

Council

OPEN MINUTES

Minutes of a meeting of Council held in the Council Chambers, 15 Forth Street, Invercargill on Thursday, 23 February 2017 at 1pm.

PRESENT

Deputy Mayor	Paul Duffy
Councillors	Brian Dillon
	John Douglas
	Bruce Ford
	Darren Frazer
	George Harpur
	Julie Keast
	Ebel Kremer
	Gavin Macpherson
	Neil Paterson
	Nick Perham

IN ATTENDANCE

Chief Executive Officer – Steve Ruru, Group Manager, Environmental Services – Bruce Halligan, Group Manager, Community and Futures – Rex Capil, Chief Financial Officer – Anne Robson, People and Capability Manager – Janet Ellis, Group Manager, Customer Support – Trudie Hurst, Communications Manager – Louise Pagan and Committee Advisor – Fiona Dunlop.

1 Apologies

Apologies were received from Mayor Tong and Councillor Baird.

Resolution

Moved Cr Harpur, seconded Cr Paterson and **resolved**:

That Council accept the apologies from Mayor Tong and Cr Baird.

2 Leave of absence

Councillor Paterson advised that he was seeking leave of absence for meetings being held between 7 and 14 March 2017.

Resolution

Moved Deputy Mayor Duffy, seconded Cr Kremer and **resolved**:

That Council grant Councillor Paterson leave of absence for meetings being held between 7 and 14 March 2017.

3 Conflict of Interest

There were no conflicts of interest declared.

4 Public Forum

1. Wendy Joy Baker addressed the meeting on various issues. She had praise for new signage around the district for "Dogs on Leads", Youth Award presentation at 1st February meeting and pictorial/information signage at Nightcaps.

Miss Baker raised concerned with the following:

- Cycle Trail maintenance at Mossburn and asked if there is a maintenance schedule
- Ongoing concerns with uncontrolled dogs
- Request for service complaints and lack of follow-up to some of her emails
- Dog control report to Regulatory and Consents Committee meeting of 23 February 2017

She also mentioned:

- ACC dog bite injury claim information for Southland for the 2015 and 2016 years
- a letter she had received from the Associate Minister of Local Government
- 2016 National Dog Control Survey

She also tabled a 2015 letter from the Ombudsman regarding her complaint to them over correspondence with the Council.

Papers that Miss Baker referred to during her public forum time have attached to the minutes as appendix 1.

2. Alana Barrett addressed the meeting regarding issues that she and ratepayers of Ohai have. She advised that back in 2012 there was a public meeting held regarding the transfer of reserves when District Funding was brought in.

She stated that \$485,000 from Ohai reserves was transferred from the targeted rate and that the capital costs of the Cycle Trail was not disclosed to the 119 people whose signatures were collected at the public meetings.

The following year \$365,000 was removed from the Nightcaps Community Development Area reserves again with no disclosure of the capital cost of the cycle trail disclosed to the Nightcaps Community Development Area.

She believes that the action of acquiring the 119 signatures on false and misleading documentation was performed by the officers for the purpose of obtaining all of the reserves of the Ohai and Nightcaps ratepayers and this was an act of fraud.

She mentioned that Cr Stuart Baird had been removed from the Ohai Community Development Area Subcommittee and Nightcaps Community Development Area Subcommittee and the Ohai Railway Fund Committee on 26 October 2016 and that it was illegal as there is documentation of the final proposal for the electorate and that he was the Elected Member for the Wallace area and that it states that he is to be on those Committees.

Miss Barrett advised that the residents of the Ohai and Nightcaps areas were not told of this prior to the Election and many of the other ratepayers are not happy that the Councillor has been removed.

Miss Barrett stated that the Ohai Railway Fund Committee Triennial meeting has been removed from the Ohai area this year because it has always been alternated between Nightcaps and Ohai. She commented that it is now on at 2pm on Friday 31 March 2017 in Otautau.

She commented that the non-consultation of putting it on at a time that doesn't suit people in the area is objected to also and that can the meeting be changed to be held at the Nightcaps Town Hall at 7.30pm on Friday 31 March 2017.

5 Extraordinary/Urgent Items

There were no Extraordinary/Urgent items.

6 Confirmation of Council Minutes

Resolution

Moved Cr Ford, seconded Cr Frazer **and resolved:**

That Council confirms the minutes of the meeting, held on 1 February 2017 as a true and correct record of that meeting.

Reports - Policy and Strategy

7.1 Draft Easter Sunday Shop Trading Policy

Record No: R/17/1/1591

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Mr Capil advised that the purpose of the report is to present the draft Easter Sunday Shop Trading Policy to Council for adoption.

The Meeting noted that on the 1st of February 2017 the Community and Policy Committee endorsed the revised Easter Sunday Shop Trading Policy after considering submissions. The Committee also recommended to Council that the draft Policy be adopted.

Mr Capil further advised that a late submission had been received on the draft Policy, which raised concerns about the consequences of forgetting God and ignoring the primary reason for the Easter holiday. This submission has also been included as an attachment, for Council's information.

Resolution

Moved Cr Ford, seconded Cr Douglas **and resolved:**

That the Council:

- a) **Receives the report titled “Draft Easter Sunday Shop Trading Policy” dated 23 February 2017.**
- b) **Receives the late submission on the draft Easter Sunday Shop Trading Policy.**
- c) **Adopts the draft Easter Sunday Shop Trading Policy as attached to the minutes as appendix 2.**

7.2 Draft Remission and Postponement of Rates on Maori Freehold Land Policy

Record No: R/17/1/1593

Finance Manager – Sheree Marrah was in attendance for this item.

Mrs Marrah advised that the purpose of the report was to present the draft Remission and Postponement of Rates on Maori Freehold Land Policy to Council for adoption.

The Meeting noted that on the 1st of February 2017 the Community and Policy Committee endorsed the draft Policy after considering the submission received. The Committee also recommended to Council that the draft Policy be adopted.

Resolution

Moved Cr Keast, seconded Cr Perham **and resolved:**

That the Council:

- a) **Receives the report titled “Draft Remission and Postponement of Rates on Maori Freehold Land Policy” dated 13 February 2017.**
- b) **Adopts the draft Remission and Postponement of Rates on Maori Freehold Land Policy as attached to the minutes as appendix 3.**

7.3 Draft Stewart Island/Rakiura Visitor Levy Policy

Record No: R/17/2/1891

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Mr Capil advised that the purpose of the report was to present the draft Stewart Island/Rakiura Visitor Levy Policy to Council for adoption.

The Meeting noted that on the 1st of February 2017, officers presented a revised Stewart Island/Rakiura Visitor Levy Policy to the Community and Policy Committee. The Committee suggested some additional minor changes, endorsed the Policy, and recommended to Council that the Policy be adopted.

Resolution

Moved Cr Paterson, seconded Cr Dillon **and resolved:**

That the Council:

- a) **Receives the report titled “Draft Stewart Island/Rakiura Visitor Levy Policy” dated 13 February 2017.**
- b) **Adopts the Stewart Island/Rakiura Visitor Levy Policy as attached to the minutes as appendix 4**

7.4 2017 Southland District Council Scholarship Recipients

Record No: R/17/1/1783

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Mr Capil advised that the Southland District Council Community and Policy Scholarship and Bursaries Interview Panel conducted scholarship applicant interviews on 19 January 2017. He also advised that no applications had been received for the Community Outward Bound 18 – 27 year category.

The Meeting noted that following the interviews, the following applicants were successful:

- Robert Grove and Sophie Sangster - Centennial Bursary (\$2,000 each recipient)
- Samantha Chandler \$1,000 and Richard Crouchley \$1,500 - Valmai Robertson Arts Scholarship (\$2,500 contestable):
- Maree Small - “Eric Hawkes Memorial” Community Outward Bound Scholarship 27 years and over:
- Peter Meikle - “Eric Hawkes Memorial” Employee Outward Bound Scholarship.

Resolution

Moved Cr Keast, seconded Cr Macpherson **and resolved:**

That the Council:

- a) **Receives the report titled “2017 Southland District Council Scholarship Recipients” dated 16 February 2017.**

- b) Approves the 2017 Southland District Council Scholarship recipients as recommended by the Southland District Council Scholarship and Bursaries Interview Panel – being
- Centennial Bursary (\$2,000 each recipient):
Robert Grove and Sophie Sangster
 - Valmai Robertson Arts Scholarship (\$2,500 contestable):
Samantha Chandler \$1,000 and Richard Crouchley \$1,500
 - “Eric Hawkes Memorial” Community Outward Bound Scholarship 27 years and over:
Maree Small
 - “Eric Hawkes Memorial” Employee Outward Bound Scholarship:
Peter Meikle

7.5 Submission on transmission pricing methodology

Record No: R/17/2/2679

Communications Manager – Louise Pagan was in attendance for this item.

Mrs Pagan advised that the purpose of the report was to seek Council's approval of the draft submission to the Electricity Authority on the review of transmission pricing methodology.

The Meeting noted that the report presents a draft submission to the Electricity Authority regarding its review of transmission pricing methodology and that this submission is to the supplementary consultation after Venture Southland wrote a submission on behalf of the Councils to the first round.

Mrs Pagan also advised that the methodology changed from the first round and Venture Southland is again writing a submission looking at the issues in depth. Council is seeking a fairer way of assigning costs of the national electricity grid.

Resolution

Moved Cr Frazer, seconded Cr Perham **and resolved:**

That the Council:

- a) Receives the report titled “Submission on transmission pricing methodology” dated 16 February 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Approves the draft submission (as attached to the Officers report) to the Electricity Authority on the transmission pricing methodology.

Reports - Operational Matters

8.1 Approval of Unbudgeted Expenditure by the Limehills/Centre Bush Community Development Area Subcommittee for Limehills Stormwater Maintenance Project

Record No: R/17/1/1492

The purpose of the report was to seek Council's approval to spend up to \$9,505.00, excluding GST of unbudgeted expenditure on mechanical cleaning of the Limehills stormwater ditches. The budgeted expenditure to mechanically clean the stormwater ditches is \$11,695.00 for the 16/17 financial year leaving a shortfall of \$9,505.00.

The Meeting noted that the Limehills/Centre Bush Community Engineer requested price quotes based on the current Limehills stormwater system map held by Council. The range of received quotes to date are from \$19,580.00 to \$21,200.00, excluding GST. The current budget to undertake the above work is \$11,695.00.

The Meeting also noted that the Limehills/Centre Bush Community Development Area Subcommittee has requested approval to spend up to \$9,505.00, excluding GST, to be funded from the stormwater reserve to start works. Pricing in the open market for this work to be undertaken has not occurred for a number of years and because of this, the budget now does not reflect the actual costs of completing the mechanical cleaning.

It was further noted that the mechanical cleaning of the ditches was budgeted to occur in the 14/15 financial year and it was not undertaken. The \$11,695.00 was carried forward into the 15/16 financial year but the stormwater ditches were sprayed instead of being mechanically cleaned.

Resolution

Moved Cr Frazer, seconded Cr Paterson **and resolved:**

That the Council:

- a) Receives the report titled "Approval of Unbudgeted Expenditure by the Limehills/Centre Bush Community Development Area Subcommittee for Limehills Stormwater Maintenance Project" dated 16 February 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Approves the request of the Limehills/Centre Bush Community Development Area Subcommittee for approval of unbudgeted expenditure of up to \$9,505.00, excluding GST, to be funded from the Board's stormwater reserve to progress mechanical cleaning of the stormwater ditches.

Reports - Governance

9.1 Financial Report for the month ended 31 December 2016

Record No: R/17/1/1619

Management Accountant – Robert Tweedie and Chief Financial Officer – Anne Robson were in attendance for this item.

Mr Tweedie advised that the report outlined the financial results for the six months to 31 December 2016 or 50% of the financial year.

Resolution

Moved Cr Keast, seconded Cr Kremer **and resolved:**

That the Council:

- a) **Receives the report titled “Financial Report for the month ended 31 December 2016” dated 17 February 2017.**

9.2 Triennial Agreement 2016 - 2019

Record No: R/17/2/2163

Group Manager, Community and Futures – Rex Capil was in attendance for this item.

Mr Capil advised that under the Local Government Act 2002 local authorities within a region are required to have in place a Triennial Agreement containing protocols for communication and co-ordination amongst them during the period until the next triennial general election of members.

The Meeting noted that the Triennial Agreement between the Southland District Council, Environment Southland, Gore District Council and Invercargill City Council for the period from 2016 to 2019 which will take effect from 1 March 2016 is attached to the Officers report.

Mr Capil advised that Officers have reviewed the draft Triennial Agreement and the contents remained largely unchanged from the previous Triennium.

The Meeting further noted that once adopted the Triennial Agreement remains in force until it is replaced by another Agreement. However, there is provision for the Agreement to be amended in the event the Councils wish to change any of the protocols.

Resolution

Moved Cr Douglas, seconded Cr Dillon **and resolved:**

That the Council:

- a) **Receives the report titled “Triennial Agreement 2016 - 2019” dated 13 February 2017.**

-
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
 - c) Determines that it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
 - d) Approves the Mayor and Chief Executive executing the Triennial Agreement (as attached to the officers report) under seal pursuant to Section 15 of the Local Government Act 2002.

9.3 Milford Community Trust - Statement of Intent 2017-2020.

Record No: R/17/2/2326

Group Manager, Community and Futures – Rex Capil will be in attendance for this item.

Mr Capil advised that the purpose of the report was to get Council to note the contents of the Milford Community Trust - Statement of Intent 2017-2020 and approve of the document accordingly.

The Meeting noted that the draft Statement of Intent was circulated to all stakeholders being Southland District Council, Environment Southland and the Department of Conservation for comment. Following that process, the draft Statement of Intent was subsequently considered by the Milford Community Trust at its meeting held on 7 December 2016.

Mr Capil advised that the Trustees made some minor changes to the document and following this the Trust formally resolved to adopt the Statement of Intent for 2017-2020 and now submits to Council for approval.

Resolution

Moved Cr Kremer, seconded Cr Paterson **and resolved:**

That the Council:

- a) Receives the report titled “Milford Community Trust - Statement of Intent 2017-2020.” dated 13 February 2017.
- b) Determines that this matter or decision be recognised as not significant in terms of Section 76 of the Local Government Act 2002.
- c) Determines that it has complied with the decision making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with Section 79 of the Act determines that it does not require further information, further assessment of options or further analysis of costs and benefits or advantages and disadvantages prior to making a decision on this matter.
- d) Approves the Milford Community Trust - Statement of Intent 2017-2020.

9.4 Minutes of the Colac Bay Community Development Area Subcommittee Meeting dated 12 July 2016

Record No: R/17/1/1661

Resolution

Moved Cr Harpur, seconded Cr Macpherson **and resolved:**

That Council receives the minutes of the Colac Bay Community Development Area Subcommittee meeting held 12 July 2016 as information.

Public Excluded

Exclusion of the Public: Local Government Official Information and Meetings Act 1987

Resolution

Moved Cr Keast, seconded Cr Frazer **and resolved:**

That the public be excluded from the following part(s) of the proceedings of this meeting.

C10.1 Unbudgeted Expenditure for External Painting Projects at the Wyndham and Edendale Community Housing Units

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
Unbudgeted Expenditure for External Painting Projects at the Wyndham and Edendale Community Housing Units	s7(2)(b)(ii) - The withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information.	That the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding exists.

That the Chief Executive Officer, Group Manager, Environmental Services, Group Manager, Services and Assets, Group Manager, Community and Futures, Chief Financial Officer, People and Capability Manager, Group Manager, Customer Support, Communications Manager and Committee Advisor, be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the items C10.1 Unbudgeted Expenditure for External Painting Projects at the Wyndham and Edendale Community Housing Units. This knowledge, which will be of assistance in relation to the matters to be discussed, is relevant to those matters because of their knowledge on the issues discussed and meeting procedure.

The public were excluded at 1.43pm.

Resolutions in relation to the confidential items are recorded in the confidential section of these minutes and are not publicly available unless released here.

The meeting concluded at 1.45pm.

**CONFIRMED AS A TRUE AND CORRECT
RECORD AT A MEETING OF THE COUNCIL
HELD ON THURSDAY 23 FEBRUARY 2017.**

DATE:.....

CHAIRPERSON:.....

APPENDIX 1

[REDACTED]

From: wendy baker <wendyjoybaker-poet@hotmail.com>
Sent: Monday, 20 February 2017 1:24 p.m.
To: Fiona Dunlop
Cc: Evan Harding
Subject: Public Forum: request to present at SDC Meeting on Thursday at 1pm
Attachments: Fortrose Dogs on leads signage 2016.jpg; FORTROSE dogs on leads signage.jpg; Cycle Trail Mossburn broken signage.pdf; Cycle Trail Mossburn needs maintenance.pdf; Ministers letter October 2016.pdf; Dog-Survey-Report-Final.pdf; wrist alarm worn for safety when running due to uncontrolled dogs jpg; RoyalNZ RSA National Presidents Reference December 2016.pdf; RFS 74584 Wandering Dog on Road at Nightcaps 13th February 2017 and broken dogs on leads signage near school .pdf; Wandering Dog lyne street Nightcaps rfs74228.pdf

Hello Fiona

As discussed, I would like to present at the SDC meeting on Thursday please.

The topics:

1) Praise for:

- New signage around the district for 'Dogs on Leads'. Two photo Examples attached (Fortrose)
- The Youth Award presentation at 1st February meeting
- The pictorial/information signage at Nightcaps

2) Cycle Trail Maintenance concerns at Mossburn (refer photos). Is there are maintenance schedule?

3) Uncontrolled dogs are ongoing concern (refer examples @ Nightcaps); RFS complaints and lack of follow up to some of my emails; Comment about Dog Control Report.

4) ACC Dog Bite injury claim information (Southland) 2015 and 2016 (below email)

5) Discuss briefly Ministers letter (October 2016) and 2016 National Dog Control Survey (attached). (Also the RNZRSA National President has noted my advocating for dog control measures, in the attached Reference)

My proactive initiative continues refer below website:

https://postanote.co.nz/community/events/2017-safety-competition-win-a-lead-for-your-dog_i44593#.WKowkrb5i70



2017 SAFETY COMPETITION: WIN A LEAD FOR YOUR DOG

postanote.co.nz

Events Invercargill, Hi and Happy New Year Yes, I am giving two leads away in 2017. So please tell me why you want to receive one of the lead...

Look forward to hearing from you. Thanks

Regards
Wendy Joy Baker

From: Suzanne Muth <Suzanne.Muth@acc.co.nz>
Sent: Thursday, 16 February 2017 10:00 p.m.
To: wendy baker
Subject: RE: dog bite injuries 2015-2016 info please

Hi Wendy,

Here are the stats. This is for 1 Jan to 31 Dec for each year, so the same as the first lot of stats.

	Claim Count		Claim Costs to Date Ex GST	
	2015	2016	2015	2016
Accident TA				
Gore District	38	37	\$10,418	\$4,981
Invercargill City	112	115	\$25,237	\$19,177
Southland District	62	83	\$8,556	\$17,864

* Claim costs shown for a particular year are the costs accrued 'to date' for any claims accepted that year. This means costs for earlier years will tend to be higher, since there's been more time for any ongoing claims received in those years to accrue costs.

Cheers,

 **Suzanne Muth, Media Advisor, ACC**
Tel 04 816 5933 / Ext 46933

 ACC cares about the environment – please don't print this email unless it is really necessary. Thank you.

From: wendy baker [mailto:wendyjoybaker-poet@hotmail.com]
Sent: Monday, 13 February 2017 1:52 p.m.
To: Suzanne Muth
Subject: Re: dog bite injuries 2015-2016 info please

Hi Suzanne

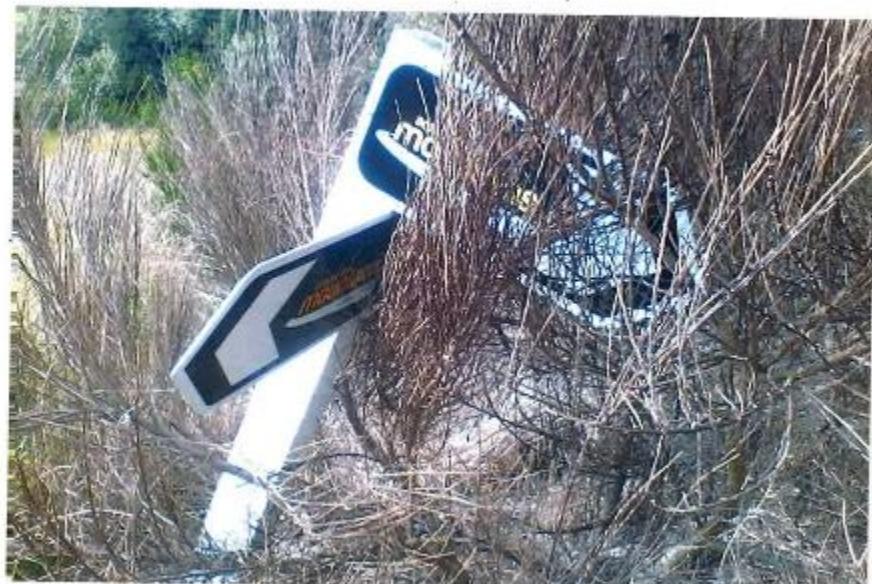
Just wondered if you could give me the dog bite injury claim number for Southland area please. 2015-2016 year.

Thanks

Wendy













Office of Hon Louise Upston

Minister for Land Information
Minister for Women

Associate Minister of Local Government
Associate Minister for Tertiary Education,
Skills and Employment

21 OCT 2016

Wendy Baker
wendyjoybaker-poet@hotmail.com

Dear Wendy Baker

Thank you for your email of 19 September 2016 regarding dog control in your local community and around New Zealand.

I appreciate your thoughts on the future of dog control. My survey on dog control issues received over 3,000 responses from New Zealanders, sharing their concerns and providing their suggestions for improvement.

I share your concern about the number of dog attacks in New Zealand. By now you will have heard that I recently announced a range of measures aimed at reducing the risk of dog attacks and increasing the responsibilities of the owner of any dog classified as dangerous or menacing.

I note your concerns about adequate fencing for properties of dog owners. One of the measures in my national strategy to reduce the risk and harm of dog attacks will be requiring owners to display signs at the front of their property alerting people that a dangerous or menacing dog lives there. The owner will be required to keep the dog in a fenced-in area at home that allows visitors dog-free access to at least one house entrance. The dog will also have to wear a special collar at all times identifying its classification as dangerous or menacing.

I am considering further measures to reduce the risk and harm of dog attacks, including stricter controls on the owners of dangerous and menacing dogs and improving the quality of data about dog attacks. I am also developing an educational campaign to drive a much-needed cultural shift towards more responsible dog ownership; a better understanding of dog behaviour; and greater public knowledge of how to keep safe around dogs.

As you have noted, councils have a major role to play in enforcing dog control laws. The Government will be working with local government to review and improve guidance for councils on best practice in dog control. I expect the improved guidance will include up-to-date information for councils and animal control officers about the use of enforcement tools councils have available to them. If you have any specific concerns about dogs in your neighbourhood, I would encourage you to contact your council's animal control unit to discuss them.

I assure you that the Government and I are committed to ensuring that New Zealand's laws, alongside effective enforcement and responsible dog ownership, make people feel safe in our communities.

Thank you again for writing.

Sincerely



Hon Louise Upston
Associate Minister of Local Government

Public responses to dog control survey

On 1 August 2016, Hon Louise Upston, the Associate Minister of Local Government, published an online survey 'Reducing dog attacks – share your thoughts' (the survey) which ran until 14 August 2016. The survey asked respondents what they considered was biggest contributing factor to dog attacks, and sought suggested ways to reduce attacks.

The Department of Internal Affairs (the Department) has analysed the number of responses to questions with predetermined responses and has coded all free-text responses into themes for quantitative analysis. Information on the demographics of respondents is provided as Appendix A.

Biggest contributing factor to dog attacks

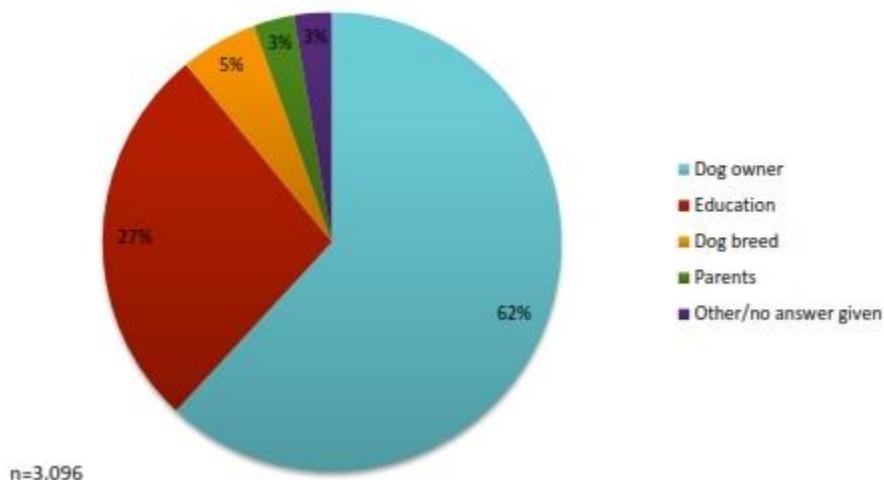


Figure 1: Biggest contributing factor to dog attacks

Respondents could only select one response to this question. The majority of respondents considered that dog owners were the biggest contributing factor to dog attacks (62%). A large number of respondents also considered education about dog behaviour was the biggest contributing factor (27%). Together, these options made up almost 90 per cent of the overall responses.

Common explanations for responses

The typical themes that emerged for each of the above categories and quotes from submitters are provided below.

Lack of obedience training is a key problem

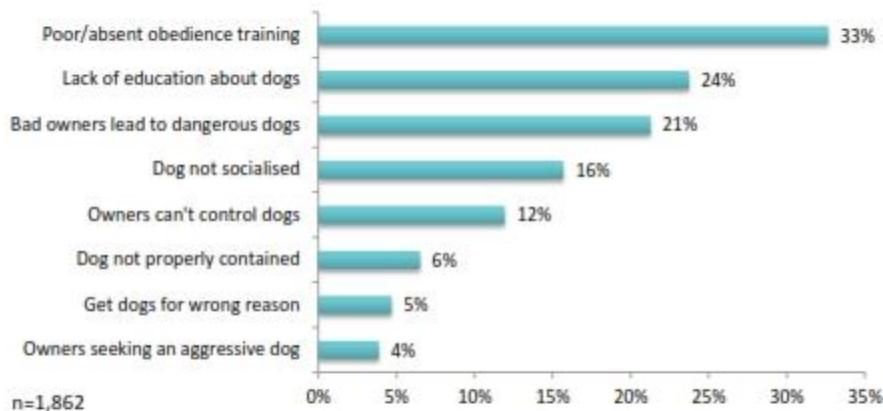


Figure 2: Why dog owners are the biggest contributing factor

Respondents predominantly considered that owners caused dog attacks due to poor or absent obedience training (33%), because they were not educated about dog behaviour/ownership (24%), or simply because bad owners often lead to dangerous dogs (21%).

"All dogs regardless of breed and size can lash out when pushed too far. It is an owner's responsibility to have a well-trained, under control dog and to keep both the dog and people safe."

Misunderstanding of dog behavioural signals leads to attacks

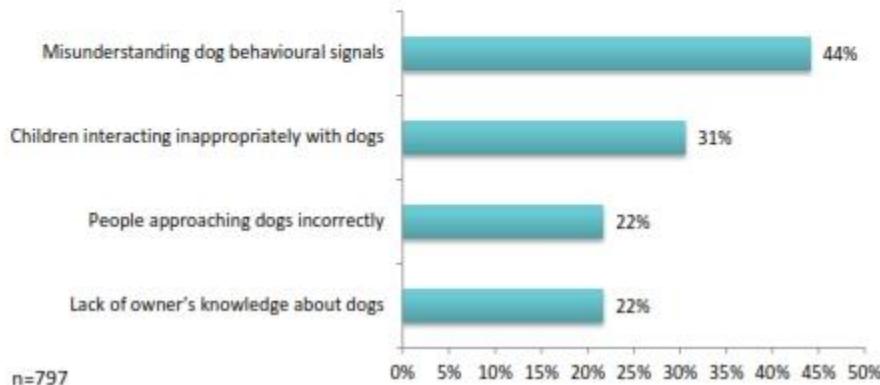


Figure 3: Why education about dog behaviour is the biggest contributing factor

Respondents noted that people often misunderstand dog behavioural signals (44%) which can contribute to an attack. Many respondents also considered that children need to be educated on how to properly interact with dogs (31%).

"...people do not interpret dog behaviour correctly. They do not pay attention to the dogs signals, no matter how big or small those signals are."

Certain breeds are much more dangerous¹

Of the 154 respondents that considered dog breed was the biggest contributing factor to attacks, 89 per cent noted that this was because certain breeds are much more dangerous. The other 11 per cent did not offer an explanation.

"Some dogs have been bred to fight. It is in their DNA... When these breeds of dogs are let loose in the community, or left alone with vulnerable people, then their instincts will take over."

¹ No graphic provided as respondents generally only offered one explanation for why dog breeds are the biggest contributing factor.

Parents have a responsibility to educate their children on dog safety

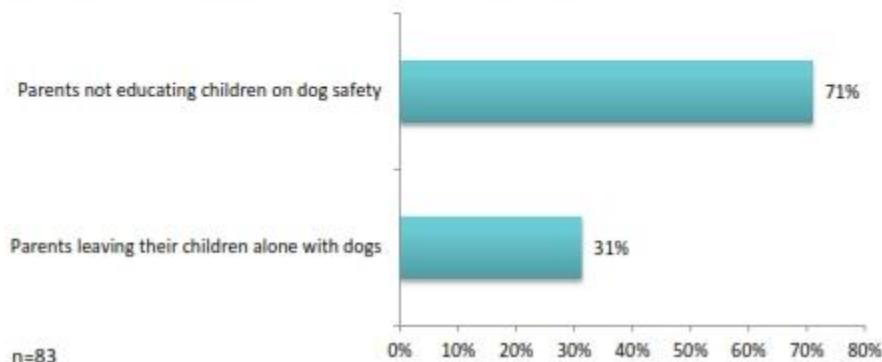


Figure 4: Why parents are the biggest contributing factor

The majority of respondents who considered parents to be the biggest contributing factor to dog attacks explained that this is due to a lack of education for children on dog safety (71%). Other respondents noted that parents not properly supervising their children around dogs was also a contributing factor (31%).

"Parents should be ensuring children know how to act around dogs, and should never leave children alone with dogs."

Best ways to reduce dog attacks

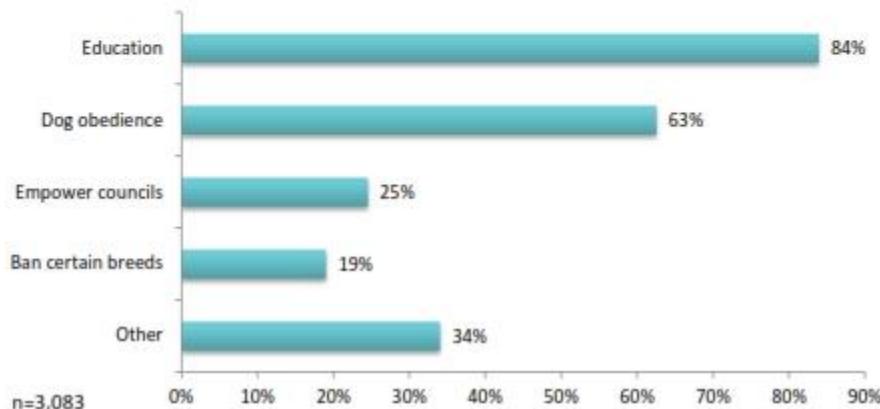


Figure 5: Best way to reduce dog attacks

Respondents could select multiple responses for this question. The majority of respondents considered that providing education about dog behaviour (84%), and requiring obedience classes for owners (62%), were the best ways to reduce dog attacks.

Dog owners should be tested for suitability to own a dog

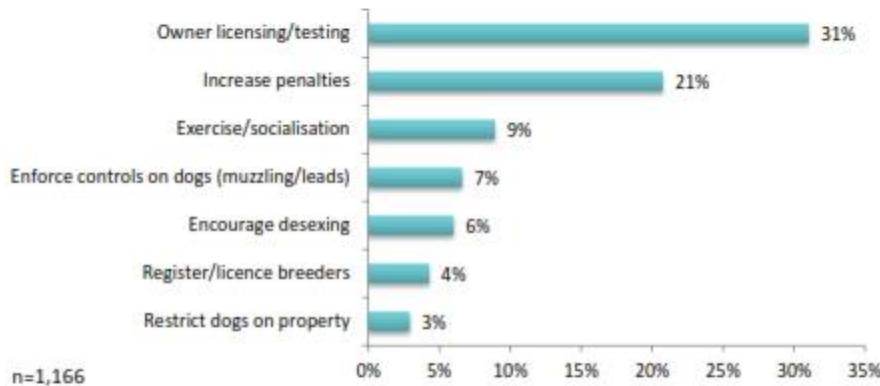


Figure 6: Suggested other ways to reduce dog attacks

Respondents often suggested testing minimum standards, or introducing a licensing scheme (31%), to be a dog owner. Another common suggestion was to increase existing penalties for poor ownership (21%).

"Dog licencing like driver licencing [sic]... a car can kill people - need a licence. A gun can kill people - need a licence. Dogs can kill people - should need a licence."

How owners can help reduce dog attacks

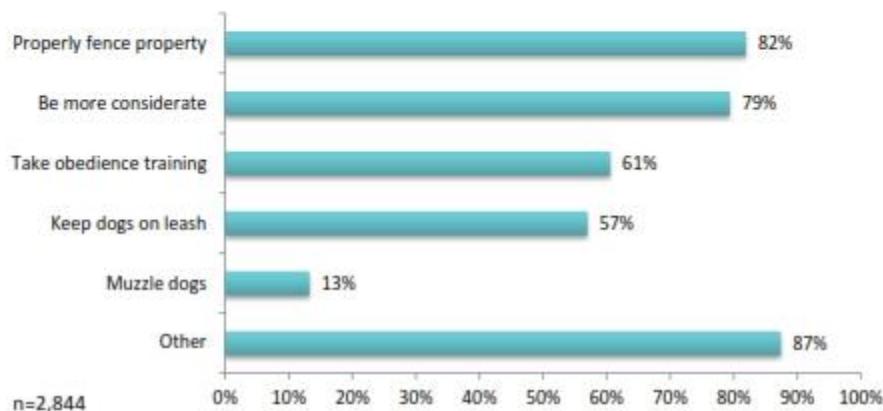


Figure 7: How owners can help to reduce dog attacks

Respondents could select multiple responses for this question. Key suggestions included owners properly fencing off their property (82%), and taking more care when in public with their dog (79%). Many respondents also recommended other options in free-text fields, which are provided below.

Owners need to educate themselves on dog behaviour

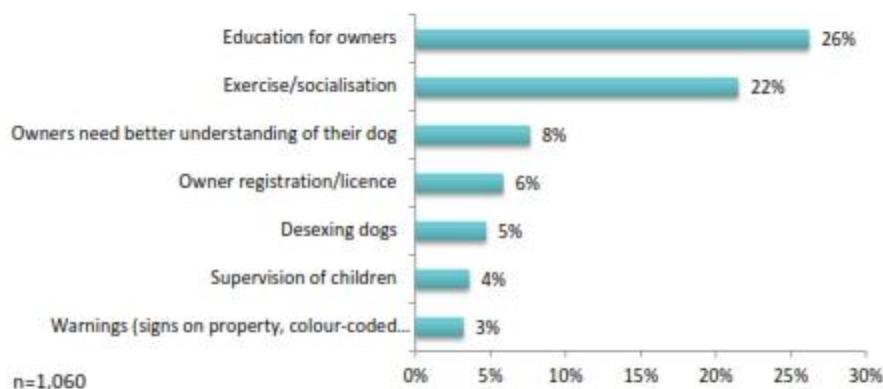


Figure 8: Suggested other ways owners can reduce dog attacks

Respondents noted that owners need to educate themselves more on dog behaviour (26%), and should put more effort into exercising/training their dog (22%).

"Dogs need good socialisation as puppies - this goes well beyond simply taking obedience training. The idea that dogs should always be leashed and/or muzzled in public is an over simplification and counter productive [sic]. A healthy dog will love a chance to go for a good run and off leash at a beach where this is permitted is a great place to do this... Many owners seem not to be aware of their dog's behaviour, particularly owners of small dogs with fear aggression issues - this is where owners need better education about their animals..."

How councils can help reduce dog attacks

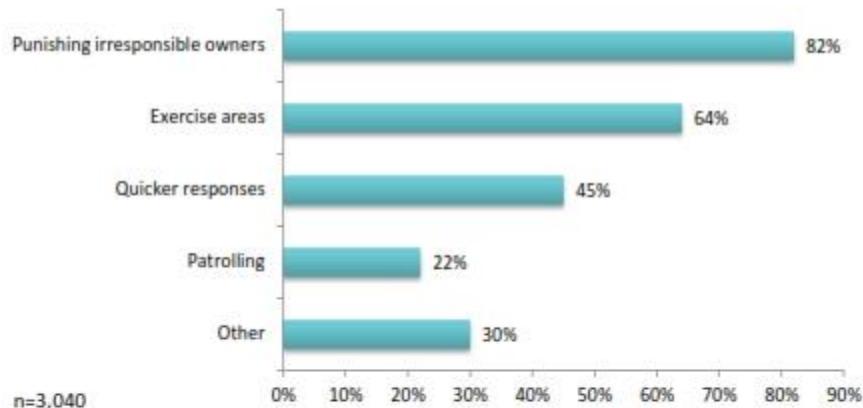


Figure 9: How can councils help to reduce dog attacks?

Respondents could select multiple responses for this question. Respondents focused heavily on councils taking punitive action against irresponsible dog owners (82%), and establishing more exercise-friendly areas for dogs (64%). Some respondents also recommended other options in free-text fields, which are provided below.

Councils should run public education campaigns



Figure 10: Suggested other ways councils can help reduce attacks

Many respondents suggested councils should run public education/awareness campaigns (34%) and test dog owners for competence (14%).

"Education in schools! Start with the youth and they will teach their parents and then generations to come will learn."

How the Government can help reduce dog attacks

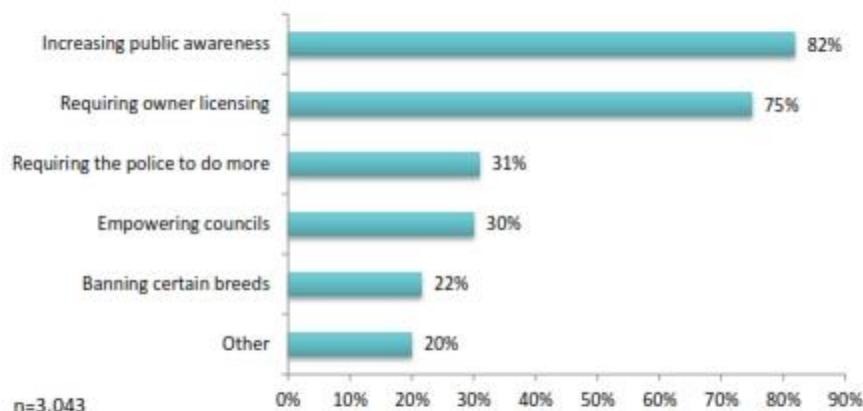


Figure 11: How can the Government help to reduce dog attacks?

Respondents could select multiple responses for this question. Most support came for increasing public awareness about safety around dogs (82%) and introducing a dog owner licensing system (75%). Some respondents also suggested other ways the Government can reduce dog attacks.

The Government should provide nationwide education for all dog owners

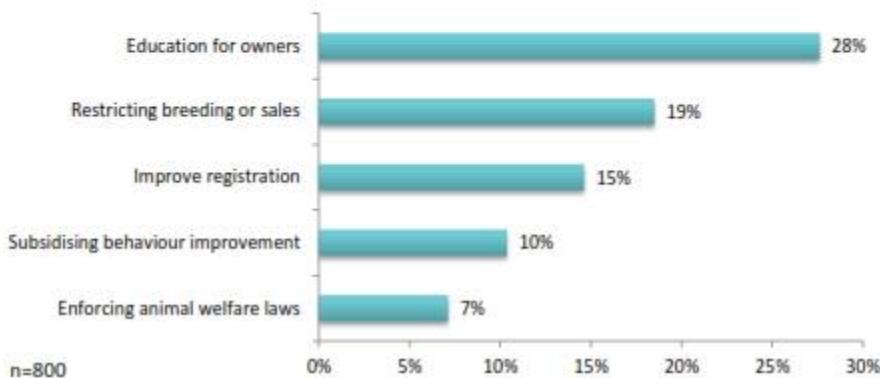


Figure 12: Suggested other ways the Government can help to reduce dog attacks

Respondents suggested the Government intervene by providing education for owners (28%), restrict breeding/sales (19%), and incentivise or enforce dog registration (15%).

"Dogs live with and amongst us so educate the owners as to their responsibility, and also non-owners on how they can stay safe and not aggravate a situation."

Information on dog attack incidences

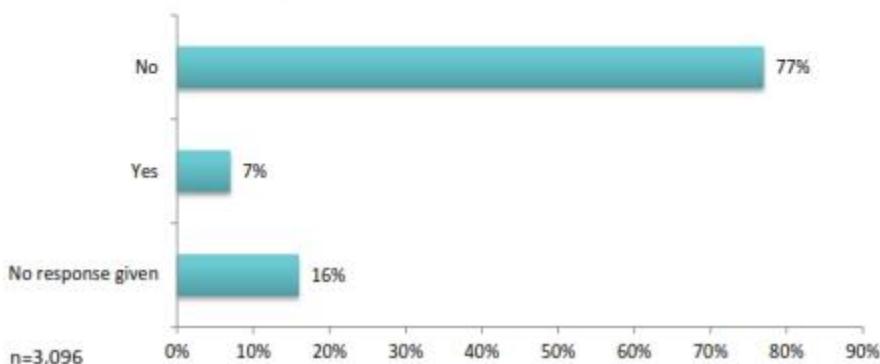


Figure 13: Has your dog ever bitten a person or animal?

Respondents could only select 'Yes' or 'No' for this question. The vast majority of respondents indicated their dog had never bitten anyone (77%), but a small number indicated that there had been an incident (7%). 16 per cent of respondents gave no response to this question.

Respondents that indicated their dog had bitten an animal or person were then asked what the circumstances were and whether or not the relevant council was informed.

Typical circumstances surrounding attacks

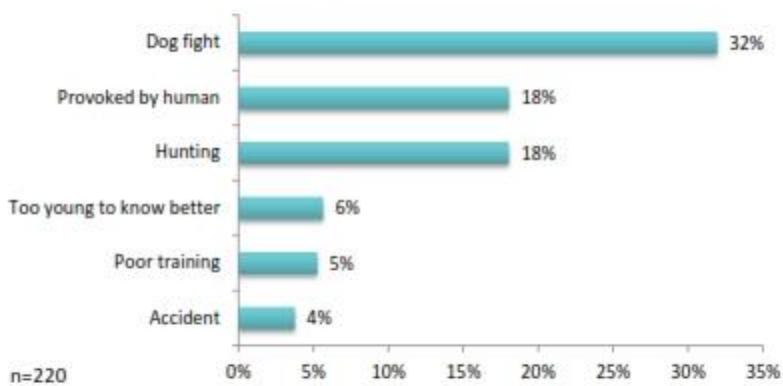


Figure 14: Why did your dog bite?

The majority noted that their dog had gotten into a fight with another dog (32%). Other common responses included that their dog had been provoked by a human (18%), and that their dog was hunting (18%).

Was the relevant council notified?

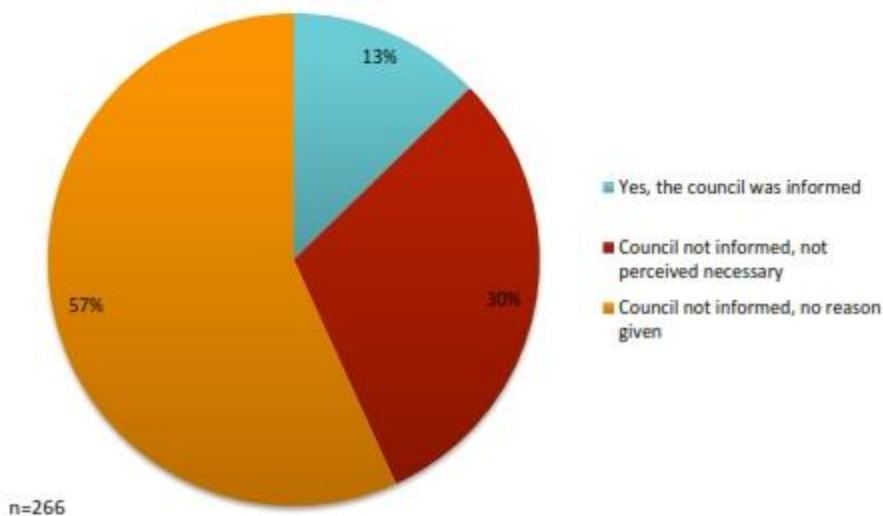


Figure 15: If your dog has bitten, was the council informed? Why/why not?

Councils were typically not notified (87% of the time). When respondents explained why the council had not been notified, they stated that they did not believe it necessary to do so.

"No I didn't inform council because it is none of their business. My dog bit one of my chickens. This is normal dog behaviour and has since been prevented through training and exposure to the rest of the chickens."

"My dog was attacked by another dog (smaller one) and defended herself. Minor injuries to both dogs. No council was not informed. Other owner apologised."

"The bite was in reaction to be[ing] attacked by another dog and I was trying to get her out of the situation... Waste of time contacting the council. I could have had my own dog destroyed because they may not understand the situation."

Appendix A: Demographics of survey respondents

Did the respondent own a dog?		
	Count	Percentage
Yes	2,347	76%
No	455	15%
No response given	294	9%
Total respondents	3,096	

Key characteristics of respondents		
	Count	Percentage
They were a dog owner	2,594	84%
They were concerned about dog attacks	1,482	48%
They were a parent	1,166	38%
They had an animal that had been attacked by a dog	828	27%
They had been attacked by a dog	593	19%
No answer given	58	2%
Total respondents	3,096	

Characteristics of the dog		
	Count	Percentage
Registered	2,546	98%
Microchipped	2,456	94%
Neutered	2,013	77%
Total respondents	2,601	

Where did they get their dog from?		
	Count	Percentage
Breeder	1,142	47%
Animal Shelter	581	24%
Online or newspaper ad	311	13%
Friend or relative	256	11%
Pet shop	83	3%
Found as stray	49	2%
Total respondents	2,422	

What was their main reason for getting a dog?

	Count	Percentage
Companionship	2,017	82%
Competition	308	12%
Protection	48	2%
Work	43	2%
Hunting	39	2%
Assistance	14	1%
Total respondents	2,469	

Had they completed an obedience course?

	Count	Percentage
Yes, it was useful	1,587	65%
No, we don't want to	563	23%
No, but we will soon	153	6%
Yes, but it was useless	139	6%
Total respondents	2,442	

Age

	Count	Percentage
15 or younger	15	<1%
16-25	321	10%
26-35	623	20%
36-45	659	21%
46-55	678	22%
56-65	403	13%
66-75	166	5%
76 or older	25	1%
Unspecified	206	7%
Total respondents	3,096	

Were they from a main centre?

	Count	Percentage
Main centre	1,656	53%
Outside main centres	1,440	47%
Total	3,096	

What district were they from?		
	Count	Percentage
Auckland	821	27%
Christchurch City	289	9%
Wellington City	120	4%
Tauranga City	112	4%
Dunedin City	88	3%
Manawatu District	82	3%
Waikato District	79	3%
Hamilton City	75	2%
Waimakariri District	61	2%
Lower Hutt City	54	2%
Selwyn District	54	2%
Far North District	53	2%
New Plymouth District	53	2%
Rotorua District	49	2%
Upper Hutt City	48	2%
Nelson City	39	1%
Invercargill City	37	1%
Western Bay of Plenty District	37	1%
Waipa District	34	1%
Hastings District	30	1%
Horowhenua District	28	1%
Timaru District	28	1%
Taupo District	27	1%
Porirua City	26	1%
Central Hawke's Bay District	25	1%
Kaipara District	25	1%
Palmerston North City	25	1%
Tasman District	24	1%
Marlborough District	22	1%
Matamata-Piako District	20	1%
Napier City	19	1%
South Taranaki District	18	1%
Southland District	18	1%
Gisborne District	16	1%
Grey District	16	1%
Other districts	213	7%
Unspecified	331	11%
Total	3,096	





12 December 2016

To Whom It May Concern

Letter of reference for Wendy Baker

I have had the pleasure of knowing Wendy Baker for some years and it is with great pleasure that I write this reference for her.

Wendy has a very friendly, bubbly personality and is very involved in community work. She has been involved in many areas of support for the RSA including attending and reading her poetry at ANZAC Day services, advocating to local councils to refurbish local war memorials and is always willing to lend a hand to anyone in need.

Wendy's involvement in community work has been wide spread, she has been active in athletics, Surf Life Saving and advocating for dog control measures to name a few.

People like Wendy are rare and the great pity is that society would be so much better off if we had more like her.

I can sincerely recommend Wendy to any employer or community group who are looking for someone who will be a great employee.

Please do not hesitate to contact me should you require any further information.

Yours sincerely



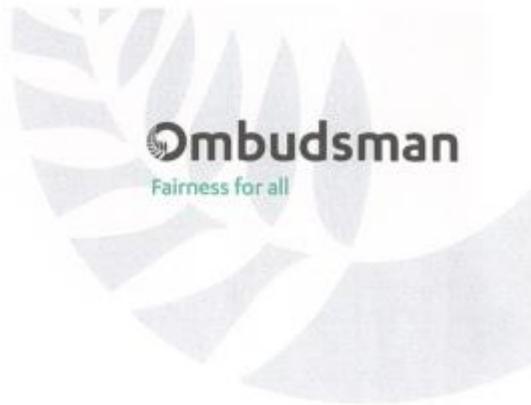
BJ Clark
National President

ROYAL NEW ZEALAND RETURNED AND SERVICES ASSOCIATION

National Office: Anzac House, 181 Willis Street • PO Box 27 248, Marion Square • Wellington 6141, New Zealand
Phone +64 4 384 7994 • Fax +64 4 385 3325 • www.rsa.org.nz







Our Ref: 396908
Contact: Philippa Rutledge

17 July 2015

Ms Wendy Baker
PO Box 320
Gore 9740

Dear Ms Baker

Re: Your complaint against Southland District Council

Thank you for your correspondence with this Office most recently on 23 June 2015, seeking an update on your complaint about Southland District Council.

Your original complaint, dated 12 January 2015, was in relation to comments in the local print media by Mayor Gary Tong of the Southland District Council, and the Mayor's subsequent email to you. Later you also complained about the failure of the Council to respond to a complaint about wandering dogs.

In relation to your dog complaint, I understand that the Council has since responded to you.

Last year you were also in correspondence with this Office in relation to concerns about dog control by the Council and comments by the Mayor.

I have been in touch with the Council and Mayor Gary Tong about your concerns. I am satisfied that the Council has measures in place to ensure that your concerns are followed up fairly and appropriately.

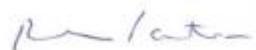
With respect to some of Mayor Gary Tong's published comments in October 2014, I can understand why they caused you concern. I have talked to the Mayor about your sense of grievance. I am satisfied that he will take particular care in relation to any public comments in future.

On the basis of my preliminary inquiries, and my discussion with the Mayor, it does not appear that an investigation is necessary.

2

However, if you wish to make any further comments by **7 August 2015**, I will give the matter further consideration.

Yours sincerely



Professor Ron Paterson
Ombudsman

APPENDIX 2

SOUTHLAND DISTRICT COUNCIL EASTER SUNDAY SHOP TRADING POLICY

This policy applies to: Southland District

DOCUMENT CONTROL

Policy owner: Group Manager Environmental Services	TRIM reference number: R/2016/10/17248	Effective date: 23 February 2017
Approved by: Council	Date approved: 23 February 2017	Next review date: 2022

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EASTER SUNDAY SHOP TRADING POLICY

1. PURPOSE

The purpose of this policy is to allow all shops in the Southland District to open on Easter Sunday. This policy will:

- promote ease of business;
- recognise the needs of the retail and tourism sectors;
- apply a consistent and simple approach to Easter Sunday shop trading.

2. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Shop	is a building, place, or part of a building or place, where goods are kept, sold, or offered for sale, by retail; and includes an auction mart, and a barrow, stall, or other subdivision of a market; but does not include - (a) a private home where the owner or occupier's effects are being sold (by auction or otherwise); or (b) a building or place where the only business carried on is that of selling by auction agricultural products, pastoral products, and livestock, or any of them; or (c) a building or place where the only business carried on is that of selling goods to people who are dealers, and buy the goods to sell them again.
Employer	has the same meaning as in s5 of the Employment Relations Act 2000
Shop Employee	means an employee within the meaning of s6 of the Employment Relations Act 2000 who works in or from a shop.
Southland District	is the area depicted in Appendix 1.

3 BACKGROUND

In 2016 the Shop Trading Hours Act 1990 (the Act) was amended, allowing Councils to introduce a policy letting shops trade on Easter Sunday.

Council can apply the policy to the whole District, or just to a particular region or regions. A policy cannot define specific opening hours, what types of shops may open, or for what purposes a shop may open.

4 . POLICY DETAILS

4.1 Shop Trading Permitted

This policy allows all shops to trade on Easter Sunday.

4.2 Right to refuse to work

Employers must comply with the provisions relating to a Shop Employees right to refuse to work, as is set out in the Act and in the Employment Relations Act 2000.

Employers and Shop Employees must also give notice in accordance with the time provisions set out in the Act.

4.3 Scope

This Policy applies to the whole of the Southland District. A map outlining the boundaries of the Southland District is included as Appendix 1.

This Policy does not apply to the sale or supply of alcohol. Alcohol sale and supply is regulated under the Sale and Supply of Alcohol Act 2012.

4.4 Review

This Policy will be reviewed within five years of adoption. The Act requires the use of the Special Consultative Procedure when adopting, reviewing and determining whether to amend, revoke, replace or continue the policy.

4 . ROLES AND RESPONSIBILITIES

Party/Parties	Roles and Responsibilities
Environmental Services	Providing advice on the content and scope of the policy. Advising on adopting, reviewing, amending, revoking, replacing or continuing the policy.
Strategy and Policy	Adopting, reviewing, amending, revoking, replacing or continuing the policy. Undertaking consultation in accordance with the Special Consultative Procedure.
Communications	Developing a communications strategy and assisting with consultation.

5 . ASSOCIATED DOCUMENTS

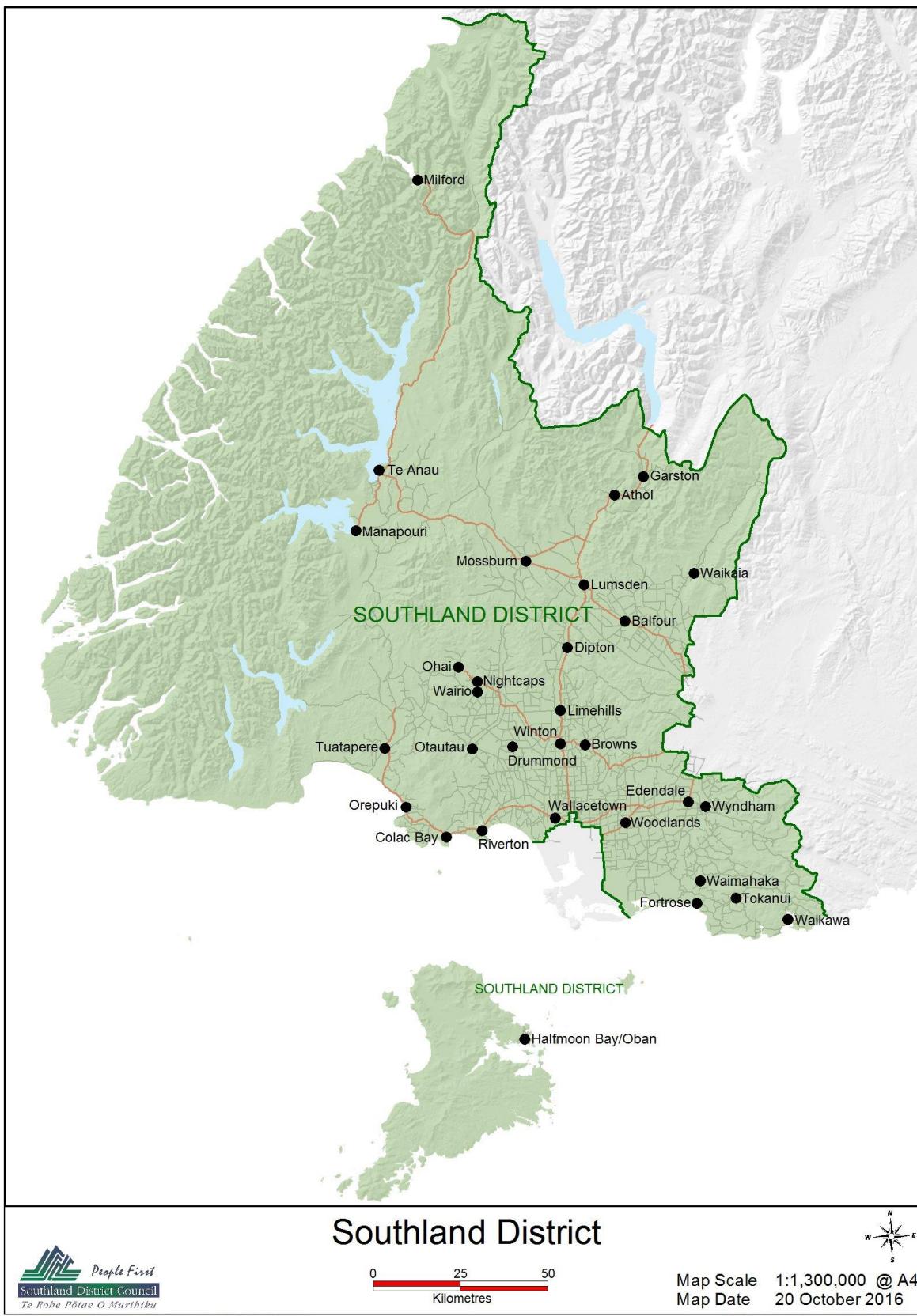
The sale and supply of alcohol on Easter Sunday aligns with the Act. The sale and supply of alcohol is restricted by the Sale and Supply of Alcohol Act 2012.

This policy aligns with the Southland Regional Development Strategy's objective of generating an ease of doing business in Southland.

6 . REVISION RECORD

Date	Version	Revision Description
22 February	R/16/10/17248	Policy introduced

APPENDIX 1. Map of the Southland District



APPENDIX 3

SOUTHLAND DISTRICT COUNCIL DRAFT REMISSION AND POSTPONEMENT OF RATES ON MĀORI FREEHOLD LAND

This policy applies to: Council and owners of Māori freehold land

1 DOCUMENT CONTROL

Policy owner: Community and Futures	TRIM reference number: R/16/8/13717	Effective date: 1/07/2017
Approved by: Council	Date approved: 23 February 2017	Next review date: 1/07/2020

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REMISSION AND POSTPONEMENT OF RATES ON MĀORI FREEHOLD LAND

1. PURPOSE

Southland District Council has developed the Remission and Postponement of Rates on Māori Freehold Land Policy (the Policy) to ensure fair and equitable collection of rates from all sectors of the community. The Policy recognises that certain Māori-owned lands have particular features, ownership structures or other circumstances that make it appropriate to provide rates relief.

The Policy provides the framework for granting remissions and postponements for the payment of rates and penalties on Māori freehold land, as is adopted under Section 102(2)(e) and Section 108 of the Local Government Act (2002).

2. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
LGA	Local Government Act (2002)
LGRA	Local Government (Rating) Act (2002)
Maori freehold land	Land whose beneficial ownership has been determined by the Māori Land Court by freehold order.
Service Rates	Sewerage and water rates, recycling and rubbish bin collection rates
Waahi Tapu	Place sacred to Maori in the traditional, religious, ritual or mythological sense.

3. POLICY DETAILS

3.1 Background

The Southland District Council carries out its rating function in accordance with the requirements of the LGRA and the LGA.

All Māori freehold land in the Southland District is liable for rates in the same manner as if it were general land (as per section 91 LGRA).

Māori Freehold land is defined in the LGRA as land whose beneficial ownership has been determined by a freehold order issued by the Māori Land Court. Only land that is the subject of such an order may qualify for remission or postponement under this policy.

Whether rates are remitted in any individual case will depend on the individual circumstances of each application. Schedule 11 of the LGA identifies the matters which must be taken into account by Council when considering rates relief on Māori freehold land.

When considering the objectives listed below Council must take into account:

- the desirability and importance of the objectives (3.2) to the District; and
- whether remitting the rates would assist attainment of those objectives.

3.2 Objectives

The objectives of rates remission and postponement on Māori freehold land by Council are:

- (a) supporting the use of the land by the owners for traditional purposes;
- (b) recognising and supporting the relationship of Māori and their culture and traditions with their ancestral lands;
- (c) avoiding further alienation of Māori freehold land;
- (d) facilitating any wish of the owners to develop the land for economic use;
- (e) recognising and taking account of the presence of Waahi Tapu that may affect the use of the land for other purposes;
- (f) recognising and taking account the importance of the land in providing economic and infrastructure support for marae and associated papakainga housing (whether on the land or elsewhere);
- (g) recognising and taking account of the importance of the land for community goals relating to:
 - i. the preservation of the natural character of the coastal environment,
 - ii. the protection of outstanding natural features,
 - iii. the protection of significant indigenous vegetation and significant habitats of indigenous fauna;
- (h) recognising the level of community services provided to the land and its occupiers;
- (i) recognising matters related to the physical accessibility of the land.

3.3 Conditions and Criteria for the Postponement and Remission of Rates on Maori Freehold Land

Conditions for the rates to receive rates remission include for defined Maori freehold land to be:

- Maori freehold land as set out in the definitions
- not occupied by a dwelling, out-building or commercial building; and
- not used for economic benefit.

Applications for remission of rates on Māori freehold land must be made in writing, and should include:

- a description of the size, position and current use of the land,
- an indication of the ownership and documentation that shows the land which is subject to the application for rates remission is Māori freehold land,
- outline future plans for the land (if any),
- sources and level of income generated by the land (if any),
- financial accounts if requested,
- outline the reason for the request,
- describe how the application meets any one or more of the objectives listed in 3.2.

Council may grant a remission of up to 100% of all rates, except Service Rates.

3.4 Postponement of Rates

Council does not postpone rates for Māori freehold land; however, it will remit 100% of rates (excluding Service Rates) on application, if the application meets the criteria set out in 3.3.

3.5 Remission of Penalties

Remission on rates penalties on Māori freehold land will be subject to application meeting the criteria set out in 3.3. Each application will be considered on its merits and remission will be granted where it is considered just and equitable to do so.

Where significant arrears exist, penalties may be remitted whilst regular payments are made to reduce the arrears balance.

Decisions on remission of penalties will be made on the same basis as remission of rates, with the delegated authority to remit penalties being given to the Chief Financial Officer, with recommendations from the Finance Manager.

3.6 Remission of Rates

An application for remission of rates must be considered by the Chief Financial Officer.

All rates on Māori freehold land whose owners name or names (or the name of the lessee) appears on the valuation roll (under Section 92 of the LGRA) will be collected in the usual manner of rate collection and follow up.

All rates, rates arrears and penalties on Māori freehold land vested in trustees will be collected from income derived from that land and held by the trustees for the beneficial owners, but limited to the extent of the money derived from the land and held by the trustees on behalf of the beneficial owner or owners (as per Section 93 LGRA).

For Māori freehold land, any person who actually uses the land whether for residing, farming, storage or any other use, whether they have a lease or not, is liable to pay the rates (as per Section 96 LGRA). The rates invoice will be delivered to that person and the rates will be collected in the usual manner. Section 97 of the LGRA provides for the person to be treated as having used the whole of the land for the whole financial year, unless they can establish otherwise.

Rates arrears on Māori freehold land shall be reviewed annually and amounts determined by Council as uncollectible shall be written off (for accounting purposes) on such land.

3.7 Existing decisions on Māori Freehold land

Any decisions made by Council regarding rates remissions on Māori freehold land before 1 July 2017 remain recognised by Council.

3.8 Length of decision

Decisions regarding rates remission on Māori freehold land remain in perpetuity, unless the land becomes occupied or used for economic benefit. In this case, it is expected that the landowners would advise Council of the change in land use. If there is evidence of the use of the land for occupation or economic benefit, Council may request financial statements regarding the property in order to review a decision. Reviews of decisions regarding rates remission for Māori freehold land will be made by the Chief Financial Officer.

4. ROLES AND RESPONSIBILITIES

Party/Parties	Roles and Responsibilities
Finance Manager	Receive applications and make recommendations to Chief Financial Officer for remission of rates on Māori freehold land.
	May request financial statements regarding the property if there is evidence that the land is occupied or being used for economic benefit.
	May write off rates if the application is accepted
Chief Financial Officer	Accept or decline applications for remission of rates on Māori freehold land. Review applications, if applicable, for remission of rates on Māori freehold land.

5. ASSOCIATED DOCUMENTS

- Local Government Act (2002),
- Local Government (Rating) Act (2002)

6. REVISION RECORD

Date	Version	Revision Description
2016	Remission and Postponement of Rates on Māori Freehold Land	R/16/8/13717 – Long Term Plan 2018-2028
2015	Remission and Postponement of Rates on Māori Freehold Land	R/15/6/10846 – Long Term Plan 2015-2025
2012	Remission and Postponement of Rates on Māori Freehold Land	R/13/8/11136 - Long Term Plan 2012-2022
2007	Rates Remission Policy for Māori Freehold Land	2007/05/4523
26 June 2003	Remission and Postponement of Rates on Māori Freehold Land	
30 January 1997	Remission and Postponement of Rates on Māori Freehold Land	

APPENDIX 4

POLICY: STEWART ISLAND/RAKIURA VISITOR LEVY

ROLE RESPONSIBLE: Activity Manager Community Assistance

DATE APPROVED: 23 February 2017

DATE AMENDED:

FILE NO: R/17/1/1098

1.0 PURPOSE

This policy provides guidance on governance and administration of the Stewart Island/Rakiura Visitor Levy. The policy outlines who is liable to pay the levy as well as how the levy will be collected, administered, allocated and enforced.

2.0 BACKGROUND

Although Stewart Island/Rakiura has a small resident population, it is a destination for a large number of short-term visitors. This creates a unique funding challenge for Southland District Council.

The Southland District Council (Stewart Island/ Rakiura Visitor Levy) Empowering Act 2012 (the Act) was passed into law on 26 March 2012. The Act empowers Southland District Council set and collect levies and obtain revenue from visitors to Stewart Island/ Rakiura. Under the Act, funds must be used to better provide services, facilities, and amenities for Island visitors.

3.0 DEFINITIONS

The Act - the Southland District Council (Stewart Island/ Rakiura Visitor Levy) Empowering Act 2012.

Council - the Southland District Council.

Island - Stewart Island/Rakiura.

Levy - the sum of money (inclusive of GST) collected under Stewart Island/ Rakiura Visitor Levy Bylaw 2012.

Revenue - revenue (inclusive of GST) collected under Stewart Island/ Rakiura Visitor Levy Bylaw 2012, by an approved operator in accordance with contractual arrangements with the Council.

Visitor - any person who travels to the Island and is not exempt from payment of levy or revenue under the Act or the provisions of this policy.

Approved Operator - once an agreement is reached between Southland District Council and a transport vessel operator for the collection and payment of revenue, the operator becomes an Approved Operator. The Approved Operators are Real Journeys on behalf of Stewart Island Experience, Stewart Island Flights and ISS McKay on behalf of the cruise ships.

Agent - a business entity that enters into a contractual arrangement with Southland District Council to collect the Levy from its passengers on behalf of the Council.

Resident - a person recognised as living on the Island for electoral residency purposes under Section 23 of the Local Electoral Act 2001.

Ratepayer - a person who is named on a current rates notice of a rating unit on the Island. Only persons who are named on current rates notices are considered to be ratepayers, regardless of who funds rates payments.

Tenant - a person who has a tenancy agreement for a rating unit on the Island under the provisions of the Residential Tenancies Act 1986.

Dependant - a person primarily under the care and responsibility of another person, living with that person as a member of their family and substantially reliant on that person for financial support.

Activity - has the meaning given in [Section 5\(1\)](#) of the Local Government Act 2002
This includes:

- (a) the provision of facilities and amenities; and
- (b) the making of grants; and
- (c) the performance of regulatory and other governmental functions.

Freedom traveller - a visitor who travels to the Island by means other than as a passenger of an approved operator. This includes chartered vessels and independent travel. It does not include people who travel via the ferry (Stewart Island Experience) or scheduled flight (Stewart Island Flights) or cruise ships.

Rakiura Māori Land Trust - the Rakiura Māori Lands Trust is governed by six Trustees appointed by the Māori Land Court upon recommendation from the beneficial owners. The Rakiura Māori Land Trust holds lands and funds in trust for many Rakiura Māori descendants.

4.0 COLLECTION

The Act provides for the collection of money from two sources:

1. **Revenue** collected on behalf of Southland District Council by Approved Operators; and
2. **Levy** income from visitors arriving as freedom travellers.

Through contractual arrangements, Southland District Council will collect *revenue* from Approved Operators. Approved Operators include Stewart Island Experience (the ferry), Stewart Island Flights (scheduled airline service) and cruise ships. Passengers will pay the Approved Operator in accordance with the terms of carriage ie, the levy will form part of their ticket price.

However, if the person travels via an Approved Operator and pays a local or child fare, the Approved Operator will not charge the levy.

Under the Stewart Island/Rakiura Visitor Levy Bylaw 2012, Southland District Council will collect the *levy*. The *levy* will be collected from freedom travellers, ie those who are visitors under the Act but do not travel as passengers of an Approved Operator. Where a person is a freedom traveller the categories of exemption in Clause 4.1 apply. This means that if a person is not exempt, he or she will have to pay the levy.

The Act exempts people visiting the Island for a continuous period of 21 days. If revenue is collected from such individuals, they can seek a refund from Southland District Council by providing proof they have been on the Island for at least 21 days.

4.1 Who Pays

All individuals travelling to Stewart Island/Rakiura must pay the levy or pay revenue to an Approved Operator unless they are exempt under the Act or pay a local fare.

The Act provides several categories of exemption. These are:

1. Residents, ratepayers and tenants of Stewart Island/Rakiura and their spouses, civil union partners, de facto partners, or dependants;
2. Beneficiaries of the Rakiura Māori Land Trust or individuals who have an ownership interest in a Māori land block on the Island;
3. Visitors who remain on the Island for any continuous period of 21 days or more;
4. Owners of a transport vessel or individuals employed under contract to work on a transport vessel;
5. Individuals whose visit is entirely within the boundaries of the Rakiura National Park;
6. Persons under the age of 18 years on the date of arrival on the Island.

Where the resident or ratepayer exemption applies to a person, the exemption does not automatically apply to the whole family or group. The exemption applies to the ratepayer(s) set out on the rates notice and their spouse, civil union partner, de factor partner or dependant. This does not include visiting adult children or grandchildren (unless they are dependants). Holiday home owners are exempt if they are a ratepayer on the Council's rates notice. However, beneficiaries of family trusts are unlikely to be exempt if they are not designated by name as ratepayers on the Southland District Council rates notice.

The exemption does not apply to visiting trades-people unless the person stays for more than 21 days. Volunteer visitors are also required to pay the levy unless they fall within a category of exemption.

Visiting entirely within the boundaries of the Rakiura National Park means the person visiting does not arrive or leave through the township of Oban.

5.0 CALCULATION

The amount of the levy is set out in the Stewart Island/Rakiura Visitor Levy Bylaw 2012 and is currently set at \$5.00.

In the event an increase in the levy amount is considered, public consultation will occur via the Southland District Council Annual/ Long Term Plan process. If Council decides to increase the levy amount, the increase will not take effect until 1 October in the year following the decision ie, Approved Operators will receive 15 months lead in time before they start collecting the new amount.

5.1 Arrangements with Approved Operators

Approved Operators will collect revenue on behalf of Southland District Council in accordance with contractual arrangements. The contractual arrangements will be negotiated for each Approved Operator taking into account the individual circumstances of each transport business.

Apart from cruise ships, Approved Operators will charge the levy for both inbound and outbound journeys (\$2.50 each way). This allows for passengers who use different modes of transport to travel to and from the Island and allows the levy to be apportioned across the modes of transport on an equitable basis.

5.2 Collection of the Levy from Freedom Travellers

The Stewart Island/Rakiura Visitor Levy Bylaw 2012 outlines levy collection from visitors who travel to the Island via private or chartered transportation ie, freedom travellers. A levy of \$5.00 will be payable when the person arrives on the Island. Southland District Council has provided a collection box to receive payments, placed at the Southland District Council office at 10 Ayr Street, Oban. Freedom travellers can deposit levy payments at this location at any time. Southland District Council will also enter into agreements with an agent(s) operating chartered vessels to collect the levy from passengers on behalf of Southland District Council.

Only one payment is required per person for the duration of their stay on the Island. Travel to neighbouring Islands (excluding the mainland) will not constitute leaving the Island.

6.0 PROOF OF EXEMPTION

Persons exempt under the Act can apply for a Southland District Council photo identification card. Southland District Council photo identification cards will be accepted as proof of exemption by Approved Operators and agents. They will also be accepted by enforcement officers monitoring compliance with the Stewart Island/Rakiura Visitor Levy Bylaw 2012.

A Southland District Council photo identification card will be issued and renewed at no cost to exempt applicants. Renewing a Southland District Council photo identification card will require confirmation of entitlement using documentation as set out in Appendix A. Photographs will also be updated at the time of renewal. It is the

responsibility of the card holder to advise the Council of any change in contact details or exemption status.

The card remains the property of Southland District Council. Cards are not transferable and cardholders retain sole responsibility for use of the card issued to them. A replacement fee will apply to lost or damaged cards. This fee will be set out in the Southland District Council Schedule of Fees and Charges.

Agreements between Southland District Council and Approved Operators are reached on an individual basis and may differ. A Southland District Council photo identification card may be required by the Approved Operator at the time of ticket purchase or boarding the vessel for an exemption to be granted.

Each Approved Operator may choose to compile a list of names eligible for local fares. Eligibility for a local fare is a commercial decision made at the discretion of Approved Operators and is not influenced or administered by Southland District Council. Individuals can contact Approved Operators to ascertain whether they maintain such a list and to determine their eligibility for inclusion. Eligibility for local fares may mean that there is no requirement to apply for and carry a photo identification card when travelling.

6.1 Application for Exemption

An application to receive a Southland District Council photo identification card can be made by attending the Southland District Council office located at 15 Forth Street, Invercargill or by sending a completed application form to PO Box 903, Invercargill 9840 accompanied by a colour passport sized photo of each applicant.

Applicants are also required to provide documentation which proves their exemption. Examples of accepted documentation to prove exemption status are set out in Appendix A.

Two categories of card will exist, distinguished from one another by colouring. The first category will cover people with long term exemptions, including ratepayers, residents and beneficiaries of the Rakiura Māori Land Trust. Cards issued to individuals in this category will be valid for a period of up to five years.

A second category of card will be issued to people who have a temporary exemption due to circumstances such as seasonal work or extended temporary stay on the Island. These cards will be valid for a fixed period of time up to six months. To align with seasonal work trends, fixed periods for temporary cards will be from 1 October to 31 March and from 1 April to 30 September each year.

7.0 REFUNDS

People who have been charged the levy but believe that they are exempt under the Act can apply to Southland District Council to receive a refund. Refund applications should state the reason for the claim, along with a copy of supporting documentation as set out in Appendix A.

An application for a refund must be made within six months of the date of travel.

8.0 AUDIT

Southland District Council has the ability to audit the collection and payment of the levy by agents and revenue by Approved Transport Operators. Audit procedures may include a review of visitor numbers against funds received.

9.0 ENFORCEMENT

Part 2 of the Act outlines infringement offences. Any person considered a visitor that has evaded payment or falsely claims that they are not a visitor will be considered to have committed an infringement offence.

An infringement fee is set by way of regulation and will be displayed on signs erected on the Island. Infringement notices can be issued by Southland District Council Enforcement Officers. Enforcement Officers are authorised to request proof of payment or exemption from individuals.

Southland District Council photo identification cards are accepted as proof of exemption. A ticket issued by an approved transport operator, a cruise ship boarding pass or a receipt from the collection box or a levy collection agent will also be accepted as proof of payment.

10.0 ADMINISTRATION

The Stewart Island/Rakiura Visitor Levy Subcommittee (the Subcommittee) has delegated responsibility to make decisions regarding funding from the Stewart Island/Rakiura Visitor Levy Fund. Decisions will be based on the compatibility of applications with allocation criteria and alignment with strategic outcomes determined by the Subcommittee.

The Stewart Island/Rakiura Visitor Levy Subcommittee is a Subcommittee of the Community and Policy Committee and is subject to standard audit procedures. The Community and Policy Committee will be informed of funding decisions via memoranda. Southland District Council's Annual Report will contain an itemised statement of the Stewart Island/ Rakiura Visitor Levy Fund each year.

10.1 Stewart Island/ Rakiura Visitor Levy Subcommittee Membership

The Subcommittee will meet annually to review applications and allocate funding. The Subcommittee will consist of the following members appointed by Council:

- A representative recommended by each of the Approved Operators (three in total).
- One Community Board representative and the Councillor for Stewart Island.
- One independent Councillor who will act as a representative of Southland District Council and be appointed by the Council. The independent Councillor will act as Chair of the Subcommittee.

The Chair of the Subcommittee will have a casting vote, which can only be exercised to resolve an evenly split vote.

10.2 Technical Advisory Group

The Subcommittee will be supported by a Technical Advisory Group (TAG). The TAG will be appointed by Southland District Council to provide strategic insight and technical expertise regarding funding applications. The Technical Advisory Group will provide recommendations to the Subcommittee based on an assessment of the demand for projects, their viability, likely impact and alignment with strategic outcomes.

10.3 Allocation Criteria

Allocations will be made in May of each year. The application process will be administered by Venture Southland. Advertisements will be placed once the fund is open to receive applications and will include the deadline for receipt of applications. Late applications will not be considered.

Only funds that have been received by Southland District Council at the time of advertisement will be allocated.

To be considered for funding, applications must be consistent with Section 6(b) of the Act. Section 6(b) states that revenue and levies collected must be used to fund:

1. Activities used by visitors;
2. Activities on the Island for the benefit of visitors; or
3. To mitigate the adverse effects of visitors on the environment of the Island.

These criteria do not exclude applications for funding in relation to the development or maintenance of existing facilities, services and projects. However, no funds will be allocated retrospectively for projects that have already been completed.

In considering applications, the Subcommittee will give priority to applications for activities or projects that can demonstrate the widest public benefit. Applications that primarily benefit a single or limited number of persons or entities will be given a low priority.

Applications to the Stewart Island/Rakiura Visitor Levy Fund must be made using the appropriate documentation provided by Venture Southland. All applications must include:

- An outline of the project or work requiring funding, including a timeline.
- If the project involves physical works, scale conceptual plans including site plans.
- Any requirement for resource or building consent.
- A business plan for the project including costs and on-going funding requirements, if any.
- Evidence of legal status of the applicant (eg, charitable trust or body corporate).
- An assessment of how the project meets the purposes of the Act and responds to the set strategic outcomes.
- Declarations of interest.

If a Subcommittee member has any connection to an application greater than that of the general public that member should declare an interest in the relevant application, prior to it being considered. In such circumstances, the member affected shall still be entitled to speaking and voting rights, unless the member has a pecuniary interest in the application.

11.0 REVIEW

Southland District Council will review the Stewart Island Rakiura Bylaw and this Policy within 6 years of adoption.

APPENDIX A: DOCUMENTS WHICH CAN BE USED TO CLAIM EXEMPTION OR REFUND

The table below contains a list of documents which will be accepted as proof of exemption from the need to pay the Stewart Island/Rakiura Levy.

These documents will be accepted in relation to 1) applying for a photo identification card and 2) applying for a refund.

Original documentation from both Category A and Category B must be presented concurrently. Southland District Council requires proof of both identity and levy exemption status. A current address will need to be provided to receive notice of renewals and other information.

This is not a comprehensive list and other equivalent documents may be accepted when applying for a Southland District Council photo identification card or applying for levy refund.

At least one photo ID must be produced from Category A The name on the document must be exactly the same as the applicant's name	
Reason for exemption	
<ul style="list-style-type: none">• <i>Ratepayers.</i>• <i>Tenants.</i>• <i>Residents.</i>	<p>One or more of the following documents showing name and address on Stewart Island:</p> <ul style="list-style-type: none">• Notice of rates or VG number verified by Rates Department. Rates Notices must state that the applicant is the owner of the property to which the Rates Notice was sent and the document must be current at the time of the application.• Tenancy Agreement.• Utilities bill.• Insurance Renewal Advice.• Motor Vehicle Registration.• Electoral roll number.• Mortgage documents.• Current Land Titles Office records.
<ul style="list-style-type: none">• <i>Spouses of a ratepayer or tenant.</i>• <i>Civil union or de facto partner of a ratepayer or tenant.</i>• <i>Dependants of a ratepayer or tenant.</i>	<ul style="list-style-type: none">• Application to be made in conjunction with the respective person.
<ul style="list-style-type: none">• <i>Rakiura Māori Land Trust beneficiaries.</i>	<ul style="list-style-type: none">• Southland District Council may be able to check property rights via the www.Māorilandonline.govt.nz website or work with the Rakiura Māori Land Trust to access its database of beneficiaries.
<ul style="list-style-type: none">• <i>People under the age of 18.</i>	<ul style="list-style-type: none">• Passport.• School student concession card.• Birth Certificate.
<ul style="list-style-type: none">• <i>Owners or those working on transport vessels.</i>	<ul style="list-style-type: none">• Employment documentation (eg, payslips, letter from employer).
<ul style="list-style-type: none">• <i>Visitors whose visit is for 21 days or more.</i>	<ul style="list-style-type: none">• Tickets or invoices showing names and dates of arrival and departure.• Receipts for accommodation covering the relevant time period.