

**BEFORE THE A COMMISSIONER APPOINTED  
BY THE SOUTHLAND REGIONAL COUNCIL**

**IN THE MATTER** of the Resource Management Act 1991

**AND**

**IN THE MATTER** of resource consents to occupy the Coastal Marine Area with a tide gate and weir and to dam and divert water

**AND**

**IN THE MATTER** of an application by **SOUTHLAND REGIONAL COUNCIL**

---

**EVIDENCE IN CHIEF OF LUKE GERARD MCSORILEY FOR SOUTHLAND  
REGIONAL COUNCIL  
16 AUGUST 2024**

---

---

FLETCHER VAUTIER MOORE  
LAWYERS  
PO BOX 3029  
RICHMOND 7050

Solicitor(s): CP Thomsen  
Telephone: (03) 543 8301  
Email: cthomsen@fvm.co.nz

## **QUALIFICATIONS AND EXPERIENCE**

1. My full name is Luke Gerard McSoriley.
2. I currently work for WSP New Zealand Ltd from its Invercargill Office and have done so since March 2013.
3. I hold the degrees of Bachelor of Resource Studies, Post-graduate Diploma in Resource Studies and a Master of Resource and Environment Planning.
4. I have over 23 years' experience as a Resource Management Planner in a variety of resource management roles in Southland and overseas.
5. I am a Full Member of the New Zealand Planning Institute.

## **EXPERT WITNESS CODE OF CONDUCT**

6. I have read the Code of Conduct for Expert Witnesses set out in the Environment Court Practice Note 2014 and agree to comply with it. This evidence has been prepared in accordance with the Code of Conduct. I confirm that the opinions I express in this evidence are within my expertise and represent my true and complete professional opinions. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express. The evidence I am giving is within my area of expertise, except where I state that I am relying on the opinion or evidence of others. I understand it is my duty to assist the Commissioner impartially on relevant matters within my area of expertise.

## **SCOPE OF EVIDENCE**

7. Southland Regional Council (**SRC**), known as Environment Southland, has applied for resource consents to re-authorise the location and operation of tide gates and a weir on the Titiroa Stream, 160m upstream of the Tokanui-Gorge Road Highway. The application is to replace lapsed coastal permits, which expired in 2020.
8. I drafted the resource consent application which was lodged with SRC on 8 March 2021. A Request for Further Information (**RFI**) was received from SRC on 19 March 2021. The applicant provided a response to the RFI on 11 November 2022. The application was then publicly notified. I have been

asked to give planning evidence in support of the resource consent application. I have visited the site.

9. In preparing this evidence I confirm I have read:
  - (a) The submissions.
  - (b) Mr Stephen West, the reporting officers' s 42A report and disagree with the recommendation to decline resource consent. The reasons why I disagree with the recommendation are outlined below.
  - (c) The evidence of:
    - (i) Laura Rose Drummund on behalf of the Southland Regional Council;
    - (ii) Matthew James Gardner on behalf of the Southland Regional Council;
    - (iii) Ian Dave Connor on behalf of the Southland Regional Council;
    - (iv) Colin Shen Young on behalf of the Southland Regional Council;
    - (v) Les Frisby, submitter and on behalf of the Southland Regional Council.

## **BACKGROUND**

10. The Titiroa Stream is located on the eastern bank of the lower Mataura River floodplain and predominantly flows through pastureland and remnants of native bush. Ms Drummond has provided a more detailed description of the Titiroa Stream in her evidence, and I adopt that for the purposes of my evidence.
11. The purpose of the Titiroa Stream weir and tide gates is to ensure the on-going drainage capability and prevent flooding of the low-lying farmland upstream of the gates. The tide gates operate by opening when there is positive downstream flow and shutting when tidal flow reverses.

## **THE ACTIVITY**

12. The application proposes occupation of the coastal marine area by a weir structure and a tide gate structure and the diversion of water.

## **CONSENT DURATION**

13. The applicant has sought a 15-year consent term.

## **THE ACTIVITY STATUS**

14. Occupation of the Coastal Marine Area (CMA) by the weir structure is a discretionary activity under Rule 9.1.1 of the Regional Coastal Plan (RCP). The occupation of the tide gate structure within the CMA is a discretionary activity under section 87B of the RMA 1991 with regard to s14(2). Mr West in his 42A report reaches the same conclusions as I do regarding these matters.
15. I note the discussion in Mr West's recommending report on the status of the damming and diversion of water aspect of the activity. I agree that the damming aspect is occurring outside the CMA and requires resource consent under Rule 4, and the diversion of flow is restricted discretionary under Rule 49(b) of the pSWLP. I agree with Mr West that the activities should be bundled, and the overall activity status is discretionary.
16. No physical works are proposed to the weir or tide gates as part of this application. The tide gates are aging, but in generally good repair, and there will be a need for maintenance works in the future.
17. The Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F) came into force on 3 September 2020. Part 2 of the NES-F relates to farming activities and is not considered relevant to the activity. Part 3 (including Subparts 1, 2 and 3) detail standards for other activities that relate to freshwater.
18. Part 3, Subpart 1 of the NES-F relates to natural inland wetlands. The application relates to a part of the Titiroa Stream identified as being within the Coastal Marine Area under the RCP. In my opinion the Titiroa Stream is a river as defined under the RMA 1991 and is not a natural wetland. No

natural inland wetlands have been identified within 100m of the weir and tide gates.

19. In my opinion no resource consents are required for the activity under the NES-F. I note this is consistent with the conclusions Mr West reaches in his s 42A recommending report. I also agree with Mr West conclusion that no other National Environmental Standards are relevant to the activity.

## **RECEIVING ENVIRONMENT**

20. The receiving environment is the existing and reasonably foreseeable environment upon which an activity might have effects. This includes the future state of the environment as it might be modified by permitted activities and as modified by implementing resource consents that have been granted where those consents are likely to be implemented.
21. There is currently no resource consent in place for weir and tide gates, and these structures are not permitted activities. Therefore, previous consents for the weir and tide gates cannot be considered part of the receiving environment or existing environment for the purposes of determining the application.
22. I note that some submitters have raised the option of removal of the weir and tide gates. As noted above, the receiving environment includes the existing and reasonably foreseeable future state of the environment as it might be modified by permitted activities and as modified by implementing resource consents that have been granted. I note that the suggested removal of the weir and gates would not be a permitted activity and would require resource consent.
23. In relation to the Titiroa River the boundary of the CMA is described in Appendix 2 of the Regional Coastal Plan (RCP). The weir and tide-gates are located within the CMA. Mr West is of the same opinion.
24. The wider area at the site is zoned for Rural land use purposed under the operative Southland District Plan 2018 being identified within the General Rural Zone of the District Plan Maps. Farming Activity is a permitted activity in the Rural Zone. The receiving environment upstream of the weir and tide gates is predominantly characterised by rural land use activities. The

original natural environment has been highly modified and developed to enable rural land uses and flood protection of farmland.

25. These changes have resulted in significant modification of the Titiroa Stream and its catchment. This has included changes associated with construction and use of different types of tide gates systems designed to manage tidal flows since the early 20th Century. The channel of the stream has also been altered in places and a cut off between the stream and the Mataura River constructed upstream of the weir and tide gates. A flood bank and floodway system has been constructed to protect the farmland and the weir and tide gates form part of the Lower Mataura Catchment Flood Scheme.

## **THE GATES AS INFRASTRUCTURE**

26. The Southland Regional Policy Statement (SRPS) definition of Strategic Facilities includes critical infrastructure and flood and drainage infrastructure managed by the Southland Regional Council.

*“Strategic facilities Includes:*

*(a) critical infrastructure;...*

*(c) regionally significant infrastructure;...*

*(k) flood and drainage infrastructure managed by the Southland Regional Council”.*

27. The SRPS definition of Critical Infrastructure states:

*“infrastructure that provides services which, if interrupted, would have a significant effect on the wellbeing and health and safety of people and communities and would require reinstatement, and includes all strategic facilities”.*

28. The SRPS definition of Regionally Significant Infrastructure states:

*“infrastructure in the region which contributes to the wellbeing and health and safety of the people and communities of the region, and includes all critical infrastructure”.*

29. The weir and tide gates are flood and drainage infrastructure managed by the SRC and as such are a Strategic Facility under the SRPS. The weir and tide gates are also defined as Critical Infrastructure and Regionally Significant infrastructure under the SRPS<sup>1</sup>.

#### **WRITTEN APPROVALS**

30. No written approvals have been obtained.

#### **MATTERS RAISED IN SUBMISSIONS**

31. A total of eight submissions were received, four in support and four opposed. Submissions in support were received from Mr and Mrs Golden, Mr Morton, Mr Frisby and the Southland Recreational Whitebaiters Association. Submissions in opposition were received from the Department of Conservation, Fish and Game Southland, Awarua Rūnanga and Mr Holms. The recommending report has summarised the matters raised in submissions, and I adopt that for the purposes of my evidence.

##### Submissions in Support

32. Submissions in support note the importance of the weir and tide gates in enabling rural land use activity upstream,

##### Fish and Game Southland

33. Ms Drummond has assessed the ecological effects of the activity in her evidence and responded to Southland Fish and Game's submission. I respond to matters raised by Fish and Game relevant to my expert evidence below.

##### Mr Holms

34. Ms Drummond and Mr Frisby have responded to the matters raised by Mr Holms in her evidence.

---

<sup>1</sup> The RMA definition of infrastructure includes 'drainage system' and the weir and tide gates are also considered to be structures consistent with this definition. The status of the weir and tide gates as infrastructure is discussed further in my evidence below in relation to both environmental effects and the relevant policy framework.

### Department of Conservation Submission

35. The submission at point 3 states that when closed the tide gates are a barrier to fish passage and have adverse effects on fish population and habitat in the Titiroa Stream. At paragraphs 53 to 56 I have discussed the conclusions of the Fish Survey and Assessment and the evidence of Ms Drummond. Ms Drummond's opinion is that that the activity is having adverse effects on inanga spawning, upstream migration of inanga and is restricting fish passage more generally when the tide gates are closed. Ms Drummond concludes that the proposed compensation measures can improve the natural values of the Titiroa Stream near the tide gates and go some way to reducing the level of adverse effect of the tide gates.
36. The submission at point 4 notes an absence of modelling and assessment showing that the tide gates are needed. Since the submission was made modelling has been undertaken and Mr Gardner's evidence shows the potential impact of removal of the gates, which is conservative and Mr Young states the gates control water levels up to the railway embankment shown on the map attached to Mr Connor's evidence. Mr Frisby in his evidence discussed the likely impact on farming operations if the gates were not present and functioning.

### Ngā Rūnanga

37. This submission seeks removal of the tide gates, retirement of the surrounding land parcels and implementation of a management plan to restore the land to wetlands which would provide better long-term flood management for the wider area. While it is for iwi to explain the cultural effects, I discuss those effects and the relevant provisions of the Iwi Management Plan below.
38. As noted above in the description of the receiving environment, the land area that the weir and tide gates protect is predominantly farmland. Mr Young, and Mr Conner have discussed the function and benefits of the weir and tide gates. Mr Frisby has identified the actual and potential adverse effects on rural land use activity upstream if the weir and tide gates were removed. Relying on this evidence, in my opinion the suggested removal of



the tide gates is likely to have significant adverse effects on rural land use activities.

39. Mr Young, Mr Connor and Mr Gardner have all discussed the function of the weir and gates in terms of enabling rural land use upstream of the tide gates. There is a functional need for the weir and tide gates to operate at the site. Another complication with suggested removal of the weir and tide gates and the retirement of land and conversion to wetlands is not all the land upstream of the tide gates is owned by SRC. There are two privately owned properties that SRC has no control over that would be impacted. Removal of the weir and tide gates would also require additional resource consents and as Mr West notes at 4.2.14 of his report a consent authority does not have the power to impose conditions requiring an applicant to retire land.
40. Other than the proposed mitigation that the applicant is promoting, the activity does not involve any natural wetlands. In my opinion there is no justification under the relevant RMA planning framework for removal of the tide gates, retirement of surrounding land parcels and implementation of a plan to restore that land to wetlands. In terms of wetland restoration, I note that the applicant is proposing mitigation downstream of the tide gates.

#### **PERMITTED BASELINE**

41. There is no permitted baseline directly relevant to the application.

#### **ACTUAL OR POTENTIAL EFFECTS**

42. Mr West in his 42A report at 2.5.1 provides a useful outline of the relevant environmental effects which my discussion follows.

#### **Natural Character**

43. Mr West concludes that any adverse visual effects and adverse effects on natural character are no more than minor. I agree.

#### **Water Quality**

44. The key environmental effect in relation to water quality identified by Ms Drummond in her evidence relates to changes in salinity of the Titiroa Stream upstream of the tide gates. Tidal inundation would extend further

upstream if the weir and tide gates were not present. The salinity of water in the river links directly to the adverse effects on inanga spawning and this is discussed further below. The evidence of Ms Drummond notes that the gates provide free stream flow and drainage when open, and as such no significant adverse effects on water quality are expected or have been identified. This indicates that the weir and tide gates are not having any significant adverse effects on water quality.

### **Social and Economic**

45. The activity has positive social and economic effects associated with rural land use through control of tidal effects on this farmland. Mr West in his 42A report notes:

*“Although a key beneficial effect of the tide gates is economic, through the facilitation of agricultural land use and production, no information has been provided on that economic value”.*

46. Mr Connor addresses the economic contribution from farmland the gates enable. The annual economic contribution to the region from the pastoral land in this area above the weir and tide gates is estimated at just over one million dollars.
47. Mr Frisby in his evidence provides an outline of the benefits of the tide gates to his farming operations on land he leases from SRC. This includes a description of the investment he has made in land development which has been enabled by the weir and tide gates. He also describes what happens to this farmland when the tide gates are not operational and what he would expect to happen if they were not there.
48. Mr West at 2.5.19.8 in his recommending report notes that the lease revenue gathered by SRC from the farmland north of the tide gates is utilised to support the lease holdings and the management of the wider floodway. These are positive economic effects.
49. I agree with Mr West that there are social benefits for the leasees and owners, and their families and staff, of the properties within the floodplain protected by the weir and tide gates.
50. In my opinion, relying on the evidence of Mr Connor and Mr Frisby the weir and tide gates do have positive social and economic effects.

## **Infrastructure / Natural Hazards / Hydraulic**

51. *Natural hazard is defined in the RMA 1991 as follows:*

***natural hazard** means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.*

52. The weir and tide gates control water level effects associated with high tides (a water related occurrence). The tide gates reduce upstream water levels thereby enabling rural land use on farms in the area. The application seeks retention and ongoing use of the weir and tide gates to enable farming activity and to avoid or mitigate adverse effects on farmland (property) from high tides. While the Mr Young indicates a minimal impact on riverine flooding from the tide gates, this infrastructure does have some positive effects in relation to natural hazard mitigation. I discuss the relevant policy provisions relating to natural hazards below.

## **Ecological Effects**

### Fish Passage

53. The applicant has undertaken a fish survey and Pattle Delamore Partners (PDP) completed an assessment which was included in the resource consent application. PDP surveyed both upstream and downstream of the tide gates and undertook an assessment of the flow profiles immediately downstream of the tide gate structure. The purpose of the assessment was to determine the extent that the gates are impacting fish movement.

54. The PDP Fish Survey Assessment concluded that the tide gates have only a minor effect on fish migration:

*“Our conclusion is that the Titiroa River tidegates [sic] have only a minor effect on fish migration in general; the gates are open for approximately half of the time, and the water velocity through the gates should not present too great a barrier to most migrating fish. During each tidal cycle there are sustained periods when flow*

*through the gates is essentially just “normal” river flow, as well as a period on the rising tide when there is virtually no downstream flow. Even during the period when water velocity is greatest, native fish may well be able to migrate upstream by swimming near the bottom of the water column”.*

55. Ms Drummond has discussed the actual and potential adverse effects of the weir and tide gates relating to fish passage further in her evidence.
56. Clearly the gates impede fish passage, which has the potential to adversely affect the ecological functioning of the stream. While some parties would prefer to see no gates to allow no barrier to fish passage it is not realistic to, and nor do I consider the RMA or statutory plans seek a nil effect environment. Ms Drummond’s opinion is that that the activity is having adverse effects on upstream migration of inanga and is restricting fish passage more generally when the tide gates are closed. Ms Drummond concludes that the proposed mitigation measures can improve the natural values of the Titiroa Stream near the tide gates and go some way to reducing the level of adverse effect of the tide gates.

#### Inanga Spawning

57. The PDP Fish Survey Assessment also concluded that the tide gates were likely having an adverse effect on spawning migrations of inanga in the Titiroa River:

*“Overall, the Titiroa tidegates [sic] probably have a significant and detrimental effect on spawning migrations of inanga in the Titiroa River, and there is little chance that this can be remediated by modifying the tidegates or altering their operation; the gates are designed specifically to prevent tidal water inundating land upstream of the tidegate structure. It may be possible to mitigate the effects of the tidegates on Inanga spawning by restoring and/or enhancing Inanga spawning habitat in other nearby environments. PDP recommend that ES consult with Department of Conservation (DoC) on suitable locations for this enhancement”.*

58. In response to this conclusion the applicant commissioned a second assessment focussed on mitigation options in relation to the effects of the

tide gates on fish passage and inanga spawning. The PDP Titiroa Tide Gate Mitigation Options Assessment (Mitigation Options Assessment) was completed in November 2022.

59. The Mitigation Options Assessment concludes:

*When the gates are closed a fish passage barrier is created for inanga during spawning, which is linked to high tide cycles. As the gates are open during most of the tidal cycle, the gates are not considered to pose a fish passage barrier to other native fish species. To mitigate the adverse effects on inanga spawning, the following mitigations are proposed and shown in Figure 6:*

- *Enhancement of more than 6.9 ha of suitable inanga spawning habitat;*
- *A Riparian Management Plan to enhance values in the unnamed tributary of the Titiroa Stream, below the tide gates; and,*
- *Protection and pest animal and plant control of the coastal inland wetlands located downstream of the tide gates.*

*While this investigation has focused specifically on mitigation for inanga spawning and improving/restoring potential inanga spawning habitat, more general stream habitat improvement in the area will likely benefit not only inanga, but other biota, water quality and amenity values.*

60. Figure 6 from the Assessment identifies two areas suitable for habitat enhancement, one area upstream of the weir and tide gates and the other downstream.

#### Vegetation Downstream

61. As discussed in the evidence of Ms Drummond, the activity is also likely to indirectly enable ecological benefits associated with the retirement of remnant areas of indigenous bush and bank areas of the Titiroa Stream, in supporting the restoration of lowland swamp/wetland habitat downstream.

62. I have considered the submissions of some parties seeking to remove the gates to allow the reversion of farmland to wetlands. It is noted by Mr Young

and Ms Drummond that the gates help to keep the water table high downstream. I would expect this aids the long-established and recently enhanced areas of lowland swamp/wetland. I consider this to be a positive effect of the activity.

### **Cultural**

63. Mr West notes in his recommending report that only mana whenua can determine if there is an adverse cultural or spiritual effect. Mana whenua have submitted in opposition to the application. Mr West's report provides a useful summary of that submission which I adopt for the purposes of my evidence.
64. The submission states that the structures adversely impact threatened indigenous species and their habitats that are taonga and prohibit fish passage and have detrimental effects on inanga spawning. As Ms Drummond notes, the tide gates do not permanently prohibit fish passage but do restrict fish passage when closed on the rising tide. Ms Drummond has also responded to the submission point questioning the adequacy of the fish survey regarding kanakana.
65. The submission notes that application fails to provide reliable data to clarify the effectiveness of the structure, nor quantifies at what water levels land is affected and what land is affected by inundation. Mr Gardner has provided more detail on these matters. He has also noted climate change and the likely impacts of rising sea levels on the area.
66. The submission states the application fails to provide clarity on the mitigations proposed. Ms Drummond has responded to this in her evidence. The submission notes that the activity is contrary to the relevant Iwi Management Plan (Te Tangi a Taurira, 2008). The relevant provisions of Te Tangi are discussed further below.

### **Summary of Effects**

67. In my opinion, relying on the evidence of Ms Drummond, Mr Conner, Mr Frisby and Mr Young, (excluding cultural effects) the majority of the adverse effects of the activity can be appropriately mitigated, and the weir and tides gates have positive environmental, social and economic effects. The adverse cultural effects are uncertain, but I note the applicant has

responded to a number of Ngā Rūnanga's concerns. I reserve my judgment on this issue until I have seen how they respond to the evidence that has now been provided.

### **Section 104(1)(ab)**

68. The matters that the Commissioner must have regard to include the actual or potential effects on the environment of allowing the activity (104(1)(a)), any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity (104 (1) (ab)), any relevant Plan or Proposed Plan provisions (104(1)(b)), and any other matter the Commissioner considers relevant (104(1)(c)). Section 104 is subservient to Part 2 of the Act. The activity status is discretionary. The relevant matters under Section 104 (1) (a) to (c) are discussed below. Under Section 104(B) after considering an application for a resource consent for a discretionary activity, a consent authority may grant or refuse the application; and if it grants the application, may impose conditions under section 108.

### **Positive Effects**

69. Under section 104(1)(ab) of the RMA, the Council must have regard to any measure proposed or agreed to by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any adverse effects on the environment that will or may result from allowing the activity.
70. In relation to adverse effects on inanga spawning the applicant provided a Mitigation Options Assessment as part of the resource consent process. Ms Drummond in her evidence has outlined a revised approach to this mitigation. Ms Drummond concludes that the proposed mitigation measures can improve the natural values of the Titiroa Stream near the tide gates and go some way to reducing the level of adverse effect of the tide gates. The decision maker must have regard to this positive effect.

### **STATUTORY CONSIDERATIONS**

71. The relevant planning provisions are contained in the following RMA documents:

- (a) The New Zealand Coastal Policy Statement 2010 (NZCPS).
- (b) The National Policy Statement for Freshwater Management 2020 (NPS-FW).
- (c) The National Policy Statement for Highly Productive Land 2022 (NPS-HPL).
- (d) The National Policy Statement for Indigenous Biodiversity 2023 (NPSIB).
- (e) The Southland Regional Policy Statement 2017 (SRPS).
- (f) The partially operative Southland Water and Land Plan (pSWLP).
- (g) The Regional Coastal Plan for Southland 2013 (RCP).
- (h) Te Tangi a Tauira the Ngai Tahu ki Murihiku Natural Resources and Environmental Iwi Management Plan 2008 (Te Tangi).

72. Mr West in his 42A recommending report has provided a detailed list of the relevant policy provisions and I rely on that to avoid repetition. My discussion below focusses mainly on those provisions that Mr West identifies the activity as conflicting with.

73. I agree with Mr West's opinion that the activity is supported by or is consistent with some policies, and opposed or conflicting with others:

*"With regard to direction given by the planning documents, it's mixed. Due to the location of the tide gates at the margin of the coastal marine area, and having effects in both the coastal and freshwater environments, there are large number of planning provisions that apply. The application is supported by or consistent with some policies, and opposed or conflicting with other policies".*

74. Given the further evidence from the applicant, I disagree with his comment that it is possible to find policy direction for approving or refusing the application. As outlined above relying on the expert ecology, hydrology and engineering advice that has now been provided, in my opinion the adverse effects of the activity can be appropriately mitigated, and the weir and tide gates clearly have positive effects. This indicates to me that overall, when



all the relevant objectives and policies are considered and weighed the activity is supported by the relevant provisions.

### **New Zealand Coastal Policy Statement**

75. The NZCPS sets out to achieve the purpose of the Act in relation to the coastal environment. I agree with Mr West's view that it is a high-level document and, in general, its provisions are not readily directly applied to individual activities and are expected to be given effect through regional plans. In his concluding remarks from 4.2.10 onwards Mr West sets out the key policy provisions that he considers the activity conflicts with or is inconsistent with. There are no NZCPS provisions highlighted in that discussion.
76. An assessment of the relevant provisions of the NZCPS was provided in the application and I adopt that for the purposes of my evidence. The evidence of Ms Drummond, Mr Connor, Mr Frisby and Mr Young indicates (excluding cultural effects), that the majority of the adverse effects of the activity can be appropriately mitigated, and the weir and tides gates have positive environmental, social and economic effects. As noted above the adverse cultural effects are less certain. However, in terms of the policy framework of the NZCPS, in my opinion the activity is not inconsistent with the relevant NZCPS provisions. Mr West in his recommending report appears to reach the same conclusion.

### **National Policy for Freshwater Management (NPSFM) 2020**

77. Mr West identifies the NPSFM as a relevant and the activity requires assessment against it, and I am now of the same opinion. I agree with his view that the NPSFM is a high-level document and, in general, its provisions are not readily directly applied to individual activities and are expected to be given effect through regional plans. In his concluding remarks from 4.2.10 onwards Mr West the key policy provisions that he considers the activity conflicts with or is inconsistent with. In terms of the NPSFM, the key provisions he identifies are Policy 4 and the requirements of cl 3.24 of the NPSFM. My discussion below focusses on these provisions.
78. Policy 4 of the NPSFM seeks for freshwater to be managed as part of New Zealand's integrated response to climate change and I do not consider the

activity inconsistent with this. Regarding the requirements of cl 3.24 at 4.2.12.2 Mr West states:

*“Based on the current information I do not consider that the applicant has demonstrated that it has applied the effects management hierarchy and complied with the requirements of s3.24 of the NPSFM”.*

79. Under 3.24 of the NPSFM, the loss of values must be avoided unless the commissioner is satisfied that there is a functional need for the activity in this location and the effects are managed by applying the effects management hierarchy. As discussed above there is a functional need for the activity in this location.

80. Clause 3.24 requires every council to include the following policy in its regional plan:

*“The loss of river extent and values is avoided, unless the council is satisfied that:*

*(a) there is a functional need for the activity in that location; and*

*(b) the effects of the activity are managed by applying the effects management hierarchy.”*

81. Mr West says this direction is partially included in the PSWLP and therefore directs attention to the NPSFM. I agree with this approach.

82. In my opinion the evidence demonstrates that any impact on most river values (associated with ecosystems, biodiversity and mahinga kai) is minor. I recognise this is an ‘avoid’ policy, unless there is a functional need for the activity in the location and the mitigation hierarchy is applied. As I have addressed, there is a functional need for the tide gates at the site.

83. I note I have addressed my view on cultural and spiritual values above.

84. Turning to the effects management hierarchy, this is an approach to managing the adverse effects of an activity on the extent or values of a river that requires:

*(a) adverse effects are avoided where practicable; then*

*(b) where adverse effects cannot be avoided, they are minimised where practicable; then*

*(c) where adverse effects cannot be minimised, they are remedied where practicable; then*

*(d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, aquatic offsetting is provided where possible; then*

*(e) if aquatic offsetting of more than minor residual adverse effects is not possible, aquatic compensation is provided; then*

*(f) if aquatic compensation is not appropriate, the activity itself is avoided.*

85. Given the nature of the tide gates and their role, it is not practicable to avoid all adverse effects. I consider the adverse effects are however substantively minimised.
86. Once the hierarchy reaches the offsetting and compensation considerations it explicitly refers to residual effects that are more than minor. The only residual effect that is more than minor are the effects on inanga spawning.
87. The applicant has, through the mitigation options report, identified the option of enhancement of inanga spawning habitat. Ms Drummond discusses the application of the effects management hierarchy in terms of the proposed mitigation. My understanding of an offset is that it is a measurable conservation outcome resulting from actions designed to compensate for residual, adverse biodiversity effects arising from activities after appropriate avoidance, remediation, and mitigation measures have been applied. The goal of a biodiversity offset is to achieve no net-loss, and preferably a net-gain, of indigenous biodiversity values. The applicant is seeking to redress a more than minor residual adverse effects, after considering steps to avoid, minimise, and remedy adverse effects.
88. In my opinion the applicant has demonstrated that it has applied the effects management hierarchy of cl 3.24.
89. Overall, in my opinion the activity is generally consistent with, and not contrary to the relevant objectives and policies of the NPSFM. It gives effect

to Te Mana o te Wai, and seeks to protect freshwater and biodiversity values. Mr West in his recommending report appears to reach the same conclusion.

### **The National Policy Statement for Indigenous Biodiversity 2023 (NPSIB)**

90. The NPSIB provides direction to councils to protect, maintain and restore indigenous biodiversity nationally. It is limited to land (terrestrial) ecosystems and some aspects of wetlands. The definition of terrestrial environment in the NPSIB is:

***terrestrial environment** means land and associated natural and physical resources above mean high-water springs, excluding land covered by water, water bodies and freshwater ecosystems (as those terms are used in the National Policy Statement for Freshwater Management 2020) and the coastal marine area*

91. For clarification the provisions relating to natural inland wetlands (clauses 3.21 and 3.22) require Regional Councils to take specific actions in terms of objectives, policies and methods in their policy statements and plans to promote restoration of indigenous biodiversity (Clause 3.21) and undertake assessments of percentages of indigenous vegetation cover (Clause 3.22). These clauses are not relevant to the application.
92. The weir and tide gates are located in the Coastal Marine Area and the tide gates are within a water body (a freshwater ecosystem). As discussed above the weir and tide gates sit at the boundary of the CMA and in my opinion the NPSIB is relevant in terms of terrestrial ecosystems upstream and downstream of the weir and tide gates.
93. The NPSIB has one overarching objective and one policy relevant to the activity:

*(1) The objective of this National Policy Statement is:*

*(a) to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date; and*

*(b) to achieve this:*

*(i) through recognising the mana of tangata whenua as kaitiaki of indigenous biodiversity; and*

*(ii) by recognising people and communities, including landowners, as stewards of indigenous biodiversity; and*

*(iii) by protecting and restoring indigenous biodiversity as necessary to achieve the overall maintenance of indigenous biodiversity; and*

*(iv) while providing for the social, economic, and cultural wellbeing of people and communities now and in the future.*

*Policy 13: Restoration of indigenous biodiversity is promoted and provided for.*

94. The proposed mitigation will result in restoration of indigenous vegetation within the terrestrial environment downstream of the weir and tide gates. Over time this mitigation will contribute of maintenance of indigenous biodiversity nationally. The activity is consistent with this objective and policy.

### **Southland Regional Policy Statement 2017**

95. The Regional Policy Statement for the Southland Region (SRPS) provides an overview of the resource management issues of the region. It sets out how natural and physical resources are to be managed in an integrated way to promote sustainable management.
96. As noted above the weir and tide gates are infrastructure and as such the infrastructure related provisions of the SRPS are relevant. Relevant provisions of the SRPS were listed and assessed in the resource consent application which concludes the activity is consistent with them. I adopt that assessment for the purposes of my evidence and note that Mr West is of the same opinion.
97. Mr West's recommending report lists the relevant provisions of the SRPS and I adopt that list for the purposes of my evidence. In his concluding remarks at 4.2.11.2.1 and 4.2.11.2.2 Mr West identifies the specific SRPS

provisions that he considers the activity contrary to with these being Policy WQUAN.1 and Policy COAST.2.

98. Policy WQUAN.1 states:

*Policy WQUAN.1 Maintain instream values of surface water that derive from flows and levels of water, while recognising the special circumstances of the Waiau catchment.*

99. Relying on the evidence of Ms Drummond provided the proposed mitigation is implemented in my opinion instream values can be maintained and the activity is consistent with this policy.

100. Policy COAST.2 states:

*Policy COAST.2 Ensure adequate measures or methods are utilised within the coastal environment when making provision for subdivision, use and development to:*

*(a) protect indigenous biodiversity, historic heritage, natural character, and natural features and landscape values;*

*(b) maintain or enhance amenity, social, intrinsic, ecological and cultural values, landscapes of cultural significance to tangata whenua and coastal dune systems;*

*(c) maintain or enhance public access; and*

*(d) avoid or mitigate the impacts of natural hazards, including predicted sea level rise and climate change.*

101. Relying on the evidence of Ms Drummond provided the proposed mitigation is implemented, in my opinion adequate measures will be utilised within the coastal environment to protect biodiversity values and the activity is consistent with this policy. I note the Objective that this policy sits under is BIO.2:

**Objective BIO.2 – Maintain and protect** - *Maintain indigenous biodiversity in Southland and protect areas of significant indigenous*

*vegetation and significant habitats of indigenous fauna for present and future generations.*

102. Ms Drummond has concluded that provided mitigation is adopted and implemented the activity can maintain indigenous biodiversity. The mitigation measures promoted by the applicant will protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations. In my opinion the activity is consistent with this Objective.
103. In my opinion the activity is not contrary to the relevant objectives and policies of the SRPS. The SRPS recognises the importance of regionally significant infrastructure, seeks to enable its efficient operation and requires provision for its development and ongoing operation.

#### **Proposed Southland Water and Land Plan**

104. In his concluding remarks at 4.2.10 Mr West identifies Objectives 5, 14, 15 and 19, and Policies 2(2), 3 and 20(1)(a) of the pSWLP as the key provisions that the activity conflicts with or is inconsistent with. I have focussed on those provisions in my discussion below.

105. Objective 5 states:

*Objective 5 Ngāi Tahu have access to and sustainable customary use of, both commercial and non-commercial, mahinga kai resources, nohoanga, mātaimai and taiāpure.*

106. I am unaware of reason access and sustainable use would be affected by this application. I do not consider the activity contrary to Objective 5.

107. Objective 14 and 15 and Policy 3 of the pSWLP state:

*Objective 14 The range and diversity of indigenous ecosystems and habitats within rivers, estuaries, wetlands and lakes, including their margins, and their life-supporting capacity are maintained or enhanced.*

*Objective 15 Taonga species, as set out in Appendix M, and related habitats, are recognised and provided for.*

*Policy 3 To manage activities that adversely affect taonga species, identified in Appendix M, and their related habitats.*

108. The evidence of Ms Drummond indicates that the range and diversity of indigenous ecosystems and habitats within the Titiroa Stream and its life-supporting capacity can be maintained and enhanced. The activity is consistent with objective 14, 15 and Policy 3.

109. Objective 19 is an important objective for a tide gate application, and provides:

*Objective 19 The passage of fish is maintained, or is improved, by instream structures, except where it is desirable to prevent the passage of some fish species in order to protect desired fish species, their life stages, or their habitats.*

110. Ms Drummond has discussed the actual and potential adverse effects of the weir and tide gates on fish passage and concludes that the weir and tide gates are having adverse effects on upstream migration of inanga. Ms Drummond concludes that the proposed mitigation measures can improve the natural values of the Titiroa Stream near the tide gates and go some way to reducing the level of adverse effect of the tide gates. While the weir and tide gates are having an adverse effect on fish passage (migration) in terms of inanga and fish passage more generally when the tide gates are closed, fish passage is maintained as the tide gates open and shut with the change of tide. This objective is designed to maintain or improve fish passage and is aspirational but can't be viewed in complete isolation. There is recognition of the importance of some activities that would affect fish passage in other provisions of the pSWLP, notably through the infrastructure provisions.

111. Also of relevance to this point is Policy 28:

*Policy 28 – Structures and bed disturbance activities of rivers (including modified watercourses) and lakes a. Except where Policy 27A applies, - manage structures, bed disturbance activities and associated discharges in the beds and margins of lakes, rivers and modified watercourses, to avoid where reasonably practicable, or otherwise remedy or mitigate adverse effects on:*



*2. habitats, ecosystems and fish passage;*

*10. flood risk;*

*11. infrastructural assets;*

112. This is an important implementation policy (refer s 67 RMA), as it recognises that there will be circumstances where infrastructure needs to be located instream and seeks to avoid where reasonably practicable, or otherwise remedy or mitigate their adverse effects. It is policy recognition of the point I have made in the earlier paragraph about the need to read the plan as a whole and identify the Act's overall sustainable management purpose, which I discuss further below. I consider the activity consistent with this policy for reason I have discussed above.

*Policy 20 Manage the taking, abstraction, use, damming or diversion of surface water and groundwater so as to:*

*1A. recognise that the use and development (such as primary production) of Southland's land and water resources can have positive effects including enabling people and communities to provide for their social, economic and cultural wellbeing;*

*1. avoid where reasonably practicable, or otherwise remedy or mitigate, adverse effects from the use and development of surface water resources on:*

*(a) the quality and quantity of aquatic habitat, including the life supporting capacity and ecosystem health and processes of water bodies;*

113. Ms Drummond's opinion is that that the activity is not likely to be having any significant adverse effects on water quality but is having adverse effects on inanga spawning, upstream migration of inanga and is restricting fish passage more generally when the tide gates are closed. Ms Drummond concludes that the proposed mitigation measures can improve the natural values of the Titiroa Stream near the tide gates and go some way to reducing the level of adverse effect of the tide gates. The applicant is

seeking to mitigate adverse effects on the Titiroa Stream and I conclude the activity is consistent with this policy.

114. Regarding Policy 28A of the pSWLP the SRC has given notice that, in accordance with section 55(2) RMA clause 3.24 'Rivers' from the NPS-FW 2020 have been incorporated into the partially operative Southland Water and Plan. The 'Rivers' policy is incorporated as 28A in the pSWLP. The matters relevant to this policy have been covered in the discussion above on the NPSFM.

115. Mr West in his report has not identified or discussed relevant provisions of the pSWLP relating to agriculture including the following:

*Objective 3 - Water and land are recognised as enablers of the economic, social and cultural wellbeing of the region.*

*Policy 13 – Management of land use activities and discharges*

*1. Recognise that the use and development of Southland's land and water resources enables people and communities to provide for their social, economic and cultural wellbeing.*

116. The provisions of the pSWLP recognise the importance of land and water as enablers of Southland's social, economic and cultural wellbeing. Rural land use up stream of the tide gates is enabled by the weir and tide gate infrastructure and has social and economic benefits. Mr Young, Mr Frisby and Mr Gardner all discuss the potential impact on rural land uses from the removal of the tide gates.

117. The pSWLP does not explicitly support the reversion of agricultural land to wetlands.

118. Policy 34 of the pSWLP recognises the importance of natural wetlands and encourages the restoration of existing wetlands and the activity via the proposed mitigation is consistent with this.

119. In my opinion the activity is not contrary to the relevant objectives and policies of the pSWLP.

## **Regional Coastal Plan for Southland**

120. Mr West's recommending report lists the relevant provisions of the RCP and I adopt that list for the purposes of my evidence and agree with his opinion that the activity generally aligns with or is not inconsistent with most of the relevant RWP policies.

121. In his concluding remarks at 4.2.10 Mr West identifies Objectives 5.4.1.2, 7.4.1.1, 7.4.3.1 and 12.1.2, and Policies 5.4.1.2 and 7.4.3.1 of the RCP as the key provisions that the activity conflicts with or is inconsistent with. I have focussed on those provisions in my discussion below. Objectives 5.4.1.2 and 7.4.1.1 state:

*Objective 5.4.1.2 To protect the intrinsic values of ecosystems in the coastal marine area.*

*Objective 7.4.1.1 To reduce the adverse effects of taking, using, damming or diversion of water within the coastal marine area.*

122. The adverse effects of the activity have been outlined above and relying on the evidence of Ms Drummond provided the proposed mitigation is implemented in my opinion the activity is not contrary to these provisions. Objective 7.4.3.1 and Policy 7.4.3.1 state:

*Objective 7.4.3.1 To maintain the ability of fish species to be able to freely move up and down permanent waterbodies within the coastal marine area.*

*Policy 7.4.3.1 Provide for effective fish passage through or around structures built within permanent waterbodies in the coastal marine area.*

123. Ms Drummond has discussed the actual and potential adverse effects of the weir and tide gates on fish passage and concludes that the weir and tide gates are having adverse effects on upstream migration of inanga and are restricting fish passage more generally when the tide gates are closed. While weir and tide gates are having an adverse effect on fish passage (migration), effective fish passage is provided as the tide gates open and shut with the change of tide. This policy should not be read to require passage at all times in all circumstances and I note that even fish-friendly

gates will block passage sometimes. As discussed above other relevant policy provisions recognise that there will be circumstances where infrastructure needs to be located instream. The activity is generally consistent with this objective and policy.

124. Objective 12.1.2 states:

*To avoid, remedy or mitigate the interference of coastal processes by coastal use and development where such interference could cause adverse effects.*

125. The purpose of the activity is to interfere with tidal processes, but adverse effects can be remedied consistent with this objective.

*Policy 5.4.1.2 Protect the habitats of species in the coastal marine area which are important for commercial, recreational, traditional or cultural purposes.*

126. The activity via the proposed mitigation will protect the habitats of species in the CMA consistent with this policy.

127. In my opinion overall, when all relevant provisions are considered the activity is not contrary to the relevant objectives and policies of the RCP.

### **Te Tangi au Tauira**

128. Te Tangi a Tauira, the Ngai Tahu ki Muihiku Natural Resource and Environmental Iwi Management Plan 2008, is a matter that is relevant and reasonably necessary to the determination of the application. Mr West lists the relevant provisions and I adopt that list for the purposes of my evidence and agree with his opinion that the activity generally aligns with or is not inconsistent with most of the relevant iwi management plan policies.

129. In his concluding remarks at 4.2.10 Mr West identifies policies 3.5.11(10), 3.5.20(5) and 3.5.20(6) of Te Tangi a Tauira as the key provisions that the activity conflicts with or is inconsistent with. I have focussed on those provisions in my discussion below. Policies 3.5.11(10) and 3.5.20(6) have the same wording:

**Policy 3.5.11(10)** - *Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai.*

**Policy 3.5.20(6)** - *Ensure that all native fish species have uninhibited passage from the river to the sea at all times, through ensuring continuity of flow ki uta ki tai.*

130. It is difficult to reconcile this policy with the NPSFM and pSWLP. If this policy is understood to require fish passage at all times, the activity is contrary to this policy as the tide gates restrict fish passage part of the time. If this is the case, any tide gates, and potentially other structures in waterways, in the region would be contrary to this policy. It is difficult to conceive of how this would be appropriate and, at the time of writing this evidence, I understand the applicant is attempting to engage further with iwi to determine what mitigations may be sought by it, some of which may be relevant for this policy.

131. Policy 3.5.20(5) states:

**Policy 3.5.20(5)** - *Avoid compromising freshwater fishery values as a result of diversion, extraction, or other competing use for water, or as a result of any activity in the bed or margin of a lake or river.*

132. The activity diverts water in the Titiroa Stream and is in the modified bed of the Titiroa Stream. While I accept it is through a pakeha scientific lens, relying on the evidence of Ms Drummond it does not appear that the activity compromises the freshwater fishery values of the stream. As discussed above, the activity is having some adverse effects of freshwater values and I expect these include cultural values. Nonetheless, as Ms Drummond in her evidence concludes that these effects can be appropriately mitigated and given this, I do not consider the activity contrary to this policy.

133. As noted above the adverse cultural effects are uncertain but a more complete suite of mitigations have now been proposed that may address these effects.

## Summary of Statutory Assessment

134. I agree with Mr West's assessment at 4.2.7 of his report that there is strong policy support for the activity because of the status of the weir and tide gates as infrastructure in the following policy provisions:

- SRPS Objective COAST.2, Policy COAST.4, Objective INF.1, and Policy INF.1.
- RCP Objective 11.2.2 and Policy 11.4.4.
- pSWLP Objective 9B and Policy 26A.

135. Mr West in his recommending report then identifies policy provisions that he considers the activity is not consistent with while noting:

*"Many of the policies that the application conflicts with, or is inconsistent with, hinge on a particular adverse effect that the applicant may be able to demonstrate is avoided or adequately mitigated or remedied, particularly fish passage, indigenous biodiversity values, and ecosystem values".*

136. I have discussed those policy provisions above. The applicant through the evidence of Ms Drummond, Mr Conner, Mr Young, Mr Gardner and Mr Frisby has now provided additional information on many of these matters. As outlined above that information enables me to conclude that the activity is consistent with most of these policies. Mr West states:

*"Even if improved information demonstrates that the tidegates [sic] are not significantly impacting fish passage, and that adverse effects on spawning of inanga can be offset by enhancing habitat, the applicant still needs to address effects on cultural and spiritual values to address Objectives 2 and 4 and Policies 1 and 20(1)(e) of the pSWLP, Objectives 5.6.1 and Policies 5.6.1 and 5.6.5 of the RCP and Policies 3.5.10(8), 3.5.11(2), 3.5.11(3), 3.5.17(7), 3.6.3(14) and 3.6.13(6) of Te Tangi a Taurira".*

I list and assess the activity against these provisions below.

### pSWLP

137. Objective 2 and 4 of the pSWLP state:

*Objective 2 The mauri of water provides for te hauora o te taiao (health and mauri of the environment), te hauora o te wai (health and mauri of the waterbody) and te hauora o te tangata (health and mauri of the people).*

*Objective 4 Tangata whenua values and interests are identified and reflected in the management of freshwater and associated ecosystems.*

These are high level 'korowai' objectives that guide the whole pSWLP and as such I do not consider that the activity directly contradicts them. As far as I understand mauri, the application does not compromise the ability of the mauri of the water to provide for the matters outlined in these objectives.

138. I do not consider the activity contrary to Policy 1 of the pSWLP this policy which seeks to enable kaitiaki (guardian/steward) responsibilities.
139. Policy 20(1)(e) is relevant in that the activity dams and diverts surface water and this policy seeks to avoid where reasonably practicable, or otherwise remedy or mitigate, adverse effects from the use and development of surface water resources on the spiritual and cultural values and beliefs of tangata whenua. Mana whenua have submitted on the application and oppose it; however the applicant is seeking to mitigate the adverse effects of the activity and as such I do not consider the activity contrary to this policy.

#### RCP

140. Mr West has identified the activity as contrary to the following RCP provisions:

*Objective 5.6.1 To recognise and provide for cultural, spiritual and traditional values and uses of Ngai Tahu in the coastal marine area.*

*Policy 5.6.1 Have particular regard to the concept of kaitiakitaka in relation to managing the use, development and protection of natural and physical resources in the coastal marine area.*

*Policy 5.6.5 It is a national priority to protect: a characteristics of traditional spiritual, historical or cultural significance to Māori*

*identified in accordance with tikaka Māori; and b significant places or areas of historic or cultural significance, which in themselves or in combination, are essential or important elements of the natural character of the coastal marine area.*

141. As with the similar high-level provisions of the pSWLP discussed above, these are high level objectives that guide the whole RCP and as such I do not consider that the activity directly contradicts them as they are not intended to relate directly to individual activities.
142. In my opinion the activity does not appear to directly contradict this objective and these two policies.

#### Te Tangi a Tauria

143. Mr West has identified the activity as contrary to the specific objectives and policies Te Tangi which I list and discuss below. Policy 3.5.10(8) and Policy 3.5.11(2) state:

*Policy 3.5.10(8) Protect and enhance the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources.*

*Policy 3.5.11(2) Promote river management that adopts the priorities established in the Te Rūnanga o Ngāi Tahu Freshwater Policy 1997. The priorities are: Priority 1 Sustain the mauri of the waterbodies within the catchment. Priority 2 Meet the basic health and safety needs of humans (drinking water). Priority 3 Protect cultural values and uses. Priority 4 Protect other instream values (indigenous flora and fauna). Priority 5 Meet the health and safety needs of humans (sanitation). Priority 6 Provide water for stock. Priority 7 Provide for economic activities including abstractive uses. Priority 8 Provide for other uses.*

144. It is not clear to what extent that activity has any direct impact on the customary relationship of Ngāi Tahu ki Murihiku with freshwater resources in Southland. Policy 3.5.11(2) promotes a river management approach based on specific priorities and is also a broader high-level provision applying regionally.
145. Policy 3.6.13(6) states:



*Policy 3.6.13(6) Avoid changes to coastal landscapes and biodiversity which have detrimental impacts on Ngāi Tahu ki Murihiku relationships and associations with coastal land, water, wāhi tapu and wāhi taonga areas.*

146. The evidence is that the biodiversity of the stream remains robust and there is no detrimental impact on biodiversity from the gates. I am not aware of any impacts on relationships and associations with water. Again, I note this is a matter I wish to hear more about, especially in light of the additional information that has now been provided.

### **Proposed Conditions**

147. Mr West has provided an outline of potential resource consent conditions. The applicant's intention is to provide draft resource consent conditions for the Commissioners consideration prior to the hearing.

### **CONCLUSION**

148. The activity is having some adverse environmental effects, and these effects can be appropriately mitigated. The activity is also having positive social and economic benefits. On balance the activity is consistent with relevant RMA plan and policy documents.
149. The activity is consistent with the sustainable management purposes of the Resource Management Act 1991, in that it will provide for the sustainable management of the natural and physical resources. The purpose of the Act will be better met by the approval of the application than its refusal.

Luke McSoriley

16 August 2024