

Notice is hereby given of the

Extraordinary meeting of Council | Te Huinga Tu - LTP 2024-2034 Deliberations

Wednesday, 19 June 2024 at 9:30 am

Environment Southland Council Chamber, 220 North Road, Invercargill

24/C/35

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

Agenda

- 1 **Welcome I Haere mai**
- 2 **Apologies I Ngā pa pouri**
- 3 **Declarations of interest**
- 4 **Public forum, petitions and deputations I He huinga tuku korero**
- 5 **Notification of extraordinary items/urgent business I He panui autaia hei totoia pakihi**
- 6 **Questions I Patai**
- 7 **Reports**
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- 9 **Public excluded business**



Wilma Falconer
Chief Executive

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

Item 7.1 2024-2034 Long-term Plan – Draft Decisions and Documentation

Objective ID: A1103932

Report by: Rachael Millar, General Manager Strategy, Science & Engagement

Approved by: Wilma Falconer, Chief Executive Officer

Purpose

Following on from Council deliberations on submissions to the 2024-2034 Long-term Plan Consultation Document and associated documents, this item seeks Council approval of:

- (a) the draft decisions that have been prepared based on Council directives and resolutions during deliberations on 5 and 10 June 2024; and
- (b) the draft 2024-2034 Long-term Plan and supporting documents that have been prepared based on these decisions.

Recommendation

It is recommended that Council resolve to:

1. receive the report '2024-2034 Long-term Plan – Draft Decisions and Documentation';
2. receive the submission not submitted in error appended;
3. consider feedback from the Catchment Liaison Committees regarding the proposed use of reserves;
4. agree/not agree the use of reserves in the 2024-2034 Long-term Plan;
5. agree/not agree that Council will not fund depreciation of the Stead Street Pump Station for the next three years;
6. amend the Financial Reserves Policy to clarify that catchment reserves (i.e. River Area Reserves and Drainage Reserves) are to stay within the rating district they are generated in and are not to be used in the general pool;
7. approve the following draft Council decisions:
 - Budgets and 2024-2034 Long-term Plan
 - 2024-2054 Infrastructure Strategy
 - Revenue and Financing Policy and Rating Review
8. direct staff to prepare responses to individual submissions on the 2024-2034 Long-term Plan Consultation Document and associated documents based on the approved Council decisions;
9. approve the draft 2024-2034 Long-term Plan for audit and agree the Chief Executive making any minor corrections needed following the meeting.

Background

Council decisions on submissions to the 2024-2034 Long-term Plan Consultation Document and associated documents are needed to enable staff to prepare final versions of the 2024-2034 Long-term Plan and supporting documents for consideration for adoption.

Council deliberations occurred on 5 and 10 June 2024 and were focused on two key areas:

- budget changes to response to submitter concerns regarding affordability; and
- rating changes and how to respond to submitter concerns and suggestions such as transitional arrangements to mitigate rates increases.

The initial deliberations paper proposed a two-step process, with the Council first indicating its preference on key matters and options resulting from submissions and then a subsequent paper using these preferences to inform draft decisions on individual submissions.

Draft council decisions on budgets, the Infrastructure Strategy and the rating review have now been prepared for Council to confirm – see appended.

The draft Long-term Plan documentation is also appended for Council to confirm.

Separate papers on the Fees and Charges Schedule and other matters consulted on but not specifically relating to the finalisation of the Long-term Plan, as well as operational matters, are contained within the agenda for the meeting.

Implications/risks

Compliance with requirements of the Local Government Act 2002 has been followed and audited by Deloitte, on behalf of the Auditor-General. Deloitte’s opinion on the Consultation Document was included within the Consultation Document. The final draft 2024-2034 Long-term Plan will be audited prior to the Council considering it for adoption on 10 July 2024.

Next steps

The draft 2024-2034 Long-term Plan and supporting documents once confirmed by Council will be sent to Deloitte’s Audit NZ, for audit for compliance with the Local Government Act 2002, on behalf of the Auditor General.

Subject to audit, the final draft of the 2024-2034 Long-term Plan will be presented to Council on 10 July 2024 for adoption and setting of rates.

Views of affected parties

The Long-term Plan process is a significant activity, and consultation is required under the Local Government Act 2002. The purpose of consultation is to inform the Council’s decision-making process on the Long-term Plan, so that the Council can consider the views and preferences of persons likely to be affected by, or who have an interest in, decisions.

The consultation document “Investing in Southland Whakangao ki Murihiku” was developed as specified in the Local Government Act 2002 and was the key document to support consultation with the community. It was adopted by the Council for consultation on 27 March 2024. Consultation ran from 28 March to 13 May 2024.

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		

Compliance with Significance and Engagement Policy

The Long-term Plan is significant and has been consulted on in line with legislative requirements and the Significance and Engagement Policy. The identified further adjustments outlined in this report are

assessed as not significant in line with the Significance and Engagement Strategy. Any further items identified by Council will need to be assessed through the process of deliberations.

The Long-term Plan process is a significant activity, and the Local Government Act 2002 requires that the Council uses the special consultative procedure in relation to its adoption. That procedure imposes mandatory steps that the Council is required to take.

Considerations

Financial implications

The financial implications of changes to the draft Long-term Plan 2024 have been described within the relevant sections of this report.

When the 2024-2034 Long-term Plan and associated rating resolutions are adopted on 10 July 2024, the 2024-2034 Long-term Plan will come into effect.

Legal implications

The Long-term Plan has been developed in line with the requirements of the Local Government Act 2002.

Compliance with requirements of the Local Government Act 2002 is audited by Deloitte, on behalf of the Auditor-General. Deloitte's opinion on the Consultation Document was included within the Consultation Document. The final draft 2024-2034 Long-term Plan will be audited prior to the Council considering it for adoption on 10 July 2024.

Attachments

1. Submission not submitted in error
2. Draft Council Decision: Budgets and 2024-2034 Long-term Plan
3. Draft Council Decision: 2024-2054 Infrastructure Strategy
4. Draft Council Decision: Revenue and Financing Policy and Rating Review
5. Draft 2024-2034 Long-term Plan (provided as a separate document)

Submission not submitted in error

Council is requested to receive the following submission which was not submitted via the electronic system in error.

Draft submission - Mr Rodney Tribe

inkspressit@gmail.com

Changing how we rate

Submission last modified on Apr 5 2024 2:13AM

Land value is fine, spreading the cost on capital could in fact see some in urban areas where they have little benefit paying disproportionately more for less. ES actually need to get its costs under control

Because some areas, eg Bluff are not at risk of flooding, why should those residents potentially wear higher costs than those in lower valued but more at risk areas

I do not support any new rates, in fact ES raise rates during covid due to loss of cruise ship levies, cruise ships are back but rates are still increasing. It is well past time Local Authorities and those serving the public actually listened, stopped wasteful spending on external experts who drive costs up.

Investing in Southland

Submissions last modified on Apr 5 2024 2:33AM

Initial submission (q1)

I do not support reducing the shareholding, given there is no data on what this could mean in terms of actual financial return on sale v's loss of dividends over the short, medium, and longer terms. Information provided lacks any real rigor to judge any potential proposal

Modified submission (q1)

I do not support reducing the shareholding, given there is no data on what this could mean in terms of actual financial return on sale v's loss of dividends over the short, medium, and longer terms. Information provided lacks any real rigor to judge any potential proposal, simply putting words in a document for consultation without any factual basis is wishy washy at best and frankly embarrassing, given there is no analysis of the options as required under the LGA

Initial submission (q2)

I would actually like to see the rates decrease now that cruise ship levies are back. My ES rates rose by over 40% during covid , 5+% after that and part of the rationale for the large increase was the loss of cruise ship revenue. Now they're back ES appear happy to continue to simply tack on increases on top of previous outrageous ones even with returning revenue streams. It appears simply that ES is fast losing control of costs or simply doesn't have the money to tackle them head on, while this may be good for setting rem levels it certainly doesn't bode well on a community struggling with day to day living costs

Draft Council Decision – Budgets and 2024-2034 Long-term Plan

Context

The Long-term Plan Consultation Document and supporting information was adopted by Council on 27 March 2024 and consulted on from 28 March to 13 May 2024. The relevant documents can be accessed from the links below:

Consultation Document: [Investing in Southland Whakangao Ki Murihiku](#)

Supporting information: [Supporting documents](#)

The key matter outlined in the Consultation Document was a proposal for ongoing and increased investment in flood protection.

It was proposed to increase operating expenditure by \$2.3 million per year via a proposed new flood protection infrastructure rate and invest in a new capital works programme. Other key matters included:

- the payment of interest on debt for the climate resilience projects undertaken during the period covered by the 2021-2031 Long-term Plan;
- the building of inflation into budgets.

Aside from the planned investment in flood protection, it was proposed to maintain all other work programmes with no growth for the 2024/25 year, then 2% growth for 2025/26.

Affordability was a key concern for Councillors during the development of the proposals, with pages 18 to 21 of the Consultation Document analysing the potential impacts on ratepayers. The analysis shows the proposals would result in rate increases of less than \$3 more per week for 80% of ratepayers. This was considered to be in line with feedback from early community engagement.

Prior to the official consultation period there was early engagement with the community around the need for increased flood protection investment. Environment Southland attended a variety of events across Southland including A&P shows, the Southern Field Days, On the Fly Maitai River Festival, Rotary Water Day and we also joined the Invercargill City Council LTP talk with businesses at the Chamber of Commerce.

The summary of feedback from the community events included in the Council agenda from 27 March 2024 (see [LTP 2024-34 Pre-consultation Feedback - Summary](#)) showed support for an increased investment in flood protection infrastructure, with the majority of respondents indicating they would be willing to pay \$1-5 per week for an improved level of protection.

The Consultation Document attracted 329 submissions in total. A hearing for those submitters who wished to speak to their submission was held on 20, 21 and 24 May 2024.

Submission themes

Many submitters expressed strong opposition to proposed rates increases, highlighting concerns about affordability and the economic burden on ratepayers, especially during tough financial times.

There were requests for Environment Southland to review its budgets and undertake an efficiency exercise.

There were also suggestions to use reserves to offset rate increases.

At the same time, there was support for the proposed investment in flood protection along with requests for funding to support various community initiatives and services.

Council decision - budget adjustments

Council considered information on the current economic situation in light of submitter concerns regarding this. It was determined there was a need to reduce the impact of rate increases on the community.

In order to achieve this, Council reviewed its approach to the use of reserves to offset rate increases and also made some expenditure adjustments. In addition, there were some income changes (marine fee and portfolio income) and changes to forecasting assumptions that needed to be taken into consideration.

Use of reserves

A number of submitters suggested Council use reserves to offset rate increases.

The [Proposed Financial Reserves Policy](#) contained in the supporting material for the Consultation Document contains information on Environment Southland's financial reserves including their purpose and guidelines for their use and management. This is an umbrella policy with other policies also being relevant for some reserves. For example, the Leasehold Land Management Policy.

The approach taken by Council when developing the Long-term Plan Consultation Document was that of building financial resilience and moving away from the use of reserves to fund annual activities. However, many submitters commented on the tough financial times and suggested that Council use reserves to fund some of the planned new work. Some submitted specifically that the deferred maintenance of flood banks be funded by the catchment reserves (i.e. lease area reserves), while others submitted more generally that Council holds significant reserves and should not be increasing rates but using reserves.

During deliberations Councillors observed that given the current economic situation (which had continued to deteriorate since work on the Long-term Plan commenced), it appeared prudent to use 'savings' to reduce the impact of Council's proposals on ratepayers, including rating changes.

The following table below shows the Council’s intended use of reserves¹:

Table 1: Reserve use in Years 1 to 4 of the Long-term Plan					
Reserve type	Proposed use in \$000k (variance from Consultation Document)				
	Year 1	Year 2	Year 3	Year 4	Total
LEASE AREA RESERVES					
FERRY ROAD	300	275	200	75	850
ŌRETI		100	100	75	275
MATAURA	220	300	250	100	870
WAIHŌPAI			100	50	150
OTEPUNI			100	100	200
ACCUMULATED SURPLUSES					
BIOSECURITY	200	200	200	100	700
LAND SUSTAINABILITY	200	200	200	100	700
ASSET RESERVE	6	237	186	374	803
TOTAL	926	1,312	1,336	1,074	4,548

The use of each of these reserve types is discussed further below.

Use of Lease Area Reserves

The Lease Area Reserves are funds that have accumulated through rental income from the flood-prone land Environment Southland owns in the lower areas of some of the region’s main river catchments.

The draft budget, as prepared and consulted on as part of the 2024-2034 Long-term Plan Consultation Document, and supporting information, included the use of \$450,000 of Lease Area Land Surpluses per annum to fund works, but not the use of the actual reserves themselves.

In response to submitter feedback, Table 1 shows the use of \$2.345 million of Lease Area Reserves to reduce the rating impact of flood bank repairs and channel maintenance activities in these catchments for the first four years of the Long-term Plan.

In line with the Leasehold Land Management Policy, consultation is currently being undertaken with the Catchment Liaison Committees prior to Council making a final decision on the use of these reserves.

Implications

The use of Lease Area Reserves to fund deferred flood protection maintenance will reduce the opportunity to use these reserves in future for catchment initiatives such as ‘Slow the Flow’ and wetland restoration opportunities.

Use of Accumulated Surpluses

As a general principle, Council’s income and expenditure relating to its activities should be gathered and spent in the financial year that it is budgeted in. Accumulated surpluses have arisen in the biosecurity and land sustainability areas due to circumstances where work has been unable to be completed in the year it was budgeted in (for example, during the Covid years). Some funds are always retained in the biosecurity area in case of a biosecurity incursion.

¹ The proposed use of Lease Area Reserve is currently being consulted on with the Catchment Liaison Committees with feedback due on 18 June 2024 and a final Council decision to be made on 19 June 2024.

In response to submitter feedback, Table 1 shows the use of \$700 thousand of the Biosecurity Accumulated Surplus and \$700 thousand of the Land Sustainability Accumulated Surplus to offset rates.

Implications

The use of these accumulated surpluses to fund business as usual programmes will reduce the opportunity to use these surpluses in future to fund requests for additional projects and programmes relating to these activities to enhance the level of service provided.

Asset Reserve Adjustments

The Asset Reserves relate to the holding of depreciation funds on specific assets or groups of assets for future use and funds set aside for a particular purpose such as plant, building and computers.

Table 1 shows net adjustments resulting from use of the transformation and infrastructure reserves and changes to the timing and amount of capital expenditure. The capital expenditure changes are discussed further under expenditure adjustments.

The Council is funding all flood protection capital expenditure from debt with no repayment of debt until Year 3 of the Long-term Plan. However, there is depreciation budgeted for during Years 1 and 2 of the Long-term Plan. During deliberations, Council discussed offsetting the impact on rates of the depreciation of the Stead Street pump station, noting that a review of reserve use (including the approach to funding of long-term assets) will be undertaken during the 2024/25 financial year as discussed below. The revised budget attached is based on the Council not funding this depreciation for the next three years.

Future Reserve Use

Given submitter feedback and the need for further consideration of reserve use over the long-term, Council has decided to undertake a full review of the use of reserves during the 2024/25 year and update the relevant policies accordingly to inform future Annual Plans and Long-term Plans.

The review will include:

- (a) the setting of reserve minimum balances;
- (b) clarification of the relationship between the various reserve policies;
- (c) clarification that reserves should only be used in the area they were generated;
- (d) determination of the approach to Asset Reserves (including the funding of long-term assets).

In relation to (c), Council indicated that catchment reserves (i.e. River Area Reserves and Drainage Reserves) are to stay within the rating district they are generated in and are not to be used in the general pool. The Financial Reserves Policy is to be amended to clarify this. This is in line with the Leasehold Land Management Policy which already provides that leasehold reserves will generally be used within the catchment they are rated in.

Expenditure adjustments

As a result of submitter feedback, a further review of budgets was undertaken and some areas were identified where adjustments could be made to reduce the impact on rates.

The key change was to the phasing of the investment in flood protection (the new \$2.3 million of operating expenditure per year outlined in the Consultation Document).

This funding will be used to improve Environment Southland's data and knowledge, build expertise and capability in our catchment team and deal with pressing maintenance issues. This expenditure

was reduced by \$350,000 in Year 1 of the Long-term Plan by spreading the work over a longer period. In addition, some of the overhead costs were absorbed back into the rest of the business.

Other minor adjustments were made, including a reduction in the budget for the Bluff Haul-out scoping study from \$150,000 to \$80,000 and reductions in some of the capital expenditure items associated with running the organisation (for example, a reduction in the amount budgeted for roofing repairs) and in the timing of some capital expenditure (for example, certain science monitoring equipment purchases have been moved from Year 1 to later years).

Changes in forecasting assumptions

The final budgets informing the Long-term Plan consultation document and supporting materials were prepared towards the end of last year for audit and adoption by Council in the first quarter of 2024. Since that time, there have been shifts in a number of underpinning forecasting assumptions.

Council resolved to update these assumptions as follows:

Table 2: Revised forecasting assumptions

Forecasting assumption in Consultation Document supporting information	Assumption underpinning Consultation Document supporting information	Revised Assumption	Commentary
Marine Fee	A total of \$3.2m per annum in the first three years of the Long-term Plan.	2024/25 \$2.17m 2025/26 \$2.68m 2026/27 \$2.76m	Cruise ship bookings have been less than anticipated for a variety of reasons including the Red Sea situation and challenges around the management of biofouling. The marine reserve will be used to offset any reduction in fees for Year 1 of the Long-term Plan.
Forecast return on investments (excluding South Port New Zealand Limited)	Investments are planned to return an average realisable income of 3.0% pa from Managed Funds (with a total return of 5.5%).	3.5%	Upon further review of the Council's invested reserves, the long-term total return on Council's portfolio can be expected to be 5.5%, an increase of 0.5% from the original assumption. Of the total return, 3% will be used to offset rates, 0.5% for expenses and 2% will be added to the reserves for inflation proofing. Noting the

Forecasting assumption in Consultation Document supporting information	Assumption underpinning Consultation Document supporting information	Revised Assumption	Commentary
			2% is variable year-to-year and not guaranteed.
Cost Factors	2024/25 4.8% 2025/26 3.5% 2026/27 3.1% 2027/28 2.5% 2028/29 2.5% 2029/30 2.5% 2030/31 2.4% 2031/32 2.4% 2032/33 2.4% 2033/34 2.3%	2024/25 3.7% 2025/26 2.8% 2026/27 2.7% 2027/28 2.6% 2028/29 2.5% 2029/30 2.5% 2030/31 2.4% 2031/32 2.4% 2032/33 2.4% 2033/34 2.3%	Predicted inflation has dropped since the original forecasting assumptions were put together.

The changes in forecasting assumptions affect both income and expenditure in the revised budgets.

Funding requests

A number of submitters made requests for funding. Those requests where the Council has granted funding are set out in the following table.

Submission Number	Submitter	Funding Related Requests	Council decision
175	Mid Dome Trust (Ali Ballantine)	Increase the direct financial contribution of the Council from \$50,000 to at least \$80,000 per annum for wilding conifer control at Mid Dome.	It was agreed to fund an additional \$30,000 for the 2024/25 year with a review to be undertaken into the longer-term funding for this work as part of the 2024/25 Annual Plan development.
195	Thriving Southland (Richard Kyte)	\$235,000 sought for seed funding of key projects including wetland development, and targeted landscape and farm system mitigations.	It was agreed to provide up to \$235,000 from the land sustainability accumulated surpluses for this seed funding, subject to the development of appropriate funding criteria.
31	Joyce Kolk	Request for annual funding allocation for Beach clean-up (\$10k plus an inflation adjustment).	It was agreed to fund up to \$15,000 for the beach clean-up from the community activity allocation within the marine fee allocation schedule.

Overall impact

A revised budget, along with a schedule of forecast reserve balances, are appended based on the budget adjustments outlined above. These adjustments result in the following changes to average total rates increase across the first three years of the Long-term Plan:

Average total rates increase	Year		
	2024/25	2025/26	2026/27
As proposed in the Consultation Document	23%	11%	13%
As amended by budget adjustments	12.6%	12.9%	12.6%

The total of 12.4% for year 1 of the Long-term Plan can be broken down into a 4% increase for our general services, 5% for the funding costs associated with the climate resilience projects that have occurred during the last three years and 3.6% for the 2024 flood protection operating expenditure.

As outlined above, the reductions above have been achieved through a variety of mechanisms including the substantial use of reserves.

Other matters

Organisational work programme

Some submitters suggested that Environment Southland needed to review its budgets and look for efficiencies.

Most of what Environment Southland does is set by legislation. However, there is some discretion over services and service levels. An organisational baseline review was undertaken last year to inform the 2024-2034 Long-term Plan.

This work entailed an effectiveness and efficiency review of all of the organisation's current activity from the ground up. A revised organisational work programme was prepared to deliver organisational priorities and mandatory obligations while ensuring no growth in budget or resources (beyond inflation).

The latest version of the organisational work programme was considered by Council during deliberations on 5 June 2024. It was noted that this programme would need to continue to adapt in response to changing central government direction and regional priorities, and that there was an ongoing need to look for efficiencies and improved effectiveness.

Assistance available for people unable to pay rates

Several submitters indicated they would be unable to pay their rates in future.

The Council noted that the [Proposed Rates Remission and Postponement Policy](#) contained in the supporting material for the Consultation Document contains information on rates postponement or remission for ratepayers experiencing financial circumstances that affects their ability to pay rates. The postponement or remission is at the discretion of Council and is up to 100% of rates.

The policy above is in addition to the nationally available rates rebate, which is a discount (up to a maximum of \$750) on an individual's rates bill available for people who own their own homes and are on a low income.

Further information on eligibility criteria and an online rates rebate calculator can be sourced from: <https://www.govt.nz/browse/housing-and-property/getting-help-with-housing/getting-a-rates-rebate/>

Council directed there was to be increased communication of the options above when rates invoices are sent out.

Draft Council Decision – 2024-2054 Infrastructure Strategy

Context

The 2024-2054 Infrastructure Strategy was adopted for consultation by Council on 27 March 2024 and consulted on from 28 March to 13 May 2024, as part of the supporting information for the 2024-34 Long-term Plan. The relevant documents can be accessed from the links below:

Consultation Document: [Investing in Southland Whakangao Ki Murihiku Draft Infrastructure Strategy 2024 - 2054](#)

As outlined previously, a proposal for ongoing and increased investment in flood protection was a key matter for consultation. Environment Southland is responsible for flood risk mitigation and the region’s network of flood protection infrastructure. The network comprises of over 500 kilometres of stop banks across the region, drainage networks, spillways, dams, tidal gates and pump stations.

The Long-term Plan Consultation Document, *Investing in Southland*, set out a proposal to increase flood protection operating expenditure by \$2.3 million per year to build expertise and capability in Environment Southland’s catchment team, respond to pressing maintenance issues and enable the planning of a significant new capital works programme based on improved data and information.

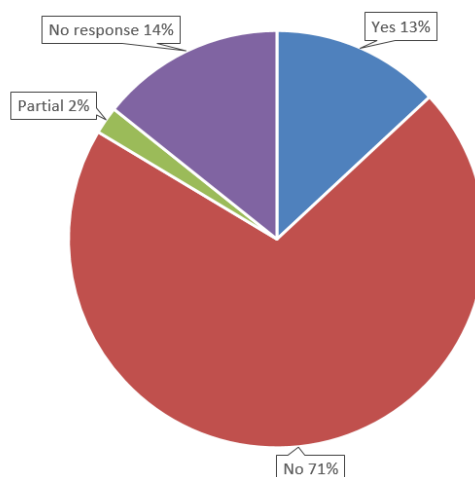
The proposed capital works programme for the next three years (2024/25 to 2026/27) at a total cost of \$14 million included some of the modelling to inform the planning of the capital works programme and potential projects at Winton, Lumsden and Waihōpai.

For Year 4 and beyond, provision for an ongoing flood protection capital works programme was made on the basis that 75% of this would be funded by central government with the remaining 25% funded by debt. The planning during the next three years was to inform this provisional capital works programme, which would include replacement of existing infrastructure (renewals) as well as consideration of nature based solutions.

Submission themes

The following pie chart depicts the percentage of submitters supporting or opposing the proposed increase in flood protection operating expenditure:

Percentage of submitters supporting, opposing, partially supporting, or with no response to the proposal to increase the budget for Flood Protection Infrastructure by \$2.3m



As can be seen, the majority of submissions (71%) opposed the increase in expenditure with many submitters citing affordability issues.

Submissions raised concerns about river and gravel management.

Some submitters suggested a focus on getting all flood banks in the region up to a condition level 3 as an alternative to the current capital works proposals.

Similarly, several submitters proposed 'slow the flow' or nature based solutions as an alternative to raising stop banks.

Council decision

Operating expenditure

Council noted that its legislative responsibilities in this space and that engagement undertaken at community events prior to the official consultation period (see [LTP 2024-34 Pre-consultation Feedback - Summary](#)) had indicated support for an increased investment in flood protection infrastructure. The majority of respondents at these events had indicated they would be willing to pay \$1-5 per week for an improved level of protection.

Notwithstanding the above, and in response to submitter feedback, Council decided to use reserves to fund a significant component of the new flood protection operating expenditure to offset the impact on ratepayers. In addition, the phasing of the work was changed with expenditure reduced by \$350,000 in Year 1 of the Long-term Plan by spreading the work over a longer period. In addition, some of the overhead costs were absorbed back into the rest of the business. See the Council decision on budgets for more detail.

Capital expenditure

Council noted that there was a need to improve data and modelling and build expertise and capacity over the next couple of years in order to undertake the planning for the capital works programme.

For the capital projects planned for Years 1 to 3 of the Long-term Plan (Winton, Lumsden and Waihōpai), full business cases are to be prepared and brought back to Council before these can proceed. These projects are fully debt funded with no central government contribution.

It was noted that approximately \$25 million per year of capital works indicated from Years 4 to 10 was provisional and subject to receiving central government funding (the assumption being that 75% of the funding would be from central government²). Further consultation with the community will occur once this work has been planned and exact costings are known, with this likely to be a key matter for the 2027-37 Long-term Plan. Submitter concerns regarding debt levels were acknowledged.

Alternatives considered

Several submitters suggested a focus on getting all flood banks in the region up to a condition level 3 as an alternative to the current capital works proposals. Catchment Operations estimated the cost to do this (based on current contractor rates) would be in the order of \$36 million. While this would provide an improved level of protection than currently, in comparison to the approach proposed there would be higher ongoing maintenance costs and ongoing breach risks associated with aging stop bank assets (30 plus years old).

Similarly, a number of submitters proposed 'slow the flow' or nature based solutions as an alternative to raising stop banks. This is considered to already form part of the overall approach within the

² There is considerable uncertainty associated with how much central government funding will be available.

proposed budgets (rather than being an alternative) with the increased operational budget intended to support enhanced floodplain planning and management.

In terms of concerns about river and gravel management, the increased expenditure will enable significantly more work to be undertaken in this space. For example, the necessary science and data to establish a sediment (gravel) budget per catchment and fairway capacity improvements.

Other matters

The Government's Budget for 2024 was released on 30 May 2024 and contained the following statement:

"We are dedicating an initial \$200 million for flood resilience infrastructure. Of this, up to \$101.1 million is committed, along with co-investment from recipients to 42 flood resilience projects that are close to getting started. The Government is working through the nature and size of the support that will be offered for each project."

Environment Southland has been listed as one of the 42 bids that are being considered for receiving funding (see links below):

- [The Minister's press statement](#)
- [Factsheet](#)
- [Map](#)

While it is clear Environment Southland is being considered for funding, it is unclear yet exactly what financial contribution will be provided.

Environment Southland submitted six projects for funding as part of [Before the Deluge 2.0](#). The three projects indicated as being considered are the Ōreti (\$5 million), Aparima (\$0.5 million) and Te Anau (\$0.5 million).

These are additional projects to the Lumsden, Winton and Waihōpai projects for the next three years outlined in the 2024-34 Long-term Plan Consultation Document, *Investing in Southland*, and 2024-54 Infrastructure Strategy. These projects were not put forward in the Before the Deluge bid as they were not considered to be 'shovel ready', with significant planning and design work still to be undertaken.

Over the coming months, the funding for the central government co-funded projects will become clearer and the planning and design work for the Long-term Plan projects will be advanced. The timing of the Long-term Plan projects may need to be rescheduled to accommodate the co-funded projects. This will be a subsequent Council decision.

Draft Council Decision – Revenue and Financing Policy and Rating Review

Context

Separate to the Long-term Plan consultation, Environment Southland also consulted on the **Revenue and Financing Policy and Rating Review 2024 Statement of Proposal**. The Statement of Proposal was consulted on from 28 March to 13 May 2024, alongside the Long-term Plan Consultation Document. The relevant documents can be sourced below:

[Draft Revenue and Financing Policy Statement of Proposal](#)

[Draft Revenue and Financing Policy](#)

[Draft Funding Needs Analysis](#)

The Revenue and Financing Policy determines, for at least the next three years, the funding sources Council will use and how it will use them. These can only be changed during that period by re-consulting and in some circumstances, through a Long-term Plan amendment.

While the whole policy was being consulted on, there were two substantive changes to the Revenue and Financing Policy that would change rates, and one substantive policy change on the use of borrowing – see below:

1. creating a single new Flood Protection Infrastructure rate to replace 140 catchment rates.
2. moving the Biosecurity and Land Sustainability rates to the General rate.
3. paying for Flood Protection Infrastructure from borrowing, with debt repayments paid for by all regional ratepayers as part of the Flood Protection Infrastructure rate.

27

The Statement of Proposal contained detailed information on each of the proposals. The proposals sought to re-allocate rates across the region. They did not raise or reduce the total amount of rates collected. Overall rates increases are a consequence of budget changes in the Long-term Plan (see draft Council Decision – Budgets).

The proposals were developed over a long period, responding to historic requests for review and included 14 workshops (including meeting with Catchment Liaison Committee representatives) and pre-consultation community engagement.

[Long-term plan 2024-34 workshops](#)

[LTP 2024-34 Pre-consultation Feedback - Summary](#)

The Statement of Proposal was supported by a brief Summary of the Proposals and was included in the Long-term Plan Consultation Document with a link to the Statement of Proposal. On the Environment Southland website, in addition to the statutory documents, a large amount of supporting documentation was provided, including detailed information from the workshops and pre-engagement, frequently asked questions and [Before the Deluge 2.0](#).

Submission themes

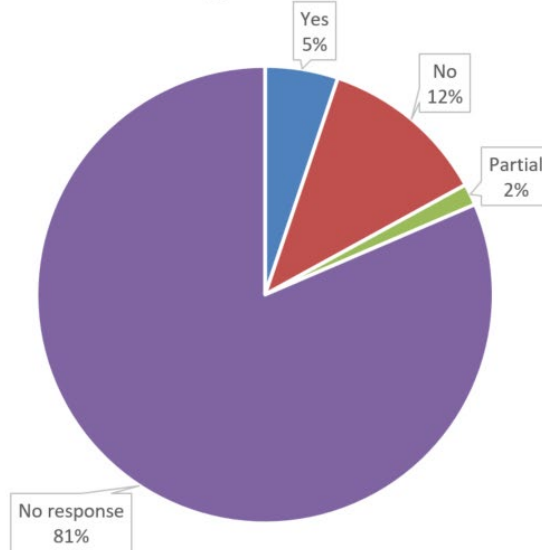
Key submission themes included:

- concern that funding does not align with benefit.
- affordability concern regarding higher rates increases for some where the re-allocation of costs meant that some groups paid more rates and others reduced.
- Waiau Catchment concerns around the relationship between the existing catchment, its targeted rating area, and funding obligations under an agreement with Meridian Energy Ltd.
- concern about the use of debt to fund infrastructure.

- concern over the consultation process for this consultation.
- requests to modify the proposal by introducing a differential.

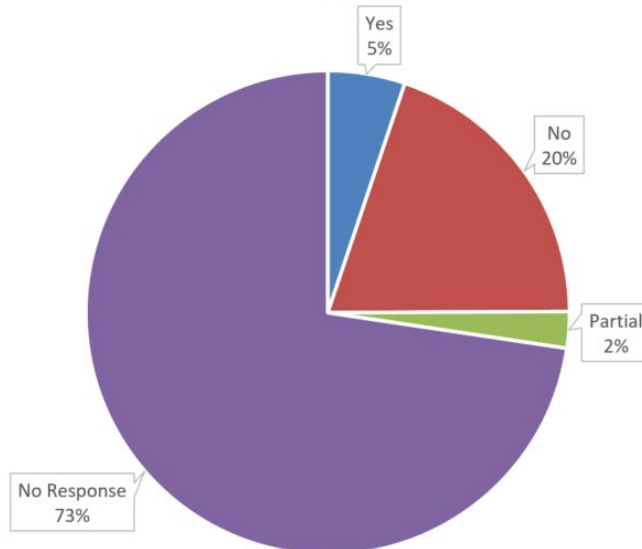
The following pie chart depicts the percentage of submitters supporting or opposing the proposal to create a single new Flood Protection Infrastructure rate to replace 140 catchment rates:

Percentage of submitters supporting, opposing, partially supporting, or with no response to the proposal to move the 140 catchment rates to one regional rate



The following pie chart depicts the percentage of submitters supporting or opposing the proposal to move the Biosecurity and Land Sustainability rates to the General rate:

Percentage of submitters supporting, opposing, partially supporting, or with no response to the proposal to move the land sus and biodiversity targeted rates from LV to CV



Council decision

A report prepared by staff responding to the matters raised by submitters was considered by Council during deliberations on 5 and 10 June 2024 (see Appendix 2 of [2024-34 Long-term Plan Deliberations Part 1](#))

This report put forward a number of options to respond to the matters raised by submitters, including an option to transition rating changes over two years to mitigate the impact of rates increases resulting from the change in rating policy.

Following consideration of the submissions and staff report, the Council confirmed it would amend the rating changes consulted on and transition these changes over a two-year period. This would enable a shift from status quo but not go as far as what was contained in the proposals for consultation until further consultation was undertaken.

The changes are:

- the removal of the proposed Flood Protection Infrastructure rate.
- moving the existing budgeted Catchment Planning activity to the general rate.
- developing a new River Management targeted rate.
- developing a new Flood Infrastructure Investment rate.
- moving the existing Biosecurity and Land Sustainability budgets to 100% general rate.

As a result of submissions, it was agreed there was a need to retain separate rates and charges for the Waiau Catchment and Drainage District to protect and maintain external revenue sources. To achieve this, the Waiau Catchment Planning charges and River Management rates will be separated from other catchments and will remain unchanged.

The detail of the transition arrangements are as follows:

(i) Catchment Planning charges (excluding Waiau)

28 *Status Quo – currently sitting within the River Management activity*

1. Year one – 100% general rate (capital value)
2. Year two – no change from year one

(ii) River Management (excluding Waiau)

Status Quo – 70% targeted rate (land value), 30% general rate (capital value)

1. Year one – 50% targeted rate (land value), 50% general rate (capital value)
2. Year two – 100% new targeted rate (capital value)

(iii) Flood Infrastructure Investment

29 *New rate*

1. Year one – 100% new targeted rate (capital value)
2. Year two – no change from year one

(iv) Biosecurity and Land Sustainability

30 *Status quo: 100% targeted rate (land value)*

- 31 1. Year one – 50% targeted rate (land value), 50% general rate (capital value)
- 32 2. Year two – 100% general rate (capital value)

It was agreed that this two-year transition period would enable further options to be considered and consulted on with the community including the funding of Freshwater Management Units and the Stead Street Pump Station, as well as consideration of differentials.

The move to capital value over the two years was confirmed (excluding the Waiau catchment rating district). Council indicated it wished to undertake further consultation regarding whether river management is regionally or locally funded over the long-term and differentially rated based on location.

Council directed that the Funding Needs Analysis be modified to:

- (a) reflect the separate activities of Catchment Planning, River Management, Flood Infrastructure and Land Drainage; and
- (b) support a flexible transition and to allow differentials on the general rate.

Council noted that the transition would set the Uniform Annual General Charge at \$143 for the 2024/25 year (the same as the 2023/24 year).

The Uniform Annual General Charge is essentially a fixed rate per household. Council is legislatively able to fund up to 30% of the total rates revenue via this charge. Environment Southland is not at this threshold (which would be over \$200) but it's custom and practice historically has been to increase the Uniform Annual General Charge in line with the overall rates increase annually.

The rating change proposal included a reduction of the charge to balance out the transfer of costs associated with a move to capital value.

Council noted some submitters opposed the reduction in the Uniform Annual General Charge and others sought that it be increased to the maximum of 30% of the rates revenue. It was noted that this would benefit those with high capital values, and disproportionately affect low to mid value properties.

Item 7.2 2024-34 Long-term Plan – Operational and Other Matters

Objective ID: A1103721

Report by: Rachael Millar, General Manager Strategy, Science and Engagement

Approved by: Wilma Falconer, Chief Executive Officer

Purpose

To provide Council with a summary of submissions and recommendations relating to operational and other matters raised by submitters during the 2024-34 Long-term Plan consultation.

Recommendation

It is recommended that Council resolve to:

1. receive the report “2024-34 Long-term Plan – Operational and Other Matters”.
2. approve the use of the report to inform responses to submitters.
3. direct staff to respond to submitter requests and concerns regarding operational work as part of the responses to submitters.

Background

This report summarises operational and other matters raised by submitters during the 2024-34 Long-term Plan consultation and provides commentary on these.

Consultation

Many submitters criticised the consultation process, indicating they felt there should have been better communication and a longer consultation period.

Environment Southland’s consultation and engagement process for the 2024-34 Long-term Plan commenced last year and continued through until the official consultation period commenced on 28 March 2024. A variety of events were attended across Southland and people were asked if they were willing to pay to improve the current level of flood protection. These events included A&P shows, the Southern Field Days, On the Fly Mataura River Festival, Rotary Water Day and we also joined the Invercargill City Council LTP talk with businesses at the Chamber of Commerce. In addition, ratepayers with the most significant impacts in terms of dollar increases were identified and briefed.

The proposals for flood protection were discussed with Catchment Liaison Committee chairs, as councillors worked through the implications and options (see [Long-term Plan 2024-34 Council workshops](#)).

A summary of the feedback from the community events can be accessed from [LTP 2024-34 Pre-consultation Feedback - Summary](#). The proposals that were included in the Consultation Document were influenced by the feedback received from the community as this showed support for an increased investment in flood protection infrastructure. The majority of respondents indicating they would be willing to pay \$1-5 per week for an improved level of protection.

The formal consultation period ran from 28 March to 13 May 2024 (six and a half weeks), over two weeks longer than the one month minimum set out in the Local Government Act 2002. Originally the consultation period was to close on 6 May 2024 but was extended for a further week in response to community feedback.

In addition to Council's EnviroSouth newsletter that is delivered to all mailboxes across the region, the consultation was promoted through the following channels:

- newspaper and radio advertising;
- online and social media;
- emails to partners, stakeholder and community groups, and relevant council databases (e.g. consent holders);
- Catchment Liaison Committee meetings;
- circulation of documents and brochures to Council libraries and offices;
- direct engagement with stakeholders.

Much of the communications directed people to an online engagement portal, which contained information about the consultation, rates impact scenarios and encouraged people to make a submission via the online form. Information about the consultation and a downloadable submission form were also available on Environment Southland's main website. Printed copies of the relevant documents were provided on request.

During the consultation period, there were 6222 views of the rates calculator page on the website, and 3362 views of the Long-term Plan page. There was strong engagement on Long-term Plan posts on Environment Southland's Facebook page, which resulted in a number of follow-up information requests.

Appendix 1 of this report contains responses to frequently asked information requests that occurred during the consultation period.

Environment Southland has previously distributed a postcard to every mailbox when consulting on its Long-term Plan. This was not done this time as the EnviroSouth newsletter was due to go out and it was felt this would be a duplication. Instead, a brochure was developed for public events and to accompany the material at Council libraries and offices.

During the formal consultation period, staff and councillors attended 15 public events and drop-in sessions across the region. These were promoted using digital (online), newspaper and radio. Leaflet delivery was also used to promote the Te Anau drop-in session. Numbers attending the drop-in sessions run as Environment Southland events were low with the largest number attending the Te Anau session on Saturday, 27 April (15 people). More people attended public events such as the Southern Farmers Market, Murihiku Marae community event and Autumn Festival, and events initiated by the community such as the Western Southland Groundswell meeting at Otautau and public meeting in Waimahaka.

Learnings and recommendations

Low attendance at drop-in sessions run by Environment Southland reinforced previous experience that attendance at community events generates more engagement. There were fewer community events being held during the consultation period than there had been during the summer, which was why drop-in sessions were pursued. Community members spoke favourably about the drop-in sessions held on Saturdays, but were less favourable about those held during the middle of the day on weekdays, suggesting later in the day or evenings would be preferable.

Some submitters spoke at the hearing of their own approaches to community engagement, including being present at sports grounds during Saturday sports, and the use of community Facebook pages and newsletters. While Environment Southland, as a public organisation, is not always able to post directly onto community Facebook pages, going forward there is potential for increased postings onto these pages by Councillors. Attendance at sports grounds and greater use of community newsletters are also potential options for Environment Southland in future.

Some submitters felt that there should have been a letter sent to every ratepayer regarding the consultation. Staff are not aware of any councils who do this due to the significant costs that are involved.

The combination of the proposed investment in flood protection, along with proposed rating changes, was complex and confusing for many people. With the benefit of hindsight, it would have been preferable to consult on the proposed rating changes separately in advance of the consultation about the proposed investment in flood protection. The Council's decision to transition the rating changes and undertake further consultation on how river management is funded will help address this issue.

Staff will be engaging in a full debrief of the Long-term Plan process, including consultation, soon after the Long-term Plan is adopted in July and will bring back recommendations to Council for consideration.

Catchment Liaison Committees

The eight current Catchment Liaison Committees (Te Anau Basin, Ōreti, Matura, Makarewa, Waiau, Aparima, Waimatuku and Waituna) evolved from River Liaison Committees. River Liaison Committees were established in conjunction with Federated Farmers in 1979, with their purpose being to advise and assist Council in the development of annual maintenance works programmes and budgets, and to provide an important local contact for each river community regarding special river and land drainage management issues.

Each committee was made up of representatives from throughout each river catchment, who were elected annually by their communities. The Committees reported to Council through the Regional Services Committee (Rōpū Ratonga a-Rohe).

In 2019/2020 a review of the structure, scope, funding and terms of reference of the River Liaison Committees (RLC) was undertaken. The final outcome of this process was an expanded Terms of Reference for the Committees and a change in their title to Catchment Liaison Committees (Council resolution, 28 October 2020) to better reflect the advisory role the committees could potentially play in integrated catchment management (biodiversity, water quality and quantity, ecological and soil health, in addition to river works, flood management and erosion control).

The Chairman of the Matura Catchment Liaison Committee made the following comments in his submission on the 2024-34 Long-term Plan Consultation Document:

5. Structure: ES have Freshwater Management Areas, that with minor adjustments will serve as a template for Catchment Community Boards.

Promotion of a COMMUNITY structure for the catchments has advantages:

- The Election of Local Board or Community Boards on 3 yearly cycle.
- Members bound by codes of conduct, modified Terms of Reference and generally managed like existing TLA Local Boards/Community Boards.
- To provide an improved structure for whole catchments (FMU's).
- To strengthen and formalise the relationship with existing and emerging catchment groups.

The Local Government Act recognises Local Boards and Communities*(My ref: Local Government Act 2002, Sec 48, Sub Part 1A and Sub Part 1B), which provides a ready made structure for establishment, functions, duties, powers and elections.

Please-confirm the status of CLC's as **Catchment Community Boards** as defined in the LG Act.

Other submitters also raised concerns regarding the role of the Catchment Liaison Committees potentially diminishing under a new rating system.

With regard to Section 48 and Sub Parts of the Local Government Act 2002 referred to in the submission, based on Local Government Commission feedback Sub Part 1A - Local Boards are only an option for unitary authorities and not for regional councils. Similarly, the Local Government Commission has advised that Sub Part 2 - Community Boards are also not a structure available to Regional Councils.

Council has previously indicated it would like to enhance the role of the Committees. It is recommended that this is explored alongside the planned consultation on how river management is funded going forward and funding of activities within Freshwater Management Units.

Youth engagement

There was a submission on the need for improved youth engagement in Southland's environmental and regional decision-making processes. The draft performance framework contained as a supporting document for the Long-term Plan Consultation Document, included a performance target for the 2024/25 year to develop a proposal for a new youth engagement mechanism. It is recommended that the submitter's feedback is taken into consideration during the development of this proposal.

Work requests

A number of submitters have submitted specific requests around operational work such as locations they consider need additional flood protection and areas with pest plant and animal issues. It is recommended that Council direct staff to respond to these requests within the responses to individual submitters.

Nightcaps/Ohai

Some submitters queried what activities Environment Southland undertook in relation to the Ohai Nightcaps area. Concerns were raised around the impacts of mining on environmental and human health. A summary of the monitoring work undertaken relating to this is appended.

Amalgamation

One submitter requested that Council consider amalgamation with the other councils noting that with ever-increasing costs and decreasing population a unitary authority must be of prime consideration. This is a matter outside of the Long-term Plan.

Appendix 1: Frequent asked questions during consultation

Staff and vehicles

1. How many staff does Environment Southland currently employ?

For the pay period ending 29 March 2024, there were 194 full time employees and 8 part-time employees. This includes 5 casuals working on an 'as required' basis.

2. What is the current total wage bill per annum (2024)

The 2024 gross wage bill was \$17 million at the end of April. This is calculated from the pay period beginning 24 June 2023 to pay period ending 26 April 2024.

3. How many more staff will be employed under this long term plan (2024)

Proposed additional full time employees in year one is 7.75 with budgeted salaries of \$749k (as consulted on).

4. How many vehicles will need to be purchased under this LTP 2024 (2024)

There are 11 vehicles budgeted for replacement in 2024/25. The assumption is that vehicles will be sold / replaced in the same year and reviewed annually to ensure this remains in line with our motor vehicle policy.

5. How many vehicles has Environment Southland currently got?

Environment Southland has 51 vehicles as at 30 April 2024. This includes two vehicles scheduled for disposal (with replacements purchased).

6. What is the current cost of vehicle renewal and running per annum?

The annual cost for renewal and running of motor vehicles was \$157,000 for the year ended 30 June 2023. This excludes fuel which is included in the question below.

7. How many vehicles have fuel cards and what is the cost of that?

All vehicles have fuel cards. The total cost of fuel for the year ended 30 June 2023 was \$146,000.

Rating questions

These largely relate to the Local Government Rating Act 2002.

Are all DOC administered properties rated by Environment Southland?

The majority of DOC land is non-rateable under the Local Government Rating Act (conservation areas under the Conservation Act 1987). Rateable DOC land occurs when it used by a society or association for games, sports or arts (for example, the Manapouri Boating Club) or for agricultural or pastoral leases. We have approximately 600 DOC parcels of land with approximately 50 that are rateable.

Do all four Runaka pay rates?

The Local Government Rating Act 2002 provides that land that is used for the purposes of a marae or meeting place that does not exceed 2 hectares; or that is a Māori reservation under section 340 of the Act, is non-rateable. Under the Local Government (Rating of Whenua Māori) Amendment Act 2021, most Māori land is non-rated unless used.

Do all churches and religious entities pay rates?

Churches and religious entities are non-rateable – as per the Local Government Rating Act 2002 - land used solely or principally as a place of religious worship.

Does Landcorp pay rates?

All Landcorp land is rateable.

Te Ao Mārama Inc questions

What amount of funds do we direct to Te Ao Mārama? And what other support do we give? Also, what responsibilities under the Treaty does local government have in this area to facilitate and drive this relationship forward?

The Charter of Understanding *He Huarahi mō Ngā Uri Whakatapu* (see <https://www.es.govt.nz/about-us/partnership-with-iwi>) sets out the funding arrangements for Te Ao Mārama's core costs (Kaupapa Taiao) and local government responsibilities under the relevant pieces of legislation. The funding arrangements are inflation adjusted each year and Environment Southland's contribution has been budgeted as \$47,473 for the 2024/25 financial year. In terms of other support, the Charter also sets out Environment Southland's responsibilities as Secretary. As an aside, the Charter is in the process of being reviewed at present.

We also put in separate funding arrangements for specific pieces of work e.g. projects. For example, there was \$96,000 (over two years) included for Te Ao Mārama in the Slow the Flow project that has received funding from the Ministry for the Environment.

Appendix 2: Monitoring activity undertaken by Environment Southland in the Ohai Nightcaps Area

Surface water monitoring

Environment Southland does not have routine long-term environmental monitoring in rivers and streams around the Nightcaps and Ohai area currently.

Based on the topography of these areas, the streams in the area are mainly smaller/headwater streams that are on the border of two major catchments. Our monitoring network mainly focuses on larger rivers and streams for a range of reasons, including these representing larger geographical catchment areas. Our monitoring networks undergo periodic review, and consideration of spatial coverages of the network, as well as whether the current network is sufficient for the multiple purposes that it is used for, will form a component of the next review which is planned to occur in 2024/25.

The Ohai area is in the Orauea Stream catchment, and we do have a monitoring site downstream on the Orauea Stream at Orawia-Pukemaori Road which has monthly monitoring. The Nightcaps area feeds into the Otautau Stream catchment which also has monitoring sites further downstream from the township. We also hold fish data from the Wairio Stream, which includes the Nightcaps area in its headwaters although this stream is not currently routinely monitored.

Soil monitoring

Soil testing was conducted at Wairio Dairy close to the Ohai/Nightcaps area on the 5th of December 2012 and 17th of February 2021; further testing will be in the next cycle in November 2024. Soil testing complies with NEMS (National Environmental Monitoring Standards) standards and LMF (Land Monitoring Forum) guidelines and is tested for total nitrogen, total carbon, anaerobic mineralisable nitrogen, Olsen P, acidity pH, bulk density, macroporosity and also trace elements Arsenic (As), Cadmium (Cd), Chromium (Cr), Copper (Cu), Fluoride (F), Lead (Pb), Nickel (Ni), Zinc (Zn).

Environment Southland has a soil moisture site, Wairio, at Otautau Nightcaps Road. This site feeds data to the public website beacon and shows real-time soil temperature and moisture.

Air quality

There is no record of air quality monitoring having been conducted in the Ohai/Nightcaps area. The closest station is Winton, where we have a permanent air quality station measuring PM2.5 concentrations in real-time.

Air sampling for National Environmental Standard compliance focuses on designated airsheds with the largest populations. This is due to the direct effect of air pollution on population health.

Environment Southland carries out air pollution 'screening' monitoring (shorter-term sampling) in some smaller settlements to test for elevated levels of air pollutants, largely in winter months. This is due to an unpredictable build-up of wood smoke during the cooler season. We recently conducted air quality monitoring in Te Anau and Matura, and we have also monitored Riverton in the past.

Environment Southland does have the capacity to investigate smaller settlements should there be a need.

Monitoring of resource consents (compliance monitoring)

Below sets out the monitoring required in resource consents for mining in the Nightcaps/Ohai area.

Ohai – mining consents

Our understanding is that no coal is being actively mined in the Ohai area. There are 4 current mining related discharge consents which are managed by Greenbriar Limited.

- AUTH-201973 Discharge to water
 - Collect water samples to monitor the quality of the discharge and the stream up and downstream of the discharge.
 - Stream macroinvertebrate health (essentially in stream insect health)
- AUTH-20181133-02 Discharge to water
 - Volume of water being discharged.
 - Collect samples to monitor the quality of the discharge and the stream up and downstream of the discharge.
 - Stream macroinvertebrate health (essentially in stream insect health)
- AUTH-201976 Discharge solid waste to land
 - Record volume of solid discharged and where it was discharged.
- AUTH-201600 Discharge to air
 - Monitor dust deposition at 4 locations on the site.

Nightcaps – mining consents

There is one active mine in the Nightcaps area. This is operated by Bathurst Coal Limited. Bathurst Coal Ltd. Bathurst Coal Ltd hold 5 current mining related discharge consents

- AUTH-20202573-04 discharge to air
 - Prepare a dust management plan.
 - Monitor total suspended particulate matter at the property boundary.
 - Suppress dust on site.
- AUTH-20202573-03 discharge to water
 - Collect samples to monitor the quality of the discharge and the stream up and downstream of the discharge.
 - Continuously monitor water quality in the Wairio Stream.
 - Collect sediment samples from the stream bed up and downstream of the discharge.
 - Stream macroinvertebrate health (essentially in stream insect health).
- AUTH-20191678 Discharge to Land
 - Record the volume of waste discharged to land.
 - Analyse the quality of the waste.
- AUTH-20191592-01 Discharge to air
 - Operate a sprinkler system to suppress dust.
 - Prepare a dust management plan.
 - Monitor total suspended particulate matter at the property boundary.
- AUTH-20191592-02 Discharge stormwater to water
 - Collect samples to monitor the quality of the stream up and downstream of the discharge.

Below sets out information regarding when we last monitored and what the outcome of this monitoring was.

Ohai consents

- AUTH-201973 Discharge to water
 - Last monitored 11/01/2024. Performance rating: fully compliant
- AUTH-20181133-02 Discharge to water
 - Last Monitored 24/08/2023. Performance rating: fully compliant

- AUTH-201976 Discharge solid waste to land
 - Last Monitored 08/09/2022. Performance rating: fully compliant
- AUTH-201600 Discharge to air
 - Last Monitored 32/01/2020. Performance rating: fully compliant

Nightcaps consents

- AUTH-20202573-04 discharge to air
 - Last Monitored 25/03/2024. Performance rating: fully compliant
- AUTH-20202573-03 discharge to water
 - Last Monitored 09/04/2024. Performance rating: fully compliant
- AUTH-20191678 Discharge to Land
 - Last Monitored 22/01/2024. Performance rating: fully compliant
- AUTH-20191592-01 Discharge to air
 - Last Monitored 25/03/2024. Performance rating: fully compliant
- AUTH-20191592-02 Discharge stormwater to water
 - Last Monitored 14/03/2024. Performance rating: fully compliant

Item 7.3 2024/25 Fees & Charges Schedule Deliberation

Objective ID: A1096461

Report by: Dave Gibbs, Strategy and Partnership Manager

Approved by: Rachael Millar, General Manager, Strategy, Science & Engagement

Purpose

To provide Council with a summary of submissions related to Fees & Charges and suggested amendments to the 2024/25 Fees & Charges Schedule to consider as part of the 2024-34 Long-term Plan deliberations.

Recommendation

It is recommended that Council resolve to:

- 1 receive the report “2024-34 Long-term Plan – Fees & Charges Deliberation”;
- 2 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 2024/25 Fees and Charges Schedule with the following changes post-consultation:
 - a) inflation adjustment of 3.7%.
 - b) removal of surrender fee.
boat shed fee introduced.
 - c) correction to Table 24.

Background

Consultation on the 2024/25 Fees & Charges Schedule was run concurrently with the 2024-34 Long-term Plan consultation. The Statement of Proposal (Attachment 1) provides an overview of the proposed changes to fees and charges that were consulted on using the special consultative procedure set out in Section 83 of the Local Government Act 2002.

Seventeen submitters commented on fees and charges in their submissions. Three comments related to the fees being too high and two commented on council expenditure needing to be constrained. Additional individual comments included:

- rates on winter grazing should be decreased;
- an itemised invoice of staff time spent should be provided;
- questioning whether non-profits should be charged the same as businesses or those utilising for personal use;
- invest in technology to reduce travel for data collection;
- questioning of the size of some user charges;
- keep the charges the same;
- charges should be increased no more than inflation;
- constrain all increases relative to actual costs;
- work with independent auditors who are already auditing farms for other purposes;
- review the use of consultants;
- generally opposed;
- cut down on Council expenses.

As has been discussed in Council previously, a thorough review of the schedule was completed in 2023 during the development of the 2023/24 Fees and Charges Schedule. Opportunities to improve readability, clarity and

understanding were key objectives, and to ensure that the schedule reflected all current and pending legislation including council bylaws.

The changes proposed in the 2024/25 schedule were guided by more than just inflation adjustments or legislation change. The review was based on a strategic intent to move, over time, to a more risk-based approach to our monitoring and compliance, to put in place the tools and systems to allow a greater level of self-monitoring and to have sufficient time to adjust our revenue and resources that will be needed. In addition to this, the review was informed by process and efficiency reviews that were undertaken in the period leading up to this review.

Specific responses to matters raised in submissions

While central government may be discussing the repeal of winter grazing regulations, the now largely operative Southland Water and Land Plan does have rules for winter grazing requiring monitoring involving staff time and cost.

In terms of the remittance of fees for non-profit organisations, the Schedule notes the following:

Section 36AAB of the RMA enables the Council, at its absolute discretion, to remit the whole, or any part of any charge under section 36 that is otherwise payable

Consent holders typically apply in situations where there is a public good or environmental benefit to the activity they are undertaking.

The itemisation of staff time on invoices, engaging with independent auditors, and investment in technology are operational matters and should be noted for staff consideration going forward.

It should be noted that following the confirmation of the changes to the Significant Forecasting Assumptions by Council on 10 June 2024, the inflation figure used for the 2024/25 Fees & Charges Schedule will be reduced from 4.5% to 3.7%, which will reduce the fees charged.

Recommended amendments

Since the draft 2024/25 Fees and Charges schedule was made public as part of the Long-term Plan consultation, staff have identified three aspects of the 2024-34 Fees and Charges Schedule that are recommended to be addressed through deliberations. These are outlined below.

Resource Consent Surrender Fee

A new consent surrender fee has been included in the draft 2024/25 Fees and Charges schedule (page 10 and Table 3). This fee was introduced to contribute to the Council's costs of carrying out its functions in relation to the holder of a resource consent voluntarily surrendering a resource consent in full under section 138 of the RMA.

Since the draft 2024/25 Fees and Charges schedule was made public as part of the Long-term Plan consultation, staff have determined that the charge could potentially be counter-productive, in that people may hold onto consents unnecessarily, thereby tying up the resource.

Staff recommend that the wording related to the surrender fee on pages 3 and 11 be deleted, along with the following line in Table 3 of the draft 2024/25 Fees and Charges Schedule as follows:

Table 3

Fixed charge – surrender fee	Full voluntary surrendered consent.	\$209	-
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Boat Shed Consent Fee and associated charges

Insertion into the 'Initial Fixed Charge' part of Table 3:

Initial Fixed Charge – non notified			
	Coastal occupation – existing boatshed (and associated boat ramp)	\$1,681	-

Based on feedback received, staff recommend inclusion of a specific initial fixed charge for boatshed applications. These applications are for existing structures and there is often an associated boat-ramp. A review of the applications over the last four years has shown that the average processing cost was about \$1,600, well below the \$2,802 standard coastal occupation application initial fixed charge. The scale of the standard initial fixed charge has proven to be a barrier for some applicants, and a lower specific charge that is closer to the likely cost is therefore more reasonable and appropriate. The \$1,681 fee is consistent with fees for small groundwater takes, agricultural effluent pond construction and activities such as partial transfers.

Amendment to Table 24 – error correction

An error in the quantity measure indicator has been identified in Table 24 of the draft 2024/25 Fees and Charges Schedule as highlighted below. It refers to a pipeline being “longer than 30 m³”. m³ is a volume, not a length, and the description should read “longer than 30 m”.

Table 24 – Annual Coastal Occupation - activity charges

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Commercial activities (excluding Riverton Harbour wharves)	Any structure, marine farm, boat building / repair structure, boatshed or other commercial activity	\$790	\$748
	Boat storage facility on water (for more than 10 boats), including marinas, moorings, boat parks or canal housing, plus:	\$790	\$748
	- additional sum for every berth or set of pile moorings (per metre of berth per annum)	\$23	\$21
	- additional sum for every swing mooring	\$157	\$148
Non-commercial activities, (excluding Riverton Harbour wharves)	- Structures up to and including 14m ²	\$113	\$107
	- Structures between 14m ² and 28m ²	\$215	\$203
	- Structures between 28m ² and 56m ²	\$428	\$405
	- Structures between 56m ² and 84m ²	\$538	\$510
	- Structures exceeding 84m ²	\$790	\$748
	- Any boatshed	\$215	\$203
Other Activities (commercial or non-commercial), including Riverton Harbour wharves	Any pipeline used solely for individual domestic purposes (including stormwater and water supply purposes)	\$113	\$107
	Any pipeline (other than above) or submarine or buried cable	\$161	\$152
	- plus additional sum if longer than 30m ³ (per 30m length per annum)	\$30	\$28
	- up to a maximum sum per annum	\$790	\$748
	Any pile moorings (other than pile moorings in a boat-storage facility)	\$113	\$107
	- or per metre per annum, whichever is the higher sum	\$23	\$21
	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)	\$157	\$148

[Attachments](#)

1. 2024/25 Fees & Charges Schedule

Under consultation
March - May 2024

FEES & CHARGES SCHEDULE

2024-2025

Working together for a thriving Southland

For now & our future

Fees and Charges Schedule 2024/25

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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:

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

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) 2024/25	Charge per hour (GST exclusive) 2023/24
Customer services officer / administration officer	\$117	\$112
Technical officer including consent / resource management and field officers	\$167	\$161
Senior consent /resource management/ technical specialist / manager / team leader / harbour master	\$200	\$193
General Managers	\$333	\$321

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 22.

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.

Section 36AAB of the RMA enables the Council, at its absolute discretion, to remit the whole, or any part of any charge under section 36 that is otherwise payable.

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 in section 2.1. 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.

An invoice for an additional charge, such as for consent processing costs in excess of the initial fixed charge fee, is a requirement for payment under s36(5) of the Resource Management Act. 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). Any objection to an additional charge must:

- be in writing
- set out the reasons for objecting and the relief sought; and
- **be lodged with the Council within 15 working days of the notice of requirement to pay the additional charge (the invoice).**

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.

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) 2024/25	Initial fixed fee per application (GST exclusive) 2023/24
Assessment of a request before deciding to decline, accept or adopt it	\$41,480	\$40,000
Additional fixed fee charge if the request accepted for processing	\$41,480	\$40,000

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 in section 2.1. 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 (Sections 36(1)(ae), (af), (b), (c) and (cb))

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.

For carrying out its functions in relation to the holder of a resource consent voluntarily surrendering a resource consent in full under section 138 of the RMA, the Council fixes a charge pursuant to Section 36(1)(c) of the RMA.

Table 3 – Application fee type

Application fee type	Activity	2024/25 Fee \$ (GST exclusive)	2023/24 Fee \$ (GST exclusive)
Fixed charge	Whitebait stand - occupational of coastal marine area by existing structure	\$266	\$257
	Bore (individual, with pump tests < 20,000 L / day) per bore	\$538	\$519
	Transfer of consent holder ¹ (per consent)	\$111	\$107
	Deemed Permitted Activity	\$518	\$500
Initial fixed charge - Non notified	Bore (multiple and/or water takes for pump tests > 20,000 L / day)	\$833	\$803
	Gravel Extraction	\$2,219	\$2,140
	Groundwater takes <200 m3/day	\$1,664	\$1,605
	Agricultural effluent storage pond construction	\$1,664	\$1,605
	Effluent discharge to land	\$2,774	\$2,675
	Coastal - Commercial Surface Water Activity (CWSA)	\$3,329	\$3,210
	Coastal structure / occupation	\$2,774	\$2,675
	Coastal occupation - existing boatshed (and associated boat ramp)	\$1,681	\$0
	All other activities including partial transfers	\$1,664	\$1,605
Initial fixed charge - notified (public & limited)	Notified application deposit on lodgement (up to hearing stage) where notification requested by applicant (per application)	\$11,096	\$10,700
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)	\$11,096	\$10,700
Initial fixed charge - notified (public & limited)	Application for further charges for each additional day of scheduled hearing or part thereof (per day)	\$5,548	\$5,350
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	\$2,219	\$2,140
Initial fixed charge	Certificate of compliance or certificate of existing use	\$1,388	\$1,338
Initial fixed charge	Objection under s357A(1)(f) and (g)	\$2,774	\$2,675
Fixed charge – surrender fee	Full voluntarily surrendered consent	\$209	

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

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 5 to 18 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 5.9 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 10-18.

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 19.

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 10-18.

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 9-18.

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.

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 in section 2.1 of this Schedule and Tables 5-18.

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	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Consent compliance - additional charges	Non-compliance of resource consent	Actual cost (in addition to annual charge) - Staff costs (per Table 1) - Sampling and testing costs - Equipment costs - External consultants (on-charged) - Additional water monitoring costs	Actual cost (in addition to annual charge) - Staff costs (per Table 1) - Sampling and testing costs - Equipment costs - External consultants (on-charged) - Additional water monitoring costs

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

Environment Southland carry out inspections¹ to form a judgment on whether or not:

- (a) 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
- (b) an enforcement order, interim enforcement order, abatement notice, or water shortage direction is being complied with; or
- (c) 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 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.

¹ 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:

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

5.6 Permitted activities under National Environmental Standards for Commercial Forestry

Under Regulation 106 of the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (amended 2023), the Council may charge for monitoring of permitted activities specified by Regulations 9 (afforestation), 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 9, 24, 37, 51, or 63(2) of the Standards.

5.7 Permitted activities under 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 – National Environmental Standards for Freshwater

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
National Environmental Standards for Freshwater	Monitoring compliance with Regulation 33(2) associated with the requirement that the application of nitrogen, as a component of the synthetic nitrogen fertiliser, to the land in pastoral land use in a contiguous landholding must not exceed the nitrogen cap	\$101	-
	Monitoring compliance with Regulations 13(3), 26(3) and 38(5)(e)(ii) and (7) that the activities relevant to those regulations are undertaken in accordance with a certified freshwater farm plan	\$220	-

5.8 Farm Environmental Management Plans and Freshwater Farm Plans

5.8.1 Freshwater Farm Plans

Section 36(1)(cd) of the RMA enables Environment Southland to charge the farm operator of a farm that is required to have a certified freshwater farm plan in relation to Environment Southland's functions under section 217I of the RMA. Environment Southland's functions under section 217I of the RMA are summarised as including:

- enforcing the observance of the requirements of Part 9A of the RMA and regulations to the extent that their powers under this RMA enable them to do so; and
- monitoring compliance by farm operators with their duties under Part 9A of the RMA and with any requirements in regulations; and
- receiving notifications of freshwater farm plans that have been certified; and
- appointing certifiers and auditors under section 217K; and
- receiving audit reports and related notifications from auditors.

Refer to section 3 of the Fees and Charges Schedule for further detail in respect charges under the Resource Management Act 1991.

Table 6 – Charges in relation to freshwater farm plans

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Freshwater Farm Plan functions	Receiving notification of a certified freshwater farm plan	\$220	-
	Receiving audit reports and related notification from auditors	\$220	-
	Monitoring requirements of farm operators under RMA and regulations	Actual cost	-
	Other functions under section 217I	Actual cost	-

5.8.2 Farm Environmental Management Plans

Fees relating to Farm Environmental Management Plans (FEMP) are set under section 150 of the Local Government Act 2002. The Southland Land and Water Plan includes requirements for the preparation and implementation of FEMPs.

Table 7 – Charges in relation to farm environmental management plans

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Farm Environmental Management Plans	Any certificate, authority, approval, permit, or consent from, or inspection by Environment Southland associated with FEMPs	\$220	-

5.9 Other Compliance Costs

Table 8 – Other Compliance Costs

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Permitted Activities	<p>Monitoring in accordance with relevant National Environmental Standards (for Commercial 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"> - site inspections (including staff time and vehicle mileage) - associated reporting - analysis of any samples taken during the site visit - associated administration - non compliance follow ups; and - associated testing/external consultants 	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
Other Inspections	Inspections under S332 of RMA	Actual cost (including travel, inspection time and sampling costs)	Actual cost (including travel, inspection time and sampling costs)
Groundwater Monitoring	Groundwater sampling with sample taken (per sampling)	\$600 plus lab fees	\$278 plus lab fees
	Groundwater sampling where no sample is able to be taken (per sampling)	\$313	\$225
	Consents requiring Alarmist (river level) information	\$355 establishment cost + \$261 annually	\$342 establishment cost + \$128 annually
Reports, Data, Notifications	Compliance monitoring reports required as part of consent conditions (per report)	\$99	\$96
	Non-provision or inadequate provision of resource consent condition data/information	\$1,454	\$1,402

Table 9 – Gravel

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Gravel	Gravel consents - a fee will be charged on a per m ³ rate of excavated gravel, for the supervision, monitoring and administration of all activities associated with gravel extraction in beds of rivers	\$0.73 per m ³	\$0.70 per m ³

Wherever gravel extraction is undertaken with a resource consent, the monitoring charge set out in Table 9 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 10 – Discharge to Air

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Air	Minor	Minor discharges to air	\$133	\$106	Actual cost	\$239 + actual monitoring costs*	\$230 + actual monitoring costs*
	Medium	Other discharges to air, including odour	\$243	\$106	Actual cost	\$350 + actual monitoring costs*	\$337 + actual monitoring costs*
	Significant	Discharges of NES contaminants to the air	\$749	\$106	Actual cost	\$855 + actual monitoring costs*	\$824 + actual monitoring costs*
	Major	Mining & dairy industries	\$1,509	\$106	Actual cost	\$1,615 + actual monitoring costs*	\$1,557 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 11 – Discharge to Land

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Land	Agricultural discharges	Dairy, piggery, wintering barn / pad effluent	\$243	\$405	\$599 per inspection	\$649 + \$599 per inspection	\$529 + \$578 per inspection
	Minor	Sewerage <2,000 l/day, cleanfill, gravel wash water	\$133	\$405	\$450 per inspection	\$538 + \$450 per inspection	\$422 + actual monitoring costs*
	Medium	Solid waste contaminant, sewerage > 2,000 l/day	\$243	\$405	Actual cost	\$649 + actual monitoring costs*	\$529 + actual monitoring costs*
	Significant	Reticulated stormwater	\$749	\$405	Actual cost	\$1,154 + actual monitoring costs*	\$1,016 + actual monitoring costs*
	Major	Solid Waste, hazardous or industrial discharges	\$1,509	\$405	Actual cost	\$1,914 + actual monitoring costs*	\$1,749 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 12 – Discharge to Water

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Discharge to Water	Medium	Discharge of contaminants	\$243	\$2,221	Actual cost	\$2,464 + actual monitoring costs*	\$1,412 + actual monitoring costs*
	Significant	Reticulated storm water discharges	\$749	\$2,221	Actual cost	\$2,970 + actual monitoring costs*	\$1,899 + actual monitoring costs*
	Major	Industrial	\$1,509	\$2,221	Actual cost	\$3,730 + actual monitoring costs*	\$2,632 + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 13 – Land use

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge GST (exclusive)	Science Research and Management charges GST (exclusive)	Compliance Monitoring Charges GST (exclusive)	Total Annual Charges for 2024/25 GST (exclusive)	Total Annual Charges for 2023/24 GST (exclusive)
Land use	Minor	Burning, storage ponds, culverts, bed disturbance	\$133	-	Actual cost	\$133 + actual monitoring costs*	\$128 + actual monitoring costs*
	Medium	Dredging, alter, protection works	\$243	-	Actual cost	\$243 + actual monitoring costs*	\$235 + actual monitoring costs*
	Large	Dairy farm - new, expanded, establish	\$371	-	Actual cost	\$371 + actual monitoring costs*	\$358 + actual monitoring costs*
	Other - dependent on activity	Land use river control	\$133 - \$1,509	-	Actual cost	\$133 - \$1,509 + actual monitoring costs*	\$128 - \$1,455 actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 14 – Surface water take

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Surface water take	Minor	< 87 m ³ per day	\$133	\$2.44 per m3, minimum \$188.734	\$225	\$358 + science research charges*	\$305 + science research charges*
	Large	< 50,000 m ³ per day	\$371	\$2.44 per m3, maximum \$9,686.62	\$600	\$971 + science research charges*	\$615 + science research charges*
	Major	> 50,000 m ³ per day	\$1,509	\$9,687 plus \$0.0035 per m3	Actual cost	\$1,509 + science research charges* + actual monitoring costs*	\$1,455 + science research charges + actual monitoring costs*
	Other - dependent on activity	Dam / divert	\$243 - \$1,509	\$1,270 - \$9,687	Actual cost	\$243 - \$1,509 + science research charges* + actual monitoring costs*	\$235 - \$1,455 + science research charges + actual monitoring costs*

*Additional monitoring costs may apply dependent on consent conditions.

Table 15 – Groundwater take

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Groundwater take	Minor	< 87 m ³ per day	\$133	\$1.11 per m3, minimum \$189	\$225	\$358 + science research charges*	\$305 + science research charges*
	Large	< 500 m ³ per day	\$371	\$1.11 per m3, minimum \$189	\$450	\$822 + science research charges*	\$615 + science research charges*
	Significant	> 500 m ³ per day	\$749	\$1.11 per m3, maximum \$3,830	\$600	\$1,349 + science research charges*	\$979 + science research charges*

*Additional monitoring costs may apply dependent on consent conditions.

Table 16 – Whitebait & Coastal

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Whitebait & Coastal	Whitebait stands	Other than Hollyford & Awarua Rivers	\$38	-	\$225	\$263 *	\$160 *
	Whitebait stands	Hollyford & Awarua Rivers	\$38	-	\$375	\$413 *	\$288 *

*Additional monitoring costs may apply dependent on consent conditions.

Table 17 – Coastal Occupy Structure

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			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	\$133 - \$371	-	\$225	\$358 - \$597 + coastal occupation charges*	\$251 - \$481 + coastal occupation charges*
	Coastal occupy / structure - Fiordland	Includes but not limited to boatsheds, slipways, wharves, jetties, boat ramps, moorings, barges	\$133 - \$371	-	\$375	\$508 - \$746 + coastal occupation charges*	\$379 - \$609 + coastal occupation charges*

*Additional monitoring costs may apply dependent on consent conditions.

Table 18 – Coastal Other

Consent type	Consent Class (refer Table 19 for definitions)	Description	Administration charge	Science Research and Management charges	Compliance Monitoring Charges (Fixed and variable costs)	Total Annual Charges for 2024/25	Total Annual Charges for 2023/24
			GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)	GST (exclusive)
Coastal Other	Coastal - Other	Including but not limited to aircraft landing / take off, erosion control reclaim, disturb / remove	\$133	-	\$225	\$358 + coastal occupation charges*	\$251 + coastal occupation charges*
	Coastal - Surface water activities all areas	To carry out the operation of commercial surface water activities	\$371	\$410	\$600	\$1,382	\$1,054
	Coastal - Marine farms all areas	To occupy part of the seabed with a marine farm	\$371	\$410	\$360	\$1,142 + coastal occupation charges*	\$1,005 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine all areas	Discharge to water	\$371	\$410	\$360	\$1,142 + coastal occupation charges*	\$1,005 + coastal occupation charges*
	Coastal - Discharge to water in coastal marine - significant or major type all areas	Discharge to water - treated wastewater contaminants, treated sewage	\$749 - \$1,509	\$410	Actual cost	\$1,159 - \$1,919 + coastal occupation charges + actual monitoring costs	\$1,118 - \$1,851 + 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 10-18.

The examples given in the Description column of Tables 10-18 are used to illustrate the type of consented activities that *may* fall into each consent type by class or scale, and are in no way an exhaustive list. Each consent will be assessed based on its particular conditions and classified accordingly. If the resource consent does not clearly fall into a class based on scale and complexity, then the 'medium' class should be assumed. 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 19 – Consent classifications

Minor	Granted for more than one year, require minimal administration and record-keeping.
Medium	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.
Large	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.
Significant	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.
Major	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 and charges imposed on users of services or third parties

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 in the event of non-compliance with a legal direction.

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.

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 biosecurity activities as provided for by Section 135 of the Biosecurity Act 1993.

Table 20 – Biosecurity

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Biosecurity Act	Cost recovery - Fiordland marine inspections, failure to produce a Clean Vessel Pass	2 hours minimum (refer Table 1 for rates)	2 hours minimum (refer Table 1 for rates)
	Cost recovery - Fiordland marine inspections, with a valid Clean Vessel Pass	Free	Free
	Cost recovery other - including RPMP marine inspection breaches	Actual cost (incl staff time)	Actual cost (incl staff time)
	Pest management traps, tools, herbicide, materials	Actual cost	Actual cost

6.2 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.

6.3 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.

6.4 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".

6.5 Building Act 2004 (Section 243)

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

Table 21 – Project Information Memorandum for a Dam

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Project Information Memo (PIM)	Preliminary fixed charge payable at the time of lodging an application for a Project information memo for a Dam (PIM) for a dam.	\$1,110	\$1,070
	Fixed charge for the issue of a Resource Management Certificate under section 37 of the Building Act 2004	\$133	\$128
Notice to Fix (NTF)	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
Other	Any other activity under the Building Act	Actual Cost based on time and disbursements	Actual Cost based on time and disbursements

6.6 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.

6.7 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 22 – Regional Harbourmaster Office Services and Navigational Safety

Service	Activity	Description	2024/25 GST (exclusive)	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)	\$259	\$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)	\$200	\$193	
		Charge for travel to or from any location to undertake a site visit, audit or examination	\$200	\$193	
		Charge for vessel running costs on water, per hour (excluding staff time)	\$285	\$275	
		Examination of a candidate for a Master's Pilotage Exemption Certificate, per examination	\$518	\$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	\$259	\$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		\$259	\$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	\$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	\$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	\$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	\$3,200	
		Attendance at Tier 1 Plan site visit, exercise or audit (Staff time as per Table 1, per hour)	\$200	\$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)	\$200	\$193	
	* Reviews are normally conducted triennially				

6.8 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 23 – Flood protection and control

Activity	Description	2024/25	2023/24
Flood protection and control	Inspections to check for compliance with the Bylaw	Actual and reasonable costs incurred by the Council	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	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	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.

6.9 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 24 – Annual Coastal Occupation - activity charges

Activity	Description	2024/25 GST (exclusive)	2023/24 GST (exclusive)
Commercial activities (excluding Riverton Harbour wharves)	Any structure, marine farm, boat building / repair structure, boatshed or other commercial activity	\$790	\$748
	Boat storage facility on water (for more than 10 boats), including marinas, moorings, boat parks or canal housing, plus:	\$790	\$748
	- additional sum for every berth or set of pile moorings (per metre of berth per annum)	\$23	\$21
	- additional sum for every swing mooring	\$157	\$148
Non-commercial activities, (excluding Riverton Harbour wharves)	- Structures up to and including 14m ²	\$113	\$107
	- Structures between 14m ² and 28m ²	\$215	\$203
	- Structures between 28m ² and 56m ²	\$428	\$405
	- Structures between 56m ² and 84m ²	\$538	\$510
	- Structures exceeding 84m ²	\$790	\$748
	- Any boatshed	\$215	\$203
Other Activities (commercial or non-commercial), including Riverton Harbour wharves	Any pipeline used solely for individual domestic purposes (including stormwater and water supply purposes)	\$113	\$107
	Any pipeline (other than above) or submarine or buried cable	\$161	\$152
	- plus additional sum if longer than 30m (per 30m length per annum)	\$30	\$28
	- up to a maximum sum per annum	\$790	\$748
	Any pile moorings (other than pile moorings in a boat-storage facility)	\$113	\$107
	- or per metre per annum, whichever is the higher sum	\$23	\$21
	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)	\$157	\$148
	Any wharf in Riverton harbour - per metre length per annum	\$16	\$15

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22	Regional Harbourmaster Office Services and Navigational Safety	6.7
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24	Annual Coastal Occupation - activity charges	6.9

Phone: 0800 76 88 45 | **Post:** Private Bag 90116, Invercargill, 9840

Delivery: Cnr North Rd & Price St, Invercargill | **Email:** service@es.govt.nz | **Online:** es.govt.nz

Item 7.4 2024-34 Long-term Plan – Concurrent Consultations Deliberation

Objective ID: A1100248

Report by: Dave Gibbs, Strategy and Partnership Manager

Approved by: Rachael Millar, General Manager Strategy, Science and Engagement

Purpose

To provide Council with a summary of submissions and recommendations regarding consultations and/or feedback on matters that ran concurrently with the 2024-34 Long-term Plan consultation. These include the targeted rabbit control rate, shareholding in South Port NZ Ltd, Rates Remission policy, Significance and Engagement policy, Regional Climate Change Strategy, and representation review.

Recommendation

It is recommended that Council resolve to:

1. receive the report “2024-34 Long-term Plan – Concurrent Consultations Deliberation”.
2. continue with the current targeted rabbit control rate and area.
3. investigate its shareholding in South Port NZ Ltd as proposed in the 2024-34 Long-term Plan Consultation Document.
4. accept the changes outlined in the proposal to amend the Rates Remission and Postponement Policy – including Rates Remission and Postponement for Māori Freehold Land.
5. accept the changes outlined in the proposal to amend the Significance and Engagement Policy.
6. note that the Regional Climate Change Strategy and Representation Review submissions have been managed through separate processes.

Background

Several consultations and opportunities to provide feedback were run concurrently with the 2024-34 Long-term Plan (Long-term Plan) consultation. These included the targeted rabbit control rate, shareholding in South Port NZ Ltd, Regional Climate Change Strategy, Representation Review, Rates Remission and Postponement Policy, and Significance and Engagement Policy. This item provides Council with a summary of submissions, staff commentary, and recommendations on each of the topics consulted on concurrently with the Long-term Plan.

Note that submissions on the Regional Climate Change Strategy and Representation Review have been managed through a separate process.

Targeted rabbit control rate

Currently there is a rabbit control rate set according to location, on all rating units greater than or equal to four hectares contained in the Southland region south of the Mimihau Stream and east of the Mataura River. This rate funds rabbit control by Southern Pest Eradication Society (SPES) under contract at no additional cost to the ratepayer.

Twenty submitters responded to the targeted rabbit control rate in their submissions, with nine of these providing feedback on only this issue. Eighteen submitters were in support of the rate continuing with several comments made on how good the service provided was and the low level of rabbits in the area serviced by

SPES. Location information was available for eight of these submitters in support of the rate and six are within the targeted rabbit control rate area.

Two submitters did not support the continuation of the rate stating that they had never seen pest control on their property. The location of these submitters was not able to be defined therefore it is unknown as to whether they are currently paying the rate or not.

Negative comments were made about the rate by five additional submitters who did not indicate whether they supported or opposed the rate. Comments were based on never having seen any pest control or not receiving any benefit. Location information was available for three of these submitters and indicated they were located outside of the Southern constituency.

Suggestions from submitters related to the rate include that it could be a model to replicate in other areas of Southland, a compulsory rate is the only way to do this, broadening the pest species targeted, and an increase in the promotion of the service to landowners in the rated area. It is suggested that these comments are noted and passed onto relevant operational staff.

It is recommended that the current targeted rabbit control rate is continued within the targeted rabbit control area.

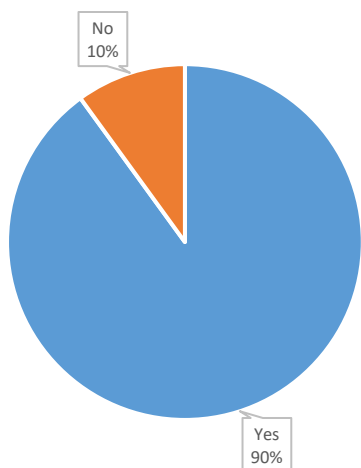


Figure 1. Support and opposition (20 submitters) to the continuation of the targeted rabbit control rate in the specified rating area.

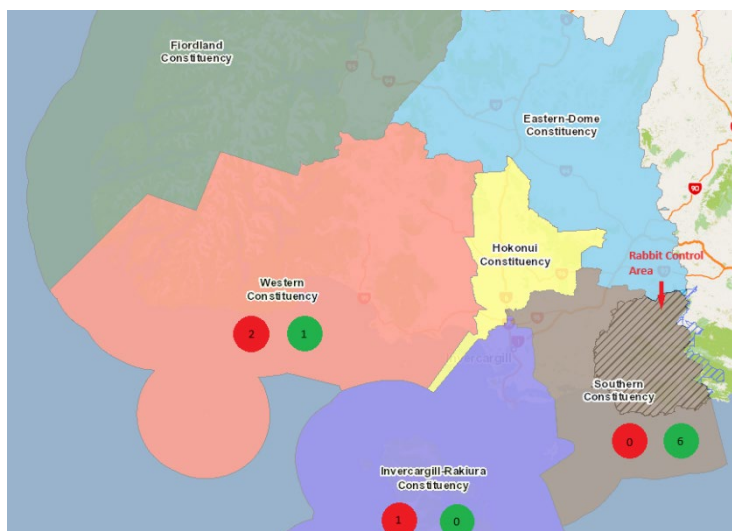


Figure 2. Number of submissions supporting (green) or opposing (red) the targeted rabbit control rate by location (where location information was available and/or viable).

Shareholding in South Port NZ Ltd

South Port is New Zealand’s southernmost commercial deep-water port and operates on a year-round, 24-hour basis. Based in Bluff, it is a critical regional asset, which handles over 3.4 million tonnes of cargo annually and is listed on the New Zealand Stock Exchange.

As part of the 1989 disbanding of the Harbour Board and local government reorganisation, Environment Southland inherited a controlling shareholding in South Port. The Council currently has a 66% shareholding, worth approximately \$125M and receives regular dividends, which contribute to funding of its services, and therefore reducing the rates requirements.

Council's Investment Policy requires it to regularly review all investments, which includes South Port, to ensure they are continuing to provide a good return for ratepayers. A review of the investment in South Port has been completed, from both strategic and financial perspectives.

The review concluded that a majority or controlling shareholding in South Port was still important for Council and the region to maintain. The current shareholding level of 66% provides this, however, so would a shareholding at 51%. The review reinforced the value of investment diversification and the potential risk to the Council of having such a large concentration of its investment portfolio in a single asset.

The Council sought the ability to be able to reduce its shareholding in South Port to a level no less than 51%, which would still provide it with a majority stake, while also allowing for increased investment income and returns.

Any decision to sell down shares would be guided by prevailing market conditions, professional advisors and ultimately the ability to achieve an appropriate financial outcome on behalf of ratepayers. Where the Council does not believe it would be able to achieve this value, the current shareholding would be maintained.

Council views its investment in South Port as an intergenerational asset and as such, any proceeds from a sell down of shares would be invested in accordance with our Statement of Investment Policy and Objectives and, additionally, would also be treated as a strategic asset. This means public consultation would be required to spend it on anything other than an investment asset, protecting the proceeds for both current and future generations.

Investment income, including dividends from South Port, are a material part of the Council's income and a smaller shareholding would reduce the dividend income received from South Port. However, this would be offset by additional income streams generated from the investment of any sale proceeds.

This proposal would reduce the Council's overall investment risk, as both the future value of its assets and income would come from a wider variety of assets. This aligns with the Statement of Investment Policy and Objectives, which targets growing greater financial resilience from a wider, more diversified investment portfolio.

The Council is planning to investigate this proposal over the next three years, following the receipt and consideration of feedback captured through the 2024-34 Long-term Plan consultation.

Fourteen submitters indicated support or opposition to the proposal to explore the sale of South Port NZ Ltd shares held by Environment Southland as outlined in the 2024-34 Long-term Plan Consultation Document. Seven submitters supported the proposal, while seven submitters opposed the proposal. Comments by those who opposed the proposal include:

- retain all of the shares to offset rates;
- dividend should not be used to offset rates;
- ES are custodians;
- don't reduce as provide valuable income; and
- Southland, as a whole, will be worse off.

One comment was received amongst those who supported the proposal and reinforced that the shareholding must not go below 51%. Five additional submitters made comment on the proposal while not indicating whether they supported or opposed it, including:

- welcoming information on any potential sale;
- questioning why we need the shares – they are a waste of money;

- sell the shares to offset rates;
- must retain the majority shareholding; and
- reinvest all money earned back into the region.

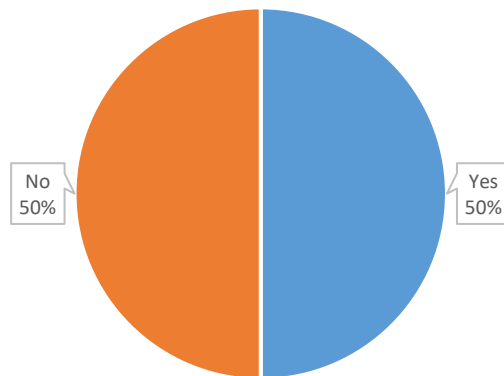


Figure 3. Support and opposition (14 submitters) to the proposal to investigate the sell down of the Council's shareholding in South Port NZ Ltd to a majority (>50%), while retaining any proceeds as a strategic asset.

It is recommended that Council investigates the proposal as outlined in the 2024-34 Long-term Plan Consultation Document to sell down the Council's shareholding in South Port NZ Ltd, while maintaining a majority shareholding (>50%), to enable the Council to have increased diversification of strategic assets and investments. Council will only act if Council can achieve an appropriate financial outcome on behalf of ratepayers and protect any proceeds by naming them as a strategic asset.

Rates Remission and Postponement Policy (including rates remission and postponement for Māori Freehold Land)

The Māori Freehold Land Rates Remissions and Postponement Policies are required policies and the Remissions and Postponement Policies are discretionary policies under the Local Government Act 2002 (LGA), section 102. Council has always chosen to have both sets of policies. The purpose of these policies is to provide opportunities to reduce rates where it supports the well-being of the region.

The policies in relation to Māori freehold land are designed to support principles set out in LGA Schedule 11. The Rates Remissions and Postponement Policy is just one policy in a suite of financial management policy, listed in LGA section 102, that are dependent on and inter-related with each other.

A full review of the Rates Remission and Postponement Policy was undertaken as part of the 2021-31 Long-term Plan development process. For this reason, only minor changes were proposed to the policy that was released for consultation, to ensure compliance with current legislation and requirements that have been introduced since the last review of the policy. These included:

- the policy must now support the principles set out in the pre-amble of the Te Ture Whenua Māori Act 1993.
- as per clause 114(a) in the Local Government Act 2002, the remissions policy must consider Māori Freehold Land under development.

One comment was received on the rates remission policy asking why Māori have more rights and why rates are not required to be paid on Māori land.

The amendment of the Local Government Act 2002 (102(3A)) in the Local Government (Rating of Whenua Māori) Amendment Act 2021 requires that the Rates Remissions Policies must support the principles set out in the Preamble to Te Ture Whenua Māori Act 1993.

This policy supports the matters in the Preamble by giving effect to Council's statutory obligations under the Local Government Act 2002 and the Local Government (Rating) Act 2022 including the matters in the rates remissions policies, Local Government Act 2002 Schedule 11 and Local Government (Rating) Act 2002 Schedule 1. This does not equate to all Māori land being eligible for rates remission and/or postponement and further information and detail on conditions and criteria is outlined in the policy (attachment 3).

Staff have researched policies from other councils and considered their appropriateness for this region. Council's rates are low relative to territorial local authorities. The proposed policies represent practices that are considered appropriate for this region.

It is recommended that the changes outlined in the proposal are accepted and no further changes are made to the Rates Remission and Postponement Policy – including Rates Remission and Postponement for Māori Freehold Land.

Significance and Engagement Policy

The Significance and Engagement Policy is a required policy under the Local Government Act 2002 (LGA), section 76AA. Its purpose is to outline Council policies in regard to determining significant proposals or decisions and the procedures in that respect and how it will engage with the community.

This Policy is considered as part of all of the decision-making and leads to the appropriate timing and level of engagement that the community prefers.

The following changes to the policy have been made and were released for public consultation concurrently with the Long-term Plan consultation:

- *Financial Delegations section:* reference to the Delegations Manual has been added, the percentage of the annual budgeted Total Operating Expenditure has been increased from 5% to 10% and reference to external funding has been added. These changes reflect that the Council is now undertaking flood protection infrastructure capital works. The Council still retains the discretion to consult on matters that are considered to be significant or material.
- The section on strategic assets has had changes made for clarification purposes.

Three submitters commented on the Significance and Engagement Policy, including:

- look to other Councils for examples of Significance and Engagement policies, and ensure policy wording aligns with the Act and does not confuse ratepayers;
- If we believe the community play a crucial role in decisions, why haven't all ratepayers received all policy documentation; and
- opposed.

Feedback on readability and alignment should be noted for staff consideration going forward and staff will continue to engage with other councils for learning, ideas, and to create efficiencies.

During the consultation period the Long-term Plan Consultation Document was available digitally on the Environment Southland website and in hard copy at libraries across Southland. Hard copies were also taken to drop-in sessions and meetings attended by Councillors and staff. Staff will be engaging in a full debrief of the Long-term Plan process, including consultation, soon after the Long-term Plan is adopted in July.

It is recommended that the changes outlined in the proposal are accepted and no further changes are made to the Significance and Engagement Policy.

Attachments

1. Proposals for amendments to Rates Remission and Postponement Policy and Significance and Engagement Policy Objective ID: A1063271
2. Proposed Rates Remission and Postponement Policy Objective ID: A1017840
3. Proposal to amend the Significance and Engagement Policy Objective ID: A992449

Proposal to amend the Rates Remissions and Postponement Policy (including rates remission and postponement for Māori Freehold Land)

Background

The Māori Freehold Land Rates Remissions and Postponement Policies are required policies and the Remissions and Postponement Policies are discretionary policies under the Local Government Act 2002 (LGA), section 102. We have always chosen to have both sets of policies.

The purpose of these policies is to provide opportunities to reduce rates where it supports the well-being of the region.

The policies in relation to Māori freehold land are designed to support principles set out in LGA Schedule 11.

The Rates Remissions and Postponement Policy is just one policy in a suite of financial management policy, listed in LGA section 102, that are dependent on and inter-related with each other.

The policy supports the LTP Consultation Document and its supporting information. Detailed information on rates is found in our Funding Impact Statement in each Long-term and Annual Plan.

The Proposal

A full review of the Rates Remission and Postponement Policy was undertaken as part of the 2021-31 LTP development process. For this reason, only minor changes are proposed to the policy to ensure compliance with current legislation and requirements that have been introduced since the last review of the policy. These include:

- The policy must now support the principles set out in the pre-ambles of the Te Ture Whenua Māori Act 1993.
- As per clause 114(a) in the Local Government Act 2002, the remissions policy must consider Māori Freehold Land under development.

Options

We have researched policies from other councils and considered their appropriateness for our region. Our rates are low relative to territorial local authorities. The proposed policies represent practices that we consider appropriate for our region.

It is not practicable to list all of the many options that could modify these policies and we welcome feedback to modify any part of the policy.

Attachments

1. The Proposed Rates Remissions and Postponement Policies (including for Māori Freehold Land)

Proposal to amend the Significance and Engagement Policy

Background

The Significance and Engagement Policy is a required policy under the Local Government Act 2002 (LGA), section 76AA. Its purpose is to outline our policies in regard to determining significant proposals or decisions and our procedures in that respect and how we will engage with the community.

This Policy is considered as part of all of our decision making and leads us to the appropriate timing and level of engagement that the community prefers.

The policy supports the LTP Consultation Document and its supporting information.

The Proposal

We propose to adopt the Proposed Significance and Engagement Policy in June 2024, to include a summary in our 2024-2034 Long-term Plan and to publish the full policy on our website, after consultation.

The following changes to the policy have been made:

- Financial Delegations section: reference to the Delegations Manual has been added, the percentage of the annual budgeted Total Operating Expenditure has been increased from 5% to 10% and reference to external funding has been added. These changes reflect that the Council is now undertaking flood protection infrastructure capital works. The Council still retains the discretion to consult on matters that are considered to be significant or material.
- The section on strategic assets has had changes made for clarification purposes.

Options

The Policy outlines your preferences for determining when a matter is significant and how you want us to engage with you on these matters.

It is not practicable to list all of the many options that could modify this policy and we welcome feedback to modify any part of the policy.

Attachments

1. The Proposed Significance and Engagement Policy



Policy - Rates Remission and Postponement - including Rates Remission and Postponement for Māori Freehold Land

Kaupapahere Murua me Whakatārewa

The Local Government Act 2002 provides that the Council may adopt rates remissions and/or postponements policies. Council has developed policies for rates relief drawing on the principles that rate relief policies should be:

- effective in promoting the achievement of Environment Southland’s strategic outcomes;
- just and equitable, considering individual circumstances;
- cost effective, transparent and easy for the ratepayer to apply;

1. Contents

1. Contents
2. Overall remissions and postponement policy conditions and criteria
3. Recognition of Obligations to Maori
4. Remission for halls owned by clubs or societies
5. Remission for sports associations without a liquor licence
6. Remission of penalties
7. Postponement Policy
8. Policy – Rates Remission and Postponement on Māori Freehold Land

Payment arrangements

Council can enter a payment arrangement at any time. This may be more suitable than a remission.

Payment arrangements allow ratepayers catchup on rates. Ratepayers unable to pay a full instalment or have arrears should contact Council rates staff and see if a payment arrangement is appropriate. Arrangement can include a remission under this policy if the arrangement is honoured.

Policy No.	Policy Sponsor	Approval Date and Date of Next Scheduled Review	Approved By	MORF Reference	Related Standards
B5.4	Executive	Approved – 23-24 July 2003 Reviewed –22 March 2006 Reviewed – 4 February 2015 Reviewed – 13 December 2017 Reviewed – 28 March 2018 Reviewed – April 2021 Approved – 30 July 2021	Council	A33382	Delegations Manual (S.4.2.5)



2. Overall remissions and postponement policy conditions and criteria

1. Rate remissions are deducted from the rates account of the property on which the remission is granted. Remissions are not paid in cash to the ratepayer. Multi-year remissions are deducted from the rates assessment when the rates are assessed.
2. All applications must be made in writing by the ratepayer or their authorised agent and provide supporting information to Council's satisfaction to support consideration of the remission.
3. All personal information provided to Council will be treated as confidential.
4. All application will be considered on their individual merits and on a case-by-case basis.
5. Changes of circumstance should be advised to Council. Should Council become aware of any change Council may undertake an investigation and will review the validity of any remission or postponement. You will be advised of the review and its outcome.

3. Recognition of Obligations to Māori

The amendment of the Local Government Act 2002 ([102\(3A\)](#)) in the Local Government (Rating of Whenua Māori) Amendment Act 2021 requires that the Rates Remissions Policies must support the principles set out in the [Preamble](#) to Te Ture Whenua Māori Act 1993.

This policy supports the matters in the Preamble by giving effect to Council's statutory obligations under the Local Government Act 2002 and the Local Government (Rating) Act 2022 including the matters in the rates remissions policies, Local Government Act 2002 [Schedule 11](#) and Local Government (Rating) Act 2002 [Schedule 1](#).

All policies in the Rates Remission and Postponement Policy also apply to Māori freehold land unless stated otherwise.

4. Remission for Halls owned by clubs or societies

Objective

To support communities by providing rates remissions, so that rates are the same as if it were used by a council, to organisations which have halls or properties which are used and operated in a similar vein to those owned by councils, in that they provide a benefit to the community (e.g. scouts, guides, private museums).

Remission Period

Indefinitely – so long as the hall ownership is unchanged and remains available to the community.

Remission Value

100% of rates.

Conditions and Criteria

Land owned by a ratepayer, other than a council, and used in a non-profit fashion as a public hall, library, museum, art gallery or other similar institution.

5. Remission for sports associations without a liquor licence

Objective

To support the community by remitting rates on land owned by sports associations operating without a liquor licence.

Remission Period

Indefinitely – so long as the land ownership is unchanged and the land is used for sport or other recreational and non-commercial purpose.

Remission Value

50% of rates.

Conditions and Criteria

1. The land must be owned by the sports association (note land owned or used by a local authority is non-rateable).
2. The land must not be used for galloping, harness or greyhound racing.
3. The land must not hold any area subject to a liquor licence.

6. Remission of penalties

Objective

To be just and equitable in the imposition of penalties, by providing for remissions where late payment of rates resulted from circumstances affecting the ratepayer's ability to pay on time.

Remission Period

Current instalment only.

Remission Value

Up to 100% of penalties.

Conditions and Criteria

1. The applicant has a good record of on-time payments of all rate instalments and:
 - (a) the ratepayer suffered due to a significant family disruption such as death, illness, accident of a family member or other 'one-off' event; or
 - (b) the property was recently sold and the settlement date coincided with or was near the penalty dates; or
 - (c) the rate assessment/invoice was not received before the penalty is incurred (on one occasion only); or
 - (d) other reason for which it would be just and equitable to remit all or part of the penalty.
2. Where a ratepayer has been in default for greater than one year and has current and arrears penalties (greater than one year) the arrears penalties may be written-off as part of the settlement arrangements for the collection of all outstanding rates and an arrangement for the on-time payment of future rates.
3. The penalty remission only applies when the instalment has been paid, a direct debit authority lodged or the ratepayer enters a payment arrangement to pay overdue rates within a specified timeframe (up to one year).
4. Under an arrangement (including direct debit), penalties may not be applied while those arrangements are honoured.

7. Postponement or remission for unforeseen circumstances

Objective

To assist ratepayers experiencing financial circumstances and/or adversely impacted by natural disaster or other calamity (as determined by Council) which directly affects their ability to pay rates.

Postponement Period

Up to three years – at the discretion of Council.

Postponement Value

Up to 100% of rates.

Remission Period

Current instalment only.

Remission Value

Up to 100% of rates.

General Conditions and Criteria

1. Council must be satisfied that the ratepayer does not have financial capacity to pay their rates instalment when demanded or the payment of the rates instalment would create financial hardship for the ratepayer.
2. The land has become unusable or uneconomic because of severe erosion, land formation changes such as slips, natural disaster or calamity and directly as a result of this exceptional circumstances the ratepayer's ability to pay the rates is severely and temporarily impeded.
3. Evidence of financial circumstances must be submitted, along with advice from an approved budget advisor, lawyer or chartered accountant.
4. In the case of widespread events such as pandemic or natural disaster Council will decide on the level of response it is able to make.
5. A postponement will be made by way of a payment arrangement (for a period up to three years) that ensures future rates are able to be paid.
6. A remission will be at Council's discretion.
7. Where an arrangement is in place, (including direct debit), penalties will not be applied while those arrangements are honoured. Failure to meet the payment arrangement could result in the removal of postponement and penalties will then be charged.

8. Policy – Rates Remission and Postponement on Māori Freehold Land

The Rates Remissions and Postponement on Māori Freehold Land Policy supports the matters in the Preamble to Te Whenua Māori Act 1993 and considers the matters in the Local Government Act 2002 Schedule 11 and the categories of non-ratable land in the Local Government (Rating) Act 2002 Schedule 1.

1. Māori freehold land - nature of the land remission

Objective

To give effect to land (or part of the land) that may not meet the criteria of the Local Government (Rating) Act 2002 as non-rateable and where it is better the land's natural or cultural significance is preserved.

The extent of relief is at the discretion of the Council and may be cancelled or reduced at any time.

Remission Period

Indefinitely – so long as the land still qualifies under the policy.

Remission Value

Up to 100% of rates.

Conditions and Criteria

Rates may be remitted on land that meets any of the following criteria:

1. the land is occupied, and no income is derived from the use or occupation of that land;
2. the land is better set aside for non-use (whenua rāhui) because of its natural or cultural features or is unoccupied, and no income is derived from the use or occupation of that land;
3. the land is inaccessible and is unoccupied;
4. only a portion of the land is occupied;
5. other purposes.

Examples of “other purposes” are remissions on dwellings and commercial zones, contiguous (not in same ownership but in common usage, and rating units that are used for residential purposes that include separately inhabited part occupied by dependant family members.

Owners or trustees making application should include the following information in their applications:

- (a) details of the property;
- (b) the objectives that will be achieved by providing the remission;
- (c) documentation that proves the land that is the subject of the application is Māori freehold land.

2. Māori freehold land - economic incentives remissions

Objective

The purpose of this section is to facilitate the occupation, development, and utilisation of Māori freehold land for the benefit of its owners consistent with s114A of the Local Government (Rating) Act 2002.

Remission Period

Up to five years at the discretion of Council.

Remission Value

Up to 100% of rates.

Conditions and Criteria

1. The Council may remit all or part of the rates (including penalties for unpaid rates) on Māori freehold land if the Council is satisfied that the development is likely to have any or all of the following benefits:
 - a. benefits to the district by creating new employment opportunities;
 - b. benefits to the district by creating new homes;
 - c. benefits to the council by increasing the council's rating base in the long term;
 - d. benefits to Māori in the district by providing support for marae in the district;
 - e. benefits to the owners by facilitating the occupation, development, and utilisation of the land.
2. A remission application must be made in writing.
3. The Council may remit all or part of the rates having considered the duration of the development and the stages of development, having regard to when the ratepayer is likely to generate income from the development or in the case of housing when the dwelling is likely to be used.
4. The Council may put conditions on a remission including consideration of commencement and completion of the development.
5. Eligibility for this remission will be reviewed once the remission period expires. The Council may provide rates remission for other purposes if these remissions ensure ratepayers are treated equitably by the Council.

3. Māori Freehold land postponement policy

The same policies apply to Māori Freehold land as they do to general land, as per section 7 of this policy.

For information

The follow is a precis of the major matters for Māori freehold land as provided in local Government legislation.

1. Local Government (Rating) Act 2002
 - a. The Act provides many clauses to address the nature of Māori Freehold Land. For example: trustee liability, multiple landowners, deceased owners, unproductive land, separation of land.
 - b. Provision for the chief executive of Council to write-off rates that cannot be recovered.
 - c. Provision of remissions on land under development.
 - d. Non-rateable land
 - i. Nga Whenua Rahui kawenata land under the reserves and conservation acts.
 - ii. Education land including:
 1. Wānanga
 2. Kura Kaupapa Māori
 3. Special programmes under the education and training act
 - iii. Urupa
 - iv. Māori customary land.
 - v. Marae or meeting place
 - vi. Māori reservation held for the common use and benefit of the people of New Zealand
 - vii. unused rating unit of Māori freehold land
2. Local Government Act 2002
 - a. Consider the matters in schedule 11 in developing a Remission on Māori Freehold land Policy.
 - i. supporting land for traditional purposes
 - ii. recognising the relationships with ancestral lands
 - iii. avoiding further alienation of the land
 - iv. facilitating development
 - v. taking account of waahi tapu
 - vi. recognising the importance of the land to Marae and papakainga
 - vii. recognising the importance of the land for community goals
 - viii. recognising the level of community services provided to the land recognising the physical accessibility to the land.



Policy – Significance & Engagement

Kaupapa Here Whai Putake me te Tuhonohono

This Policy has been developed to enable Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions and activities. It will provide clarity about how and when communities can expect to be engaged in decisions made by Council, and informs Council, from the beginning of a decision-making process, about the extent, form and type of engagement required.

1. Contents / Te rārangi kaupapa

1. Contents
2. Definitions
3. Policy
4. Strategic Assets
5. Community Engagement Guide
6. Forms of Engagement
7. Engagement Tools and Techniques
8. Engagement with Māori
9. References

Policy No.	Policy Sponsor	Approval Date and Date of Next Scheduled Review	Approved By	MORF Reference	Related Standards
B1.4	Executive	Approved – 12 November 2014 Reviewed –16 April 2015 Reviewed – 23 March 2016 Reviewed – 13 December 2017 Reviewed – 30 July 2021 Reviewed – 26 June 2024	Council	A33378	-


2. Definitions / Ngā Whakamāratanga

<i>Term</i>	<i>Definition</i>
Community	A group of people living in the same place or having a particular characteristic in common. Includes interested parties, affected people and key stakeholders, tangata whenua o Murihiku, and Māori.
Decisions	<p>Refers to all decisions made by the Council.</p> <p>Management decisions made by officers under delegation during the implementation of Council decisions will not be deemed to be significant as the “significance” test will have already been addressed by the Council when making the initial decision.</p>
Engagement	Is a term used to describe the process of seeking information from the community to inform and assist decision-making. There is a continuum of community involvement. A discretion remains for the Council to engage with the community at any time irrespective of the significance criteria.
Financial Delegations	<p>For the sake of clarity, operation of financial delegations is made in the following order:</p> <ul style="list-style-type: none"> • by management as approved by Council in their Delegations Manual; by Council between management limit as approved by Council in their Delegations Manual and 10 percent of the annual budgeted Total Operating Expenditure not already provided for in budgets or not provided in existing delegations, policies or other legislation (e.g. disaster response or emergency works). Council may use its discretion to engage with the community if the matter is considered reasonably significant; • by the community through an engagement process where the expenditure is in excess of the 10 percent of the annual budgeted Total Operating Expenditure not already provided for in budgets or not provided in existing delegations, policies or other legislation (e.g. disaster response or emergency works).
Significance	<p>As defined in Section 5 of the LGA 2002 in relation to any issue, proposal, decision, or other matter that concerns or is before a local authority, means the degree of importance of the issue, proposal, decision, or matter, as assessed by the local authority, in terms of its likely impact on, and likely consequences for:</p> <ul style="list-style-type: none"> (a) the current and future social, economic, environmental, or cultural well-being of the district or region: (b) any persons who are likely to be particularly affected by, or interested in, the issue, proposal, decision, or matter: (c) the capacity of the local authority to perform its role, and the financial and other costs of doing so.

<i>Term</i>	<i>Definition</i>
Significant Activity	<p>Any activity that:</p> <ul style="list-style-type: none"> • affects all, or a large portion of the region; • affects all, or a large portion of the community; • will result in a substantial change or removal of a significant activity or service; • relates to a listed strategic asset; • will require or incur annual expenditure of more than 10 percent of the Total Operating Expenditure not already provided for in Annual Plan or LTP budgets or not provided in existing delegations, policies or other legislation (e.g. disaster response or emergency works). Expenditure funded by external funding is excluded from this definition.
Strategic assets	As defined in Section 5 of the Local Government Act 2002. See Section 4 – Strategic Assets.
Strategic aspirations	Environment Southland Strategic Intent, 2020

3. Policy / Kaupapa Here

- (a) Engaging with the community is needed to understand the views and preferences of people likely to be affected by, or interested in, a proposal or decision.
- (b) An assessment of the degree of significance of proposals and decisions, and the appropriate level of engagement, will therefore be considered in the early stages of a proposal before decision-making occurs and, if necessary, reconsidered as a proposal develops.
- (c) The Council will take into account the following matters when assessing the degree of significance of proposals and decisions, and the appropriate level of engagement:
 - there is a legal requirement to engage with the community;
 - the level of financial consequences of the proposal or decision;
 - whether the proposal or decision will affect a large portion of the community;
 - the likely impact on present and future interests of the community, recognising Māori cultural values and their relationship to land and water;
 - whether the proposal affects the level of service of a significant activity;
 - whether community interest is high;
 - whether the likely consequences are controversial;
 - whether community views are already known, including the community's preferences about the form of engagement;
 - the form of engagement used in the past for similar proposals and decisions.
- (d) If a proposal or decision is affected by a number of the above considerations, it is more likely to have a higher degree of significance. The general approach will be to propose significant proposals or decisions in the context of the Long-term Plan (LTP) via the Consultation Document, to identify the Council's priorities over the medium to long-term.

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- (e) In general, the more significant an issue, the greater the need for community engagement.
 - (f) The Council will apply a consistent and transparent approach to engagement.
 - (g) Council is required to undertake a special consultative procedure as set out in Section 83 of the Local Government Act 2002, or to carry out consultation in accordance with or giving effect to Section 82 of the Local Government Act 2002 on certain matters (regardless of whether they are considered significant as part of this policy).
 - (h) For all other issues requiring a decision, Council will determine the appropriate level of engagement on a case-by-case basis.
 - (i) The Community Engagement Guide (see Section 5) identifies the form of engagement Council will use to respond to some specific issues. It also provides examples of types of issues and how and when communities could expect to be engaged in the decision making process.
 - (j) When engaging with Māori, the Charter of Understanding, Memorandum of Understanding He huarahi mō Ngā Uri Whakatupu, authorised Iwi Management Plan, or any other similar high level agreements will be considered as a starting point.
 - (k) When Council makes a decision that is significantly inconsistent with this policy, the steps identified in Section 80 of the Local Government Act 2002 will be undertaken.

4. Strategic Assets / Rawa Rautaki

Section 5 of the Local Government Act 2002 defines a strategic asset as

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

- (a) any asset or group of assets listed in accordance with section 76AA(3) Local Government Act 2002 by the local authority; and
- (b) any land or building owned by the local authority and required to maintain the local authority's capacity to provide affordable housing as part of its social policy; and
- (c) any equity securities held by the local authority in —
 - (i) a port company within the meaning of the Port Companies Act 1988
 - (ii) an airport company within the meaning of the Airport Authorities Act 1966.”



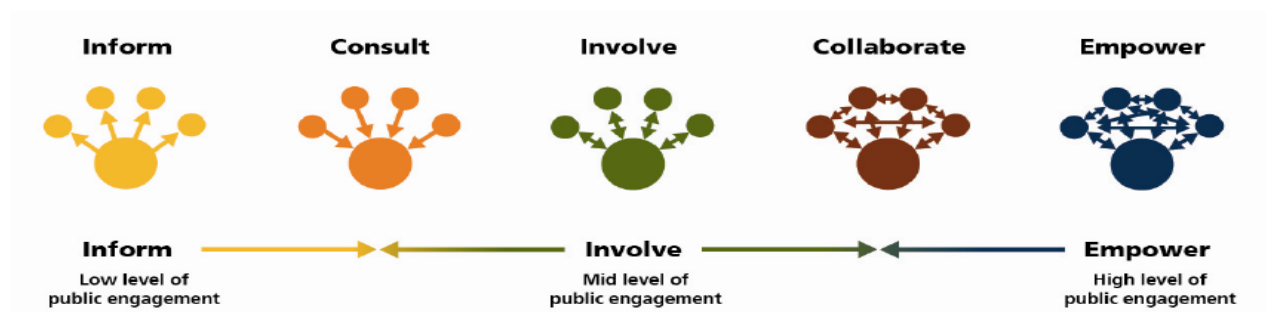
The following is a list of assets or group of assets that the Council needs to retain to meet its community well-being obligations:

Activity	Asset
Investments	<p>A majority shareholding in South Port New Zealand Limited.</p> <p>The value of proceeds from any sale of shares in South Port will be held as a strategic investment asset. This will provide Council both annual income and inflation proofing of those proceeds, for current and future generations of ratepayers.</p>
Flood protection	Stopbanks, dams and culverts and floodway land.
Regional Emergency Response	A well-equipped, purpose-built Emergency Co-ordination Centre (ECC) maintained at immediate response capability for any event.

5. Engaging with the Community / Aratakinga tūhonohono hapori

Community engagement is a process that involves all or some of the public and is focussed on understanding impact and considering alternatives, but ultimately decision-making remains the responsibility of the Councillors.

The model of community engagement below is adapted from the International Association for Public Participation (IAP2) Public Participation Spectrum to demonstrate the possible types of engagement with the community. This model also shows the increasing level of public impact as you progress through the spectrum from left to right – “inform” through to “empower”.



It will not always be appropriate or practicable to conduct processes at the “collaborate” or “empower” end of the spectrum. Many minor issues will not warrant such an involved approach. Time and money may also limit what is possible on some occasions. At times, Councillors will be required to make tough decisions.

In general, the more significant an issue, the greater the need for community engagement.

6. Forms of engagement /Ngā momo mahitahi

The Council will use the Special Consultative Procedure (as set out in Section 83 of the LGA 2002) where required to do so by law, including for the following issues requiring input:

- the adoption or amendment of a Long-term Plan (in accordance with Section 93A of the LGA 2002);
- the adoption, amendment, or revocation of consents fees and charges if required under Section 36 of the RMA 1991;

Unless already explicitly provided for in the Long-term Plan, the Council will seek to amend its Long-term Plan, and therefore use the Special Consultative Procedure, when it proposes to:

- alter significantly the intended level of service provision for any significant activity undertaken by or on behalf of Council, including commencing or ceasing such an activity; or
- transfer the ownership or control of strategic assets, as listed in Schedule 1.

The Council will consult in accordance with, or using a process or a manner that gives effect to the requirements of, Section 82 of the LGA 2002 where required to do so by law, including for the following specific issues requiring decisions:

- adopting or amending the Long-term Plan if required under Section 95 of the LGA 2002;
- transferring responsibilities to another local authority under Section 17 of the LGA 2002;
- establishing or becoming a shareholder in a council-controlled organisation;
- adopting or amending any revenue and financing policy, financial contributions policy, rates remission and postponement policy, or a policy on the remission or postponement of rate on Māori freehold land.

For such consultation, Council will develop information fulfilling the requirements of Section 82A of the LGA 2002, will make this available to the public, allow written submissions for a period of up to four weeks, and will consider all submissions prior to making decisions. For all other issues, the following table provides **an example** of the differing levels of engagement (as adapted from the IAP2 Participation Spectrum) that might be considered appropriate, the types of tools associated with each level and the timing generally associated with these types of decisions/levels of engagement:



Level	Inform	Consult	Involve	Collaborate	Empower
What does it involve	We will keep you informed about what is happening. One-way communication providing balanced and objective information to assist understanding about something that is going to happen or has happened.	We will listen to you and make our decisions. Two-way communications designed to obtain public feedback about ideas on rationale, alternatives and proposals to inform decision making.	We will involve you in the decision-making process. We will ultimately decide. Participatory process designed to help identify issues and views to ensure that concerns and aspirations are understood and considered prior to decision-making.	We will discuss and decide together. Working together to develop understanding of all issues and interests to work out alternatives and identify preferred solutions.	Public or community will decide. They may choose to discuss with us. The final recommendation to Council is in the hands of the public. Under the LGA 2002, the Councillors are elected to make the final decisions on behalf of their constituents.
Types of issues that we might use this for	Water Shortage Directions	Rates review First Schedule RMA processes	“Front loading” Regional Plan development processes, including water management First Schedule RMA processes	Water management planning under the NPS-FM First Schedule RMA processes	Election voting systems (MMP, STV or first past the post)
Tools Council might use	Websites Social media Information flyer Public notices	Formal submissions and hearings, focus groups, phone surveys, surveys, virtual meetings/hui.	Workshops/wānanga Focus groups Citizens Panel Virtual meetings/hui	External working groups (involving community experts)	Binding referendum Local body elections
When the community can expect to be involved	Council would generally advise the community once a decision is made	Council would advise the community once a draft decision is made Council and would generally provide the community with up to 4 weeks to participate and respond.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process.	Council would generally involve the community at the start to scope the issue, again after information has been collected and again when options are being considered.	Council would generally provide the community with a greater lead in time to allow them time to be involved in the process. e.g. typically a month or more.
Engagement with Māori	Council would use the relationship based on the Charter of Understanding He huarahi mō Ngā Uri Whakatupu, any partnership arrangements, and the legislative requirements of the Local Government Act 2002 and the Resource Management Act 1991, to utilise any or all of the engagement techniques depending on the topic and interests. See section 8 below.				



7. Engagement tools and techniques / Kete mahitahi

Ahead of making a decision, the Council may use a variety of engagement techniques on any issue or proposal based on a range of other factors, including history and public awareness of the issue, online engagement, stakeholder involvement, and timing related to other events and budgets. Council will also take into consideration that the community can feel 'over consulted'. Each situation will be assessed on a case-by-case basis.

The Council has an *Environment Southland Engagement Practice Strategy Framework* that will provide the direction, techniques and tools to enable and assist engagement capabilities across the organisation, and to implement this Policy.

8. Engagement with Māori / He ritenga mahitahi

The LGA recognises and respects the Crown's obligations under the Te Tiriti o Waitangi by placing some specific obligations on councils. These obligations are intended to facilitate participation by Māori in local authorities' decision-making processes (Sections 4, 81 and 82(2), LGA). The Act includes requirements for councils to:

- ensure they provide opportunities for Māori to contribute to decision-making processes;
- establish and maintain processes for Māori to contribute to decision-making;
- consider ways in which they can foster the development of Māori capacity to contribute to decision-making processes;
- provide relevant information to Māori;
- take into account the relationship of Māori and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.

The Council will establish and maintain engagement processes that identify and provide opportunities for Māori to contribute to decision-making. In addition to the engagement principles and practices set out in this policy, Council will:

- (a) acknowledge Ngāi Tahu ki Murihiku as the first point of contact for all engagement processes;
- (b) strengthen and improve ongoing relationships and partnerships with mana whenua in the Murihiku rohe (Southland region) including, but not limited to, ongoing support for Te Ao Marama Inc;
- (c) consider the impact on Māori of specific decisions, proposals or matters, in particular recognising the special connection of tangata whenua and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga;
- (d) recognise legal obligations for engagement with Māori under various legislation including, but not limited to, the Local Government Act 2002 and Resource Management Act 1991;
- (e) recognise the Charter of Understanding He huarahi mō Ngā Uri Whakatupu and other agreements (Mana Whakahono ā Rohe or Joint Management Agreements) developed with Māori as they relate to decision-making processes;
- (f) consider appropriate use of tikanga (cultural protocols) and te reo Māori (Māori language) in our daily business and engagement tools and practices;

- (g) provide for mana whenua positions on Council's standing committees to ensure direct Māori involvement in decision-making;
- (h) to advocate for and promote the principles of Te Mana o Te Wai and Ki uta, ki tai through the Council's business and programmes.

Māori Engagement Spectrum¹

It is important to note that as the level of engagement increases:

- Māori participation and decision-making power increases;
- the importance to iwi increases – therefore the more important the outcomes of a project are to iwi, the higher the level of engagement should be;
- the complexity of the decision-making process increases;
- the effort required by all parties' increases;
- the length of time required for engagement processes increases;
- the investment (time, resources and relationship) required from all parties' increases;
- the Council's decision-making power and control over outcomes decreases;
- decisions are more likely.

The Council's approach to the differing levels of iwi engagement is summarised as follows:

¹ Adapted from Waikato Regional Council, Māori Engagement Framework, accessed July 2020.



Inform	Consult	Involve	Collaborate	Empower
<ul style="list-style-type: none"> • Provide information • The council will keep iwi informed about what is happening. 	<ul style="list-style-type: none"> • Obtain community feedback • The council will listen to iwi - the council will make an informed decision 	<ul style="list-style-type: none"> • Work directly with the community • The council will involve iwi in the decision-making process. The council will ultimately make the decisions. 	<ul style="list-style-type: none"> • Partner with iwi • Iwi and the council will discuss and decide together on as much as possible 	<ul style="list-style-type: none"> • Iwi make decisions • Iwi may choose to discuss with us.
<p>Information-giving is the most basic form of engagement as there is no participatory element. Providing information underpins all other levels of engagement because it enables Māori to be informed of activities that may impact them. It is essential that Māori are provided with the appropriate information, such as council reports, project plans, resource consent applications, research, maps and photos.</p>	<p>At this level of engagement, the objective is to seek the views and opinions of Māori on proposals, analyses, alternatives and/or decisions. This is not about putting ideas into action. Consultation can be done face-to-face at hui. Sufficient time needs to be provided to enable iwi or hapū to undertake follow-up discussion and wider consultation amongst themselves before providing a response back to council.</p>	<p>The aim at this level is to have Māori more involved in the decision-making process. Iwi or hapū representatives can be elected or appointed to committees, focus groups or working parties in an advisory capacity. Council retains the decision-making authority.</p>	<p>The goal of this level is to have processes that allow for sharing and acting together and to have all parties holding equal power. Both parties make the decisions as much as possible. Collaboration is more demanding of resources for all involved, needs significant lead-in time and planning, and can only be established by council resolution.</p>	<p>This level is the most ambitious, aiming to maximise empowerment of Māori and, at its farthest reach, will see Māori having complete decision-making power across various roles.</p>

9. References / Ngā tohutoro

Environment Southland Perceptions Survey 2019

Environment Southland Engagement Practice Strategy Framework
[ES Engagement Practice Strategy Framework \(A489290\)](#)

IAP2 Australasia's Public Participation Spectrum²

² <https://www.iap2.org.au/About-Us/About-IAP2-Australasia-/Spectrum>