when applicants or submitters request a hearing by a Commissioner under Section 100A of the Act;
- review of consent conditions (in certain situations);
- processing applications for certificates of compliance and existing use certificates;
- the administration, monitoring and supervision of resource consents;
- monitoring and making data available in accordance with section 35 of the RMA;
- applications for the preparation of, or changes to, regional plans or policy statements; and
- for providing information in respect of plans and resource consents and the supply of documents.

The RMA enables Environment Southland to fix charges (Section 36) and where the fixed charge is not sufficient to recover the actual and reasonable costs incurred in carrying out those functions, allows for additional charges to be made (Section 36(5)). The charges set in this section have been set with reference to the criteria in Section 36AAA of the RMA.

This section of the Fees and Charges Schedule utilises the following charges:

- fixed charge fees;
- initial fixed charge fees (deposits); and
- additional charges.

Fixed charge fees cover the total cost of the matter and are deemed to be "actual" charges. Fixed fee charges are not supplemented by additional charges.

Initial fixed charge fees are a deposit based on the estimated costs of a matter. Initial fixed fee charges can be supplemented by additional charges.

Additional charges will be charged where the total cost of a matter exceeds an initial fixed charge fee or where a specific amount has not been set. Additional charges will be charged in accordance with the charging formula set out at page 6. Staff hourly rates will be charged at the appropriate rate as set out in

Table 1. The Council must, on request, provide an estimate of any additional charge likely to be imposed as an additional charge.

**3.1 Objections**

Certain charges under the RMA may be the subject to objection or appeal under the provisions of the RMA.

Fixed charges are not open to objection or appeal.

However, under Section 36(7) of the RMA, Sections 357B to 358 (which deal with rights of objection and appeal against certain decisions) apply in respect of the requirement to pay an additional charge under Section 36(5).

Consideration of objections may be liable for costs, particularly where external decision-making input is required. Costs of such an objection are payable by the applicant under Section 357A(1)(f) and (g). Refer to Table 3 on page 11.

**3.2 Contaminated Land**

Specifically in relation to the Council’s functions to identify and monitor contaminated land under Section 30(1)(ca) of the RMA, the Council will recover costs to the extent available as follows:

- as part of resource consent processing when a resource consent application is made in relation to contaminated land (for example, under Rule 46 and 46A of the proposed Southland Water and Land Plan) see Table 8 - Discharge to Land;
- as part of compliance monitoring Tables 7-15;
- as part of conducting inspections under Section 332 of the RMA Table 5 – Other Compliance Costs. This will include actual time spent by Council staff undertaking any inspection (including but not limited to preparation, travel, time on site and administration associated with the inspection).

**3.3 Changes to Policy Statements and Plans (Section 36(1)(A))**

When Environment Southland receives a request to prepare or change a regional plan, or to change the regional policy statement, it may decide as follows:

- decline the request. In this case, the request will go no further;
- accept the request, and charge the applicant the cost of processing the application;
- adopt the request. In this case, Council will meet the cost of processing the application, after the initial assessment (which is charged to the applicant).

**Table 2 – Change requested**

Change Requested	Initial fixed fee per application (GST exclusive) 2023/24	Initial fixed fee per application (GST exclusive) 2022/23
Assessment of a request before deciding to decline, accept or adopt it	\$40,000	\$20,000
Additional fixed fee charge if the request accepted for processing	\$40,000	\$20,000

Where the actual cost of the application processing and hearing is different to the deposits charged, the difference will be refunded to the applicant if the costs are lower, or an additional charge will be required if the costs are higher. Additional charges will be charged in accordance with the charging formula set out on

page 6. Staff hourly rates will be charged at the appropriate rate as set out in Table 1. Council will inform applicants if the costs are expected to significantly exceed the deposit amount.

## 4. Resource Consent Applications

### 4.1 Resource consent pre-application advice and information

Consents division staff are available to meet potential consent applicants to provide pre-application advice. The first hour of assistance on any application or proposal is free of charge, with subsequent assistance being charged according to Table 1 and the charging formula on page 6 of this Schedule.

### 4.2 Resource consent application processing (Section 36(1)(b))

For carrying out its functions in relation to the receiving, processing and deciding on resource consent applications (including assessment of applications for certificates of compliance), and for considering and deciding on changes to or reviews of consent conditions and transfer of consents, the Council will:

- fix specific amounts to be charged for specified resource consent applications and set initial fixed charges for other specified activities (see Table 3);
- require applicants and consent holders to pay the full fixed charge or initial fixed charge prior to work commencing on the application or review;
- where a specific amount has not been fixed (or only an initial fixed charge exists), require applicants or consent holders to pay the actual and reasonable costs of processing the application as determined in accordance with the charging formula set out on page 6;
- refund the residual if the total cost does not exceed the initial fixed charge amount, noting section 2.6, any residual under \$45 will not be refunded.

The charges for resource consent applications are set out in Table 3 below. Some of the resource consent applications are subject to fixed fees and the remainder are subject to initial fixed charges (deposits). Where the total cost of processing an application exceeds an initial fixed charge, additional charges will be charged in accordance with the charging formula set out on page 6. Staff hourly rates will be charged at the appropriate rate as set out in Table 1.

Where a resource consent application includes multiple different activities, then the charge for each different activity in Table 3 must be paid by the applicant. Depending on the application this may mean that several different initial fixed fees have to be paid as a deposit.

Deemed permitted activities are activities which meet the criteria in Section 87BB of the RMA.

The Council may charge a person proposing to undertake such an activity for the issuing of a notice under Section 87BB that the activity is a deemed permitted activity, pursuant to Section 36(1)(ae) of the RMA.



**Table 3 – Application fee type**

Application fee type	Activity	2023/24 Fee \$ (GST exclusive)	2022/23 Fee \$ (GST exclusive)
Fixed Charge	Whitebait stand - occupational of coastal marine area by existing structure	\$257	\$240
	Bore (individual, with pump tests < 20,000 L / day) per bore	\$519	\$485
	Transfer of consent holder <sup>1</sup> (per consent)	\$107	\$100
	Deemed Permitted Activity	\$500	
Initial Fixed charge - Non notified	Bore (multiple and/or water takes for pump tests > 20,000 L / day)	\$803	\$750
	Gravel Extraction	\$2,140	\$2,000
	Groundwater takes <200 m3/day	\$1,605	\$1,500
	Agricultural effluent storage pond construction	\$1,605	\$1,500
	Effluent discharge to land	\$2,675	\$2,500
	Coastal - Commercial Surface Water Activity (CWSA)	\$3,210	\$3,000
	Coastal structure / Occupation	\$2,675	\$2,500
	All other activities including partial transfers	\$1,605	\$1,500
Initial Fixed charge - Notified (public & limited)	Notified application deposit on lodgement (up to hearing stage) where notification requested by applicant (per application)	\$10,700	\$10,000
Further initial fixed charge	Application processed that requires a public hearing - deposit payable to set matter down for hearing (if deposit not paid on lodgement) (per application)	\$10,700	\$10,000
Initial Fixed charge - notified (public & limited)	Application for further charges for each additional day of scheduled hearing or part thereof (per day)	\$5,350	\$5,000
Initial fixed charge	Review of consent conditions where the review is carried out at the request of the consent holder, or under Section 128(1)(a), 128(1)(c), or 128(2) of the RMA	\$2,140	\$2,000
Initial fixed charge	Certificate of compliance or certificate of existing use	\$1,338	\$1,250
Initial fixed charge	Objection under s357A(1)(f) and (g)	\$2,675	\$2,500

<sup>1</sup> Transfer of a consent to a new site is treated as a new resource consent application for the purposes of charging.

In the event of a request by an applicant and/or submitter(s) under Section 100A for an application to be heard and decided by one or more hearing commissioners, the additional costs will be chargeable in accordance with Section 36(1) (aa) and (ab).

#### 4.3 Pre-hearing meetings and hearings

The costs of pre-hearing meetings and hearings will be charged to the applicant. The costs of hearings includes:

- the costs of Councillors who are members of hearing panels, at the rates determined by the Remuneration Authority;
- staff costs;
- (non-Councillor) hearing panel members' fees (including independent hearing commissioners, where permitted).

Applicants that request independent hearing commissioners under Section 100A of the RMA will be charged for the cost of the application being heard and decided by the independent hearing commissioner.

Charges relating to joint hearings will be apportioned by the authorities involved, according to which authority has the primary role of organising the hearing.

Where a hearing panel has directed that expert evidence is pre-circulated then all persons who are producing such evidence shall be responsible for providing the prescribed number of copies of such evidence to the Council. In the event that the Council needs to prepare copies of such evidence the person producing the evidence will be charged for the copying.

#### **4.4 Discount policy for applications processed in excess of statutory timeframes**

The Resource Management (Discount on Administrative Charges) Regulations 2010 apply to applications for resource consents and application to change or cancel conditions of a resource consent (under Section 127 of the RMA) processed by Environment Southland. Applicants are entitled to a discount if the application takes longer to process than the statutory timeframes allowed under the RMA.

The Discount Regulations do not apply to the following:

- applications to extend consent lapsing periods (RMA s125);
- consent reviews (RMA s128);
- certificates of compliance (RMA s139);
- when an applicant withdraws a resource consent application.

The Discount Regulations will be applied to any applicable charges made under this Schedule.

## **5. Resource Consent and Compliance Monitoring**

Tables 7 to 15 outline all consent and compliance administration and monitoring charges set by the Council in relation to resource consent administration, monitoring and supervision and the other associated RMA monitoring the Council undertakes. The following sections 5.1 to 5.7 describe each of these charges in further detail.

### **5.1 Annual resource consent holder charges**

Annual charges specified in this section apply to all current resource consents whether or not the consents have been used or exercised. The annual fee for various resource consents is prescribed in Tables 7-15.

#### **5.1.1 Administration Charge (Section 36(1)(c))**

Environment Southland invoices annual administration charges to recover the costs associated with consent processing that cannot be directly attributed to individual users. This includes costs involved in the maintenance of the consents database, correspondence with consent holders, provision of expiry notices, responding to requests for information on consents generally, and meeting with consent holders to discuss matters relating to their consents.

A scale of charges is applied to resource consents. These charges vary due to the scale and complexity and administrative time involved for the consent groups, as described in Table 16.

#### **5.1.2 Science Research and Management Charge (Section 36(1)(c))**

Section 36(1)(c) charges are payable by holders of resource consents for the carrying out by a local authority of its functions in relation to the administration, monitoring and supervision of resource consents and for the carrying out of its resource management functions under Section 35.

Science research and management activities are undertaken to gather information about resources to ensure they are managed on a sustainable basis. The information is used to determine the nature and state

of a resource, to enable Council to grant resource consents with confidence and to check whether the management tools for resources in regional plans are working properly. A large amount of information is made publicly available.

Both the consent holder and the regional community benefit from the science research and management undertaken. The consent holder benefits through the protection of resources through management, early warning of changes in resources and information and data to aid business planning, exercising of their consent and re-consenting process.

The research charge contributes towards the costs incurred by Council in researching and identifying the cumulative impact on our environment of all such activities across the region. Information gained from this research can also be used by applicants during the resource consent application process.

A scale of the annual Science Research and Management charges are applied to resource consents. These charges vary primarily due to the following factors:

- the nature and scale of activity, e.g. the size of a water take or type of discharge; and
- the level of stress a particular catchment, coastal area or groundwater zone is under.

The charges and the application to various consent types are described in Tables 7-15.

### **5.2 Resource consent compliance monitoring initial fixed charges (Section 36(3))**

The initial fixed charges for compliance monitoring inspections and re-inspections are based on staff time for technical staff per Table 1 of this schedule. Fixed charges generally apply to activities where conditions are very similar or the same. If an activity identified for fixed charges is non-standard, then variable charges may apply to that non-standard activity. Fixed charges may be invoiced annually or per activity, as described in Tables 7-15.

### **5.3 Resource consent compliance monitoring (variable) charges (Section 36(1)(c))**

The compliance monitoring programme is tailored to individual circumstances. All costs associated with monitoring the consent are passed on to the consent holder. As set out in the RMA, Environment Southland may charge for costs associated with its ongoing administration, monitoring and supervision of resource consents (RMA Section 36(1)(c)).

Where the initial charges set in this section are inadequate to cover actual and reasonable costs, Council may impose an additional charge.

#### **What Council does to monitor resource consents**

The purpose of compliance monitoring is to confirm consent holders are meeting the conditions of their resource consents. The conditions on resource consents are designed to control any adverse effects on the environment arising from the exercise of the resource consent.

Council needs to know resource consents are being complied with. In this way, Council can ensure the resource the consent holder is using, remains fit for them and other consent holders to use.

A compliance monitoring programme is initially determined at the time the resource consent is granted. How much compliance monitoring is required varies according to the nature of the activity, its size and frequency and potential environmental impact.

Resource consents with an ongoing effect on the environment have a monitoring programme, though it is important to note that the monitoring programme may not always require site inspections. Resource consents with a finite effect may only need one site visit.

The compliance programme may be reduced if the consent holder establishes a good compliance record, or where two or more resource consents are held for the same location. It may also be increased if the consent holder establishes a poor compliance record.

As part of the compliance monitoring programme for a consent, Council may:

- carry out an initial visit to assess if the resource consent is being implemented in accordance with the consent conditions;
- carry out site visits and inspections (as required);
- review the results of any monitoring carried out by the consent holder or their consultants;
- advise the consent holder of the outcome of the compliance visit;
- carry out tests and analyse samples at a laboratory (if relevant).

The monitoring may be completed through desktop monitoring, physical or aerial review. If a consultant is used, these costs will be on-charged.

Council may also need to use outside expertise to assist with the monitoring of some consents.

The costs of these experts may be included as part of the consent monitoring charge. In most cases, Environment Southland staff will carry out compliance checks.

The monitoring charge includes all preparation prior to an inspection and reasonable administration time after the inspection to update Council databases and respond to the consent holder in writing.

~~Variable charges apply to activities where there is no fixed compliance charge and where the consent conditions and the nature and scale of activity is likely to vary. Variable charges may be invoiced monthly or quarterly. All variable charges are based on actual and reasonable costs since the previous invoice. The charge payable is calculated in accordance with the formula on page 10 of this Schedule and the tables below.~~

#### **5.4 Resource consent compliance additional charges (Section 36)**

Where the initial fixed charge is inadequate to recover the Council's reasonable and actual costs for inspecting/monitoring of consents, additional inspection/monitoring charges and re-inspection of consents charges will be recovered on the basis of staff time, travel and disbursements.

These additional inspection/monitoring, including investigation and mitigation costs, may be required as a result of complaints regarding consented activities. The charge payable is calculated in accordance with the formula on page 6 of this Schedule and Tables 7-15.

The purpose of additional monitoring charges is to recover costs of additional work that is required to be undertaken by Council when consent holders do not act in accordance with consents.

Additional monitoring charges relate to those situations where consent conditions are not being met or adverse effects are resulting from the exercise of a consent.

When consent non-compliance is found, the person is, if possible, given the opportunity to remedy the situation and is informed that costs of additional supervision will be recovered. Such activity may also be subject to infringement notices, enforcement orders or prosecutions.

Charges for additional monitoring will be calculated on an actual and reasonable basis.

The costs that make up the charge will include:

- **labour costs** - officers actual recorded time spent, including travel time, and administration time in following up the non-compliance matter or unauthorised activity (charged at the appropriate hourly rate listed in Table 1; plus
- **any sampling and testing costs incurred** - plus any equipment costs (excluding vehicle running costs) associated with the monitoring of the non-compliance; plus
- **any external costs incurred** - e.g. external consultants, hire of use of clean-up equipment

**Table 4 – Consent Compliance – additional charges**

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
<b>Consent compliance - additional charges</b>	Non-compliance of resource consent	Actual cost (in addition to annual charge)	Actual cost (in addition to annual charge)
		<ul style="list-style-type: none"> <li>- Staff costs (per Table 1)</li> <li>- Sampling and testing costs</li> <li>- Equipment costs</li> <li>- External consultants (on-charged)</li> </ul>	<ul style="list-style-type: none"> <li>- Staff costs (per Table 1)</li> <li>- Sampling and testing costs</li> <li>- Equipment costs</li> <li>- External consultants (on-charged)</li> </ul>

### 5.5 Incident and recovery charges (LGA (Section 150))

Environment Southland carry out inspections<sup>1</sup> to form a judgment on whether or not:

- there has been compliance with the RMA, any regulations (including national environmental standards), a rule of a plan, a resource consent, or Sections 10, 10A, or 20A of the RMA; or
- an enforcement order, interim enforcement order, abatement notice, or water shortage direction is being complied with; or
- any person is contravening a rule in a proposed plan in a manner prohibited by any of Sections 9, 12(3), 14(1), 15(2), and 15(2A).

The Council may fix a fee or charge to recover the costs it incurs when carrying out inspections<sup>1</sup> pursuant to Section 332 of the RMA to determine compliance with above matters.

Charges for inspections under Section 332 of the RMA will be for the reasonable costs incurred in carrying out the inspection, pursuant to Section 150 of the LGA, including:

- initial administration;
- attendance at the site for the purposes of carrying out the inspection (including staff time and vehicle mileage);
- analysis of any samples taken during the inspection; and
- administration associated with the inspection itself.

Actual costs are charged based on staff time (including associated administration), per Table 1, mileage and disbursements related to the inspection.

<sup>1</sup> The term inspection is defined as the action taken by Council under section 332 of the RMA to form a judgment on whether there has been:

- compliance with the RMA, its regulations, a rule of a plan or a resource consent;
- compliance with an abatement notice, enforcement order or water shortage direction; or
- contravention of a rule in a proposed plan.

## 5.6 National Environmental Standards for Plantation Forestry

Under Regulation 106 of the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017, the Council may charge for monitoring of permitted activities specified by Regulations 24 (earthworks), 37 (river crossings), 51 (forestry quarrying) and 63(2) (harvesting).

This monitoring will be charged in accordance with principles and general policies of this charging document.

Charges will cover the travel and inspection time of the officer(s) undertaking the inspection (as per Table 1), as well as any sampling costs where required.

The Council may also charge for the monitoring of deemed permitted activities (pursuant to Section 87BB of the RMA) which would, if not for the marginal or temporary non-compliance, be a permitted activity under Regulations 24, 37, 51, or 63(2) of the Standards.

## 5.7 National Environmental Standards for Freshwater

Under Regulation 75 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, the Council may charge for monitoring of permitted activities covered by the Standards, where the Council is responsible for monitoring those activities.

The Council may also charge for the monitoring of deemed permitted activities (pursuant to Section 87BB of the RMA) which would, if not for the marginal or temporary non-compliance, be a permitted activity under the Standards.

These will be charged in accordance with the principles and general policies of this charging document. Charges will cover the travel and inspection time of the officer(s) undertaking the inspection (as per Table 1) as well as any sampling costs where required.

The Council will not charge to receive or review notifications of intended permitted activity work for wetland restoration, wetland maintenance, or biosecurity, pursuant to the Regulations.

**Table 5 – Other Compliance Costs**

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
<b>Permitted Activities</b>	<p>Monitoring in accordance with relevant National Environmental Standards (for Plantation Forestry and Freshwater) where charging for monitoring of permitted activities is authorised.</p> <p>Charges are for actual and reasonable costs including:</p> <ul style="list-style-type: none"> <li>- site inspections (including staff time and vehicle mileage)</li> <li>- associated reporting</li> <li>- analysis of any samples taken during the site visit</li> <li>- associated administration</li> <li>- non compliance follow ups; and</li> <li>- associated testing/external consultants</li> </ul>	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
<b>Other Inspections</b>	Inspections under S332 of RMA	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
<b>Groundwater Monitoring</b>	Groundwater sampling with sample taken (per sampling)	\$278 plus lab fees	\$260 plus lab fees
	Groundwater sampling where no sample is able to be taken (per sampling)	\$225	\$210
	Consents requiring Alarmist (river level) information	\$342 establishment cost plus \$128 annually	\$320 establishment cost plus \$120 annually
<b>Reports, Data, Notifications</b>	Compliance monitoring reports required as part of consent conditions (per report)	\$96	\$90
	Non-provision or inadequate provision of resource consent condition data/information	\$1,402	\$1,310

**Table 6 – Gravel**

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
Gravel	Gravel consents - a fee will be charged on a per m <sup>3</sup> rate of excavated gravel, for the supervision, monitoring and administration of all activities associated with gravel extraction in beds of rivers	\$0.70 per m <sup>3</sup>	\$0.65 per m <sup>3</sup>

Wherever gravel extraction is undertaken with a resource consent, the monitoring charge set out in Table 6 above will apply. All resource consent holders extracting gravel are required to pay the monitoring and administration charges based on the volume of gravel extracted.

Environment Southland is required to monitor rivers to determine gravel availability and the effects of gravel extractions on flood carrying capacity, on the environment and on the community and to ensure that parties taking gravel are compliant with the conditions of the resource consents. This monitoring charge is set under Section 36(1)(c) of the RMA.



**Table 7 – Discharge to Air**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Discharge to Air</b>	Minor	Minor discharges to air	\$128	\$102	Actual cost	\$230 + actual monitoring costs	\$215 + actual monitoring costs
	Medium	Other discharges to air, including odour	\$235	\$102	Actual cost	\$337 + actual monitoring costs	\$315 + actual monitoring costs
	Significant	Discharges of NES contaminants to the air	\$722	\$102	Actual cost	\$824 + actual monitoring costs	\$770 + actual monitoring costs
	Major	Mining & dairy industries	\$1,455	\$102	Actual cost	\$1,557 + actual monitoring costs	\$1,455 + actual monitoring costs

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 8 – Discharge to Land**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Discharge to Land</b>	Agricultural discharges	Dairy, piggery, wintering barn / pad effluent	\$235	\$294	\$578 per inspection	\$530 + \$578 per inspection	\$495 + \$540 per inspection
	Minor	Sewerage <2,000 l/day, cleanfill, gravel wash water	\$128	\$294	Actual cost	\$422+ actual monitoring costs*	\$395 + actual monitoring costs*
	Medium	Solid waste contaminant, sewerage > 2,000 l/day	\$235	\$294	Actual cost	\$529 + actual monitoring costs*	\$495 + actual monitoring costs*
	Significant	Reticulated stormwater	\$722	\$294	Actual cost	\$1,016 + actual monitoring costs*	\$950 + actual monitoring costs*
	Major	Solid Waste, hazardous or industrial discharges	\$1,455	\$294	Actual cost	\$1,749 + actual monitoring costs*	\$1,635 + actual monitoring costs*

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 9 – Discharge to Water**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Discharge to Water</b>	Medium	Discharge of contaminants	\$235	\$1,177	Actual cost	\$1,412 + actual monitoring costs	\$1,320 + actual monitoring costs
	Significant	Reticulated storm water discharges	\$722	\$1,177	Actual cost	\$1,899 + actual monitoring costs	\$1,775 + actual monitoring costs
	Major	Industrial	\$1,455	\$1,177	Actual cost	\$2,632 + actual monitoring costs	\$2,460 + actual monitoring costs

\*Additional monitoring costs may apply dependent on consent conditions.

Table 10 – Land use

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge GST (exclusive)	Science Research and Management charges GST (exclusive)	Compliance Monitoring Charges GST (exclusive)	Total Annual Charges for 2023/24 GST (exclusive)	Total Annual Charges for 2022/23 GST (exclusive)
<b>Land use</b>	Minor	Burning, storage ponds, culverts, bed disturbance	\$128	-	Actual cost	\$128 + actual monitoring costs	\$120 + actual monitoring costs
	Medium	Dredging, alter, protection works	\$235	-	Actual cost	\$235 + actual monitoring costs	\$220 + actual monitoring costs
	Large	Dairy farm - new, expanded, establish	\$358	-	Actual cost	\$358 + actual monitoring costs	\$335 + actual monitoring costs
	Other - dependent on activity	Land use river control	\$128 - \$1,455	-	Actual cost	\$128 - \$1,455 + actual monitoring costs	\$120 - \$1,360 + actual monitoring costs

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 11 – Surface water take**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Surface water take</b>	Minor	< 87 m <sup>3</sup> per day	\$128	\$2.35 per m <sup>3</sup> , minimum \$182	\$177	\$305 + science research charges*	\$285 + science research charges*
	Large	< 50,000 m <sup>3</sup> per day	\$358	\$2.35 per m <sup>3</sup> , maximum \$9,341	\$257	\$615 + science research charges*	\$575 + science research charges*
	Major	> 50,000 m <sup>3</sup> per day	\$1,455	\$9,341 plus \$0.0034 per m <sup>3</sup>	Actual cost	\$1,455 + science research charges + actual monitoring costs*	\$1,360 + science research charges + actual monitoring costs*
	Other - dependent on activity	Dam / divert	\$235 - \$1,455	\$1,225 - \$9,341	Actual cost	\$235 - \$1,455 + science research charges + actual monitoring costs	\$220 - \$1,360 + science research charges + actual monitoring costs

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 12 – Groundwater take**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Groundwater take</b>	Minor	< 87 m <sup>3</sup> per day	\$128	\$1.07 per m <sup>3</sup> , minimum \$182	\$177	\$305 + science research charges*	\$285 + science research charges*
	Large	< 500 m <sup>3</sup> per day	\$358	\$1.07 per m <sup>3</sup> , minimum \$182	\$257	\$615 + science research charges*	\$575 + science research charges*
	Major	> 500 m <sup>3</sup> per day	\$722	\$1.07 per m <sup>3</sup> , minimum \$3,285	\$257	\$979 + science research charges*	\$915 + science research charges*

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 13 – Whitebait & Coastal**

Table 13							
Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Whitebait & Coastal	Whitebait stands	Other than Hollyford & Awarua Rivers	\$37	-	\$123	\$160	\$150
	Whitebait stands	Hollyford & Awarua Rivers	\$37	-	\$251	\$288	\$270

**Table 14 – Coastal Occupy Structure**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Coastal Occupy Structure	Coastal occupy / structure - including all areas outside of Fiordland	Includes but not limited to boatsheds, slipways, wharves, jetties, boat ramps, moorings, barges	\$128 - \$358	-	\$123	\$251 - \$481 + coastal occupation charges*	\$235 - \$450 + coastal occupation charges*
	Coastal occupy / structure - Fiordland	Includes but not limited to boatsheds, slipways, wharves, jetties, boat ramps, moorings, barges	\$128 - \$358	-	\$251	\$379 - \$609 + coastal occupation charges*	\$355 - \$570 + coastal occupation charges*

\*Additional monitoring costs may apply dependent on consent conditions.

**Table 15 – Coastal Other**

Consent type	Consent Class (refer Table 16 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges (Fixed and variable costs)	Total Annual Charges for 2023/24	Total Annual Charges for 2022/23
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
<b>Coastal Other</b>	Coastal - Other	Including but not limited to aircraft landing / take off, erosion control reclaim, disturb / remove	\$128	-	\$123	\$251 + coastal occupation charges*	\$235 + coastal occupation charges*
	Coastal - Surface water activities all areas	To carry out the operation of commercial surface water activities	\$358	\$396	\$300	\$1,054	\$985
	Coastal - Marine farms all areas	To occupy part of the seabed with a marine farm	\$358	\$396	\$251	\$1,005 + coastal occupation charges*	\$940 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine all areas	Discharge to water	\$358	\$396	\$251	\$1,005 + coastal occupation charges*	\$940 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine - significant or major type all areas	Discharge to water - treated wastewater contaminants, treated sewage	\$722 - \$1,455	\$396	Actual cost	\$1,118 - \$1,851 + coastal occupation charges + actual monitoring costs	\$1,045 - \$1,730 + coastal occupation charges + actual monitoring costs

\*Additional monitoring costs may apply dependent on consent conditions.



Annual consent administration fees are classified and determined according to Tables 7-15.

The examples given in Tables 7-15 are used to illustrate the type of consented activities that *may* fall into each consent type and are in no way an exhaustive list. Each consent will be assessed based on its particular conditions and classified accordingly. For completeness, the Council maintains the ability to charge for monitoring any permits for discharges to air, land and water, land use consents, surface water and groundwater take and use consents, and whitebait and coastal consents not specifically classified in the tables based on the actual and reasonable monitoring costs.

**Table 16 – Consent classifications**

<b>Minor</b>	Granted for more than one year, require minimal administration and record-keeping.
<b>Medium</b>	Require regular record-keeping and maintenance of the consents database, possibly including the provision for the review of conditions. This category will include activities that are still minor, but require a higher level of administration.
<b>Large</b>	Require a higher level of administration and contact with the consent holder. These activities authorised may involve consents staff dealing with issues relating to that activity on a regional scale.
<b>Significant</b>	Require a high level of administration. They also involve consents staff in wider management issues associated with the activity either individually or as a group.
<b>Major</b>	Have a significant administrative requirement and necessitate a high level of contact with the consent holder. This category generally only applies to a large industry holding multiple consents.

**6. Other fees and charges**

**6.1 Biosecurity Act 1993**

The Council has various powers to enable it to recover the costs for investigations, enforcement, and administration under two of its biosecurity plans. Reference should be made directly to the relevant provisions of those plans, as follows:

- Southland Regional Pest Management Plan 2019-2029; and
- Fiordland Marine Regional Pathway Management Plan (2017 onwards).

Rather than fixing fees or charges for these matters under the Biosecurity Act 1993, this Schedule notes that costs can be recovered for actions taken under the Biosecurity Act 1993 and describes those charges in further detail.

In particular, Section 135 of the Biosecurity Act 1993 requires the Council to take all reasonable steps to ensure that it recovers its costs of administering the Biosecurity Act (beyond those costs that are provided for by money appropriated by Parliament for the purpose) in accordance with the principles of equity and efficiency. It provides the Council with discretion as to the methods it uses to recover its costs of administering the Biosecurity Act and performing the functions, powers and duties provided for in the Biosecurity Act (such as administering and implementing its pest management strategy or plan, or its pathway management plan), provided it believes the methods it uses are the most suitable and equitable

in the circumstances.

The methods can include fixed charges, charges fixed on an hourly or other unit basis, estimated charges followed by reconciliation, actual and reasonable charges, refundable or non-refundable deposits paid before the provision of the service, charges imposed on users of services or third parties, and cost recovery in the event of non-compliance with a legal direction (Section 128(3)).

Section 128 of the Biosecurity Act enables the Council to recover the costs and expenses it reasonably incurs when implementing an enforcement document as a debt due.

Section 129 provides that all costs recoverable under Section 128 shall be a charge (lien) against the land concerned. Costs incurred to apply and remove the lien will be added to the costs.

## 6.2 Recovery of costs from Biosecurity Activities

Council has an ongoing programme of biosecurity inspection, monitoring and response work that is undertaken for the purposes of implementing its pest management strategies and plans. (Some) cost recovery is sought for these marine biosecurity activities as provided for by Section 135 of the Biosecurity Act 1993.

Table 17 – Biosecurity

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
<b>Biosecurity Act</b>	Cost recovery - Fiordland marine inspections, failure to produce a Clean Vessel Pass	2 hours minimum (refer Table 1 for rates)	1/2 hour minimum (refer Table 1 for rates)
	Cost recovery - Fiordland marine inspections, with a valid Clean Vessel Pass	Free	Free
	Cost recovery other	Actual cost (incl staff time)	Actual cost (incl staff time)
	Pest management traps, tools, herbicide, materials	Actual cost	Actual cost

## 6.3 Spatial Information Data (LGA Section 150)

Environment Southland, at its discretion, may charge for access to or extraction of spatial information data. The total staff time spent will be charged at the technical officer charge rate for compiling the information as per the schedule of fees and charges in Table 1. There is no charge for the data itself.

## 6.4 River and catchment service charges (LGA Section 150)

Environment Southland will charge for the provision of information and advice relating to the following:

- flood hazard assessments;
- hazard information and advice;
- technical information and advice;
- property information;

- provision of historic information and records.

Provision of other information or services where costs, including staff time, are incurred by Environment Southland. Actual and reasonable costs will be charged for the provision of information, documents and technical advice. The first half hour of staff time involved in providing the service will not be charged, after which the total staff time spent providing the service may be charged as well as mileage and disbursements.

### 6.5 Local Government Official Information and Meetings Act 1987 (Section 13(1A))

Environment Southland may seek to recover reasonable costs for the supply of information requested under the Local Government Official Information and Meetings Act 1987 (LGOIMA). Council reserves the right to charge for the provision of information for requests that take over an hour of time. This includes:

Photocopying in excess of 20 pages	\$0.20 per page
Other materials, e.g. information supplied on media	At cost
Standard staff time, in excess of one hour	\$38 per half hour
Specialist non-staff time	At cost
Other direct and actual costs	At cost

Fees for the creation of information, customised data requests and provision of commercially valuable information that fall outside of the scope of the LGOIMA may differ from the above. As this may vary depending on the specifics of the request, Council will advise of any charge on a case-by-case basis.

In all cases, when communicating a decision that grants information release, Council will advise the requestor of any decision to charge, the estimated amount of the charge, how the charge has been calculated, any requirement to pay in advance and advise of the right to seek a review by an Ombudsman of the estimated charge. Where a charge is payable, no action in compiling the information will occur until such time as the requestor has agreed to cover the estimated costs.

The scale of charges set out above may apply for the recovery of staff time and reasonable costs incurred with the collection and supply of information under LGOIMA. The recovery regime is based upon the Ombudsman's guidance "The LGOIMA for local government agencies: A guide to processing requests and conducting meetings".

## 6.6 Building Act 2004 (Section 243)

The following charges will apply to the Dam Safety and Building Control activities.

**Table 18 – Project Information Memorandum for a Dam**

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
<b>Project Information Memo (PIM)</b>	Preliminary fixed charge payable at the time of lodging an application for a Project information memo for a Dam (PIM) for a dam.	\$1,070	\$1,000
	Fixed charge for the issue of a Resource Management Certificate under section 37 of the Building Act 2004	\$128	\$120
<b>Notice to Fix (NTF)</b>	Issue of Notice to Fix (NTF)	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
	Inspection(s) of building work under NTF	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
	Offence proceedings for failure to comply with NTF	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements
<b>Other</b>	Any other activity under the Building Act	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements

## 6.7 Maritime Transport Act 1994

In accordance with Section 444 of the Maritime Transport Act (MTA) regional councils exercising a delegated function or power may charge a reasonable fee in relation to the exercise of that function or power. The total hours charged for cost recovery will be at the discretion of the Regional On-Scene Commander. Staff hourly rates will be at the appropriate rate as set out in Table 1.

## 6.8 Regional Harbourmaster's Office Services and Navigation Safety

Pursuant to Section 33M of the Maritime Transport Act 1994, Environment Southland has made a bylaw in respect of navigation safety within the Southland region. Section 33R of the MTA allows Environment Southland to set fees in respect of activities that it has to undertake to implement the bylaw. The role of the Harbourmaster's Office includes managing maritime-related activities, navigation safety on all waterways. There are also some fees and charges for recreational boating activities. The applicable charges can be found in the following table.

Any other costs incurred for particular services provided that relate to navigation safety by Environment Southland which are not outlined below are fully recoverable from the person or organisation causing this cost to be incurred. This includes the costs incurred by the Council as a result of staff responding to any incident that causes or may have the potential to cause effects on navigation and safety. The response action taken by Council staff may include, but will not be limited to, monitoring, inspection, investigation, clean-up, removal, mitigation and remediation works. Actual costs for consumables, plant and equipment used/hired during a response will also be charged in addition to staff hours (as set out in Table 1) as appropriate.

For incidents occurring outside normal business hours, a minimum call-out fee of three hours at staff charge rates shall apply (includes oil spill response and emergency response).

**Table 19 – Regional Harbourmaster Office Services and Navigational Safety**

Service	Activity	Description	2023/24 GST (exclusive)	
Regional Harbourmaster office services and navigation safety	Permission and services of the Regional Harbourmaster's office	Specific approval from the regional harbourmaster required for hot work in certain circumstances as stated in the harbourmaster's direction on a vessel carrying liquid or gas hydrocarbons in bulk (ie a fuel, oil or gas tanker)	\$250	
		Any other exemption, permission or authorisation of the regional harbourmaster not otherwise specified; or for additional hours processing of applications for suspensions, exemptions, or reservations which take in excess of two hours (Staff time as per Table 1, per hour)	\$193	
		Charge for travel to or from any location to undertake a site visit, audit or examination	\$193	
		Charge for vessel running costs on water, per hour (excluding staff time)	\$275	
		Examination of a candidate for a Master's Pilotage Exemption Certificate, per examination	\$500	
	Suspensions, exemptions, reservations	Application to the regional harbourmaster for a suspension or exemption under Schedule 8 of the Southland Regional Council Navigation Safety Bylaw 2009 (revised 2015), per application	\$250	
		Application to the Regional harbourmaster for a reservation, regulation, prohibition, permission or authorisation under the Southland Regional Council Navigation Safety Bylaw 2009 (revised 2015), per application	\$250	
	Regional On-Scene Commander service charge	Review* or approval of an operator party to a Mobile Operators Joint Port Tier 1 Marine Oil Spill Response Plan, including initial audit	\$800	
		Review* or approval of a mobile operator's Tier 1 Marine Oil Spill Response Plan (for those in places where a joint plan is unavailable), including initial audit, per review	\$1,600	
		Review* or approval of an operator's small fixed site (eg jetty browser) Tier 1 Marine Oil Spill Response Plan, including initial audit, per review	\$1,600	
		Review* or approval of an operator to a large fixed site (eg terminal) Tier 1 Marine Oil Spill Response Plan, including initial audit, per review	\$3,200	
		Attendance at Tier 1 Plan site visit, exercise or audit (Staff time as per Table 1, per hour)	\$193	
		Application for an exemption, permission or authorisation of the regional on-scene commander not otherwise specified (Staff time as per Table 1, per hour)	\$193	
	* Reviews are normally conducted triennially			

## 6.9 Southland Flood Control & Drainage Management Bylaw 2020

Pursuant to Section 149 of the Local Government Act 2002, Environment Southland has made a bylaw in respect of flood protection and flood control works within the Southland region. Section 150 of the LGA allows Environment Southland to prescribe fees or charges payable for a certificate, authority, approval, permit, or consent from the Council, or an inspection by the Council in respect of a matter provided for in the Bylaw.

The applicable charges can be found in the following table.

Table 20 – Flood protection and control

Activity	Description	2023/24 GST (exclusive)
<b>Flood protection and control</b>	Inspections to check for compliance with the Bylaw	Actual and reasonable costs incurred by the Council
	Where a person fails to undertake the work specified in a notice issued under clause 7.5 of the Bylaw, the Council may enter upon the relevant land and carry out that work.	The costs associated with completing the work are recoverable by the Council as a debt due by the owner of the land to the Council
	Where the Council removes or alters any works, or anything constructed after the Bylaw became operative, that contravenes the Bylaw or any conditions of any authority.	Actual and reasonable costs incurred by the Council in connection with the removal or alteration

The Council may, at its discretion, refund, remit, or waive the whole or any part of any fee payable under the Bylaw.

## 6.10 Annual Coastal Occupation Charges (Regional Coastal Plan p 9.1.9)

Policy 9.1.9 of the Regional Coastal Plan sets out the regime for establishing a coastal occupation charging regime to persons who occupy Crown land, to the full or partial exclusion of others, in the coastal marine area of Southland. The Council established these charges under Section 401(A)(3) of the RMA prior to 1 July 1999.

Rule 9.1.4 of the Regional Coastal Plan sets out:

- the circumstances when the coastal occupation charge will be imposed;
- any exemptions from a charge;
- circumstances when a charge may be waived;
- the level of charge; and
- an indication of how the money received will be used

The level of the charges, as at 30 September 1998, are specified in Rule 9.1.4, and these charging rates are linked to the Consumer Price Index (CPI) for inflation. The amount of the charge will be based on the specified charges as at 30 September 1998, with any increase or decrease calculated from the change in the CPI.

**Table 21 – Annual Coastal Occupation - activity charges**

Activity	Description	2023/24 GST (exclusive)	2022/23 GST (exclusive)
<b>Commercial activities (excluding Riverton Harbour wharves)</b>	Any structure, marine farm, boat building / repair structure, boatshed or other commercial activity	\$748	\$698
	Boat storage facility on water (for more than 10 boats), including marinas, moorings, boat parks or canal housing, plus:	\$748	\$698
	- additional sum for every berth or set of pile moorings (per metre of berth per annum)	\$21	\$20
	- additional sum for every swing mooring	\$148	\$138
<b>Non-commercial activities, (excluding Riverton Harbour wharves)</b>	- Structures up to and including 14m <sup>2</sup>	\$107	\$100
	- Structures between 14m <sup>2</sup> and 28m <sup>2</sup>	\$203	\$189
	- Structures between 28m <sup>2</sup> and 56m <sup>2</sup>	\$405	\$378
	- Structures between 56m <sup>2</sup> and 84m <sup>2</sup>	\$510	\$476
	- Structures exceeding 84m <sup>2</sup>	\$748	\$698
	- Any boatshed	\$203	\$189
<b>Other Activities (commercial or non- commercial), including Riverton Harbour wharves</b>	Any pipeline used solely for individual domestic purposes (including stormwater and water supply purposes)	\$107	\$100
	Any pipeline (other than above) or submarine or buried cable	\$152	\$142
	- plus additional sum if longer than 30m <sup>3</sup> (per 30m length per annum)	\$28	\$26
	- up to a maximum sum per annum	\$748	\$698
	Any pile moorings (other than pile moorings in a boat-storage facility)	\$107	\$100
	- or per metre per annum, whichever is the higher sum	\$21	\$20
	Any swing mooring for which preferential or exclusive use is required (i.e. moorings that require a coastal permit under Rule 13.2.8, Regional Coastal Plan)	\$148	\$138
	Any wharf in Riverton harbour - per metre length per annum	\$15	\$14

# Changes to the Fees and Charges Schedule

## Statement of Proposal



We are proposing to make changes to the Fees and Charges Schedule to enable Environment Southland to recover actual and reasonable costs for the services we provide. Feedback from the community is sought on the proposed changes to the schedule.

### Background

Environment Southland's Fees and Charges Schedule describes the fees and charges we have set under legislation such as the Resource Management Act 1991 (RMA), Local Government Act 2002 and Building Act 2004. These Acts allow us to recover all reasonable costs incurred in respect of the activity to which the charge relates. The fees and charges covered in the schedule include:

- Resource Management Act 1991 charges under Section 36 of the RMA:
  - changes to policy statements and regional plans;
  - resource consent application charges (including transfers of resource consents and reviews of resource consents);
- annual consent holder charges and compliance charges
- Local Government Act 2002 charges for incident cost recovery;
- Biosecurity Act 1993 charges;
- Local Government Act 2002 charges for Spatial Information Data;
- Local Government Act 2002 charges for River and Catchment Services;
- Local Government Official Information and Meetings Act 1987 charges;
- Building Act 2004 charges;
- Maritime Transport Act 1994 and Southland Regional Council Navigation Bylaw charges;
- Southland Flood Control & Drainage Management Bylaw 2020 charges; and
- Coastal Occupation Charges from Policy 9.1.9 of the Southland Regional Coastal Plan.

Environment Southland regularly reviews and updates its Fees and Charges Schedule. Primarily, the changes proposed this year are to keep up with inflationary costs and better reflect the services being provided and how they are charged.



## Proposed changes

Fees and charges are set on a cost recovery basis so that individuals pay for the services they use. Elements of most of our activities are also paid for by rates or other external sources.

### Adjusted fees and charges

A CPI increase of 7% has been applied to all current charges, apart from the Annual Coastal occupation charges, which have been adjusted by the more precise CPI figure of 7.2%. This is to ensure that the costs being incurred for this work are adequately covered by the fees being charged.

The initial fixed fee for applications to change policy statements and plans has been raised from \$20,000 to \$40,000 (excl. GST), noting that this effectively functions as a deposit. As such, where the actual cost of the application processing and hearing is lower than the deposit, the difference will be refunded. Should the actual costs be higher, an additional charge will be required.

Some threshold amounts have also been adjusted. The proposed minimum invoicing amount is \$45, and refunds will correspondingly be issued to the lower threshold of \$45 (both being \$50 previously).

### Harbourmaster

The role of the Harbourmaster's Office includes managing maritime-related activities and navigation safety on all

waterways. The proposed Fees and Charges schedule now contains a section on the Harbourmaster's Office Services and Navigational Safety. This includes applications made under the Southland Regional Council Navigation Safety Bylaw 2009 (revised 2015), recovery of costs related to incidents, and cost recovery for other Harbourmaster's Office services.

### Consent Monitoring

Some monitoring charges have been amended for clarity and also adjusted to reflect CPI. For example, the proposed Fees and Charges Schedule has been updated to make specific reference to the NES-PF and NES-F, and Section 332 of the RMA.

### Other inclusions

Recent extreme weather events have shown the necessity of ensuring our region has resilient flood protection and control. As such, a new section outlining charges for activities related to the Southland Flood Control & Drainage Management Bylaw 2020 has been added.

An interest charge for overdue invoices has also been included in the proposed schedule.

### Wording changes

There have been updates to wording throughout the proposed Fees and Charges Schedule, which are largely to provide additional explanation and clarity.

The following list notes the main amendments to wording in each part of the schedule, beyond those mentioned already:

- Section 1: Wording has been amended to better explain the reasons for and basis of charges.
- Section 2: There is now clearer reference to bylaws and charges, and explanation of our regular review of the Fees and Charges Schedule itself.
- Section 3: Clarification has been added about the Council charges for a range of activities under the RMA.
- Section 5: There is further clarification regarding permitted activities and their applicable RMA sections, as well as improved explanation and clarification of charges relating to pre-hearing meetings and hearings.
- Section 6: Changes enrich explanation of council's role in monitoring consent compliance, the purpose of additional monitoring, improved illustration of associated costs. There is also clarification of permitted activities charges and terminology, and additional explanation of gravel consent monitoring in relation to flood carrying capacity, the environment, and our community.
- Section 7: Wording changes in this section add clarity around biosecurity activities, contaminated land, and information requests.

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## Have your say

We are now consulting and would like your views on the changes to our Fees and Charges Schedule. Submissions can be made in a number of ways:



### Online

<Website link>



### Email

consultation@es.govt.nz



### Mail

Freepost Authority No. 247418  
Environment Southland  
Private Bag 90116  
Invercargill 9840



### Delivery

Environment Southland  
Cnr North Rd & Price St  
Invercargill

Please ensure that if you wish to speak to your submission, you indicate this in your written submission. **Submissions close on <Date as agreed>.**

## Item 4 Local Government New Zealand Annual General Conference and Regional Sector Group Pre-conference Tour

<b>MORF ID:</b> A899276	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Jan Brown, Executive Officer	<b>Approved by:</b> Amy Kubrycht, General Manager, People & Customer
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

### Purpose

To seek Council approval of the appointment of delegates to attend the Local Government New Zealand Annual Conference and the associated Regional Sector Group pre-conference tour.

### Summary

The Local Government New Zealand 2023 Annual Conference is scheduled to be held in Otautahi Christchurch from 26-28 July 2023. The purpose of this item is to allow Council to nominate its delegates to the conference and also the pre-conference tour that is to be held in conjunction with the main conference. Appointment of Councillor attendance at this time is sought to provide certainty of attendance, and to take advantage of lower cost travel by making early bookings.

The Regional Sector Group pre-conference tour associated with this conference is being hosted jointly by Environment Canterbury. Consideration is sought by Council as to the participation of Councillors in either or both the pre-conference tour and Annual Conference.

### Recommendation

It is recommended that Council resolve to:

1. note that the Local Government New Zealand Annual Conference is to be held in Otautahi Christchurch from 26-28 July 2023;
2. appoint Crs xxx/x as its delegates to attend the LGNZ Annual Conference;
3. approve payment of conference registration, travel, accommodation and associated expenses for those Councillors attending;
4. approve attendance at, and payment of travel, accommodation and associated expenses for Cr/s xxxxxx participating in the Environment Canterbury hosted pre-conference tour from 24-26 July 2023.

### Report

#### Background

The Local Government New Zealand 2023 Conference is to be held in Otautahi Christchurch, from Wednesday, 26 July 2023 through to Friday, 28 July 2023. The appointment of attendees for this conference is required. The theme of the conference for 2023 is “Super Local – Louder Local



Leadership”. Registrations are now open and a copy of the detailed programme is available here <https://www.lgnzconference.co.nz/programme> .

Conference registration costs are \$1,495 per person (incl GST) plus travel and accommodation. Council’s budget provides for the attendance of two Councillors and the Chief Executive.

Typically, the Chairman, Deputy Chairman or another Councillor, and the Chief Executive have attended. Past practice has been if Councillor partners attend, the costs of the partner are met by the delegate.

### **Pre-conference Tour**

A pre-conference tour is currently being arranged by Environment Canterbury, to be held over the three days and two nights prior to the conference. A brief outline of that proposed tour is:

- viewing the Ashburton flood recovery works;
- irrigation schemes (Rakaia and Rangitata);
- Aoraki Mackenzie International Dark Sky Reserve;
- Te Manahuna Aoraki;
- climate change and impacts on hydrology and energy use;
- Te Mōkihi – working with southern rūnanga/Mackenzie alignment project;
- back in Christchurch in time for the commencement of the LGNZ programme.

Indicative costs of participating are unknown at this time, but past experience would suggest a cost of approximately \$1,000 (excl GST) per person.

### **Views of Affected Parties**

There are no matters in this report which require consideration under this heading.

### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

### **Legal Compliance**

This report and the associated recommendations comply with the appropriate statutory requirements placed upon the Council.

### **Consistency with Council’s LTP/Annual Plan/Policy/Strategy**

Attendance of Council delegates is provided for within Council’s Annual Plan and budget.

### **Financial and Resource Implications**

In addition to conference registration costs, travel and accommodation costs to and from Christchurch, together with costs of participating in the pre-conference tour, will be required to be met, and have been budgeted for, based on two Councillors and the Chief Executive attending.

### **Attachments**

None



## Item 5 Local Government New Zealand – Nominations for President and Vice President

<b>MORF ID:</b> A899339	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Jan Brown, Executive Officer	<b>Approved by:</b> Amy Kubrycht, GM People & Customer
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

### Purpose

For Council to be aware of the opening of nominations for the roles of President and Vice President of Local Government New Zealand, and to consider what, if any action it wishes to take.

### Summary

Nominations for the positions of President and Vice President of Local Government New Zealand for the 2023-2026 term, have been opened, and close on 31 May 2023. Council is asked to consider what, if any action it wishes to take in relation to this matter, including agreeing a process of dealing with any nominations it may wish to make.

### Recommendation

It is recommended that Council resolve to:

1. **note the report;**
2. **consider whether or not Council wishes to exercise its ability to make nominations for the roles of President and Vice President of LGNZ; and if so**
3. **provide direction on an approach for Council to make such nominations.**

### Report

#### Background

The Local Government New Zealand 2023 Annual General Meeting is to be held in person in conjunction with the LGNZ Conference in Ōtautahi Christchurch, on Thursday, 26 July 2023, commencing at 2.30 pm. At that time, nominations for the positions of President and Vice President will be considered and voted on.

Nominations for those positions have now formally opened, and Council is advised that:

- any elected member may stand for the role of President, if their nomination is supported by two member councils. A nomination form with more details is attached. Details of the position description are available [here](#);
- any member of National Council may stand for the role of Vice President, if their nomination is supported by two member councils. A nomination form with more details is attached. The position description for this role is available [here](#).



Nominations for both positions close at 5.00 pm on Wednesday, 31 May 2023, and if required, an election will be held at the AGM scheduled for Wednesday, 26 July 2023.

Council needs to consider whether or not it wishes to make nominations to either of these positions, and if so, the process it wishes to undertake in that regard i.e. consider the potential to make nominations at the meeting today; delegate authority for the Chairman/Deputy Chairman to receive and progress any nominations from Councillors, and report back to members on same; any other option Council may wish to direct.

### **Views of Affected Parties**

There are no matters in this report which require consideration under this heading, noting that any nominees would need to be approached and agree to their nomination going forward.

### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

### **Considerations**

#### *Financial Implications*

There are no additional financial or resource implications.

#### *Legal Implications*

This report and the associated recommendations comply with the appropriate statutory requirements placed upon the Council.

### **Consistency with Council's LTP/Annual Plan/Policy/Strategy**

This matter is consistent with Council policy.

### **Attachments**

1. Nomination forms for the roles of President and Vice President



# PRESIDENT NOMINATION

**PLEASE FILL IN THIS FORM TO NOMINATE AN  
ELECTED MEMBER AS LGNZ'S PRESIDENT.**

- 
- // Any elected member as of 31 May 2023 can stand for President, as per rule F2 of LGNZ's constitution.
  - // The nomination must be proposed by one member council. Any two of that council's Mayor/Chair, Deputy Mayor/Chair or Chief Executive need to sign below.
  - // A candidate can be nominated by their own council.
  - // The nomination must be seconded by another member council. Any two of that council's Mayor/Chair, Deputy Mayor/Chair or Chief Executive need to sign below.
  - // Nominations need to be emailed back to LGNZ at [nominations@lgnz.co.nz](mailto:nominations@lgnz.co.nz) by close of business on Wednesday 31 May.
  - // If only one valid nomination is received, that person will immediately be declared President-elect by the Returning Officer, which is LGNZ's Chief Executive.
  - // If more than one nomination is received, an election will be carried out at LGNZ's AGM on Wednesday 26 July in Christchurch, using the preferential voting system. Member authority voting entitlements will be distributed along with the voting papers.
  - // The nomination and election process are carried out in accordance with LGNZ's Constitution.
  - // Please direct any procedural questions to LGNZ Deputy CE Scott Necklen, [scott.necklen@lgnz.co.nz](mailto:scott.necklen@lgnz.co.nz).



**We nominate  
of**

**for President**

**Nominated by**

NAME:

NAME:

E-SIGNATURE:

E-SIGNATURE:

**Seconded by**

NAME:

NAME:

E-SIGNATURE:

E-SIGNATURE:

**I accept this nomination**

CANDIDATE'S NAME:

CANDIDATE'S E-SIGNATURE:

DATE:

**Here is my candidate blurb for inclusion in voting papers and on the LGNZ website: (500 word max)**



# VICE PRESIDENT NOMINATION

**PLEASE FILL IN THIS FORM TO NOMINATE A CURRENT  
NATIONAL COUNCIL MEMBER AS LGNZ'S VICE PRESIDENT.**

- 
- // Any National Council member at the time of the AGM can stand for Vice President, as per rule F22 of LGNZ's constitution.
  - // The nomination must be proposed by one member council. Any two of that council's Mayor/Chair, Deputy Mayor/Chair or Chief Executive need to sign below.
  - // A candidate can be nominated by their own council.
  - // The nomination must be seconded by another member council. Any two of that council's Mayor/Chair, Deputy Mayor/Chair or Chief Executive need to sign below.
  - // Nominations need to be emailed back to LGNZ at [nominations@lgnz.co.nz](mailto:nominations@lgnz.co.nz) by close of business on Wednesday 31 May.
  - // If only one valid nomination is received, that person will immediately be declared Vice President-elect by the Returning Officer, which is LGNZ's Chief Executive.
  - // If more than one nomination is received, an election will be carried out at LGNZ's AGM on Wednesday 26 July in Christchurch, using the preferential voting system. Member authority voting entitlements will be distributed along with the voting papers.
  - // The nomination and election process are carried out in accordance with LGNZ's Constitution.
  - // Please direct any procedural questions to LGNZ Deputy CE Scott Necklen, [scott.necklen@lgnz.co.nz](mailto:scott.necklen@lgnz.co.nz).





**We nominate  
of**

**for Vice President**

**Nominated by**

NAME:

NAME:

E-SIGNATURE:

E-SIGNATURE:

**Seconded by**

NAME:

NAME:

E-SIGNATURE:

E-SIGNATURE:

**I accept this nomination**

CANDIDATE'S NAME:

CANDIDATE'S E-SIGNATURE:

DATE:

**Here is my candidate blurb for inclusion in voting papers and on the LGNZ website: (500 word max)**

## Item 6 Local Government New Zealand Annual General Meeting and Remit Process

<b>MORF ID:</b> A899339	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Jan Brown, Executive Officer	<b>Approved by:</b> Amy Kubrycht, GM People & Customer
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

### Purpose

For Council to note the remit process for lodging remits to the Annual General Meeting of Local Government New Zealand for 2023. Council is asked to advise of any remits it may wish to have lodged.

### Summary

The Local Government New Zealand 2023 Annual General Meeting is to be held in person, on Wednesday, 26 July 2023, at 2.30 pm, in Otautahi Christchurch. Advice on the remit process has recently been received and the opportunity is provided at this time should Council wish to submit a remit to the Annual Conference.

### Recommendation

It is recommended that Council resolve to:

1. **note the report;**
2. **advise staff of any matters it wishes to lodge as remits to the 2023 Annual General Meeting of Local Government New Zealand;**
3. **request appropriate position papers be developed in sufficient time to be lodged with Local Government New Zealand by Friday, 24 May 2023.**

### Report

#### Background

The Local Government New Zealand 2023 Annual General Meeting is to be held in person in conjunction with the LGNZ Annual Conference in Otautahi Christchurch, on Thursday, 26 July 2023, commencing at 2.30 pm.

Remits will be considered at the Annual General Meeting, and LGNZ has developed a preferred approach to dealing with remits through its Zone and National Council meetings. Meeting dates for Zone meetings have been scheduled to allow members to raise matters of major strategic issues of the moment through those forums, and then the National Council meetings.

The criteria for any remits includes the need for them to be relevant to local government as a whole, be of a major policy nature (constitutional and substantive policy) rather than matters that can be dealt with by administrative action, be “issues of the moment” and they need to have formal support from at least one Zone or Sector Group meeting, or five Councils, prior to being submitted.



The primary route for proposals of areas of work for national action on legislative or policy matters is through the Annual Local Government NZ Work Programme. However, remits are still provided for under the Constitution, should there be any issues Councillors wish to raise. A copy of the relevant process is appended.

Should Council wish to lodge any remits with LGNZ, they should be advised now, to allow staff sufficient time to develop the appropriate position papers, and follow the required process. The closing date for advice of remits to be lodged with LGNZ is 5.00 pm on Friday, 24 May 2023.

### **Views of Affected Parties**

There are no matters in this report which require consideration under this heading.

### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

### **Considerations**

#### *Financial Implications*

There are no additional financial or resource implications.

#### *Legal Implications*

This report and the associated recommendations comply with the appropriate statutory requirements placed upon the Council.

### **Consistency with Council's LTP/Annual Plan/Policy/Strategy**

Any recommendation for remits to be proposed will be consistent with Council Policy.

### **Attachments**

1. 2023 Annual General Meeting Remit Process

# Remit

application form



## // HOW TO SUBMIT A REMIT

Remits are positions or policies put to LGNZ's AGM for a vote.

Any remit needs the support of either an LGNZ zone, sector or five councils.

LGNZ reviews all proposed remits to ensure they meet the criteria below.

If your council wants to propose a remit for consideration by the 2023 AGM, please complete this form and email it, along with any supporting information, to [agm@lgnz.co.nz](mailto:agm@lgnz.co.nz) by Wednesday 24 May.

If you have any questions about the remit process, or want help completing your application, please contact Grace Hall, Director of Policy and Advocacy at [grace.hall@lgnz.co.nz](mailto:grace.hall@lgnz.co.nz)

## // THE PROCESS FROM HERE

Once LGNZ receives your proposed remit, it will be considered by our Remit Screening Committee. This Committee is made up of LGNZ's President, Vice-President, Chief Executive and Director of Policy and Advocacy. The Remit Screening Committee will determine whether your proposed remit satisfies the criteria, and whether or not to put it forward to the 2023 AGM.

We will let you know whether your remit is going forward to the AGM by 2 June.

## // CRITERIA FOR REMITS

- 01 The remit is relevant to local government as a whole, not just a single zone, sector or council.
- 02 The remit relates to significant matters, including constitutional and substantive policy, rather than matters that can be dealt with administratively.
- 03 The remit concerns matters that can't be addressed through channels other than the AGM.
- 04 The remit does not deal with issues that already being actioned by LGNZ. This covers work programmes underway as part of LGNZ's strategy.

**COUNCIL PROPOSING REMIT:**

**CONTACT NAME:**

**PHONE:**

**EMAIL:**

**REMIT:**

**WHO SUPPORTS THE PROPOSED REMIT?**

List either the LGNZ zone, sector group or five councils that support the remit.

**WHY IS THIS REMIT IMPORTANT?**

Briefly describe what the issue is and why it requires action.

*Max. 150 words*

**BACKGROUND AND CONTEXT:**

You may wish to include:

- // What has caused this issue?
- // Relevant legislation, policy or practice
- // Key statistics to show the scope of the issue
- // An outline of what your council/ others have already done to address this issue or bring about the proposed change

*Max 500 words*

**HOW DOES THIS REMIT RELATE TO LGNZ'S CURRENT WORK PROGRAMME?**

Briefly describe how the proposed remit aligns with LGNZ's strategy and policy priorities but does not duplicate existing or planned work.

*Approx. 150 words*

**HOW WILL YOUR COUNCIL HELP LGNZ TO MAKE PROGRESS ON THIS REMIT?**

Briefly describe the steps that your council would be prepared to take to assist LGNZ to progress the remit.

*100 – 300 words*



**SUPPORTING INFORMATION AND RESEARCH**

PLEASE ATTACH TO YOUR EMAIL:

- // A copy of this application form.
- // Evidence of support from an LGNZ zone or sector group or five councils. This could be in the form of emails, letters or zone/sector group meeting minutes or resolutions.
- // Any further contextual/background information you'd like to share, combined in a single PDF file.



**Item 7 Councillors' Meeting Schedule – May 2023**

<b>Objective ID:</b> -	<b>Strategic Direction:</b> Council Policy
<b>Report by:</b> Jan Brown, Democracy Services Executive Assistant	<b>Approved by:</b> -
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

**Purpose**

For Council to approve the meeting schedule, as shown on the following pages.

In addition to the items listed on the agenda, Cr Gibson has indicated a need for a leave of absence from Council activities for the period 9 June to 16 July 2023.

*The schedule has been prepared in accordance with current Council policy under the Remuneration provisions contained in Schedule 7 of the Local Government Act 2002.*

**Recommendation**

It is recommended that Council note the planned meetings and resolve to:

1. appoint members to represent Council at the meetings marked on the schedule;
2. approve Cr Gibson's leave of absence request from 9 June to 16 July 2023 inclusive;
3. pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule.



## Councillors Meeting Schedule - May 2023

### Leave of Absence Requests (dates inclusive):

Chairman N Horrell – Friday 7 April 2023 to Monday 17 April 2023

Cr N Cook – Sunday, 26 March 2023 to Friday, 6 April 2023

Cr A Gibson – 30 March to 7 April 2023 and from 9 June 2023 to 16 July 2023

Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
<b>Retrospective</b>							
Independent Chair of Risk & Assurance Committee interviews	@ ES	Monday 20 March 2023	As arranged	Chairman Horrell, Cr Ludlow, McPhail & Evans	-	✓	
Catchment Liaison Committee Chairs meeting with Regional Services Committee	@ Winton	Tuesday 21 March 2023	12.30 pm	All Councillors & Mana Whenua reps	-	✓	
Councillor Caucus Session	@ Invercargill	Tuesday 21 March 2023	5.00 pm	All Councillors	-	✓	Accom
Councillor & ES Executive Session	@ Invercargill	Wednesday 22 March 2023	9.00 am	All Councillors	-	✓	
Councillor Field Trip – ES leasehold land/Lower Mataura/etc	Depart from ES	Thursday 23 March 2023	9.00 am	All Councillors	-	✓	
Blessing, Stead Street Works – ICC Project	@ Stead Street	Friday 24 March 2023	7.00 am	Chairman Horrell, Cr McDonald	-	✓	
Meeting with Minister K Allan	@ Invercargill	Friday 24 March 2023	8.15 am	Chairman Horrell, Cr McDonald	-	✓	
SouthPAN Ministerial Visit	Depart from Great South	Friday 24 March 2023	11.00 am	Chairman Horrell	-	✓	

**Please note, those items with shading** or with ~~strikethrough text~~ – indicate changes that have occurred since the last meeting schedule was approved by Council \*T = Transport (mileage/air fares/etc) \*A = Accommodation costs \*R = Course/Conference registration costs E = Expenses incurred in association with visit



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Cr A Gibson – 30 March to 7 April 2023 and from 9 June 2023 to 16 July 2023

Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Pre-briefing – Gore DC Workshop	Via TEAMS	Friday 24 March 2023	3.30 pm	Crs McPhail, McDonald and Gibson	-	-	
Independent Chair of Risk & Assurance Committee interviews	@ ES	Monday 27 March 2023	11.30 am	Chairman Horrell, Crs Ludlow, McPhail & Evans	-	✓	
Chairman meeting with A Scott, Te Anau Gun Club	@ Te Anau	Monday 27 March 2023	3.00 pm	Chairman Horrell	-	✓	
Attendance at Gore District Council workshop to discuss stopbank works and tree removal	@ Gore	Monday 27 March 2023	3.00 pm	Crs McPhail, McDonald, Gibson	-	✓	
Meridian Energy Board Dinner	@ Te Anau	Monday 27 March 2023	6.30 pm	Chairman and CE	-	✓	
Nuffield Scholar speaking engagement	@ Croydon Lodge Gore	Sunday 2 April 2023	As arranged	Chairman Horrell	-	✓	Accom
Great South Annual General meeting	@ Invercargill	Monday 3 April 2023	2.30 pm	Chairman Horrell	-	✓	
Ballance Farm Environment Awards event	@ Invercargill	Tuesday 4 April 2023	6.00 pm	Chairman Horrell, Crs McPhail & Ludlow	-	✓	Accom

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Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Meeting of Recruitment Committee re Independent Chair of Risk & Assurance Committee	@ ES	Wednesday 5 April 2023	9.30 am	Chairman Horrell, Crs Ludlow, McPhail & Evans	-	✓	
Bluff Maritime Museum Trust Board meeting	@ Bluff	Thursday 13 April 2023	9.00 am	Cr Cook & CE	-	✓	
Meeting with Gore District Council – re Tree Removal	@ Gore	Tuesday 18 April 2023	10.30 am	Crs Gibson and McPhail	-	✓	
Catchment Liaison Committee Chairs, Councillors and Mana Whenua reps site visit and workshop with Ian Fuller	@ Winton	Tuesday 18 April 2023	All day	All Councillors [Cr Morrison apol]	-	✓	
Council Workshop – Annual Plan/Fees and Charges/Beyond 2025	@ ES	Wednesday 19 April 2023	10.00 am	All Councillors	-	✓	
Thriving Southland Breakfast	@ Invercargill	Thursday 20 April 2023	7.00 am	Cr McPhail	-	✓	
LGNZ Zone meeting	@ Queenstown	Thursday 20 and Friday 21 April 2023	Both Days	Chairman Horrell Crs Gibson, Ludlow, Morrison	-	✓	Accom
Meeting with staff – preparation for Pahia Dairies pre-hearing	@ ES	Wednesday 26 April 2023	9.00 am	Cr Cook	✓	✓	

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## Councillors Meeting Schedule - May 2023

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Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Council Workshop – Treaty of Waitangi Session 2	@ ES	Wednesday 26 April 2023	10.00 am	All Councillors	-	✓	
Blessing – Stead Street Stopbank Works	@ Stead Street	Thursday 27 April 2023	9.00 am	Chairman Horrell, Cr Ludlow	-	✓	
Climate Change Subcommittee	@ ES	Thursday 27 April 2023	10.00 am to 12.00 noon	Crs Rodway, Ludlow, McDonald, Morrison, Roy, Chairman Horrell, and S Bull	-	✓	
Southland Community Broadcasters Charitable Trust	@ Invercargill	Thursday 27 April 2023	3.15 pm	Cr Cook	-	✓	
Pre-hearing meeting – Pahia Dairies	@ Invercargill	Friday 28 April 2023	10.00 am	Cr Cook	-	✓	
Whakamana te Waituna Charitable Trust	@ Invercargill	Friday 28 April 2023	1.00 pm	Chairman Horrell Cr McDonald	-	✓	
SERN Autumn Field Trip	@ Bushy Point Restoration	Saturday 29 April 2023	1.00 pm	Interested Councillors	-	✓	

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Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
<b>May 2023</b>							
Federated Farmers AGM	@ Invercargill	Monday 1 May 2023	1.00 pm	Chairman Horrell	-	✓	
Site visit – Stead Street Pump Station	@ ES	Tuesday 2 May 2023	10.00 am	Interested Councillors	-	✓	
Council caucus opportunity Executive team meet with Council <i>Morning tea break</i> Ordinary meeting of Council <i>Lunch break</i> Council Workshop – Council Work Programme (Water and Land)	@ ES	Wednesday 3 May 2023	9.00 am 9.30 am 10.15 am 10.30 am 12.30 pm 1.00 pm	All Councillors	-	✓	
Great South Joint Shareholders meeting	@ Community Trust Southland	Friday 5 May 2023	8.00 am	Chairman & CE	-	-	
Mayoral Forum	@ ES	Friday 5 May 2023	9.00 am	Chairman Horrell Cr McPhail	-	✓	

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Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Mataura community Board presentation	@ Mataura	Monday 8 May 2023	5.30 pm	Crs Gibson and McPhail	-	✓	
Strategy & Policy Committee Regional Services Committee	@ ES	Wednesday 10 May 2023	10.00 am 1.30 pm	Council & Mana Whenua appointees	-	✓	
Regulatory Committee	@ ES	Thursday 11 May 2023	2.30 pm	Crs Cook, Gibson, Guyton, McDonald, McPhail, Rodway, Chairman Horrell	-	✓	
Otago Southland Regional Transport Committees joint meeting	@ Clutha District Council	Friday 12 May 2023	10.00 am	Crs Morrison & McPhail	-	✓	
South Island Regional Councils Governance Group meeting	Via TEAMS	Monday 15 May 2023	5.00 pm	Chairman Horrell, Cr McPhail	-	✓	
Council Workshop – Annual priorities for Compliance	@ ES	Wednesday 17 May 2023	10.00 am	All Councillors	-	✓	
Climate Change Working Group	@ ES	Thursday 18 May 2023	10.30 am	Crs Morrison and Rodway	-	✓	
Home Creek Community Planting Day	@ 268 Hillside-Manapouri Road, Te Anau	Thursday 18 May 2023	10.30 am	Cr Evans	-	✓	

**Please note, those items with shading** or with ~~strikethrough text~~ – indicate changes that have occurred since the last meeting schedule was approved by Council Page 117  
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## Councillors Meeting Schedule - May 2023

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Cr P McDonald – Thursday 8 June 2023 to Sunday 18 June 2023

Cr Roy – 3-17 April 2023

Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Resource Consent Hearing – Capital Grove Ltd	@ ES	Tuesday 23 May 2023	9.00 am	Cr Ludlow	✓	✓	
Finance & Performance Committee	@ ES	Wednesday 24 May 2023	10.00 am	Cr Ludlow	-	✓	
Combined Sector meeting	@ Wellington	Thursday 25 and Friday 26 May 2023	All days	Chairman Horrell And CE	-	✓	T/A
Council caucus opportunity Executive team meet with Council <i>Morning tea break</i> Ordinary meeting of Council <i>Lunch break</i> Council Workshop – Update from R Phillips re Te Puka Rakiura Trust	@ ES	Wednesday 31 May 2023	9.00 am 9.30 am 10.15 am 10.30 am 12.30 pm 1.00 pm	All Councillors	-	✓	

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**Matters for Information/Noting  
Kaupapa Whakamohiotanga/Tuhingia**

**Item 8      Moth Plant Biocontrol Submission**

<b>Objective ID:</b> A893468	<b>Strategic Direction:</b> Managed access to natural resources
<b>Report by:</b> Ali Meade, Biosecurity & Biodiversity Operations Manager	<b>Approved by:</b> Paul Hulse, General Manager, Integrated Catchment Management
<b>Executive Approval:</b> Lucy Hicks, General Manager, Policy & Government Reform	

**Purpose**

To note Council’s support of Waikato Regional Council’s application to release the moth plant biocontrol agent *Anastrepha australis*.

**Summary**

Waikato Regional Council has applied to the Environment Protection Agency (EPA) for approval to import and release a seed-damaging fruit fly, *Anastrepha australis*, as a biological control agent for the invasive weed moth plant.

Although the moth plant is not currently found in Murihiku Southland, it could become an issue in the future. Preventing it from establishing in Southland will be more effective than trying to control it once it establishes. To help northern councils control moth plant and thereby reduce the risk of an incursion into Southland, biosecurity staff have drafted a submission that supports the release of a moth plant biocontrol agent *Anastrepha australis*.

**Recommendation**

**It is recommended that Council resolve to note the submission to the Environment Protection Agency (EPA) in support of Waikato Regional Council’s application.**

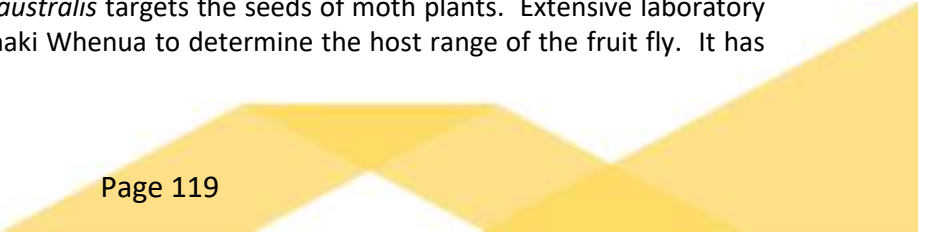
**Report**

**Background**

The moth plant (*Araujia hortorum*) is widely distributed in Aotearoa New Zealand. It is especially abundant north of Tauranga, but can be found as far south as Christchurch. It is a significant environmental pest in some areas and spreads easily in the wind, grows quickly and can smother seedlings, shrubs and small trees. It has a toxic sap that is a skin irritant making it a nuisance in gardens and parks, as well as making it awkward to control using manual methods.

The moth plant is not currently found in Murihiku Southland, but it could establish in the region. Climate change and warm winters increase the risk moth plant poses to Murihiku Southland’s environment.

The moth plant fruit fly, *Anastrepha australis* targets the seeds of moth plants. Extensive laboratory testing has been completed by Maanaki Whenua to determine the host range of the fruit fly. It has





determined that in New Zealand, the fruit fly will only target the moth plant and the seed pods of ornamental garden plant tweedia (*Oxypetalum caeruleum*), which is a popular garden plant. Maanaki Whenua reports that it is only the pods of tweedia that are targeted by the fruit fly. Therefore the impacts of predation by the fruit fly can be mitigated by protecting newly formed pods and there is unlikely to be an impact of the abundance or use of tweedia as a garden plant. No significant environmental risks were identified - see Waikato Regional Council application: <https://www.epa.govt.nz/assets/FileAPI/hsno-ar/APP204305/APP204305-Application-.pdf>

Environment Southland prioritises biosecurity management based on the infestations stage and a costs benefit analysis approach. From a management perspective, the greatest benefits comes from preventing or excluding a harmful species from entering the region (Southland Biosecurity Strategy 2019-2024). Increasing the number of tools available to northern councils and community groups who are tackling the moth plant will increase the chance of successful control and reduce the risk of the moth plant spreading south.

**Current situation**

Biosecurity staff have assessed Waikato Regional Council’s application to the Environment Protection Agency (EPA) to release the moth plant fruit fly, *Anastrepha australis*. Staff have concluded that although the moth plant is not an immediate threat to Murihiku Southland, its potential for spread and the increased impacts due to predicted climate change, mean that its control in the north is important for the long-term protection of Murihiku Southland.

Staff have submitted a submission in support of the application (attached). The submission period closed on 21 April 2023.

**Implications/Risks**

Staff are comfortable with the risk assessment completed by Waikato Regional Council and believe the risk of releasing the moth plant fruit fly, *Anastrepha australis* is minimal.

The Murihiku Southland specific risk is negligible, as lack of the moth plant within the region means that moth plant fruit fly will be unable to establish in the region.

**Fit with strategic framework**

Outcome	Contributes	Detracts	Not applicable
Managed access to quality natural resources	X		
Diverse opportunities to make a living			X
Communities empowered and resilient			X
Communities expressing their diversity			X

**Views of affected parties**

Waikato Regional Council and Maanaki Whenua have completed national and regional consultation with Maori and Iwi. As part of this process, Environment Southland contacted Te Ao Marama Inc in November 2022 to notify it of the proposed introduction of the moth plant fruit fly and to provide them with the details and contacts for engagement and consultant.





### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

### **Considerations**

#### **Financial implications**

There are no financial implications associated with this report.

#### **Legal implications**

There are no known implications for this submission.

### **Attachments**

1. Submission

# Submission form: For Hazardous Substances and New Organisms applications

## Submission details

**What application are you submitting on?:** APP204305

**Organisation or submitter name:** Environment Southland

**Contact person (for organisations only):** Ali Meade

**Postal address (optional):** Cnr North Road and Price Street, Private Bag 90116, Invercargill 9840

**City/Region (optional):** Southland.

**Telephone number:** 0800 76 88 45

**Email:** [ali.meade@es.govt.nz](mailto:ali.meade@es.govt.nz)

## Privacy statement

The EPA is collecting your personal information for the purpose of administering this application under the Hazardous Substances and New Organisms Act and will use the information you provide in this form to contact you in relation to the application. We will store your personal information securely. Your submission and name will be made publicly available on our website, but your personal contact details will not be disclosed. You have the right to access the personal information we hold about you and to ask for it to be corrected if it is wrong. If you would like to access your personal information, or have it corrected, please contact us at [info@epa.govt.nz](mailto:info@epa.govt.nz).

## Confidential details

The Official Information Act 1982 (OIA) applies to all information held by the EPA (subject to section 55 of the Hazardous Substances and New Organisms Act 1996), and information may be released under the OIA unless there are grounds to withhold it. If you consider any part of your submission is confidential, please clearly label it as such and include the reasons why you think the information is confidential (eg, you may consider some information to be commercially sensitive). Further information on the OIA is at [www.ombudsman.parliament.nz](http://www.ombudsman.parliament.nz)

## Your submission

**What is your view on what is proposed in the application form?**

- I support the application
- I oppose the application
- I neither support or oppose the application

**The reasons for making my submission are<sup>1</sup>:** *(further information can be supplied with your submission, see footnote).*

Moth Plant is a harmful invasive species that is on the National ... (NPPA) and classified as a pest in several regions. It is a significant threat to indigenous biodiversity and a nuisance in urban environments. Although moth plant is not currently found in Southland it could easily spread here via wind and human pathways. Climate change will increase the risk moth plant poses to our region. Due to it's prolific seedling and toxic sap, moth plant is hard to control using only mechanical and chemical means. Preventing it reaching our region will be far more cost effective than trying to eliminate once it arrives.

We therefore support Waikato Regional Council and the Biocontrol Collective to find an effective bio control agent for this species, in the hope that it can be contained before it reaches Southland.

ES understands that seed-damaging fruit fly, *Anastrepha australis* is a Oxypetalinae obligate, and its release will not put important economic or indigenous species at risk.

**I wish for the EPA to make the following decision:**

To approve the release of the fruit fly, *Anastrepha australis* for biocontrol purposes

**All submissions are taken into account by the decision makers. In addition, please indicate whether or not you also wish to speak at a hearing if one is held.**

---

<sup>1</sup> Further information can be supplied with your submission. If you are sending this submission electronically, please attach one or more files in any standard file format.



I wish to be heard in support of my submission (this means that you can present your submission to the DMC at the hearing but does not allow you to introduce new information at the hearing)

I do not wish to be heard in support of my submission (this means that you cannot speak at the hearing)

**If neither box is ticked, it will be assumed you do not want to appear at a hearing.**

### Send your completed form

You can send us the completed form by either post or email.

Post	Email
 Environmental Protection Authority, Private Bag 63002, Wellington 6140	 <a href="mailto:submissions@epa.govt.nz">submissions@epa.govt.nz</a>



**Item 9 Common Seal**

<b>Objective ID:</b> N/A	<b>Strategic Direction:</b> Council Policy
<b>Report by:</b> Jan Brown, Democracy Services Executive Assistant	<b>Approved by:</b> -
<b>Executive Approval:</b> Wilma Falconer, Chief Executive	

**Purpose**

For Council to note the Common Seal has been applied to the following documents under approved authorisation:

**4 April 2023**

- ⇒ Warrants to Act as Enforcement Officer - Jenna Marie Rule, Brendan John Parker, Leah Jane Pihama, Lance Daffon Daleon and George Gericke

**Recommendation**

It is recommended that Council resolve to note the list of documents to which the Common Seal has been affixed under approved authorisation.