



Notice is hereby given that an Ordinary Meeting of Southland District Council will be held on:

Date: **Wednesday, 4 March 2020**
Time: **9am**
Meeting Room: **Council Chamber**
Venue: **15 Forth Street**
Invercargill

Council Agenda

OPEN

MEMBERSHIP

Mayor
Deputy Mayor
Councillors

Mayor Gary Tong
Ebel Kremer
Don Byars
John Douglas
Paul Duffy
Bruce Ford
Darren Frazer
George Harpur
Julie Keast
Christine Menzies
Karyn Owen
Margie Ruddenklau
Rob Scott

IN ATTENDANCE

Chief Executive
Committee Advisor

Steve Ruru
Fiona Dunlop

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Full agendas are available on Council's Website
www.southlanddc.govt.nz

Note: The reports contained within this agenda are for consideration and should not be construed as Council policy unless and until adopted. Should Members require further information relating to any reports, please contact the relevant manager, Chairperson or Deputy Chairperson.

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1 Apologies

At the close of the agenda no apologies had been received.

2 Leave of absence

At the close of the agenda no requests for leave of absence had been received.

3 Conflict of Interest

Councillors are reminded of the need to be vigilant to stand aside from decision-making when a conflict arises between their role as a councillor and any private or other external interest they might have.

4 Public Forum

Notification to speak is required by 5pm at least two days before the meeting. Further information is available on www.southlanddc.govt.nz or phoning 0800 732 732.

5 Extraordinary/Urgent Items

To consider, and if thought fit, to pass a resolution to permit the Council to consider any further items which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded.

Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise:

- (i) The reason why the item was not on the Agenda, and
- (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.

Section 46A(7A) of the Local Government Official Information and Meetings Act 1987 (as amended) states:

"Where an item is not on the agenda for a meeting,-

- (a) that item may be discussed at that meeting if-
 - (i) that item is a minor matter relating to the general business of the local authority; and
 - (ii) the presiding member explains at the beginning of the meeting, at a time when it is open to the public, that the item will be discussed at the meeting; but
- (b) no resolution, decision or recommendation may be made in respect of that item except to refer that item to a subsequent meeting of the local authority for further discussion."

6 Confirmation of Council Minutes

- 6.1 Meeting minutes of Council, 27 February 2020

Speed Limits Bylaw - Deliberations and Adoption Report

Record No: R/20/1/1349
Author: Carrie Adams, Intermediate Policy Analyst
Approved by: Matt Russell, Group Manager Services and Assets

☒ Decision

☐ Recommendation

☐ Information

Purpose

- 1 The purpose of this report is to provide information and to present options to Council, so that it can make decisions on the draft Speed Limits Bylaw (the draft bylaw), and to present the draft bylaw for adoption.

Executive Summary

- 2 Council has completed the special consultative procedure on the draft bylaw. On 21 August 2019 Council endorsed a statement of proposal (see Attachment A), which included the draft bylaw, for public consultation. On 18 December 2019, councillors were given a copy of the 75 written submissions that were received on the proposal, and councillors heard those submitters who wished to speak.
- 3 Staff have made minor changes to the draft bylaw to incorporate some of the feedback received through the consultation process.
- 4 In this report, staff have presented and discussed three potential options on how Council could proceed.
 - Option 1 – That Council proceed and make decisions now on all the issues identified for the draft bylaw, and adopt the draft bylaw
 - Option 2 – That Council make decisions now on all the issues identified for the draft bylaw, but defer adoption of the draft bylaw until Council's next scheduled meeting, in order to incorporate changes into the draft bylaw
 - Option 3 – That Council propose a different way forward.
- 5 This report is seeking a decision from Council to choose its preferred approach, and adopt the draft bylaw.
- 6 It is recommended that the draft bylaw come into effect on 20 April 2020, to allow Council staff time to prepare for and implement the proposed changes.

Recommendation

That Council:

- a) **Receives the report titled “Speed Limits Bylaw - Deliberations and Adoption Report” dated 26 February 2020.**
- 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) **Notes that on 21 August 2019 Council determined, pursuant to sections 155(1)&(2) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing speed limits in the District, that the draft Speed Limits Bylaw is the most appropriate form of bylaw, and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- e) **Determines prior to making the bylaw, pursuant to section 155(1) of the Local Government Act 2002, that a bylaw is the most appropriate way of addressing speed limits in the District.**
- f) **Determines prior to making the bylaw, pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Speed Limits Bylaw is the most appropriate form of bylaw.**
- g) **Determines prior to making the bylaw, pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Speed Limits Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- h) **Considers the feedback received on the draft Speed Limits Bylaw.**
- i) **Considers and endorses one of the following options:**
 - i. **Option 1 – That Council proceed and make decisions now on all the issues identified for the draft Speed Limits Bylaw, and adopt the draft bylaw.**
 - ii. **Option 2 – That Council make decisions now on all the issues identified for the draft Speed Limits Bylaw, but defers adoption of the draft bylaw until Council’s next scheduled meeting, in order to incorporate Council’s decisions into the draft bylaw.**
 - iii. **Option 3 – That Council propose a different way forward.**
- j) **Agrees If Council wishes to make decisions now on the issues identified for the draft Speed Limits Bylaw, endorses the following options:**

- I. That Council endorse a speed limit of 60km/h to Smith Road, and 80km/h for sections of Lochiel Bridge Road and Lochiel Branhholme Road.
 - II. Request staff prepare a separate report for consideration by the Services and Assets Committee at its 6 May 2020 meeting. The report would provide details about what a pro-active audit on road safety around the District's schools would entail, as well as possible interim measures.
 - III. Request staff prepare a report that presents the proposal to reduce Stewart Island's speed limit for consideration as part of Stewart Island long term planning to the Stewart Island Rakiura Community Board for feedback at its 6 April 2020 meeting.
 - IV. That Council endorses the proposed reduction to 60km/h for these roads:

Lower Hollyford Road	Borland Road
Centre Hill Road	Lake Monowai Road
Mavora Lakes Road	Lillburn Valley Road
Mt Nicholas Road	Lower Hollyford Road
- k) Agree If Council wishes to adopt the Speed Limits Bylaw now, endorses the following changes that have been made to the draft bylaw following public consultation:
- changing the speed limit on Te Anau Terrace Road from 50km/h to 30km/h
 - changing the speed limit on Upukerora Road, Te Anau, from 80km/h to 60km/h
 - modifying the speed limit change location between 50km/h and 70km/h on Main Street, Otautau
 - modifying the speed limit change location between 100km/h and 60km/h on South Hillend Dipton Road, Dipton
 - modifying the speed limit change location between 50km/h and 100km/h on Moore Road, Winton
 - minor wording changes to improve clarity and to ensure the document aligns with Council's style guide.
- l) Adopts the amended Speed Limits Bylaw.
- m) Resolves that the amended Speed Limits Bylaw will come into effect and supersede the existing Speed Limits Bylaw 2015 on 20 April 2020.
- n) Ensures that in accordance with Section 157 of the Local Government Act 2002, public notice be given of the making of the Speed Limits Bylaw, advising:

- **that the bylaw will come into force on 20 April 2020**
 - **that copies of the bylaw may be inspected, without fee, at all Council offices**
 - **that copies of the bylaw can be obtained upon payment of a reasonable charge.**
- o) Acknowledges that the Local Government Act 2002 states that the Speed Limits Bylaw will be reviewed within five years of being made.**

Background

- 7 The current Speed Limits Bylaw was made in 2015 as per the requirements of the Local Government Act 2002 ('LGA') (Attachment B). It came in to force on 3 June 2015 and is now due for review.
- 8 Staff undertook preliminary consultation and obtained feedback from internal and external stakeholders, including affected community boards, community development area subcommittees and ward councillors, New Zealand Transport Agency (NZTA) and Te Ao Marama Incorporated on this matter, which helped develop the draft bylaw.
- 9 On 21 August 2019 Council endorsed a statement of proposal, which included the draft bylaw, for public consultation. Council consulted on the draft policy and bylaw from 29 August to 10 October and 19 November to 3 December 2019. There were 75 submissions on the draft bylaw. Council heard those submitters who wished to speak to their submission at a Council meeting held on 18 December 2019. A full summary of the submissions received was provided in the report to Council on 18 December 2019.

Issues

Deliberations

- 10 In this report, three options have been presented on how Council could elect to proceed. The advantages and disadvantages of these options are discussed on page 8 of this report.
- 11 For the first option, Council could proceed and make decisions now on all the issues identified for the draft bylaw and adopt the draft bylaw.
- 12 A separate issues and options paper has been produced, which is included with this report as Attachment C. This paper clearly outlines the main issues that has arisen in relation to the draft bylaw. For each issue, background information is given, there is a summary of community views, a discussion of the issue, and options are presented.
- 13 Council's second option is to make a decision now on the issues identified for the draft bylaw but defer adoption of the draft bylaw until Council's next meeting, in order to incorporate Council's decisions into the draft bylaw.
- 14 The third option is for Council to propose a different way forward, noting that this would likely involve a delay in adoption and implementation of the draft bylaw.

Adoption

- 15 This report presents the draft bylaw for adoption. The draft bylaw includes changes that have been in the draft bylaw from earlier in the review process as well as some minor changes that have arisen as a result of the consultation process.
- 16 Changes from the current bylaw are listed in tables in the statement of proposal that went out for public consultation (Attachment A).
- 17 Four main themes that arose in the submissions are discussed in the attached issues and options paper (Attachment C), along with the different options available to Council.
- 18 Staff support the minor changes to the draft bylaw as a result of the consultation process that are listed below in Table One:

Table One – Minor changes to the draft Speed Limits Bylaw as a result of consultation

Road	Change
Te Anau Terrace Road, Te Anau	reduce from 50km/h to 30km/h within park, due to marina, BBQ, playground
Upukerora Road, Te Anau	reduce from 80km/h to 60km/h due to cycle path
Main Street, Otautau	different speed limit change point location (50km/h <-> 70km/h)
South Hillend Dipton Road, Dipton	different speed limit change point location (100km/h <-> 60km/h)
Moore Road, Winton	move the 50km/h to 100km/h change point due to the Winton walkway

- 19 The draft bylaw that incorporates these changes is at Attachment D to this report.
- 20 In addition to the topics in the issues and options paper, there are some non-speed limit mechanisms that will be investigated and implemented as a result of the consultation process that sit outside Council's speed limits bylaw. These include:
- Manapouri and Curio Bay – painted on road speed limit markings in areas where there are several changes to speed limits within a small area
 - Turbine Drive, Monowai –additional signage, judder bars.

Implementation

- 21 Staff propose that the draft bylaw come into effect on 20 April 2020. This is to allow time for new speed limit signs to be made and installed. If Council chooses to endorse option two or three, this date will be moved forward accordingly.

Factors to Consider

Legal and Statutory Requirements

Consultation

- 22 Council has undertaken consultation on the draft policy and bylaw in accordance with the special consultative procedure outlined in section 83 and 86 of the LGA. The proposal was made widely available and people were encouraged to give their feedback.
- 23 Under section 78 of the LGA, Council must, when making a decision on how to proceed, give consideration to the views and preferences of persons likely to be affected by, or to have an interest in, the matter. There is not a requirement to please all of the submitters, but Council must take into account the views that have been expressed.
- 24 If Council endorses significant changes to the draft bylaw, away from the options that were outlined in the statement of proposal and outside of feedback that was given by submitters, Council will be required to re-consult on the draft bylaw.

Determinations

- 25 Council was required, before commencing the process for making a bylaw, to determine whether a bylaw is the most appropriate way of addressing the perceived problem. It is incumbent on Council, as a road controlling authority, to set speed limits in accordance with NZTA rules and guides by making a bylaw. Accordingly, a bylaw is the best way for Council to fulfil this obligation. Council determined a bylaw is the most appropriate way to address the problem on 21 August 2019.
- 26 Council is also required to determine whether the proposed bylaw is the most appropriate form of bylaw, before it is made. Council made this determination on 21 August 2019 regarding the draft bylaw, but as amendments have been made, it is appropriate to make the determination again. The draft bylaw has been prepared and structured for ease of reference and interpretation and the process prescribed in the LGA is being followed.
- 27 Council is also required (before making the bylaw) to determine whether the draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990, which grants certain civil and political rights to people in New Zealand. Again, this determination was made by Council on 21 August 2019 but as amendments have been made, it is appropriate to make the determination again. The provisions of the proposed Speed Limits Bylaw do not unreasonably interfere with any of the rights given by the New Zealand Bill of Rights Act 1990. The objective of the draft bylaw is to maintain and promote safety on the District's roading network through the setting of speed limits. This objective supports the rights of residents and represents value for road users in the District.

Enforcement of Bylaw

- 28 As with the current bylaw, enforcement of the draft bylaw would be undertaken by Police.

Community Views

- 29 The community views captured through the formal consultation process on the draft bylaw were outlined in the issues section of the report that went to Council on 18 December 2019. The full booklet of the feedback received through the formal consultation process was also included as an attachment to that report.
- 30 In general, the submissions received were supportive of the proposed speed limit changes. The largest number of responses in the District agreeing or disagreeing, related to the changes proposed to Centre Hill Road, Mavora Lakes Road, Mt Nicholas Road and Sandy Brown Road.

- 31 There was almost unanimous support for the changes proposed to Colac Bay Road and Colac Foreshore Road, to reduce the current speed of 70 km/h to 50 km/h.
- 32 There was general endorsement of lowering the speed limits in the Waihopai Toetoe Ward. There were also comments regarding the suite of tools available to enhance road safety in addition to speed limits in this ward and others. These include road maintenance and upgrading, 'painted on' road markings to indicate speed limit changes, community education and adequate policing. There was feedback that the recent sealing of the Southern Scenic Route in this ward has helped to prevent accidents.
- 33 Some respondents were concerned that the proposed speed limit reductions will have a disproportionate effect on residents and that the proposed changes focus on visitors rather than residents.
- 34 All Council and committee reports are available for councillors on the 'hub', and they can be accessed on Council's website.

Costs and Funding

- 35 Costs associated with staff time, advertising, travel and legal advice have been met within current budgets.

Policy Implications

- 36 Improved safety and consistency of speed limits throughout the roading network will benefit the District. Council is required, as a road controlling authority, to align its roading network with NZTA strategies. Consistency between roads administered by NZTA and Council will assist road users and police to follow and enforce speed limits.
- 37 Collectively, the proposed changes should better provide for road safety in the District.

Analysis

Options Considered

- 38 The following reasonably practicable options have been identified:
- **Option 1** – that Council proceed and make decisions now on the issues identified for the draft bylaw, and adopt the draft bylaw.
 - **Option 2** – that Council make decisions now on all the issues identified for the draft bylaw, but defer adoption of the draft bylaw until Council's next scheduled meeting, in order to incorporate Council's decisions into the draft bylaw.
 - **Option 3** – that Council propose a different way forward.

Analysis of Options

Option 1 – proceed and make decisions on the issues identified for the draft bylaw, and adopt the draft bylaw

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• Council has captured a lot of community views on the draft bylaw and is in an informed position	<ul style="list-style-type: none">• some community views did not support the proposed changes

<ul style="list-style-type: none"> • Council will be closer to completing a review of the current bylaw (which is in line with review time-period stated in the current bylaw and the LGA bylaw review timeframes) • incorporates community views. 	<ul style="list-style-type: none"> • does not allow for further changes to the draft bylaw
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Option 2 – make decisions now on all the issues identified for the draft bylaw, but defer adoption of the draft bylaw until Council’s next scheduled meeting, in order to incorporate Council’s decisions into the draft bylaw

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • allows for minor changes to be made to draft bylaw prior to adoption • Council has captured a lot of community views on the draft bylaw and is in an informed position • incorporates community views 	<ul style="list-style-type: none"> • the public may have an expectation that the draft bylaw is adopted now • will delay the intended 20 April 2020 implementation of the draft bylaw

Option 3 – Propose a different way forward

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • would give clarity on Council’s preferred approach. • this option could give Council time to consider and reflect • would allow Council to re-consult if that is its preferred approach 	<ul style="list-style-type: none"> • will delay implementation of the draft bylaw • the public will have an expectation that a decision will be reached on the draft bylaw now • this option may give the appearance that Council should have done more analysis before adopting a proposal • it may appear Council is reluctant to make a decision on this matter

Assessment of Significance

- 39 The decisions Council is making in regard to this report have been assessed as not being significant in relation to Council’s Significance and Engagement Policy and the Local Government Act 2002.

Recommended Option

- 40 It is recommended that Council proceed with Option 1 and make decisions now on the issues identified for the draft bylaw, and adopt the draft bylaw.

Next Steps

- 41 If Council proceeds with Option 1, and makes decisions on the issues for the draft bylaw and adopts the draft bylaw, staff would give public notice of the making of the bylaw. Staff would also send letters to people who submitted on the statement of proposal, informing them of the final outcome.
- 42 If Council proceeds with Option 2, a draft bylaw will be presented to Council for adoption at its 22 April 2020 meeting. After this meeting, staff would give public notice of the making of the bylaw. Staff would also send letters to people who submitted on the statement of proposal, informing them of the final outcome.
- 43 If Council proceeds with Option 3, staff will outline next steps in line with the approach taken.

Attachments

- A SOP Draft Speed Limits Bylaw [↓](#)
- B SDC Speed Limits Bylaw 2015 [↓](#)
- C Key Issues and Options - Speed Limits Bylaw [↓](#)
- D Draft Speed Limits Bylaw [↓](#)

Draft Speed Limits Bylaw 2019

Statement of Proposal – August 2019

1. Introduction

Southland District Council is reviewing its Speed Limits Bylaw 2015 (the 'current bylaw'). The current bylaw sets speed limits on roads within Council's jurisdiction. The bylaw does not include state highways controlled by the New Zealand Transport Agency ('NZTA').

Council is seeking feedback on a draft Speed Limits Bylaw 2019 (the 'draft bylaw') that proposes new speeds for some roads in the District.

Council is able to review and set speed limits across the District that are enforceable under the Land Transport Act 1998 by the New Zealand Police.

2. What is proposed?

Council proposes to revoke the current bylaw and to adopt the draft bylaw attached as Attachment A.

Adopting the draft bylaw would introduce new speed limits for some urban traffic areas as well as some rural areas in the District. The changes are being proposed following the completion of a speed management review that has outlined safe and appropriate speeds across the District's roading network.

The draft bylaw and proposed new permanent speed limits are being released for public consultation by way of the special consultative procedure pursuant to section 22AD of the Land Transport Act 1998 and section 83 and 87 of the Local Government Act 2002.

3. Reason for the Proposal

The key reasons for this proposal are:

- to set safe and appropriate speeds across the roading network consistent with NZTA rules
- the bylaw is due for review and could be improved
- Council would like to encourage people to give feedback
- to let people know how they can give Council feedback.

Speed Limits Bylaw

Under section 22AB of the Land Transport Act 1998, Council can establish bylaws for the setting of speed limits in accordance with the Land Transport Rule: Setting of Speed Limits 2017 (the 'rule').

In 2016, NZTA introduced the New Zealand Speed Management Guide (the 'guide') to assist councils in considering how best to achieve safe operating speeds on the roads under their control.

The guide was developed in consultation with the transport sector and Automobile Association and is underpinned by the following principles:

- evidence-based
- a nationally consistent approach
- prioritise high benefit areas that improve both safety and economic productivity
- achieve good value for money

- build better understanding between road controlling authorities and the public, for speed management.

The guide supports NZTA's aim of 'safer journeys', with speed limits being just one tool in the suite available to improve road safety. Other options include physical changes to road layouts and community education, but all decisions by councils are expected to be made with community input.

To formalise the guide's new approach to speed management, the rule was updated in 2017 to change and clarify roles and responsibilities for NZTA and councils in reviewing and establishing speed limits. The rule:

- requires NZTA to provide guidance on and information about speed management to councils
- requires councils to set speed limits that are, in their view, safe and appropriate
- encourages a consistent approach to speed management throughout New Zealand.

As part of this review, Council staff have engaged with affected community boards, community development area subcommittees and ward councillors, NZTA and Te Ao Marama Incorporated.

New speed limits

Council has reviewed speed limits in the District, in accordance with the rule and the guide. The assessment has involved all roads with a speed limit of less than 100 km/h within the District's network. Some specific roads with a speed limit of 100 km/h have also been reviewed. The changes proposed give effect to the principles outlined in NZTA's rule and guide outlined above. A large number of the changes propose reducing the speed limit from 70 km/h to 60 km/h, or in some cases to 50 km/h.

All identified speed limits changes have been subject to on-site technical review before progressing to becoming a proposed permanent change.

The changes proposed to speed limits in the District are shown in the following tables, divided by ward. For clarity, these changes are also marked in the maps that form part of the draft bylaw as a 'proposed change'. This will be removed in the bylaw that Council adopts.

MARAROA WAIMEA WARD (Balfour, Manapouri, Te Anau, Waikaia)			
Road name	Draft bylaw map number	Current speed limit	Proposed speed limit
Ardlussa Road/Queen St, Balfour	2	80km/hr	60km/hr
Kruger Street, Balfour	2	70km/hr	50km/hr
Old Balfour Road	2	80km/hr	60km/hr
Lower Hollyford Road	19	100km/hr	60km/hr
Waiau Street, Manapouri	23, 24	50km/hr	30km/hr
Centre Hill Road	5	100km/hr	60km/hr
Mavora Lakes Road	26, 27, 32	100km/hr	60km/hr
Mt Nicholas Road	31, 64	100km/hr	60km/hr
Aparima Drive, Te Anau	44, 46	80km/hr	50km/hr
Kaipo Drive, Te Anau	44, 46	80km/hr	50km/hr
Oraka Street, Te Anau	44, 46	80km/hr	50km/hr
Sandy Brown Road	44, 46	80km/hr	60km/hr
Welshmans Gully Road, Waikaia	53	100km/hr	50km/hr

WAIKIAU APARIMA WARD (Clifden, Colac Bay, Monowai, Otautau, Riverton, Thornbury, Wairio)			
Road name	Draft bylaw map number	Current speed limit	Proposed speed limit
Bates Road, Clifden	3	100km/hr	50km/hr
Colac Bay Road	6	70km/hr	50km/hr
Colac Foreshore Road	6	70km/hr	50km/hr
Lillburn Valley Road	16, 17	100km/hr	60km/hr
Monkey Island Road	36	100km/hr	30km/hr
Borland Road	28, 29	100km/hr	60km/hr
Lake Monowai Road	28, 29	100km/hr	60km/hr
Turbine Drive, Monowai	28, 29	100km/hr	60km/hr
Main Street, Otautau	38	70km/hr	50km/hr
Richard Street, Riverton	41	50km/hr	30km/hr
Foster Road, Thornbury	48	70km/hr	60km/hr
Muriel Street, Thornbury	48	100km/hr	50km/hr
Thornbury Waimatuku Road	48	100km/hr	60km/hr
Main Street, Wairio	58	70km/hr	60km/hr

WAIHOPAI TOETOE WARD (Curio Bay, Fortrose, Gorge Road, Tokanui, Waikawa, Woodlands)			
Road name	Draft bylaw map number	Current speed limit	Proposed speed limit
Haldane Curio Bay Road	7, 14, 63	100km/hr	80km/hr
Mair Road, Curio Bay	7, 63	70km/hr	30km/hr
Waikawa Curio Bay Road	7, 55, 63	100km/hr	80km/hr
Waikawa Curio Bay Road	54, 55, 63	70km/hr	50km/hr
Waikawa Curio Bay Road	7, 54, 55, 63	50km/hr	30km/hr
Boat Harbour Road, Fortrose	11	100km/hr	60km/hr
Firth Street, Fortrose	11	70km/hr	60km/hr
Fortrose Otara Road	11	70km/hr	60km/hr
Helena Street, Fortrose	11	70km/hr	60km/hr
Mersey Street, Fortrose	11	70km/hr	60km/hr
Moray Terrace, Fortrose	11	70km/hr	60km/hr
Neva Street, Fortrose	11	70km/hr	60km/hr
Tokanui Gorge Road Highway	11	100km/hr	80km/hr
Tokanui Gorge Road Highway	13	70km/hr	60km/hr
Factory Road, Gorge Road	13	70km/hr	60km/hr
Gorge Road Invercargill Highway	13	70km/hr	60km/hr
Seaward Downs Gorge Road	13	70km/hr	60km/hr
Otara Haldane Road	37, 42, 63	100km/hr	80km/hr

Tokanui Haldane Road	50, 63	100km/hr	60km/hr
Slope Point Road	42, 63	100km/hr	80km/hr
Buckingham Street, Tokanui	49, 63	70km/hr	60km/hr
Duncan Street, Tokanui	49, 63	70km/hr	60km/hr
McEwan Street, Tokanui	49, 63	70km/hr	60km/hr
Niagara Tokanui Highway	49, 63	70km/hr	60km/hr
Niagara Tokanui Highway	49, 63	100km/hr	80km/hr
Tokanui Haldane Road	49, 50, 63	70km/hr	60km/hr
Tokanui Gorge Road Highway	49, 63	100km/hr	80km/hr
Tokanui Gorge Road Highway	49, 63	70km/hr	60km/hr
Antrim Street, Waikawa	54, 55, 63	80km/hr	60km/hr
Carrickfergus Street, Waikawa	54, 55, 63	80km/hr	60km/hr
Larne Street, Waikawa	54, 55, 63	80km/hr	60km/hr
Lisburn Street, Waikawa	54, 55, 63	80km/hr	60km/hr
Mena Street, Waikawa	54, 55, 63	80km/hr	60km/hr
Niagara Waikawa Road	54, 55, 63	80km/hr	60km/hr
Waikawa Curio Bay Road	7, 54, 55, 63	80km/hr	60km/hr
Alcock Street, Waimahaka	56	70km/hr	60km/hr
Mataura Island Fortrose Road	56	70km/hr	60km/hr
Waimahaka Fortification Road	56	70km/hr	60km/hr
Waipapa Light House Road	57	100km/hr	80km/hr
Waipapa Otara Road	57	100km/hr	80km/hr
Wyeth Road, Woodlands	61	100km/hr	50km/hr

WINTON WALLACETOWN WARD (Limehills, Dipton, Drummond, Waianiwa, Wallacetown)			
Road name	Draft bylaw map number	Current speed limit	Proposed speed limit
Alba Street, Limehills	18	80km/hr	60km/hr
Ashton Street, Limehills	18	80km/hr	60km/hr
Avon Road, Limehills	18	80km/hr	60km/hr
Avon Road North, Limehills	18	100 km/hr	60km/hr
Ayr Street, Limehills	18	80km/hr	60km/hr
Beaufort Street, Limehills	18	80km/hr	60km/hr
Derby Road, Limehills	18	80km/hr	60km/hr
Norman Street, Limehills	18	80km/hr	60km/hr
Pisa Road, Limehills	18	80km/hr	60km/hr
Servia Street, Limehills	18	80km/hr	60km/hr
Servia Street South, Limehills	18	80km/hr	60km/hr
Severn Street, Limehills	18	80km/hr	60km/hr

Level Street, Dipton	8	70km/hr	50km/hr
George Street, Dipton	8	100km/hr	60km/hr
James Street, Dipton	8	100km/hr	60km/hr
Surrey Street, Dipton	8	100km/hr	60km/hr
Centre Street, Dipton	8	100km/hr	60km/hr
Henry Street, Dipton	8	100km/hr	60km/hr
John Street, Dipton	8	100km/hr	60km/hr
South Hillend - Dipton Road	8	100km/hr	60km/hr
Boundary Road, Drummond	9	100km/hr	80km/hr
Hamilton Street, Drummond	9	70km/hr	60km/hr
Marson Road, Drummond	9	70km/hr	60km/hr
Memorial Avenue, Drummond	9	70km/hr	60km/hr
Roberts Road, Drummond	9	70km/hr	60km/hr
Argyle Otahuti Road, Waianiwa	52	70km/hr	60km/hr
Dudley Street, Waianiwa	52	70km/hr	60km/hr
Waianiwa Oporo Road	52	70km/hr	60km/hr
Weir Road, Waianiwa	52	70km/hr	60km/hr
Dunlop Street, Wallacetown	59	100km/hr	50km/hr
Clyde Street, Wallacetown	59	100km/hr	50km/hr
Falkirk Street, Wallacetown	59	100km/hr	50km/hr
Irvine Street, Wallacetown	59	100km/hr	50km/hr
Kirkoswald Street, Wallacetown	59	100km/hr	50km/hr
Collean Street, Wallacetown	59	100km/hr	50km/hr

The following chart shows locations where there is a difference between Council's proposed speed limit and feedback received from NZTA as part of the pre-consultation process.

NZTA AND COUNCIL PROPOSED SPEED RECOMMENDATIONS				
Road name/ward	Draft bylaw map number	Current speed limit	Council proposed speed limit	NZTA recommended speed limit
Main Street, Otautau, Waiau Aparima	38	70km/h	50km/hr	50km/hr reduce area
Haldane Curio Bay Road, Waihopai Toetoe	7, 14	100km/h	80km/hr	60km/hr
Otara Haldane Road, Waihopai Toetoe	37, 42	100km/h	80km/hr	60km/hr
Slope Point Road, Waihopai Toetoe	42	100km/h	80km/hr	60km/hr
Waipapa Light House Road, Waihopai Toetoe	57	100km/hr	80km/hr	60km/hr

Waipapa Otara Road, Waihopai Toetoe	57	100km/hr	80km/hr	60km/h
South Hillend - Dipton Road, Winton Wallacetown	8	100km/h	60km/hr	80km/h

Roads that do not have a proposed speed limit change will continue to have the same speed limit as at present, but may be subject to future review.

4. How to have your say

Council encourages any person or organisation with an interest in the draft bylaw to consider it and to give feedback.

Submissions will be accepted from 8am on 29 August 2019 and must be received **no later than 5pm on 10 October 2019**. **Council will accept further submissions from 8am on 19 November to 5pm on 3 December 2019**. Submissions can be made online at <https://www.southlanddc.govt.nz/my-council-/have-your-say/>

All submissions must state the submitter's name and their contact details. If you need help submitting please contact Council at 0800 732 732, or call in to one of Council's offices. Submitters should indicate in their written submission whether they would like to be heard on this matter. All written submissions made to Council will be acknowledged and made available to the public.

As part of the consultation process, Council will be giving notice of the proposed changes to stakeholder groups (Police, NZ Automobile Association, NZTA, Road Transport Forum NZ) to inform them of the public submission period. Drop in sessions will be held throughout the District for people to learn more about the proposed changes and have their questions answered by transport team staff.

- Te Anau library, 19 September, 11am-1pm
- Lumsden library, 19 September, 4-6pm
- Winton RSA, Anzac Room, 10 September, 4:30-6pm
- Tokanui pub, 12 September, 11am-1pm

Council intends to convene a hearing on 14 November 2019, at which any party who wishes to do so can present their submission in person. Oral submissions will be heard in a Council meeting which is open to the public. If you indicate you would like to be heard in your written submission, Council staff will get in touch with you to arrange a time at the hearing. If you have any special requirements when appearing at the hearing (e.g. video conferencing or using sign language) please let us know.

If you indicate in your written submission that you do not want to be heard and then you change your mind, please get in touch with Council staff and we will try and accommodate you at the hearing.

5. Timetable for consultation

The dates below outline the timetable for the consultation process. Any changes to these dates will be publically advised on Council's Facebook page and website.

DATE	ACTIVITY
21 August 2019	Council adopt the proposal for consultation
29 August 2019	Consultation period begins (8am)
10 October 2019	Consultation period ends (5pm)

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14 November 2019 18 December 2019	Oral submissions heard by Council (at Council offices, 15 Forth St, Invercargill)
date TBC December 2019 early 2020	Council deliberate on this matter and adopt the draft bylaw. NZTA and police notified of adoption of draft bylaw
date TBC	Speed Limits Bylaw 2019 comes into force

6. Options

The following reasonably practicable options have been considered regarding how Council could proceed, after it has undertaken the consultation process:

Option 1 – adopt the draft bylaw.

Option 2 – adopt an amended bylaw. This could include speed limit increases, decreases and changes to areas where a reduced speed applies.

Option 3 – retain the status quo (the current bylaw).

Analysis of Options

Option 1 – adopt the draft bylaw

Advantages	Disadvantages
<ul style="list-style-type: none"> Council is legislatively required to have a bylaw on speed limits and the draft bylaw is legally compliant the draft bylaw has been updated to reflect changes to the Rule and NZTA's Safer Journeys Strategy a thorough review of Council's roading network has been undertaken to introduce changes that have been identified as improving road safety. 	<ul style="list-style-type: none"> an amended bylaw may better reflect community/stakeholder views there are some minor differences between NZTA's recommendations and Council's proposed speed limits.

Option 2 – adopt an amended bylaw

Advantages	Disadvantages
<ul style="list-style-type: none"> an amended bylaw may better reflect community/stakeholder views an amended bylaw may outline more appropriate/safer speed limits. 	<ul style="list-style-type: none"> an amended bylaw may not comply with NZTA requirements.

Option 3 – retain the status quo

Advantages	Disadvantages
<ul style="list-style-type: none"> the current bylaw has been adopted for over four years, so it is known by the District. 	<ul style="list-style-type: none"> the current bylaw does not give effect to the rule so is unlikely to be supported by NZTA not giving effect to proposed changes could increase driving risks on Council's roading network

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	<ul style="list-style-type: none"> retaining the status quo does not allow Council to recognise areas of urban growth that now fall outside an urban traffic area (50 km/hr) zone.
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7. Determinations

Council has made the following determinations in relation to the draft bylaw.

The draft bylaw is the most appropriate way of addressing the perceived problem – Council is legislatively required to have a bylaw on speed limits.

The draft bylaw is the most appropriate form of bylaw - The draft bylaw has been prepared and structured for ease of reference and interpretation. The draft bylaw is consistent with the LGA and the Land Transport Act 1998.

The draft bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 - The New Zealand Bill of Rights Act 1990 grants certain civil and political rights to people in New Zealand. Council resolved that the provisions of the draft bylaw do not unreasonably interfere with any of the rights given pursuant to this act.

8. Legal rights and requirements

Section 82 of the Local Government Act 2002 sets out the obligations of the Council regarding consultation and the Council will take all steps necessary to meet the spirit and intent of the law.

9. Making an effective submission

Written submissions can take any form (e.g. online form, email, letter). An effective submission references the clause(s) of the draft bylaw you wish to submit on or the recommended speed limit changes, states why the clause or change is supported or not supported and states what change to the clause or limit is sought.

Submissions on matters outside the scope of the draft Bylaw and the recommended speed limit changes cannot be considered by Council.

Attachment A

Draft Speed Limits Bylaw 2019

Draft Speed Limits Bylaw 2019 Maps



Southland District Council

Speed Limits Bylaw 2019

DRAFT

Southland District Council
Te Rohe Pōtae o Murihiku

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

1. Title and Commencement

Pursuant to section 145 of the Local Government Act 2002, section 22AB of the Land Transport Act 1998 and Land Transport Rule: Setting of Speed Limits 2017, Southland District Council makes the following bylaw:

- (a) The title of this bylaw is the Speed Limits Bylaw 2019.
- (b) This bylaw shall come into force on the **xx day of xx 20xx** and the speed limits described in the schedules come into force on the date specified in the schedules.

2. Interpretation

In this bylaw, the following terms have the meaning given to it in Land Transport Rule: Setting of Speed Limits 2017.

Road

- a) includes-
 - i. a street; and
 - ii. a motorway; and
 - iii. a beach; and
 - iv. a place to which the public have access, whether of right or not; and
 - v. all bridges, culverts, ferries and fords forming part of a road, street, or motorway, or a place referred to in iv (above); and
 - vi. all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or and other enactment; and
- b) includes a section of a road

Speed limit

- a) means-
 - i. an urban, rural, permanent, holiday, temporary, emergency or variable speed limit; and
 - ii. the maximum speed at which a vehicle may legally be operated on a particular road; but
- b) does not mean the maximum permitted operating speed for classes or types of vehicle specified in any act, regulation, or rule

Urban Traffic Area

has the meaning given to it in Land Transport Rule: Setting of Speed Limits 2017.

3. Purpose

The purpose of this bylaw is to enhance public safety for all users of Southland District Council's roading network and to set the speed limits as specified in the schedules to this bylaw.

4. Speed Limits

The roads or areas described in the schedules specified in clause 5 or as shown on a map referenced in the schedules are declared to have the speed limits specified in the schedules and maps, which are deemed to be part of this bylaw.

5. Schedules

- Schedule 1: Roads subject to a speed limit of 20 km/hr
- Schedule 2: Roads subject to a speed limit of 30 km/hr
- Schedule 3: Roads subject to a speed limit of 40 km/hr
- Schedule 4: Urban Traffic Areas - roads subject to a speed limit of 50 km/hr
- Schedule 5: Roads subject to a speed limit of 60 km/hr
- Schedule 6: Roads subject to a speed limit of 70 km/hr
- Schedule 7: Roads subject to a speed limit of 80 km/hr
- Schedule 8: Rural areas - roads subject to a speed limit of 100 km/hr.
- Schedule 9: Holiday Speed Limits

6. Offences

Every person commits an offence who breaches the speed limits fixed under this bylaw.

7. Repealed Bylaws

The Southland District Council Speed Limits Bylaw 2015 and its amendments are consequently repealed.

This bylaw was made and confirmed by a resolution at a meeting of Southland District Council on **X xx 2019**.

THE COMMON SEAL of the
SOUTHLAND DISTRICT COUNCIL
was hereunto affixed in the presence of:

}

MAYOR

CHIEF EXECUTIVE

Schedule 1 - 20 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 20 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S1/01	20 km/hr	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 7 and identified in the legend as being 20 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

Schedule 2 - 30 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 30 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S2/01	30 km/hr	At Curio Bay All roads as marked on the map entitled Southland District Speed Limits, map 7 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	
S2/02	30 km/hr	At Orepuki: All roads as marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	
S2/03	30 km/hr	At Manapouri: All roads as marked on the map entitled Southland District Speed Limits, map 23 and 24 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S2/04	30 km/hr	At Mavora: All roads as marked on the map entitled Southland District Speed Limits, map 31 and 32 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S2/05	30 km/hr	At Riverton: All roads as marked on the map entitled Southland District Speed Limits, map 41 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Roding Bylaw 2001, Appendix 1 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S2/06	30 km/hr	At Te Anau: All roads within the Central Business District as marked on the map entitled Southland District Speed Limits, map 44 and 45 and identified in the legend as being 30 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

Schedule 3 - 40 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 40 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
S3/01	40 km/hr	No 40 km/hr restrictions within district.	N/A	N/A	N/A

Schedule 4 - Urban Traffic Areas – 50 km/hr

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to be urban traffic areas subject to a speed limit of 50 km/hr, except for those roads that are:

- (a) described as having a different speed limit in another schedule to the bylaw; or
- (b) shown on a map to have a different speed limit and are referenced in another schedule to the bylaw.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/01	50 km/hr	At Athol: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 1 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Southland District Council Rooding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S4/02	50 km/hr	At Balfour: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 2 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 28 July 1983, No. 109, page 2409. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
		referenced in the appropriate schedule of the bylaw.			
S4/03	50 km/hr	At Clifden: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 3 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	
S4/04	50 km/hr	At Colac Bay: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 6 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	
S4/05	50 km/hr	At Dipton: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
		8 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.			

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/06	50 km/hr	At Edendale: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S4/07	50 km/hr	At Garston: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 12 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/08	50 km/hr	At Lumsden: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 20 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/09	50 km/hr	At Manapouri: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 23, 24 and 25 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/10	50 km/hr	At Monowai: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 28 and 29 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw..	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/11	50 km/hr	At Mossburn: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 30 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/12	50 km/hr	At Nightcaps: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 33 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S4/13	50 km/hr	At Ohai: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 34 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/14	50 km/hr	At Orepuki: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/15	50 km/hr	At Otautau: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 38 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/16	50 km/hr	At Piano Flat: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 39 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S4/17	50 km/hr	At Riversdale: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 40 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/18	50 km/hr	At Riverton: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 41 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S4/19	50 km/hr	At Stewart Island: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 43 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 4 August 1977, No. 83, page 2142. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/20	50 km/hr	At Te Anau: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 44, 45 and 46 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 12 February 1987, No. 20, page 715. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/21	50 km/hr	At Thornbury: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 48 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/22	50 km/hr	At Tuatapere: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 51 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/23	50 km/hr	At Waikaia: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 53 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/24	50 km/hr	At Wallacetown: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 59 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 3 March 1983, No. 26, page 572. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S4/25	50 km/hr	At Winton: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 60 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S4/26	50 km/hr	At Woodlands: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 61 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 26 May 1988, No. 89, page 2165. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S4/27	50 km/hr	At Wyndham: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 62 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 24 August 1978, No. 73, page 2371. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

Schedule 5 - 60 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 60 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S5/01	60 km/hr	At Browns: All roads as marked on the map entitled Southland District Speed Limits, map 04 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Rooding Bylaw 2001, Appendix 2 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S5/02	60 km/hr	At Dipton: All roads as marked on the map entitled Southland District Speed Limits, map 08 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/03	60 km/hr	At Drummond: All roads as marked on the map entitled Southland District Speed Limits, map 09 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/04	60 km/hr	At Fortrose: All roads as marked on the map entitled Southland District Speed Limits, map 11 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S5/05	60 km/hr	At Garston: All roads as marked on the map entitled Southland District Speed Limits, map 12 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2015
S5/06	60km/hr	At Haldane: All roads as marked on the map entitled Southland District Speed Limits, map 37, 42 and 50 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/07	60km/hr	At Hauroko: All roads as marked on the map entitled Southland District Speed Limits, map 16 and 17 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/08	60km/hr	At Lower Hollyford: All roads as marked on the map entitled Southland District Speed Limits, map 19 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S5/09	60 km/hr	At Mavora Lakes: All roads as marked on the map entitled Southland District Speed Limits, map 05, 26, 27, 31, and 32 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S5/10	60 km/hr	At Monowai: All roads as marked on the map entitled Southland District Speed Limits, map 28 and 29 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/11	60 km/hr	At Te Anau: All roads within the Central Business District as marked on the map entitled Southland District Speed Limits, map 44 and 45 and identified in the legend as being 60 km/hr	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S5/12	60 km/hr	At Tokanui: All roads as marked on the map entitled Southland District Speed Limits, map 49 and 50 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/13	60 km/hr	At Waianiwa: All roads as marked on the map entitled Southland District Speed Limits, map 52 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/14	60 km/hr	At Waikawa: All roads as marked on the map entitled Southland District Speed Limits, map 54 and 55 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S5/15	60 km/hr	At Waimahaka: All roads as marked on the map entitled Southland District Speed Limits, map 56 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	
S5/16	60 km/hr	At Wairio: All roads as marked on the map entitled Southland District Speed Limits, map 58 and identified in the legend as being 60 km/hr.	TBC	Speed Limits Bylaw 2019	

Schedule 6 - 70 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be subject to a speed limit of 70 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S6/01	70 km/hr	At Colac Bay: All roads as marked on the map entitled Southland District Speed Limits, map 6 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S6/02	70 km/h	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 7 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 21 February 2002, No. 16, page 483. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S6/03	70 km/h	At Dipton: All roads as marked on the map entitled Southland District Speed Limits, map 8 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 18 December 1980, No. 146, page 4056. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S6/04	70 km/h	At Edendale: All roads as marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S6/05	70 km/h	At Gorge Road: All roads as marked on the map entitled Southland District Speed Limits, map 13 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 6 April, 1967, No. 21, page 527. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S6/06	70 km/hr	At Mossburn: All roads as marked on the map entitled Southland District Speed Limits, map 30 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S6/07	70 km/hr	At Ohai: All roads as marked on the map entitled Southland District Speed Limits, map 34 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S6/08	70 km/hr	At Orawia: All roads as marked on the map entitled Southland District Speed Limits, map 35 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S6/09	70 km/hr	At Thornbury: All roads as marked on the map entitled Southland District Speed Limits, map 48 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S6/10	70 km/hr	At Wallacetown: All roads as marked on the map entitled Southland District Speed Limits, map 59 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S6/11	70 km/hr	At Winton: All roads as marked on the map entitled Southland District Speed Limits, map 60 and identified in the legend as being 70 km/hr.	TBC	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

Schedule 7 - 80 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 80 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S7/01	80 km/hr	At Browns: All roads as marked on the map entitled Southland District Speed Limits, map 04 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Roding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
S7/02	80 km/hr	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 07 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	
S7/03	80 km/hr	At Drummond: All roads as marked on the map entitled Southland District Speed Limits, map 09 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S7/04	80km/hr	At Fortrose: All roads as marked on the map entitled Southland District Speed Limits, map 11 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S7/05	80km/hr	At Haldane: All roads as marked on the map entitled Southland District Speed Limits, map 07, 14, 37, 42 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	
S7/06	80km/hr	At Limehills: All roads as marked on the map entitled Southland District Speed Limits, map 18 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S7/07	80 km/hr	At Makarewa: All roads as marked on the map entitled Southland District Speed Limits, map 21 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
S7/08	80 km/hr	At Te Anau: All roads as marked on the map entitled Southland District Speed Limits, map 47 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
S7/09	80 km/hr	At Tokanui: All roads as marked on the map entitled Southland District Speed	TBC	Speed Limits Bylaw 2019	

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
		Limits, map 49 and 50 and identified in the legend as being 80 km/hr.			
S7/10	80 km/hr	At Waikawa: All roads as marked on the map entitled Southland District Speed Limits, map 54 and 55 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	Southland District Council Roading Bylaw 2001, appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S7/11	80 km/hr	At Waipapa: All roads as marked on the map entitled Southland District Speed Limits, map 57 and identified in the legend as being 80 km/hr.	TBC	Speed Limits Bylaw 2019	

Schedule 8 - 100 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be rural areas, subject to a speed limit of 100 km/hr.

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
S8/01	100 km/hr	<p>All Southland District roads outside an Urban Traffic Area listed in Schedule 4 have a speed limit of 100 km/hr, except for roads or areas that are:</p> <p>(a) described as having a different speed limit in the appropriate schedule of the Bylaw; or</p> <p>(b) shown on a map as having a different speed limit, as referenced in the appropriate schedule of the Bylaw.</p>	TBC	<p>Clause 3.4(2) Land Transport Rule: Setting of Speed Limits 2017.</p> <p>Speed Limits Bylaw 2019</p>	<p>Regulation 21(1) Traffic Regulations 1976.</p> <p>Southland District Council Speed Limits Bylaw 2005</p> <p>Southland District Council Speed Limits Bylaw 2015</p>

Schedule 9 - Holiday Speed Limits

REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
S9/01	NA	No Holiday Speed Limits within District.	N/A	N/A	N/A

Schedule 10 - Variable Speed Limits

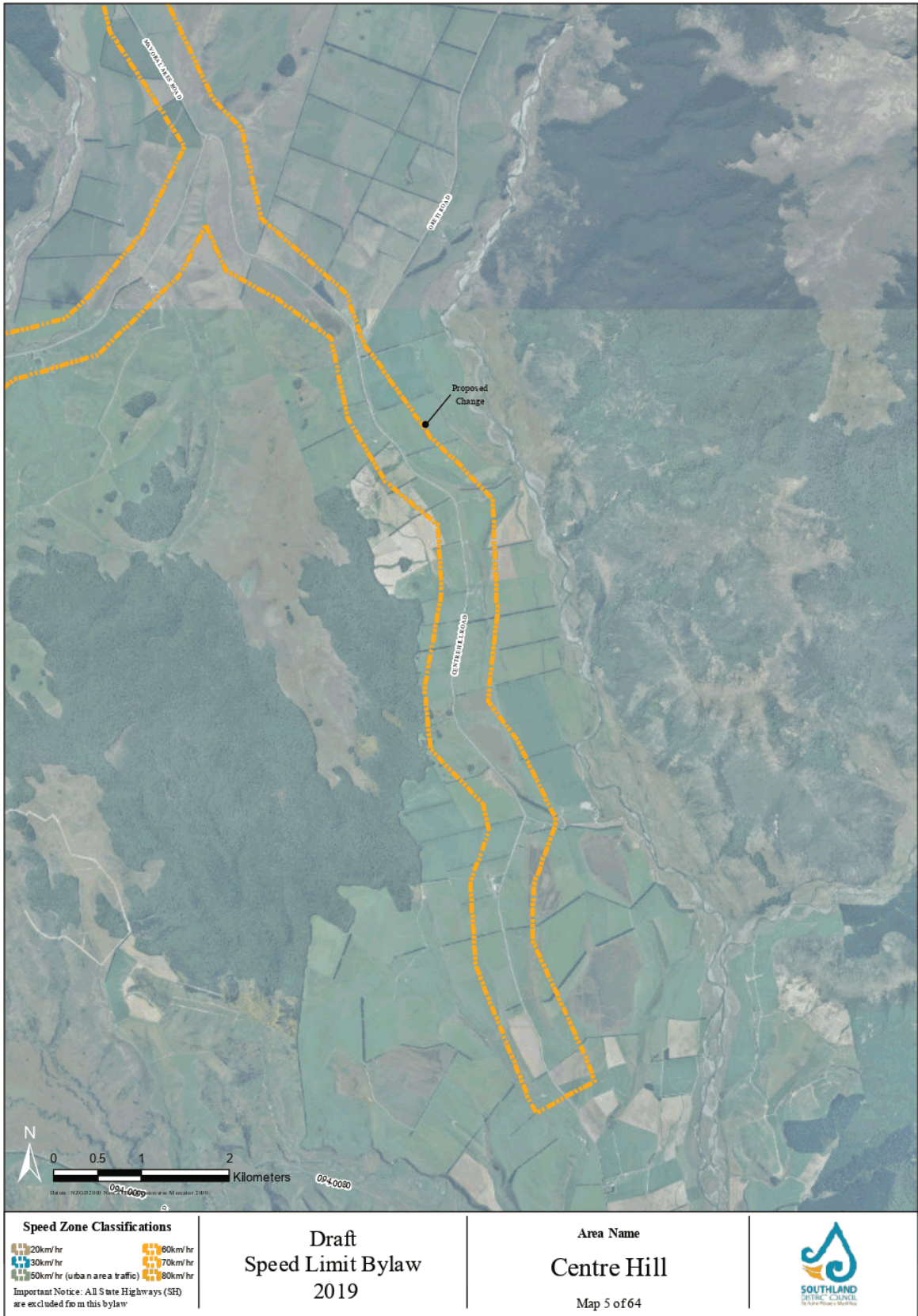
REFERENCE NUMBER	SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
S10/01	NA	No Variable Speed Limits within District.	N/A	N/A	N/A



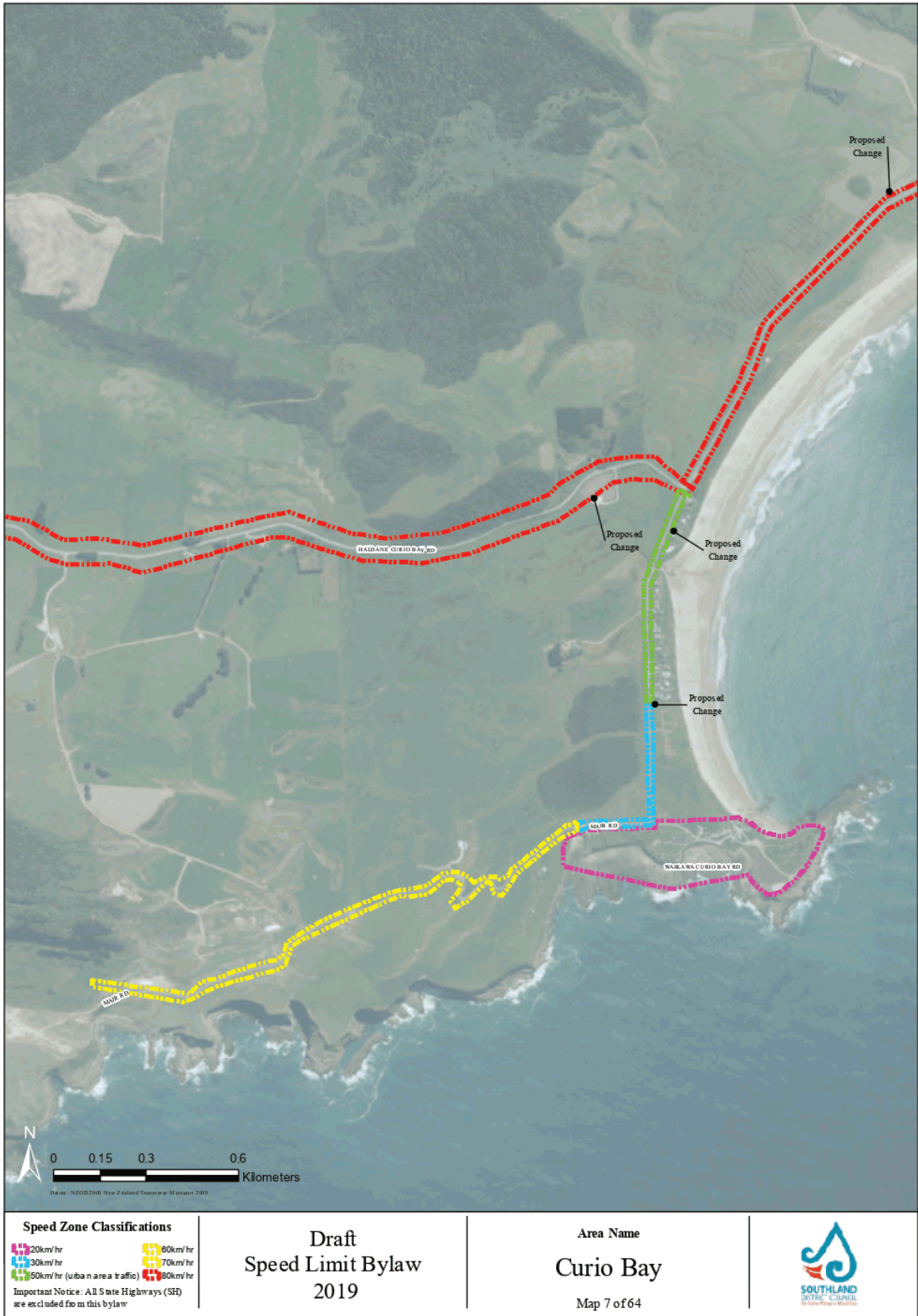




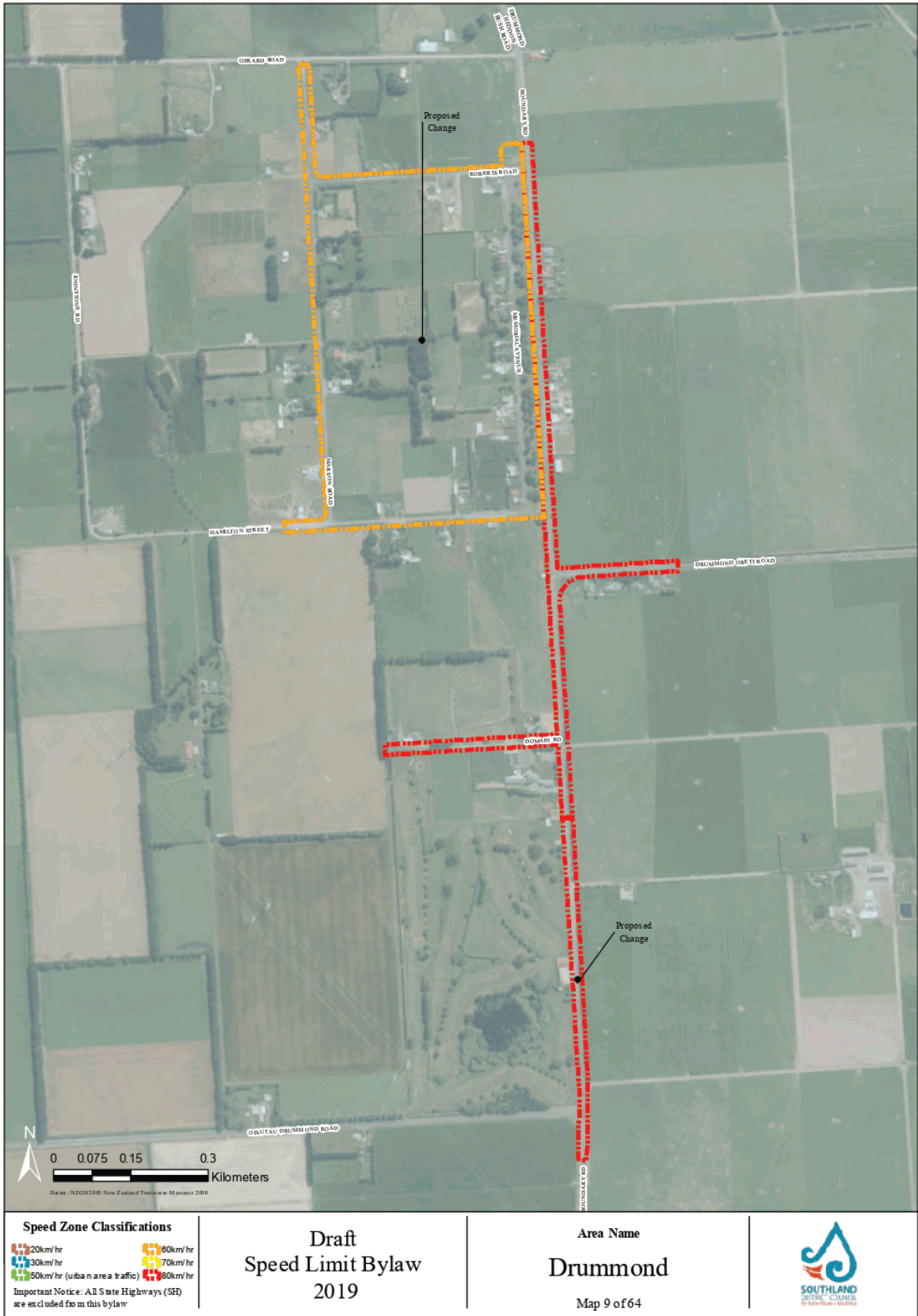










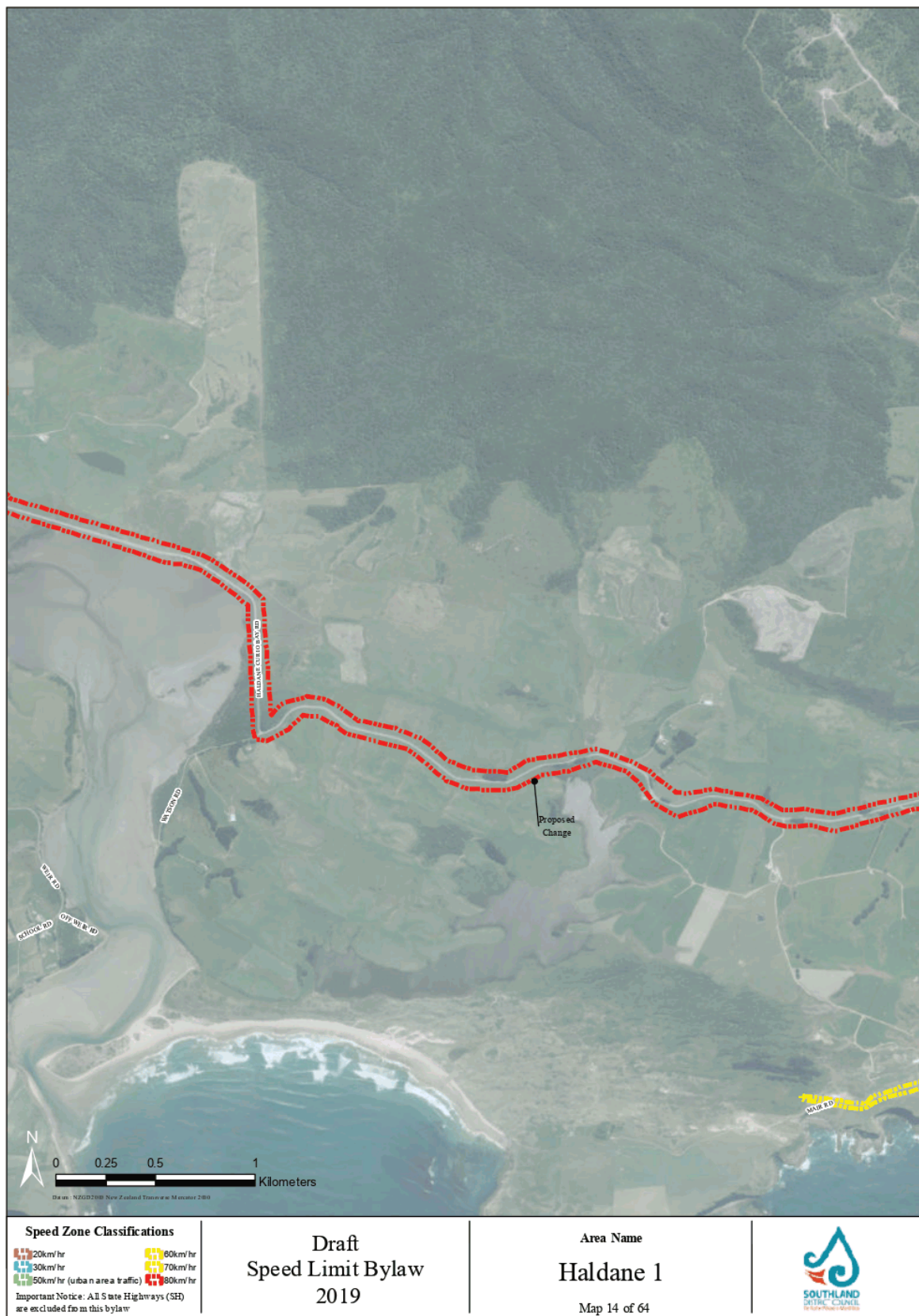






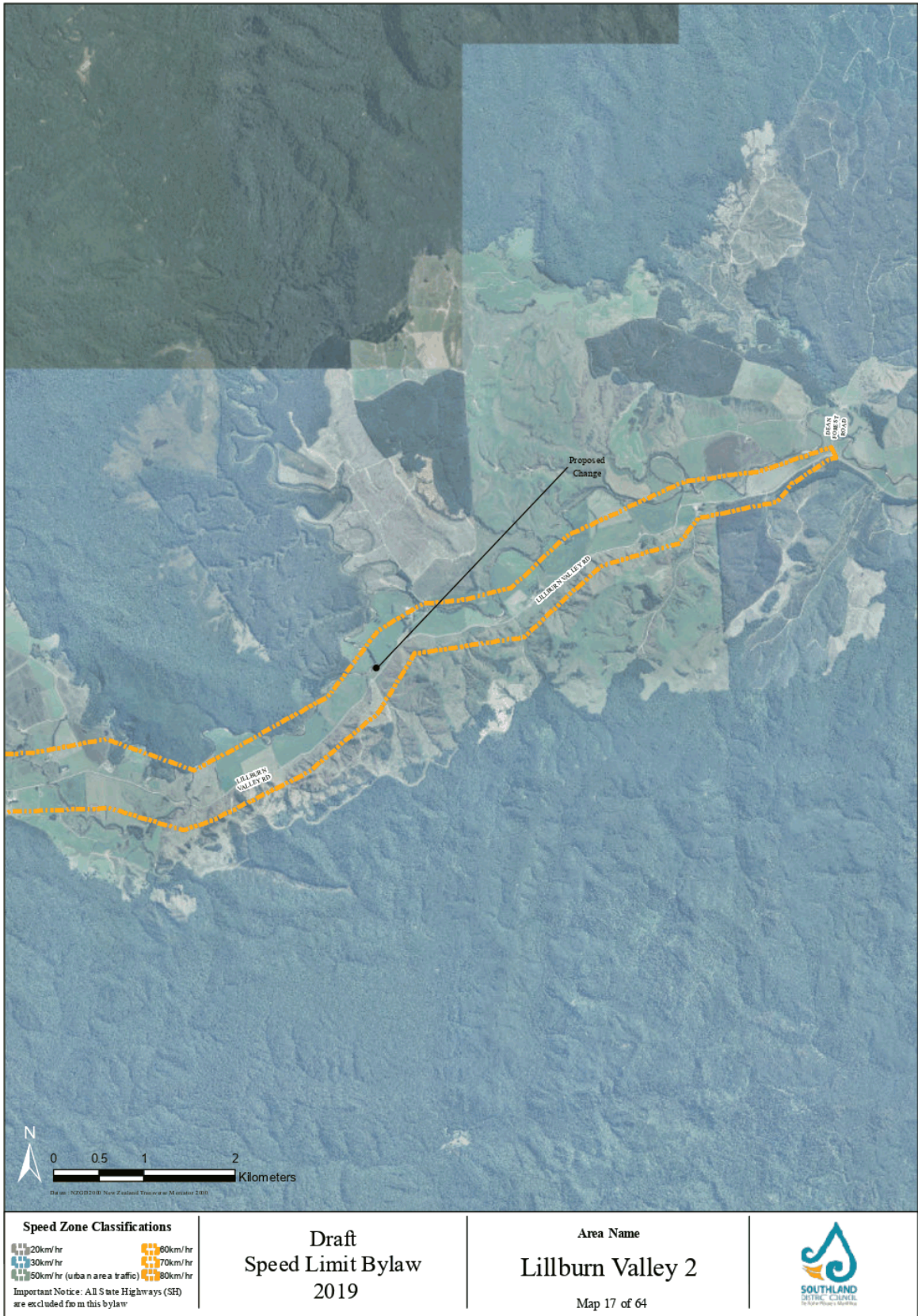




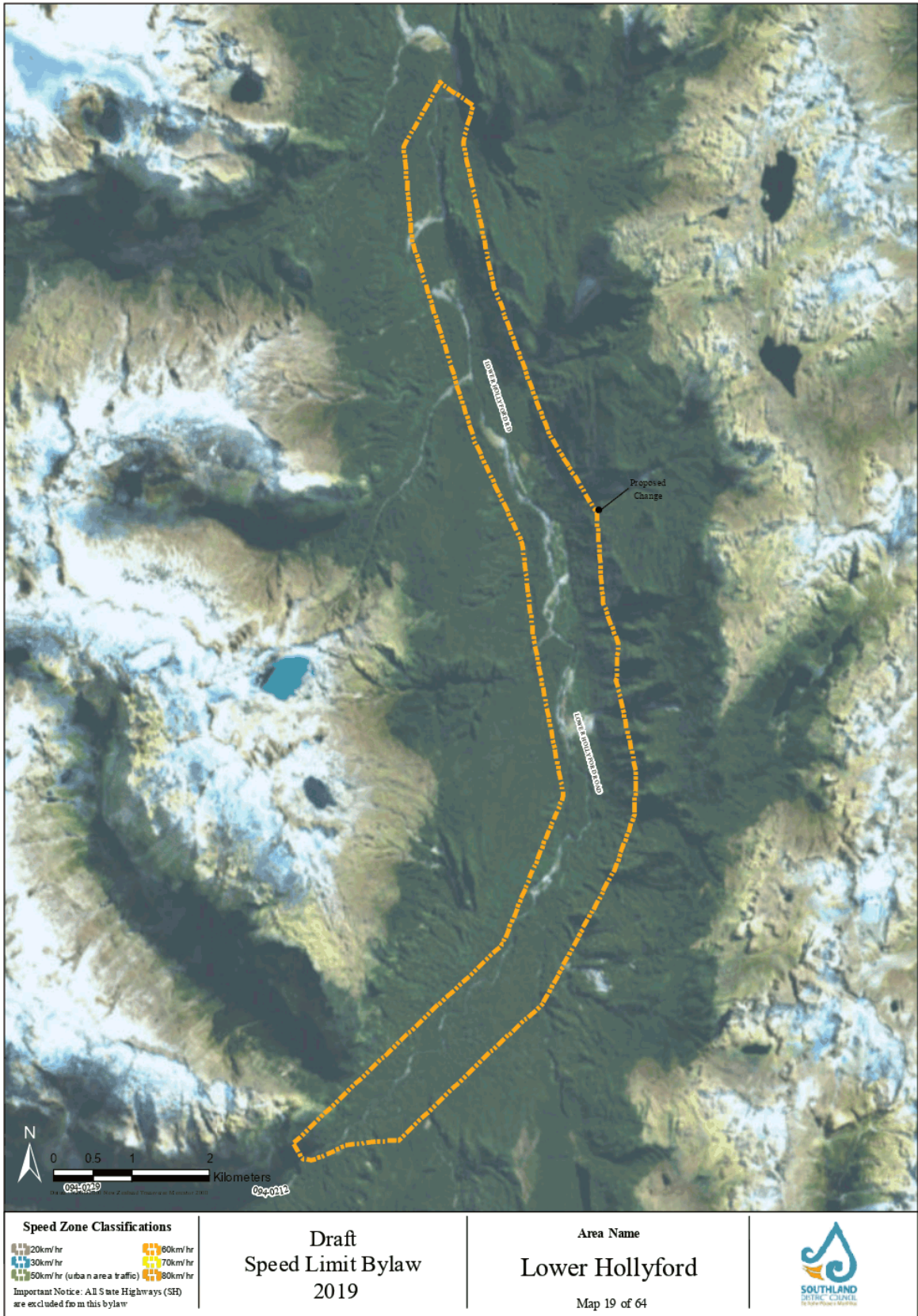






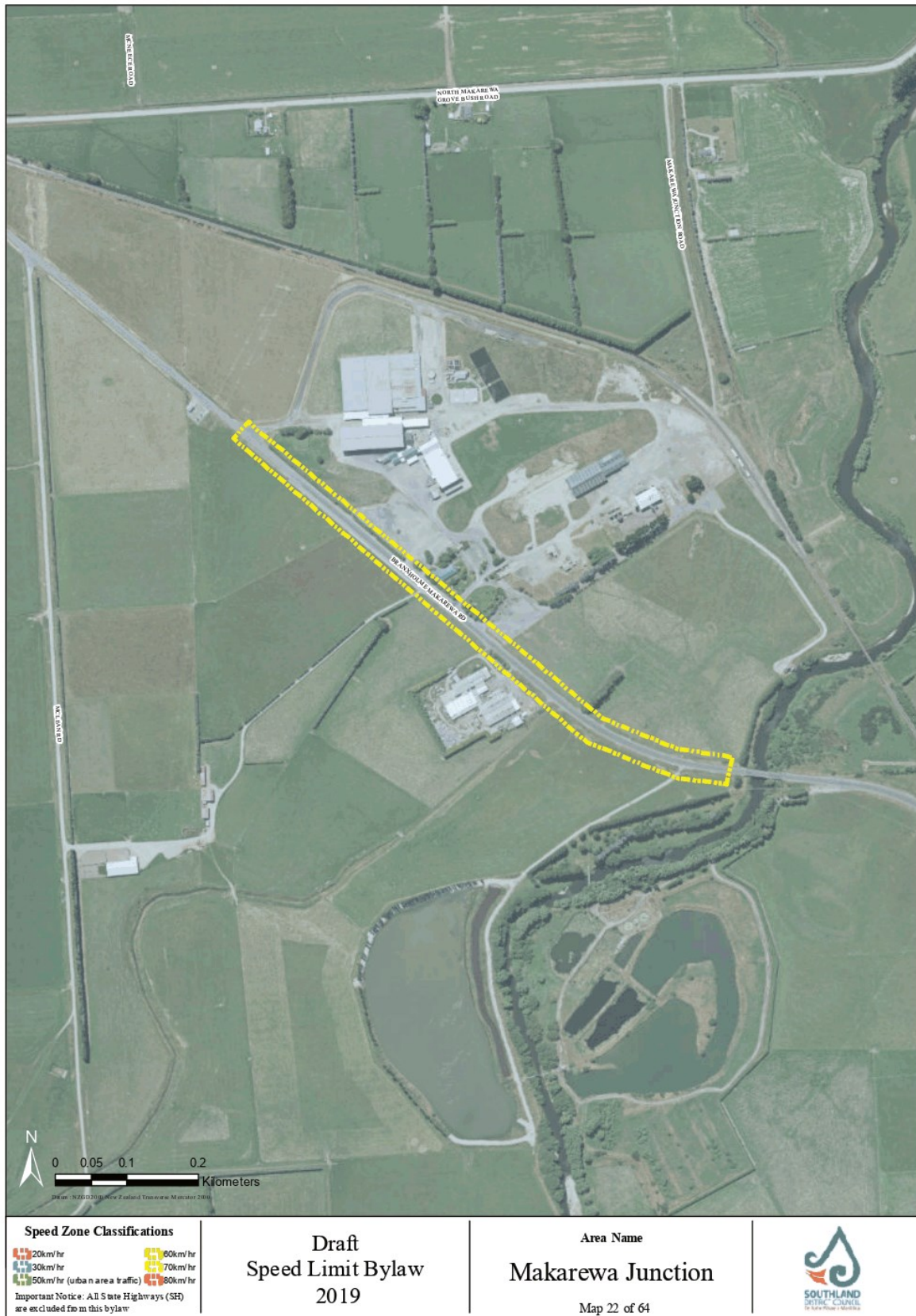








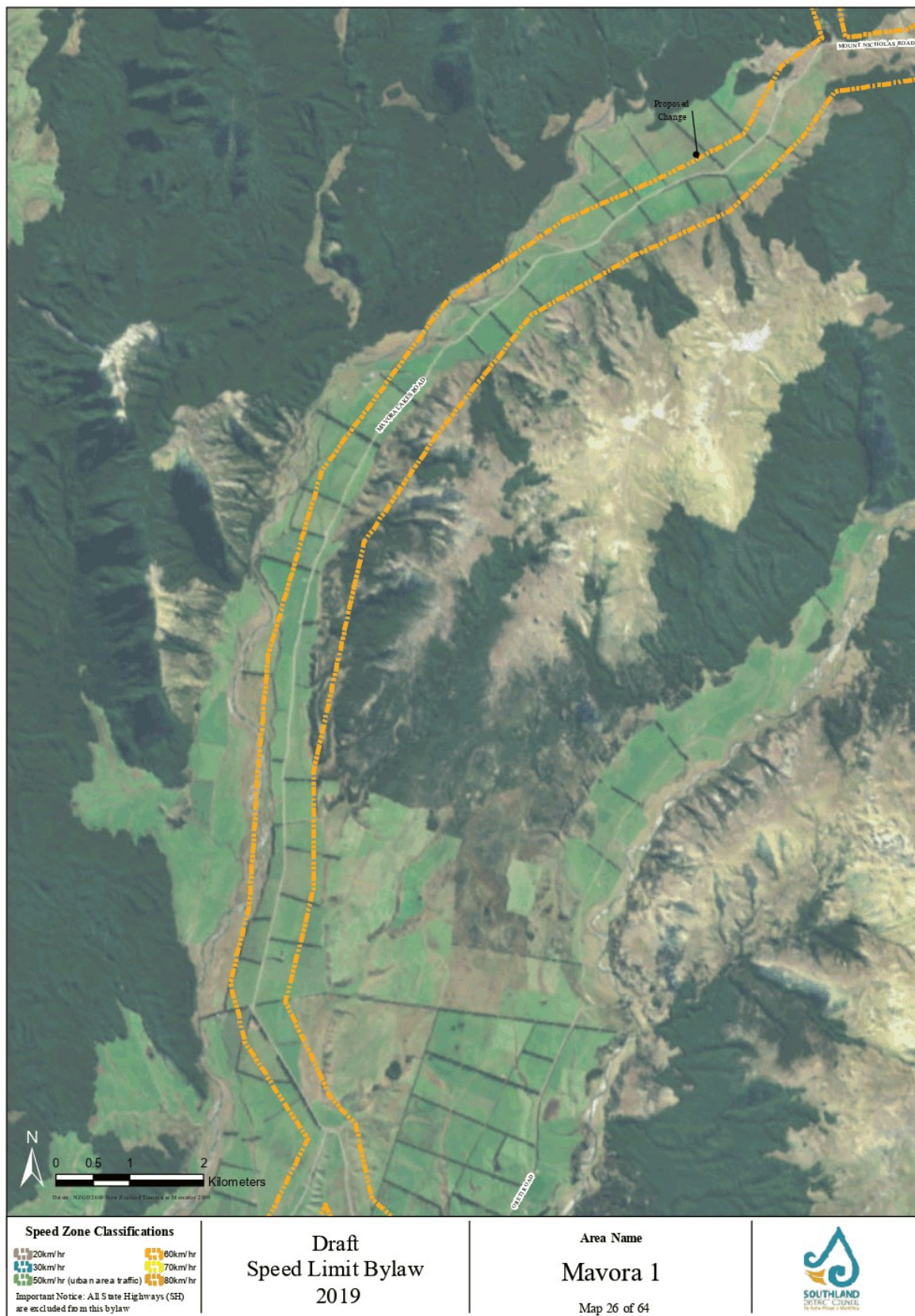






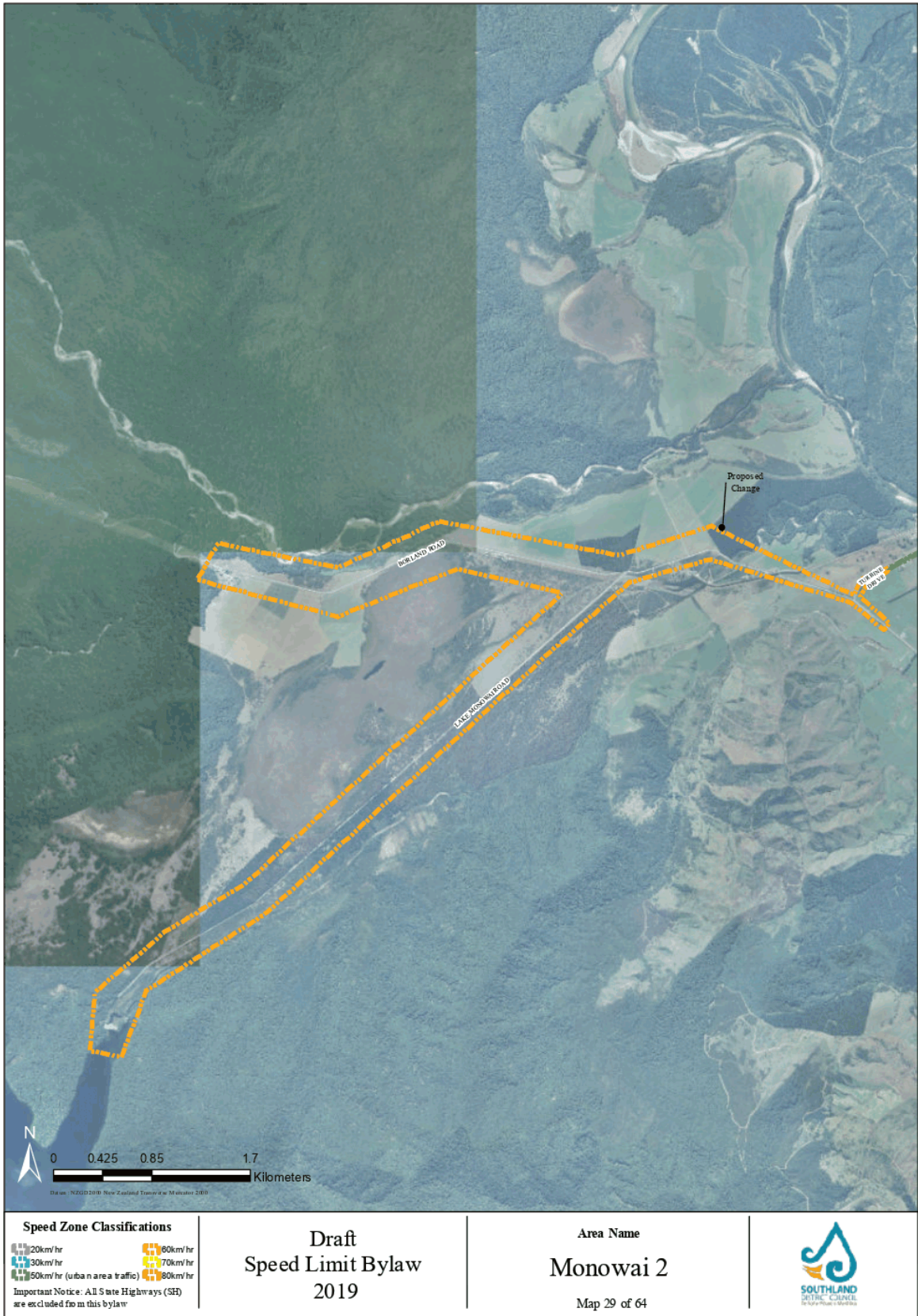






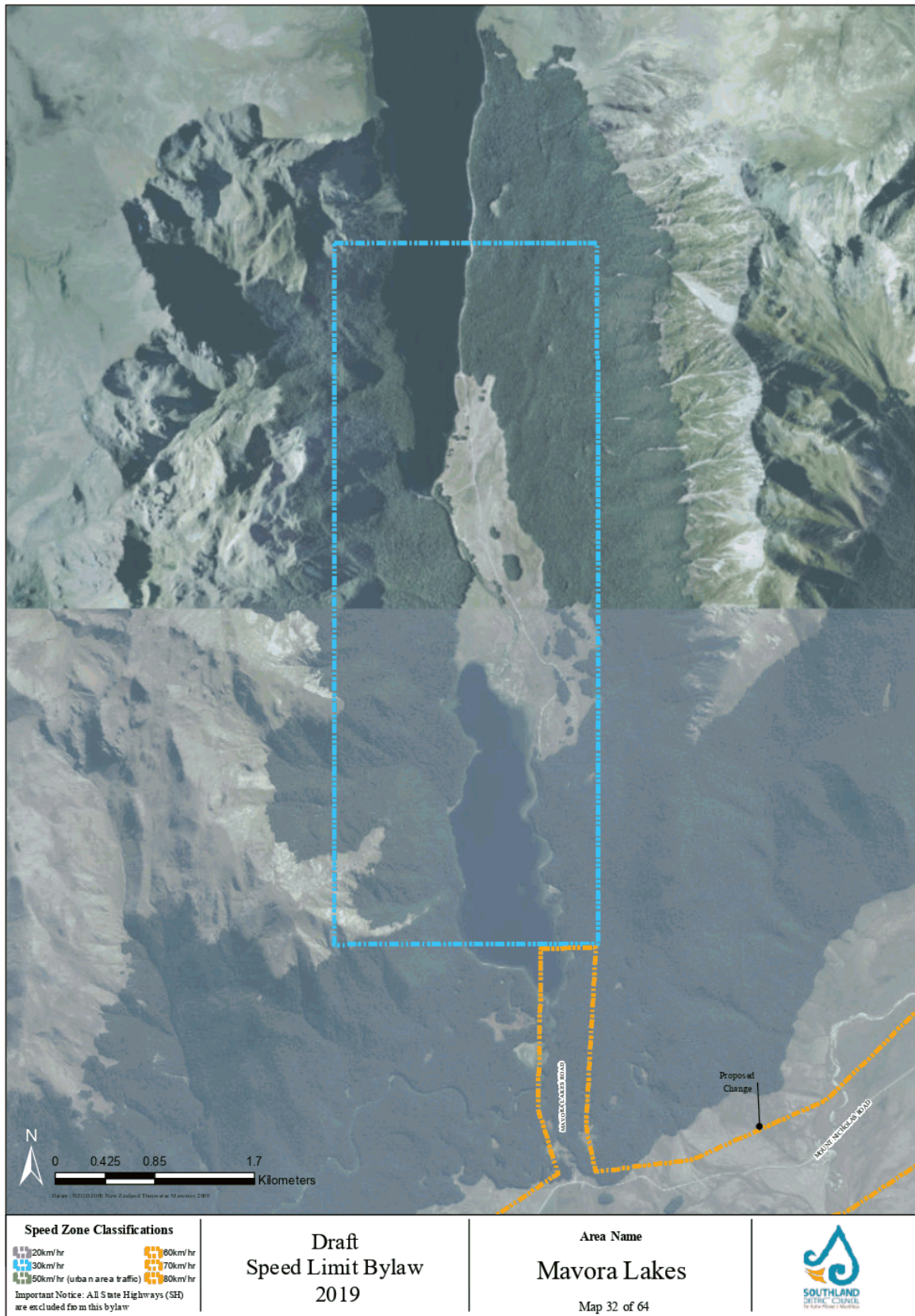






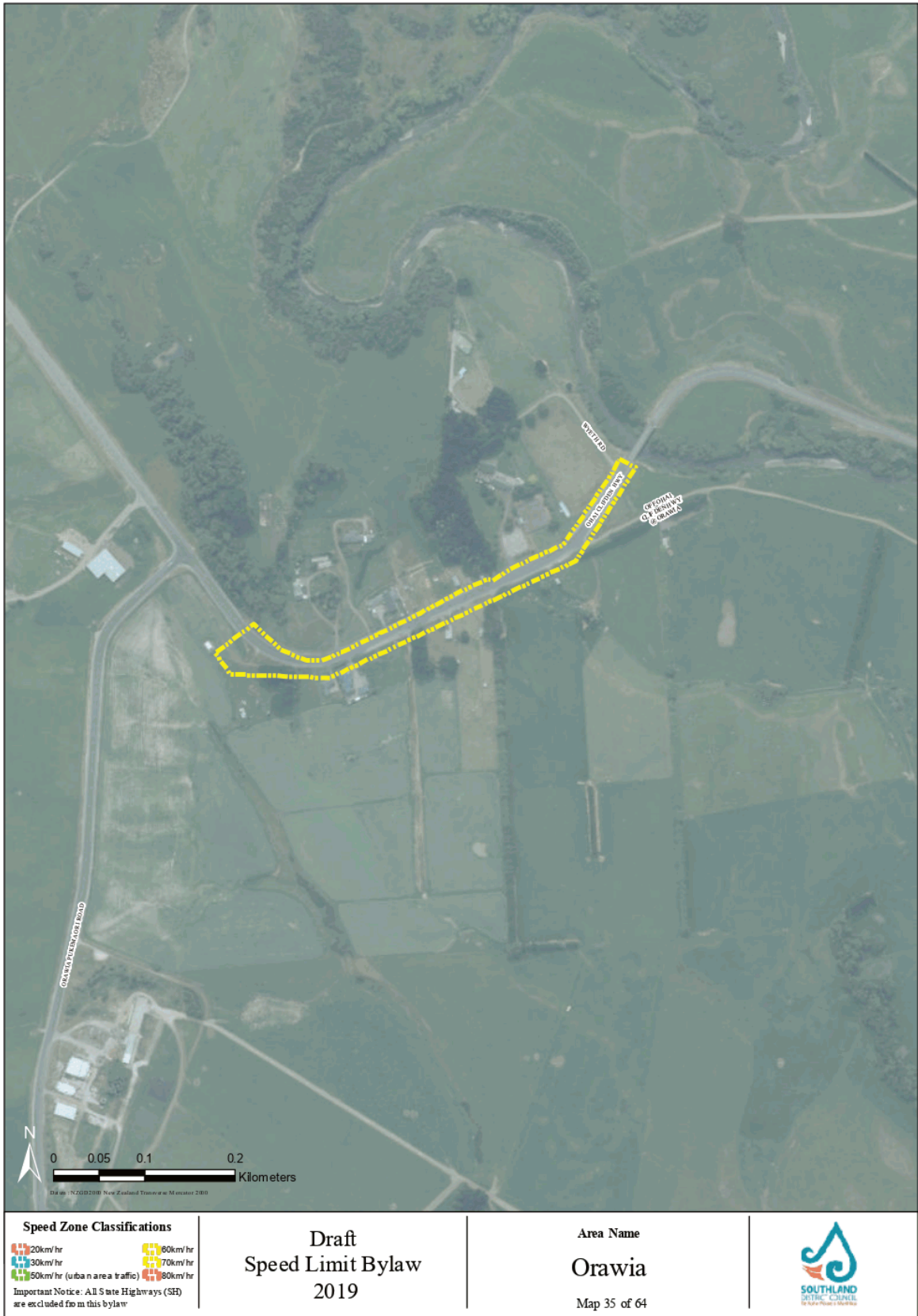
















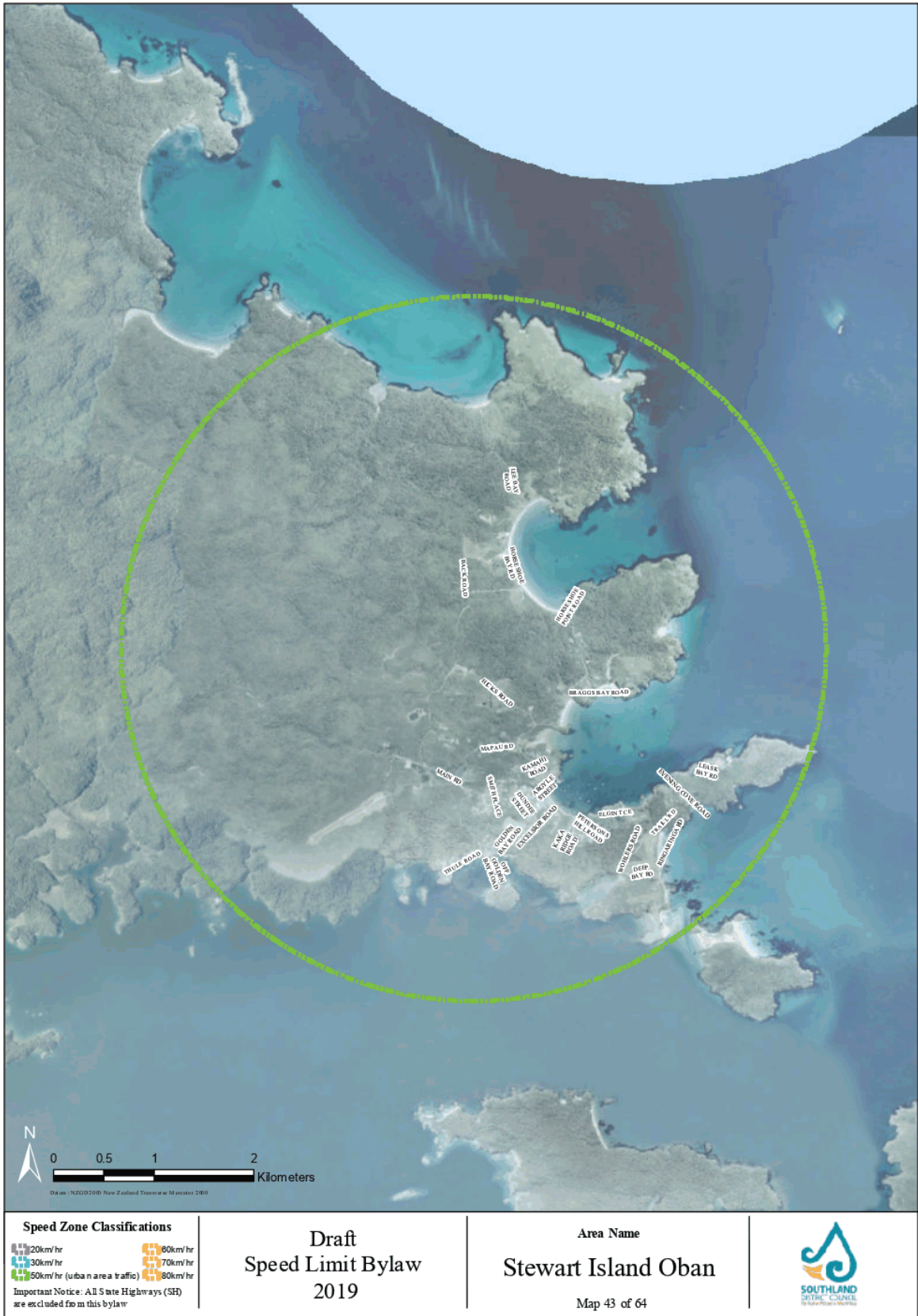






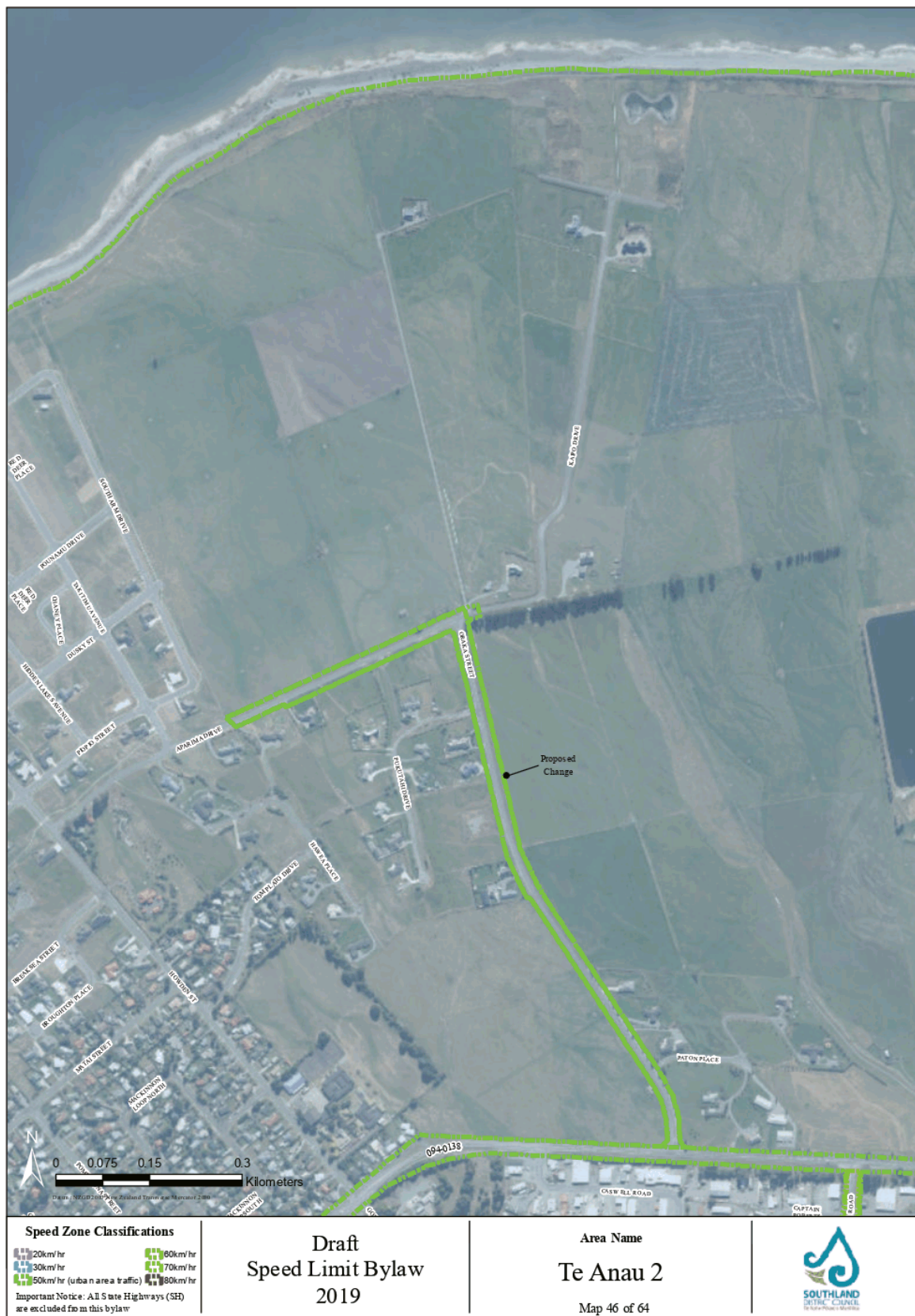






















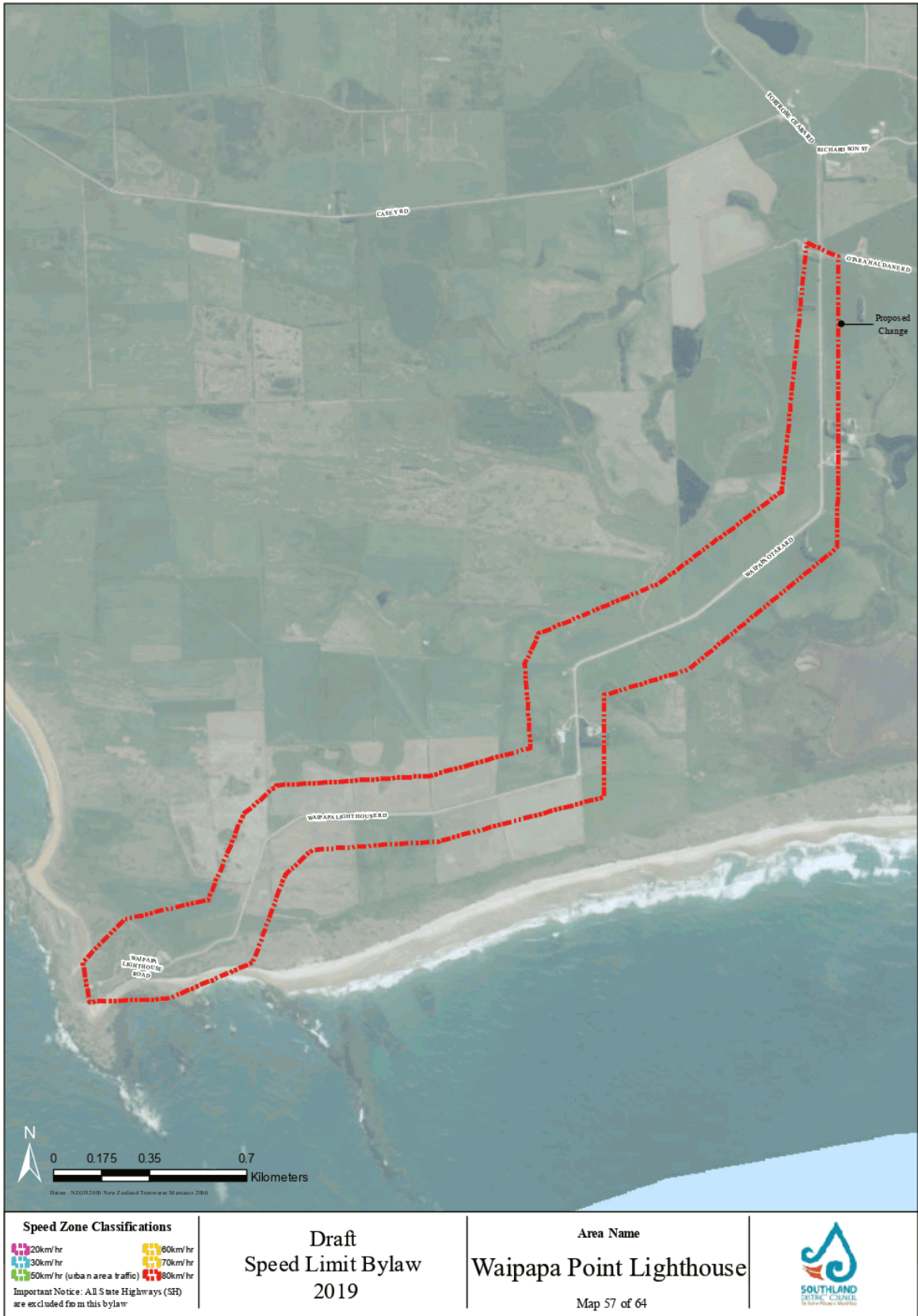


























**SOUTHLAND DISTRICT COUNCIL****SPEED LIMITS BYLAW 2015**

Pursuant to Section 155 of the Local Government Act 2002 and Land Transport Rule: Setting of Speed Limits 2003 the Southland District Council makes the following bylaw:

Analysis

1. Title and Commencement
2. Interpretation
3. Purpose
4. Speed Limits
5. Schedules
6. Offences.
7. Repealed Bylaws

1. TITLE AND COMMENCEMENT

- (a) The title of this Bylaw is the Southland District Council Speed Limits Bylaw 2015.
- (b) This Bylaw shall come into force on the 1st day of July 2015 and the speed limits described in the Schedules come into force on the date specified in the Schedules.

2. INTERPRETATION

In this Bylaw:

Road has the meaning given to it in Land Transport Rule: Setting of Speed Limits 2003.

Speed limit has the meaning given to it in Land Transport Rule: Setting of Speed Limits 2003.

Urban Traffic Area has the meaning given to it in Land Transport Rule: Setting of Speed Limits 2003.

3. PURPOSE

The purpose of this Bylaw is to enhance public safety for all users of roads within the district of the Southland District Council and to set the speed limits as specified in the Schedules to this Bylaw.

4. SPEED LIMITS

The roads or areas described in the Schedules specified in Clause 5 or as shown on a map referenced in the Schedules are declared to have the speed limits specified in the Schedules and maps, which are deemed to be part of this Bylaw.

5. SCHEDULES

- Schedule 1: Roads subject to a speed limit of 20 km/hr
- Schedule 2: Roads subject to a speed limit of 30 km/hr
- Schedule 3: Roads subject to a speed limit of 40 km/hr
- Schedule 4: Urban Traffic Areas - roads subject to a speed limit of 50 km/hr
- Schedule 5: Roads subject to a speed limit of 60 km/hr
- Schedule 6: Roads subject to a speed limit of 70 km/hr
- Schedule 7: Roads subject to a speed limit of 80 km/hr
- Schedule 8: Rural areas - roads subject to a speed limit of 100 km/hr.
- Schedule 9: Holiday Speed Limits

6. OFFENCES

Every person commits an offence who breaches the speed limits fixed under this Bylaw.

7. REPEALED BYLAWS

The Southland District Council Speed Limits Bylaw 2005 and its amendments are consequently repealed.

This Bylaw was made and confirmed by a resolution at a meeting of the Southland District Council on 3 June 2015.

THE COMMON SEAL of the
SOUTHLAND DISTRICT COUNCIL
was hereunto affixed in the presence of: }

_____ MAYOR

_____ CHIEF EXECUTIVE

Schedule 1 20 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 20 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S1/01	20 km/hr	<u>At Curio Bay:</u> All roads as marked on the map entitled Southland District Speed Limits, map 05 and identified in the legend as being 20 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Schedule 2 30 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 30 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S2/01	30 km/hr	<u>At Riverton:</u> All roads as marked on the map entitled Southland District Speed Limits, map 24 and identified in the legend as being 30 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Rooding Bylaw 2001, Appendix 1 Southland District Council Speed Limits Bylaw 2005
S2/02	30 km/hr	<u>At Manapouri:</u> All roads as marked on the map entitled Southland District Speed Limits, map 14 and identified in the legend as being 30 km/hr	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S2/03	30 km/hr	<u>At Mavora:</u> All roads as marked on the map entitled Southland District Speed Limits, map 39 and identified in the legend as being 30 km/hr	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005
S2/04	30 km/hr	<u>At Te Anau:</u> All roads within the Central Business District as marked on the map entitled Southland District Speed Limits, map 26A and identified in the legend as being 30 km/hr	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007

Schedule 3 40 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 40 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S3/01	40 km/hr	No 40 km/hr restrictions within district.	N/A	N/A	N/A

Schedule 4 Urban Traffic Areas – 50 km/hr

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to be Urban Traffic Areas subject to a speed limit of 50 km/hr, except for those roads that are:

- (a) Described as having a different speed limit in another schedule to this bylaw; or:
- (b) Shown on a map to have a different speed limit and are referenced in another schedule to this bylaw.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/01	50 km/hr	<u>At Athol:</u> All roads as marked on the map entitled Southland District Speed Limits, map 01 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Rooding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005
S4/02	50 km/hr	<u>At Balfour:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 02 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 28 July 1983, No. 109, page 2409. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/03	50 km/hr	<u>At Edendale:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 28 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S4/04	50 km/hr	<u>At Garston:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S4/05	50 km/hr	<u>At Lumsden:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 12 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/06	50 km/hr	<u>At Manapouri:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 14 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S4/07	50 km/hr	<u>At Monowai:</u> All roads within the area marked on the map entitled Southland District Speed Limits, map 15 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S4/08	50 km/hr	<u>At Mossburn:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 16 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/09	50 km/hr	<u>At Nightcaps:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 17 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S4/10	50 km/hr	<u>At Ohai:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 18 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S4/11	50 km/hr	<u>At Orepuki:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 20 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/12	50 km/hr	<u>At Otautau:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 21 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S4/13	50 km/hr	<u>At Piano Flat:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 22 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005
S4/14	50 km/hr	<u>At Riversdale:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 23 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/15	50 km/hr	<u>At Riverton:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 24 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S4/16	50 km/hr	<u>At Stewart Island:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 25 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 4 August 1977, No. 83, page 2142. Southland District Council Speed Limits Bylaw 2005
S4/17	50 km/hr	<u>At Te Anau:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 26 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 12 February 1987, No. 20, page 715. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/18	50 km/hr	<u>At Thornbury:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 27 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S4/19	50 km/hr	<u>At Tuatapere:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 29 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S4/20	50 km/hr	<u>At Waikaia:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 31 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/21	50 km/hr	<u>At Wallacetown:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 35 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 3 March 1983, No. 26, page 572. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S4/22	50 km/hr	<u>At Winton:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S4/23	50 km/hr	<u>At Woodlands:</u> All roads as marked on the map entitled Southland District Speed Limits, map 37A and identified in the legend as being 50 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 26 May 1988, No. 89, page 2165. Southland District Council Speed Limits Bylaw 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S4/24	50 km/hr	<u>At Wyndham:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 38 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 24 August 1978, No. 73, page 2371. Southland District Council Speed Limits Bylaw 2005

Schedule 5 60 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 60 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S5/01	60 km/hr	<u>At Browns:</u> All roads as marked on the map entitled Southland District Speed Limits, map 03 and identified in the legend as being 60 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Roding Bylaw 2001, Appendix 2 Southland District Council Speed Limits Bylaw 2005
S5/02	60 km/hr	<u>At Garston:</u> All roads as marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as being 60 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	

Schedule 6 70 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be subject to a speed limit of 70 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S6/01	70 km/hr	<u>At Balfour:</u> All roads as marked on the map entitled Southland District Speed Limits, map 02 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 28 July 1983, No. 109, page 2409. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S6/02	70 km/hr	<u>At Colac Bay:</u> All roads as marked on the map entitled Southland District Speed Limits, map 04 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S6/03	70 km/h	<u>At Curio Bay:</u> All roads as marked on the map entitled Southland District Speed Limits, map 05 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 21 February 2002, No. 16, page 483. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S6/04	70 km/h	<u>At Dipton:</u> All roads as marked on the map entitled Southland District Speed Limits, map 06 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 18 December 1980, No. 146, page 4056. Southland District Council Speed Limits Bylaw 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S6/05	70 km/hr	<u>At Drummond:</u> All roads as marked on the map entitled Southland District Speed Limits, map 07 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S6/06	70 km/h	<u>At Edendale:</u> All roads as marked on the map entitled Southland District Speed Limits, map 28 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S6/07	70 km/h	<u>At Fortrose:</u> All roads as marked on the map entitled Southland District Speed Limits, map 09 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 21 February 2002, No. 16, page 483. Southland District Council Speed Limits Bylaw 2005
S6/08	70 km/h	<u>At Gorge Road:</u> All roads as marked on the map entitled Southland District Speed Limits, map 11 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 6 April, 1967, No. 21, page 527. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S6/09	70 km/hr	<u>At Mossburn:</u> All roads as marked on the map entitled Southland District Speed Limits, map 16 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S6/10	70 km/hr	<u>At Ohai:</u> All roads as marked on the map entitled Southland District Speed Limits, map 18 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S6/11	70 km/hr	<u>At Orawia:</u> All roads as marked on the map entitled Southland District Speed Limits, map 19 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S6/12	70 km/hr	<u>At Otautau:</u> All roads as marked on the map entitled Southland District Speed Limits, map 21 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S6/13	70 km/hr	<u>At Thornbury:</u> All roads as marked on the map entitled Southland District Speed Limits, map 27 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S6/14	70 km/hr	<u>At Tokanui:</u> All roads as marked on the map entitled Southland District Speed Limits, map 28 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 21 June 1990, No.101, page 2147 Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S6/15	70 km/hr	<u>At Waianiwa:</u> All roads as marked on the map entitled Southland District Speed Limits, map 30 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005
S6/16	70 km/hr	<u>At Waimahaka:</u> All roads as marked on the map entitled Southland District Speed Limits, map 33 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 11 March 1982, No. 26, page 718. Southland District Council Speed Limits Bylaw 2005
S6/17	70 km/hr	<u>At Wairio:</u> All roads as marked on the map entitled Southland District Speed Limits, map 34 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 21 July 1983, No. 105, page 2318. Southland District Council Speed Limits Bylaw 2005
S6/18	70 km/hr	<u>At Wallacetown:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 35 and identified in the legend as an Urban Traffic Area having a speed limit of 70 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S6/19	70 km/hr	<u>At Winton:</u> All roads as marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as being 70 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007

Schedule 7 80 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 80 km/hr.

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S7/01	80 km/hr	<u>At Balfour:</u> All roads as marked on the map entitled Southland District Speed Limits, map 02 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Rooding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S7/02	80 km/hr	<u>At Browns:</u> All roads as marked on the map entitled Southland District Speed Limits, map 03 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Rooding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005
S7/03	80km/hr	<u>At Centre Bush:</u> All roads as marked on the map entitled Southland District Speed Limits, map 39 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S7/04	80 km/hr	<u>At Drummond:</u> All roads as marked on the map entitled Southland District Speed Limits, map 07 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007
S7/05	80 km/hr	<u>At Makarewa:</u> All roads as marked on the map entitled Southland District Speed Limits, map 40 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S7/06	80 km/hr	<u>At Te Anau:</u> All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 26 and identified in the legend as an Urban Traffic Area having a speed limit of 80 km/hr, except for those roads or areas that are marked on the said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of this bylaw.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005
S7/07	80 km/hr	<u>At Waikawa:</u> All roads as marked on the map entitled Southland District Speed Limits, map 32 and identified in the legend as being 80 km/hr.	1 July 2015	Southland District Council Speed Limits Bylaw 2015	Southland District Council Rooding Bylaw 2001, appendix 3 Southland District Council Speed Limits Bylaw 2005

Schedule 8 100 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be rural areas, subject to a speed limit of 100 km/hr.

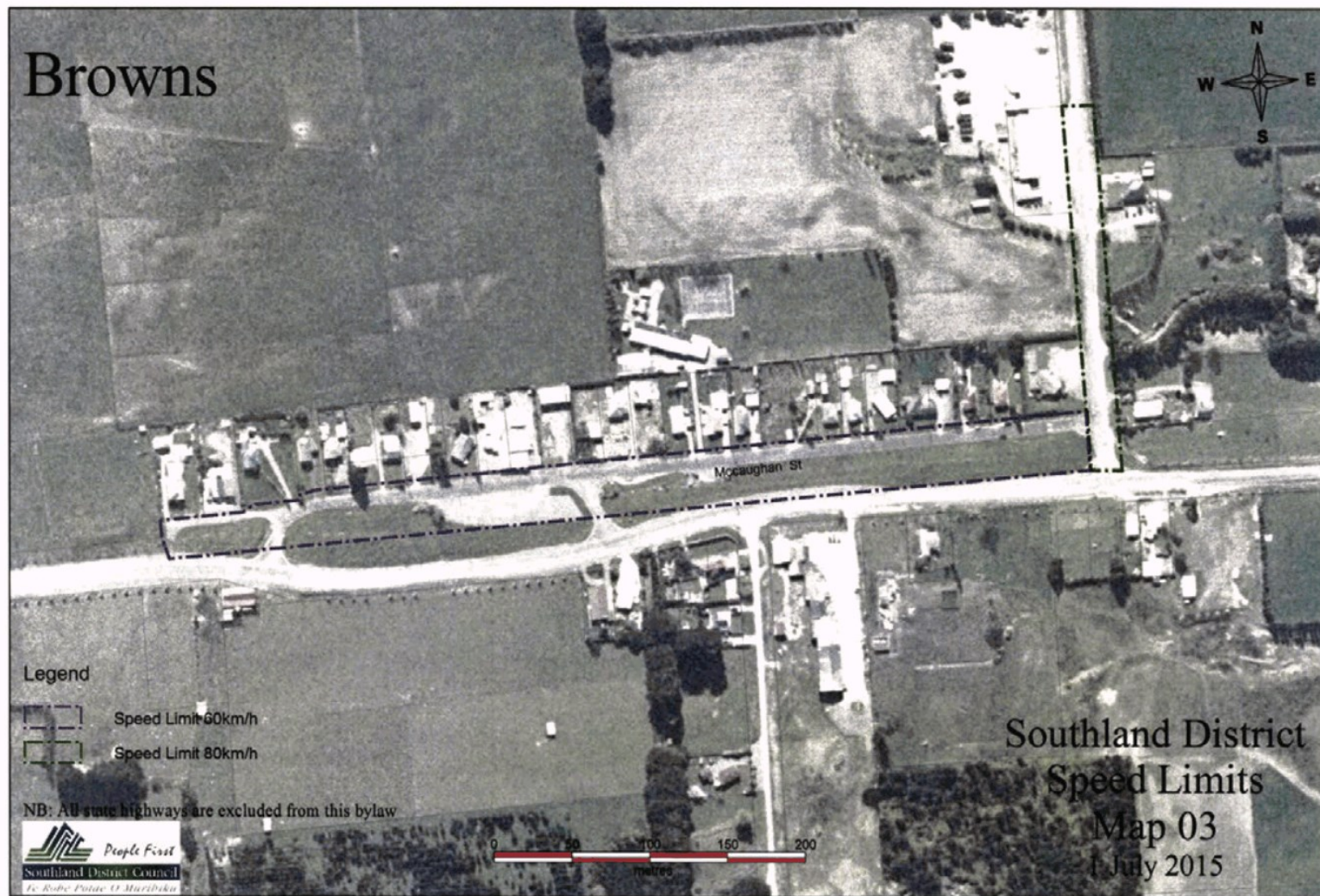
Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S8/01	100 km/hr	<p>All Southland District roads outside an Urban Traffic Area listed in Schedule 4 have a speed limit of 100 km/hr, except for roads or areas that are:</p> <p>(a) Described as having a different speed limit in the appropriate schedule of this bylaw; or</p> <p>(b) Shown on a map as having a different speed limit, as referenced in the appropriate schedule of this bylaw.</p>	1 July 2015	<p>Clause 2.3 Land Transport Rule: Setting of Speed Limits 2003.</p> <p>Southland District Council Speed Limits Bylaw 2015</p>	<p>Regulation 21(1) Traffic Regulations 1976.</p> <p>Southland District Council Speed Limits Bylaw 2005</p>

Schedule 9 Holiday Speed Limits

Reference Number	Speed Limit	Description	Date speed limit comes into force	Legal instrument	Previous legal instrument
S9/01	50 km/hr	<u>At Colac Bay:</u> All roads as marked on the map entitled Southland District Speed Limits, map 04A and identified in the legend as being 50 km/hr for the holiday period of 20 December to 31 January only. At all other times this speed limit will be in accordance with Colac Bay Schedule 4 (s6/04, map 04).	1 July 2015	Southland District Council Speed Limits Bylaw 2015	





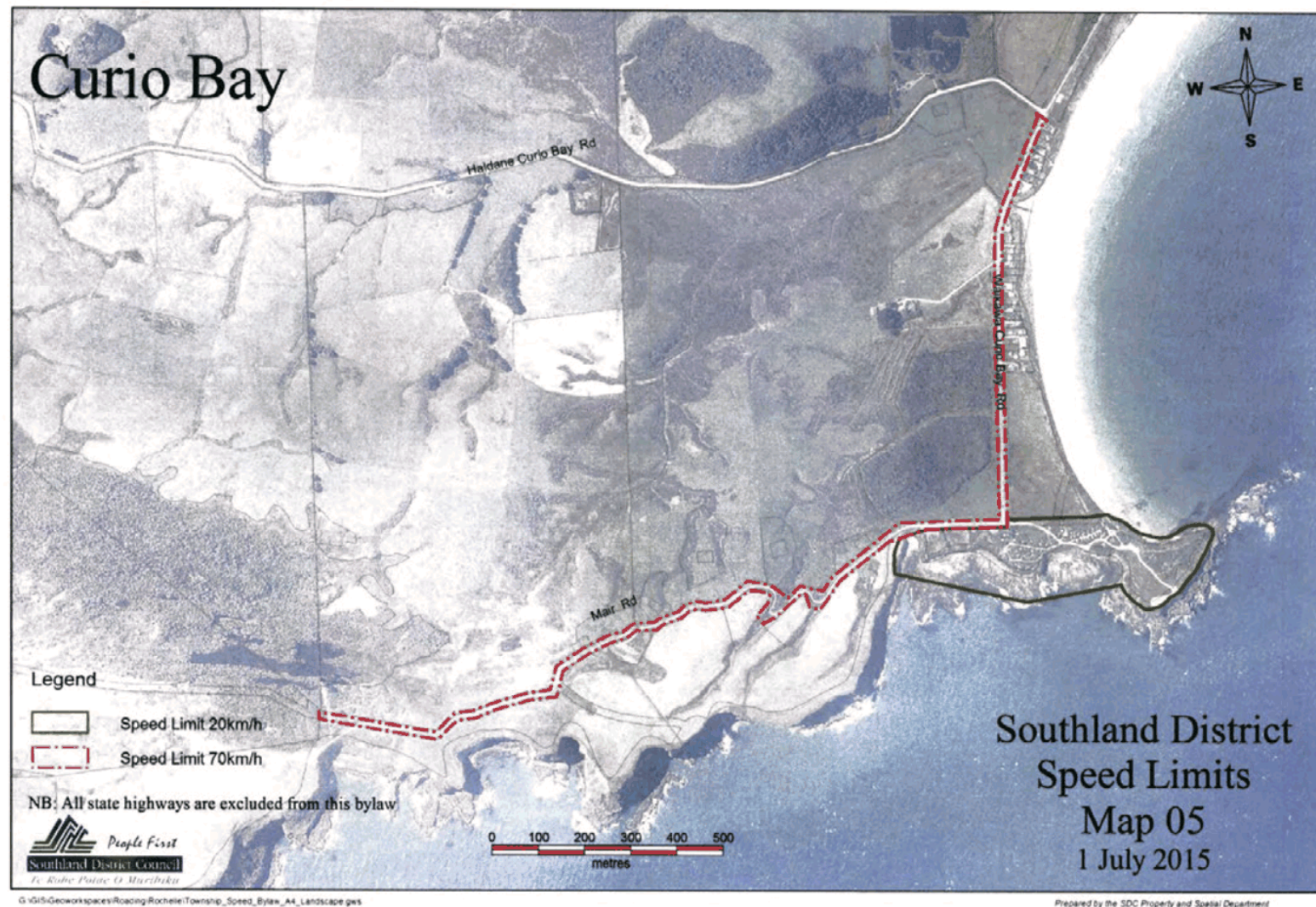


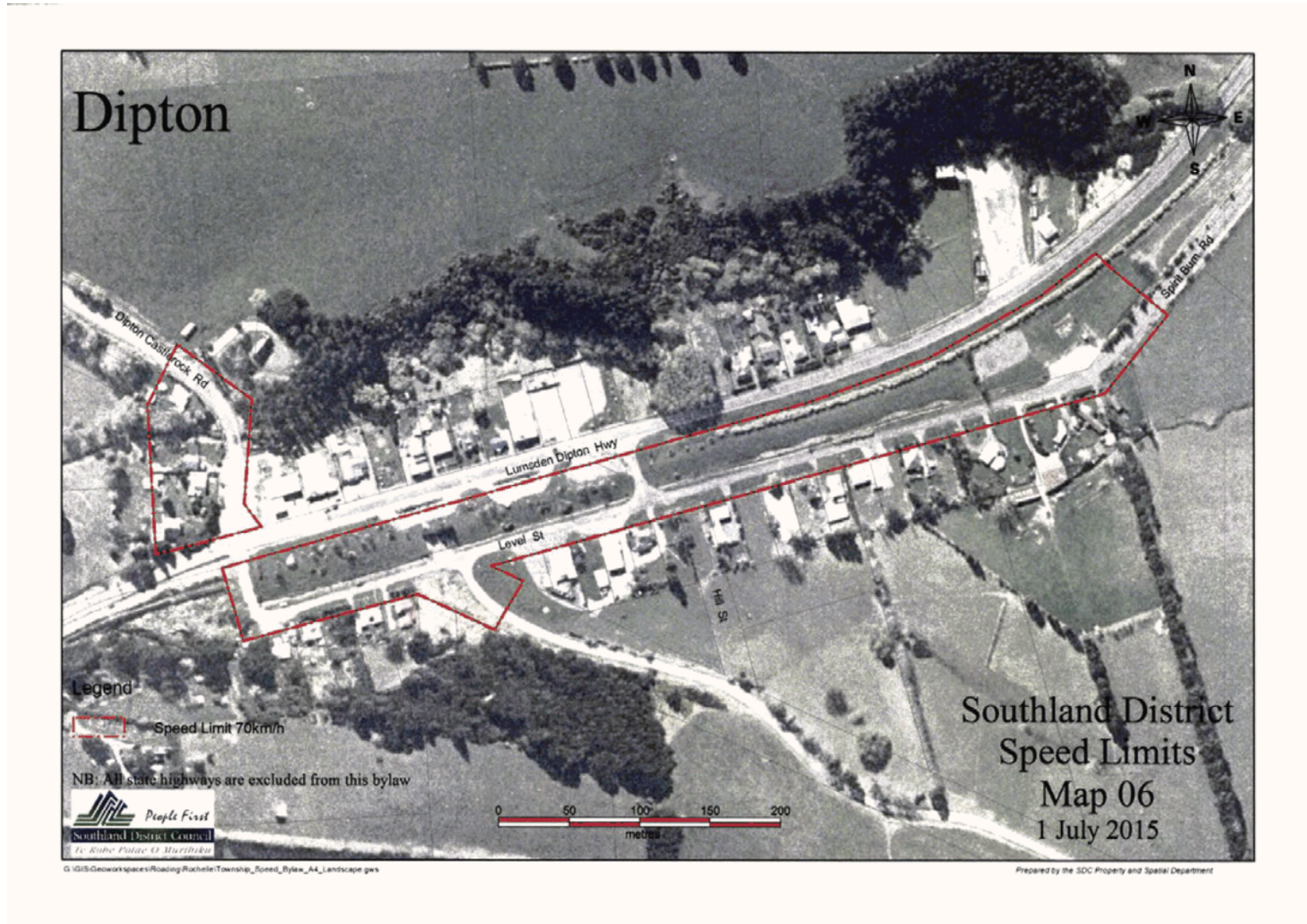
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Prepared by the SDC Property and Spatial Department













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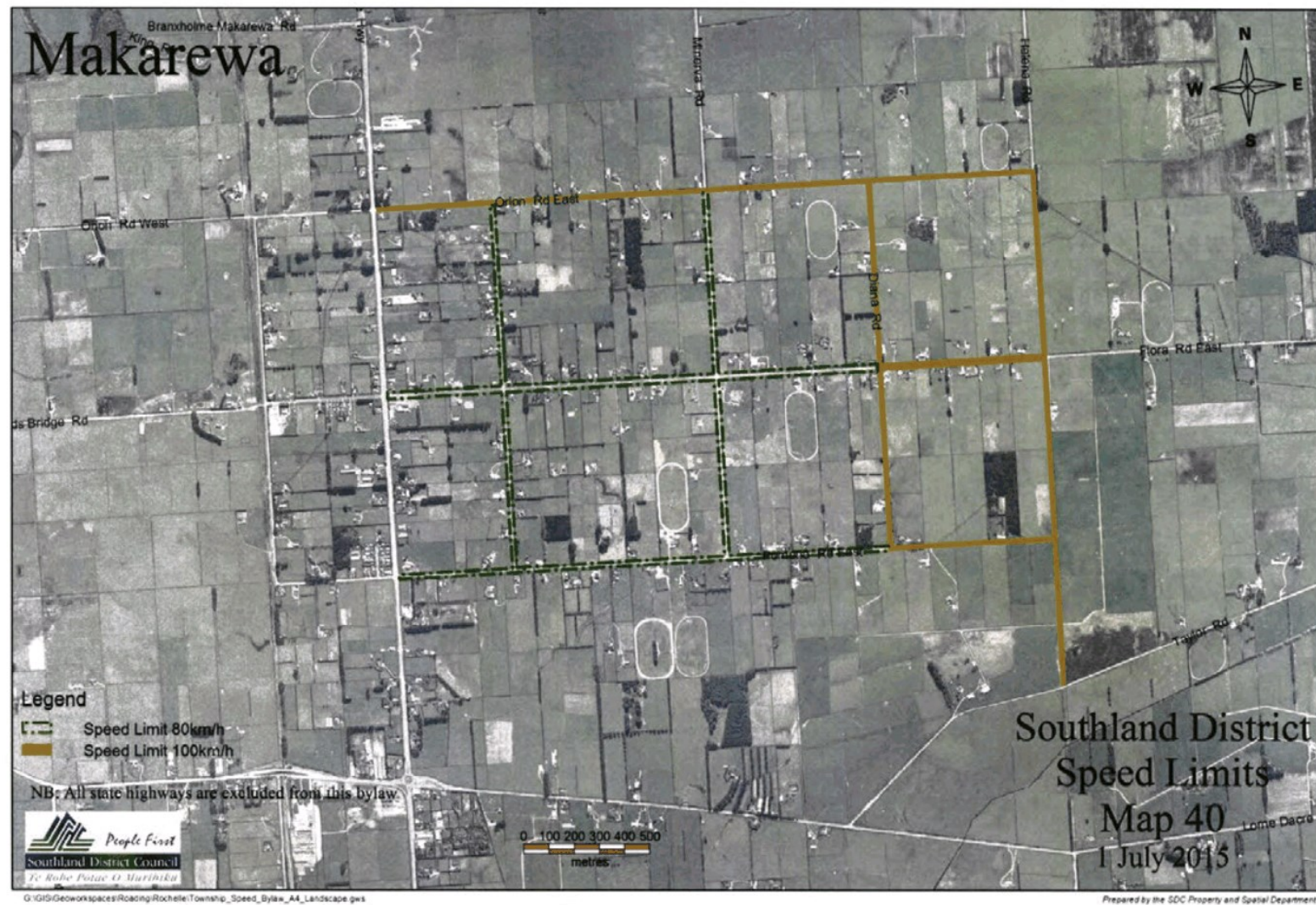
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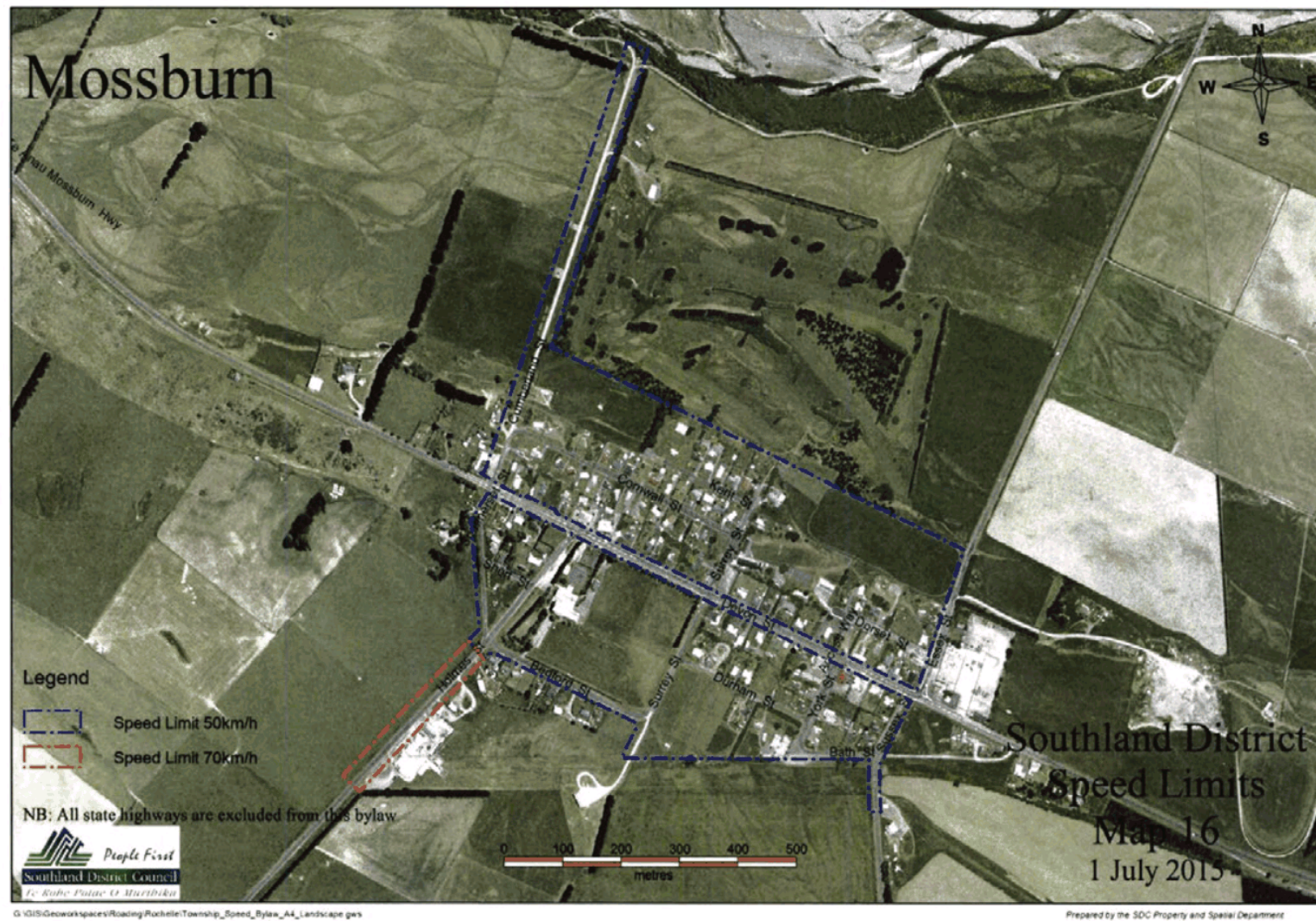


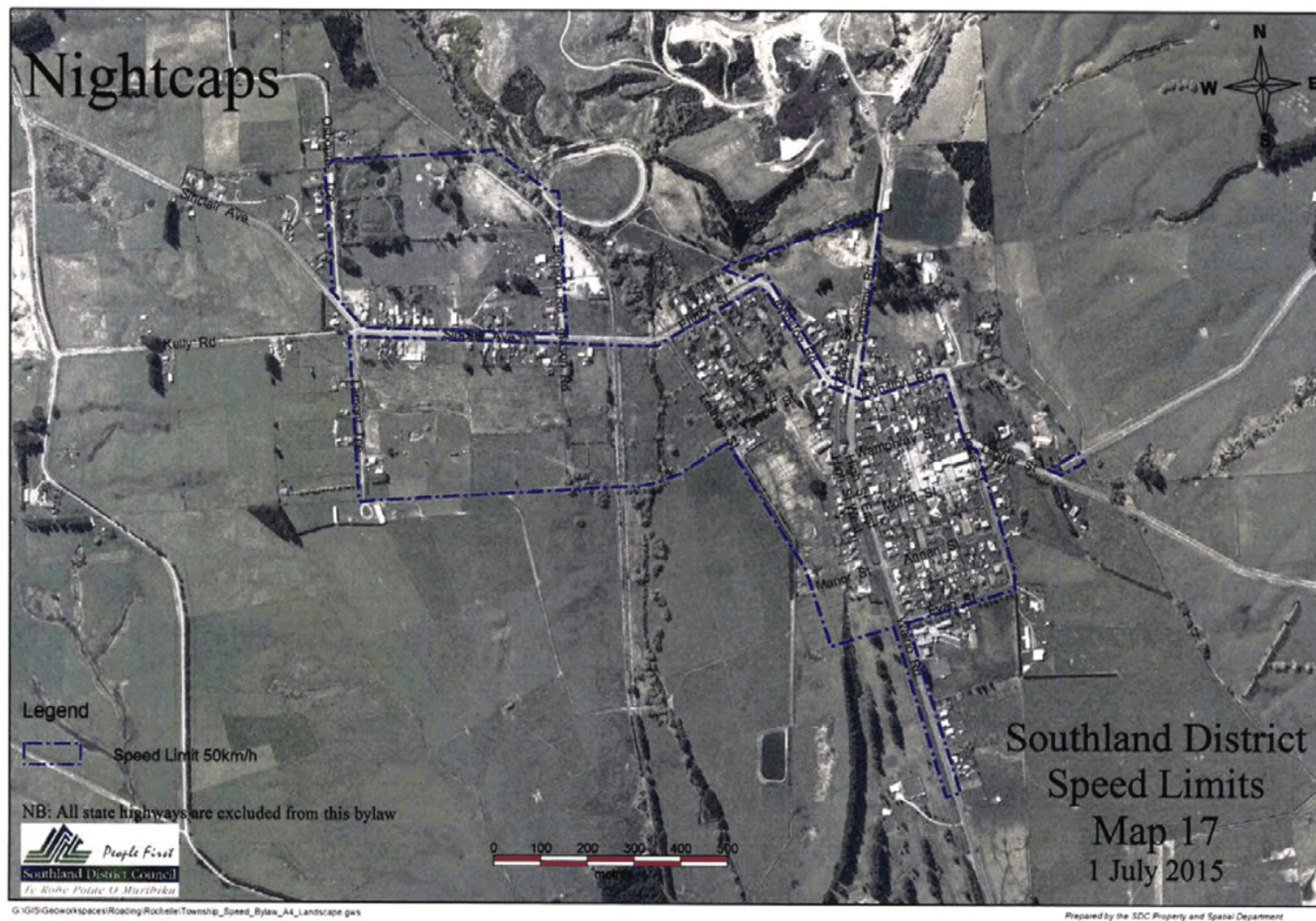


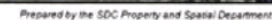
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Prepared by the SDC Property and Spatial Department











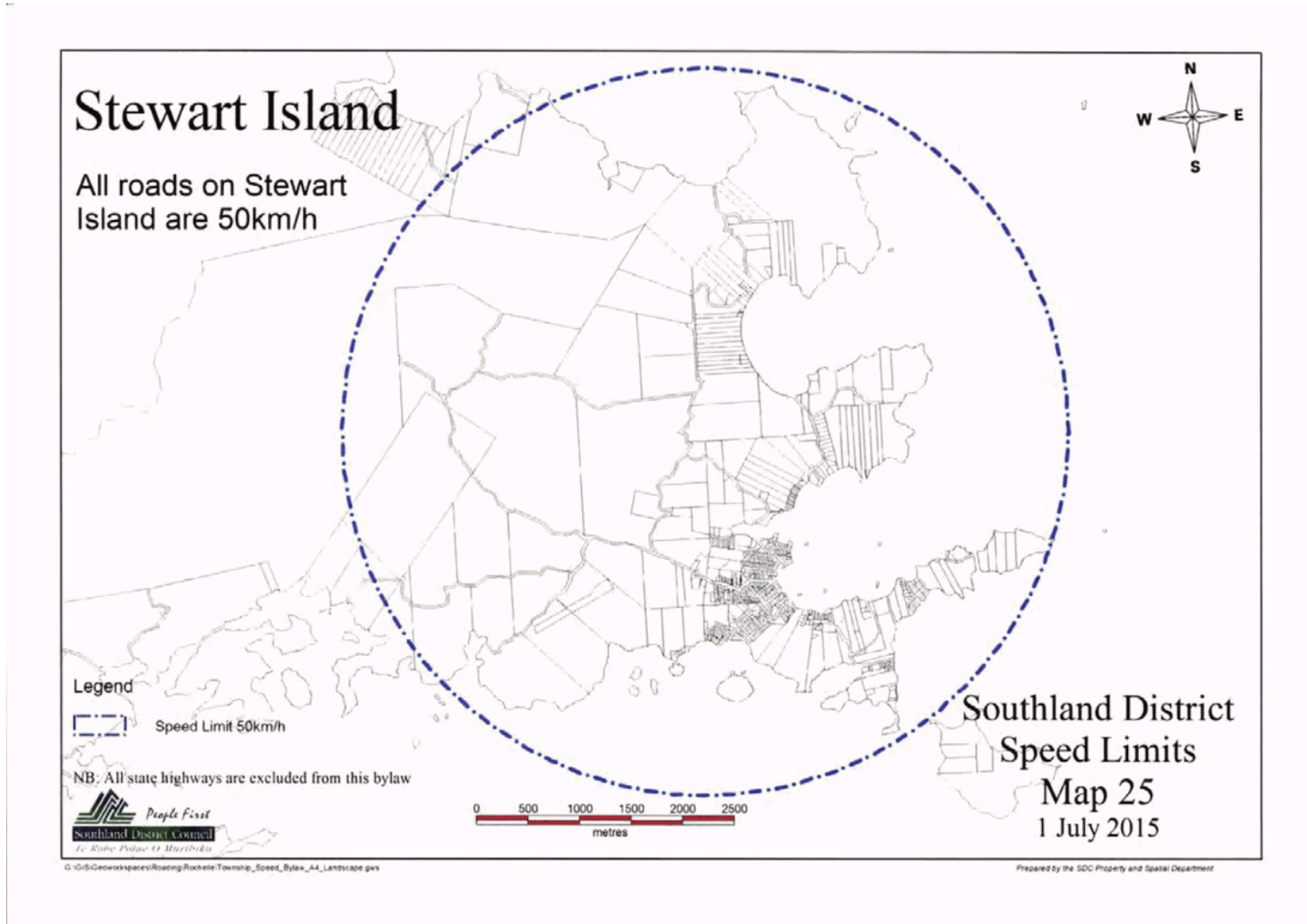










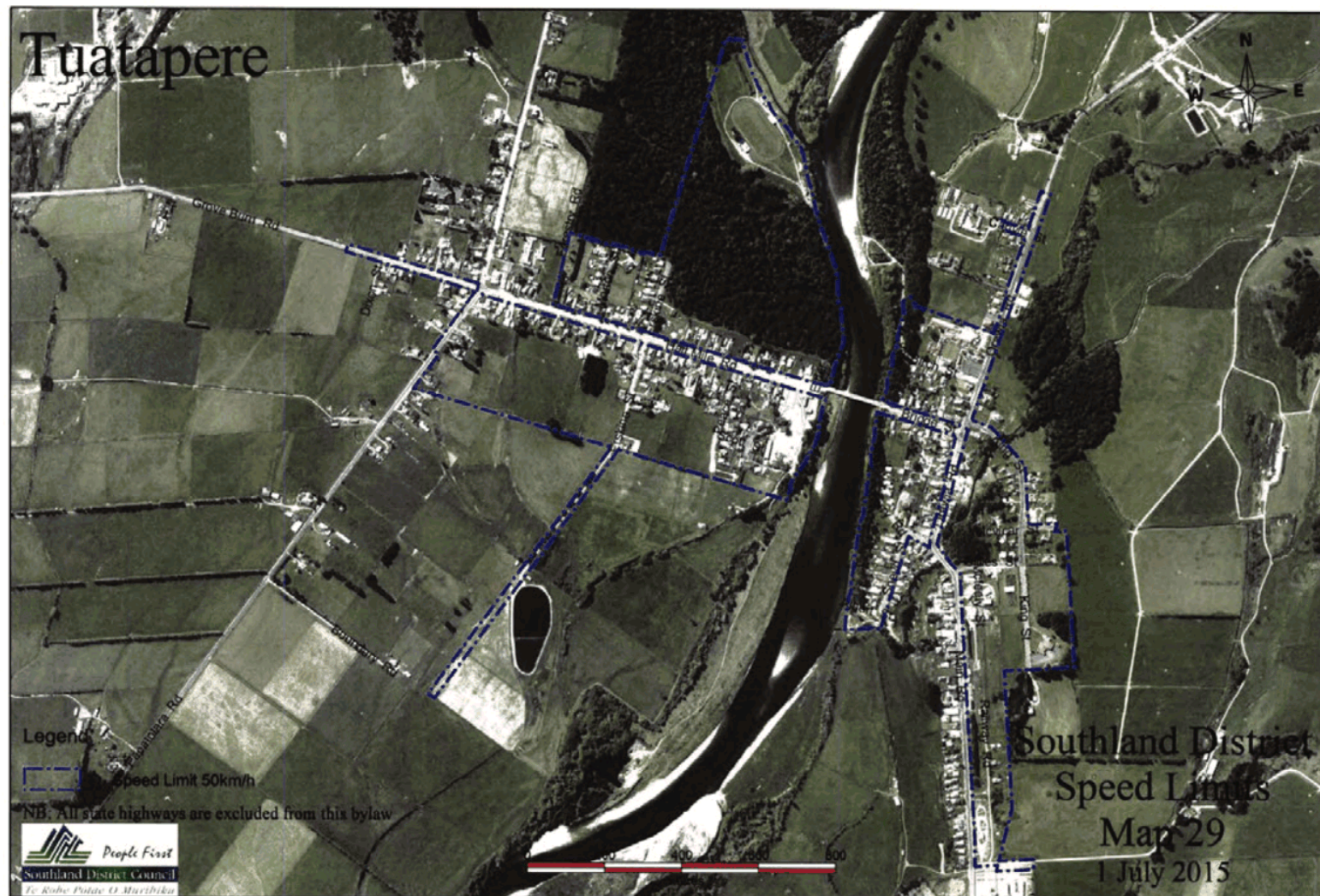


















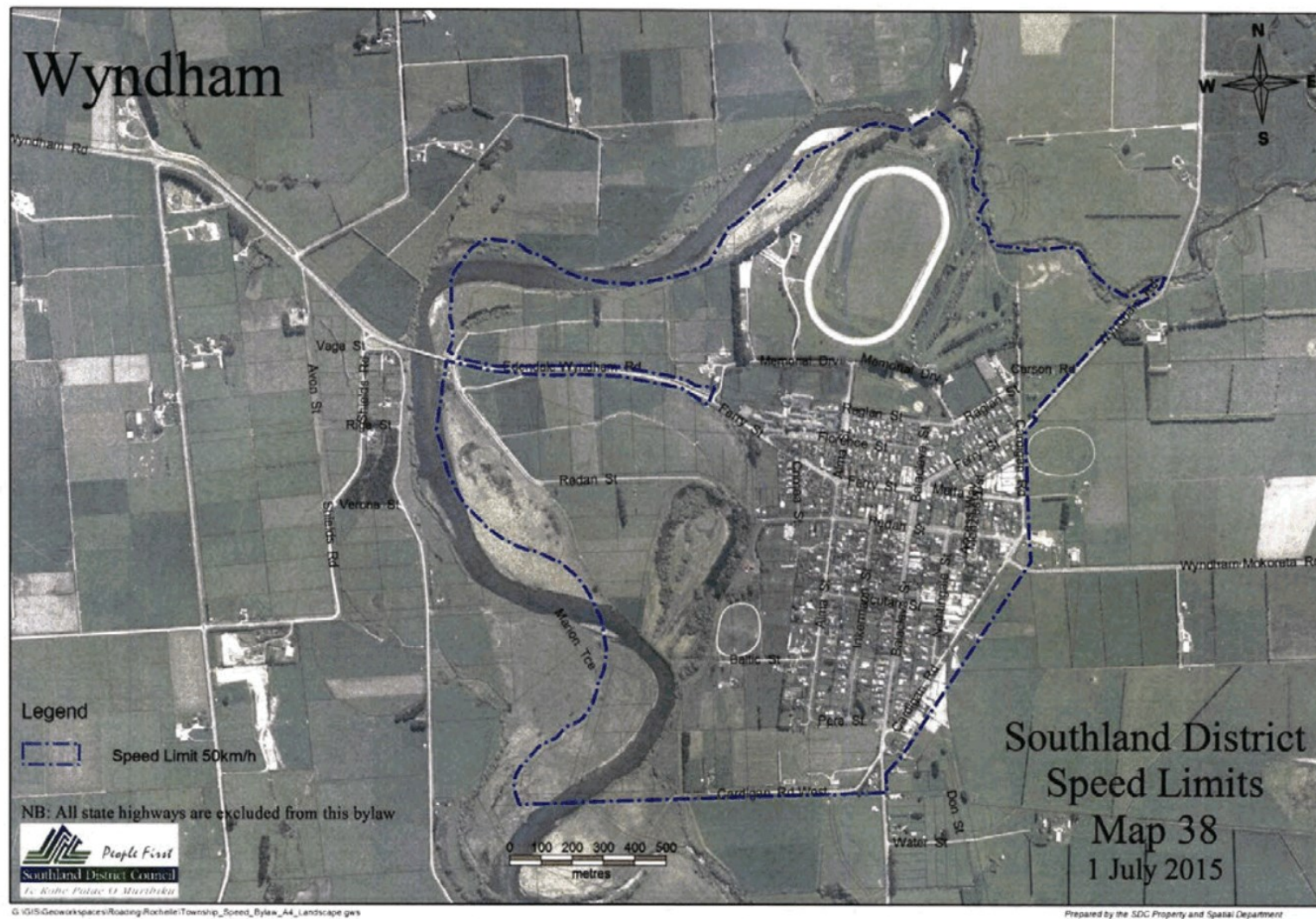












Key Issues and Options

Draft Speed Limits Bylaw

Record number: R/20/1/1517

Author: Carrie Adams

Issue 1 – Lochiel School

Background

Over ten submissions were received requesting that Council lower the speed limits on the roads around Lochiel School and township. This pertains to three roads which currently have a speed limit of 100km/h: Smith Road, and portions of Lochiel Bridge Road and Lochiel Branxholme Road.

Summary of feedback

The feedback regarding these roads was consistent in expressing concern regarding reduced visibility at the intersections of these roads close to the school due to hills and corners, as well as there being no or limited verge on the roadside. Some of the submissions suggested mechanisms other than reduced speed limits, such as flashing school signs.

Discussion

Following this feedback, Council roading engineers have reviewed the current speed limits on these three roads. Smith Road supports a reduction to 60km/h due to the entrance to Lochiel School being on this road. Assessment of Lochiel Bridge Road and Lochiel Branxholme Road support a reduction from 100km/h to 80km/h for specific sections of each road; they do not meet the current NZTA requirements to reduce the speed limit further. A 70km/h speed limit, as suggested by several submitters, is not consistent with NZTA rules.

The addition of flashing 'school' lights is not a bylaw mechanism. It is recommended that this is investigated as part of a wider review of rural school road safety, discussed below.

Council is able to consider changes to these roads; they are 'on the table' due to the large number of submissions received. There is a low risk of legal challenge to making changes to these roads now, as they relate to a specific area where there is justification for the reductions.

Lochiel School provides an example of how a blanket 60km/h speed limit for all rural schools in the District may not be as effective as examining the particular surroundings at each school. To solely reduce the speed limit on Smith Road would fail to consider the safety issues on the adjoining roads and the possibility of other measures.

Options

Staff have identified three reasonable practical options on how Council could proceed on this issue, these are:

- Option 1** That Council endorse a speed limit of 60km/h to Smith Road, and 80km/h for sections of Lochiel Bridge Road and Lochiel Branxholme Road now, and include

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Lochiel in a pro-active audit on road safety around all District schools (see Issue 2 below)

- Option 2 Delay any changes to Lochiel and request that staff prepare a separate report for consideration by the Services and Assets Committee at its 6 May 2020 meeting. The report would provide details about what a pro-active audit on road safety around all District schools would entail, as well as possible interim measures, and then make a decision on changes to Lochiel School roads (see Issue 2 below)
- Option 3 Delay any changes to Lochiel and that Council endorses a pro-active audit and interim measures on road safety around District schools now, and allocate further resources to do this on an expedited basis (see Issue 2 below).

Option 1 - That Council endorse a speed limit of 60km/h to Smith Road, and 80km/h for sections of Lochiel Bridge Road and Lochiel Branhholme Road now, and include Lochiel in a pro-active audit on road safety around all District schools

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> incorporates community views speed limit reductions are supported by technical assessment Council has captured a lot of community views through feedback to the consultation process and is in an informed position allows for changes to be incorporated in the current bylaw review process 	<ul style="list-style-type: none"> other communities may be upset that their schools were not considered for speed limit reductions additional measures, such as flashing school signs, may have to be considered at a later date, in line with further work on school road safety

Option 2 – Delay any changes to Lochiel and request that staff prepare a separate report for consideration by the Services and Assets Committee at its 6 May 2020 meeting. The report would provide details about what a pro-active audit on road safety around District schools would entail, as well as possible interim measures, and then make a decision on changes to Lochiel School roads

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> a multi-agency approach will ensure robust information gathering about each school will allow Council more time to plan strategically on the appropriate measures for Lochiel School road safety 	<ul style="list-style-type: none"> the community may have an expectation that changes are made now non-speed limit mechanisms may be implemented at any time, but any changes to speed limits would likely happen in line with the next review of the bylaw in five years

Option 3 - Delay any changes to Lochiel and that Council endorses a pro-active audit and interim measures on road safety around District schools now, and allocate further resources to do this on an expedited basis

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> audit would occur over a faster time frame than Option 2 	<ul style="list-style-type: none"> the community may have an expectation that changes are made now

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<ul style="list-style-type: none"> • a multi-agency approach will ensure robust information gathering about each school. • will allow Council more time to plan strategically on the appropriate measures for Lochiel School road safety 	<ul style="list-style-type: none"> • non-speed limit mechanisms may be implemented at any time, but any changes to speed limits would likely happen in line with the next review of the bylaw in five years
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Recommendation

- Option 1 That Council endorse a speed limit of 60km/h to Smith Road, and 80km/h for sections of Lochiel Bridge Road and Lochiel Branhholme Road now, and include Lochiel in a proactive audit on road safety around all District schools.

Excerpts of feedback about Lochiel School

SUBMITTERS' COMMENTS

I propose to reduce the speed on Lochiel Bridge Road to 50km/h along Lochiel School. When you drive towards the school from the Winton Lorneville Highway turnoff there's a blind hill and you can't see what's 'behind' the hill. You don't see if there's a school bus or other vehicles coming out of Smith Road, you don't see if there are any people on the road. Given the fact that it's a school, there's a high likelihood that children just run onto the road or bike onto the road and if there's a vehicle coming at the current speed of 100km/h the outcome would be a disaster. In my opinion it's an accident waiting to happen and I would hate for it to happen

Lochiel Branhholme Road – starting at the intersection with the Winton Invercargill Highway (at Lochiel Trailers) and ending near the Hideaway 201 – currently 100km; propose 70km based on the number of young children who live in this area, the proximity to Lochiel School, the narrow road with no/limited verge on roadside, blind corners, and the amount of traffic using this road as a bypass route between Winton and Invercargill

Flashing school light around Lochiel School.

Lochiel School is situated on a T intersection between Lochiel Bridge Road and Smith Road. When exiting Smith Road, vision is blocked to the right, due to an incline in the hill that prevents drivers and pedestrians being able to see oncoming vehicles. When travelling East Bound, and with the speed limit of 100km, this road is very dangerous for drivers, passengers and pedestrians. Those exiting Smith Road, have limited time to cross the road. A recent exercise by the Police Education Officer found that if a vehicle was approaching from the East at a speed of 100km, and a car was exiting Smith Road, that car would be unable to safely cross the centreline of the road in time. The Lochiel community is built up of local housing, so this is not only an issue for the school but for local children in the community who are readily using this road. We would appreciate a revision of this road, with appropriate measures put in place to ensure that any vehicle or child crossing would have the time necessary to do so without being in danger. Currently there are multiple buses using this intersection, and we wish to be proactive rather than reactive to the risk posed to the Lochiel Community. Consideration should be given to placing an appropriate speed limit, after specialised reports are completed to reduce the risk to the community.

Issue 2 – Road safety around District schools

Background

There were submissions that requested Council consider a blanket 60km/h speed limit around rural schools throughout the District. There are approximately 12 schools that are adjacent to roads that have a speed limit greater than 60km/h.

Increasing the safety of roads around the District's schools is not isolated to the setting of speed limits, it includes a range of mechanisms of which speed limits are only one part.

Reducing speed limits around schools is part of the Tackling Safe Speed programme announced on 28 November 2019 by the Ministry of Transport. No further information from the Ministry of Transport on the timing of this programme has been released as yet; it is understood that legislative change is required in the first instance before it can be applied throughout New Zealand.

Summary of feedback

Several submissions suggested reducing speed limits around schools, including a blanket 60km/h speed limit around all rural schools. Some submitters expressed that a 50km/h speed limit around their local school was too fast, and that they would like to see further reductions.

Discussion

Council should consider how it would like to improve road safety around schools. Given that the scope of the review for the draft bylaw did not include all schools in the District, it would be problematic to implement a blanket 60km/h for all rural schools without further information on the most appropriate measures available for each school. Without other engineering interventions, a blanket speed limit would not provide the desired result. These engineering mechanisms include narrowing roads and changing school carpark locations or flow. These may be more effective at increasing safety but could also potentially occur alongside speed limit changes. It is unlikely that a blanket 60km/h speed limit isolated to sections around schools would be approved by NZTA under the current rules, and would substantially delay the implementation of the draft bylaw.

If Council elected to investigate the range of options available to increase road safety around schools first, this would include collaboration between Council's roading engineers, Road Safety Southland (RSS), Police, schools, Public Health South and other stakeholders. These alternatives could include a blanket speed limit reduction or variable speed limit (lowered limits at certain times of day) alongside other options, such as education tools, signage and engineering solutions (change to road width, carpark set up, advance signage of school zones, flashing lights, etc.).

Once the measures available have been investigated, an informed decision could be made by Council as to how a 60km/h speed limit around the District's schools could be achieved, and advice can be developed on the other options that may be effective for each school.

Safety around school roads is not a new initiative in the District as there are ongoing education programs facilitated by RSS. Staff propose that Council consider a pro-active audit of road safety around the District's schools, first highlighting the areas where staff are aware of concerns, so that interim measures can also be considered. This work would be done on an ongoing basis over the next three to five years through activity management plans. In the alternative, if Council would like to expedite this work to occur over a shorter timeframe, it could elect to allocate resources to do so.

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As mentioned above, the Ministry of Transport initiative in this area may facilitate changes, however the timing for this is unknown. Accordingly, it is recommended that Council initiate pro-active solutions to improve road safety for schools in the District.

Options

Staff have identified three reasonable practical options on how Council could proceed on this issue, these are:

- Option 1** That Council endorse that a separate report be prepared for consideration by the Services and Assets Committee. The report would provide details about what a pro-active audit on road safety around the District's schools could look like, as well as possible interim measures
- Option 2** That Council endorses a pro-active audit and interim measures on road safety around the District's schools now, and allocate further resources to do this on an expedited basis
- Option 3** That Council endorse further consultation regarding a blanket reduction of speed limits to 60km/h around rural schools now.

Option 1 – That Council endorse that a separate report be prepared for consideration by the Services and Assets Committee. The report would provide details about what a pro-active audit on road safety around the District's schools could look like, as well as possible interim measures

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> a multi-agency approach will ensure robust information gathering about each school this option gives Council opportunity to develop an appropriate strategy, specific to the needs of each school will feed into central government initiatives in on this issue 	<ul style="list-style-type: none"> the public may want to see this work occur more quickly

Option 2 - That Council endorses a pro-active audit and interim measures on road safety around the District's schools now, and allocate further resources to do this on an expedited basis

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> a multi-agency approach will ensure robust information gathering about each school this option gives Council the opportunity to develop an appropriate strategy, specific to the needs of each school will feed into central government initiatives in on this issue 	<ul style="list-style-type: none"> Council will need to endorse unbudgeted expenditure to fund this work to occur in the short term other scheduled workflows may be delayed to accommodate for this work

Option 3 - That Council endorse further consultation regarding a blanket reduction of speed limits to 60km/h around rural schools now

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<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • supports some community views • consistent approach to rural school speed limits across District 	<ul style="list-style-type: none"> • does not use the full range of measures available to increase road safety around schools • does not address that there may be some situations where 60km/h speed limit is too fast • there may be apathy towards another consultation process regarding speed limits • will not ensure stakeholder input for each school • this option would delay the implementation of the draft bylaw • will provide little benefit without other engineering interventions

Recommendation

- Option 1 That Council endorse that a separate report be prepared for consideration by the Services and Assets Committee. The report would provide details about what a pro-active audit on road safety around the District's schools could look like, as well as possible interim measures.

Excerpts of feedback about road safety around schools

Submitters' comments
We support a majority of speed reductions in addition to suggesting a consistent 60km/h speed zone around all rural schools, including Boundary Road outside Drummond that has a proposed speed limit of 80km/h.
Duncan Street is a dead end only leading to the Tokanui Primary School. So I think a reduction of at least a 50km zone would best for the safety of those attending or visiting the school.
As you turn off the main road at Tokanui towards the Tokanui Tavern, I believe that 60km/h is too high. 40 or 50km is fast enough. Once again, the area dictates the speed and; there are kids in the skate park or travelling to and from school to consider.
I think the 80km/h speed limit around the dairy and school is also appropriate. It allows people/kids to learn the meaning of road awareness!!!!

Issue 3 – Speed limit reduction on Stewart Island/Rakiura

Background

Staff did not assess roads on Stewart Island as part of the draft bylaw review. Safety was one reason for the request from submitters to reduce the island speed limit from 50km/h to 30km/h. The other reason proposed for a lower speed limit is to allow for reduced power electric vehicles, which are unable to travel 50km/h. The latter is a wider policy discussion. Accordingly, a change of this type is of a broader nature than Council's Speed Limits Bylaw, as the reasons for it go beyond safety and extend to the definition of Stewart Island as a 'place'. Preliminary assessment by the transportation team found that 90% of Stewart Island's roads have a safe and appropriate speed of 50km/h to 80km/h.

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Summary of feedback

There were some submissions requesting that Council consider reducing the speed limit to 30km/h on Stewart Island.

Discussion

Through the Stewart Island Community Board, Council could gather feedback to gauge the appetite in the community for this proposal. If the response is positive, staff recommend that further investigation into reducing speed limits be completed through the long term Stewart Island strategic planning that is currently taking place. The idea of reducing the speed limit is more appropriately part of broad discussions about the future direction of Stewart Island rather than a specific isolated issue. Staff recommend that it would be detrimental to consider this issue in isolation from wider island planning.

Proceeding as outlined above would mean that no changes would be made to the draft bylaw.

Alternatively, Council could put the draft bylaw on hold and return to consultation on this issue now. This would delay the adoption and implementation of the draft bylaw.

Options

Staff have identified two reasonable practical options on how Council could proceed on this issue, these are:

- Option 1** Request staff prepare a report that presents the proposal to reduce Stewart Island's speed limit for consideration as part of Stewart Island long term planning to the Stewart Island Rakiura Community Board for feedback at its 6 April 2020 meeting.
- Option 2** That Council endorse putting the draft bylaw on hold and re-opening the draft bylaw for consultation on a reduction of speed limits on Stewart Island from 50km/h to 30km/h now.

Option 1 - Request staff prepare a report that presents the proposal to reduce Stewart Island's speed limit for consideration as part of Stewart Island long term planning to the Stewart Island Rakiura Community Board for feedback at its 6 April 2020 meeting.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> obtains feedback at the community board level before proceeding further ensures that the reduction of speed limits is discussed with a broad lens as part of wider strategic planning can be incorporated into work that is already in progress 	<ul style="list-style-type: none"> some community views did not support reducing speed limits on the island

Option 2 - That Council endorse putting the draft bylaw on hold and re-opening the draft bylaw for consultation on a reduction of speed limits on Stewart Island from 50km/h to 30km/h now

<i>Advantages</i>	<i>Disadvantages</i>
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<ul style="list-style-type: none"> would capture some community views on the issue 	<ul style="list-style-type: none"> without further information on the viability of reducing the speed limit, it would be difficult to implement will delay implementation of the draft bylaw the public may have an expectation that the draft bylaw is adopted now some community views did not support reducing speed limits on the island is not a holistic approach to determining the viability of reducing speed limits to 30km/h on Stewart Island
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Recommendation

- Option 1 Request staff prepare a report that presents the proposal to reduce Stewart Island's speed limit for consideration as part of Stewart Island long term planning to the Stewart Island Rakiura Community Board for feedback at its 6 April 2020 meeting.

Excerpts of feedback about reducing the speed limit on Stewart Island from 50km/h to 30km/h

SUBMITTERS' COMMENTS
<p>Reasons: due to speed bumps and pedestrian traffic it isn't possible to drive within Oban faster than 30km/h anyway and those speed bumps could become obsolete or replaced by less drastic methods.</p> <p>Golden Bay needs to be included as on the way to Golden Bay is a sport field used also by school children and it becomes a single lane road where due to possible opposite traffic a limited speed of no more than 30km/h is just not practical nor safe.</p> <p>We further like to initiate a private members bill in Parliament allowing electric cars for Stewart Island which are not held by the usual NZTA requirement, for example a crash test, and thereby enabling the direct import of Chinese electric cars without modification.</p>
<p>I believe the status quo is that all roads on the Island have a speed limit of 50km an hour and I totally agree with that limit. Any lowering below 50 km limit is going to encourage law breaking where there isn't the policing to enforce it and may end up making the roads more unsafe. 50km an hour is a sensible and safe speed limit.</p>
<p>The current speed bumps are somewhat disruptive for vans, pickups and similar with cargo, but seen as necessary to slow down below the current speed limit of 50km/h. Therefore we propose a general speed restriction for Stewart Island incl. Golden Bay of 30km/h.</p>

Issue 4 – Reductions to the roads around Mavora Lakes, Lake Monowai, Lower Hollyford Road and Lillburn Valley Road

Background

The following roads were all assessed as part of the draft bylaw review. They have a current speed of 100km/h and it is proposed to reduce the speed on the following roads to 60km/h:

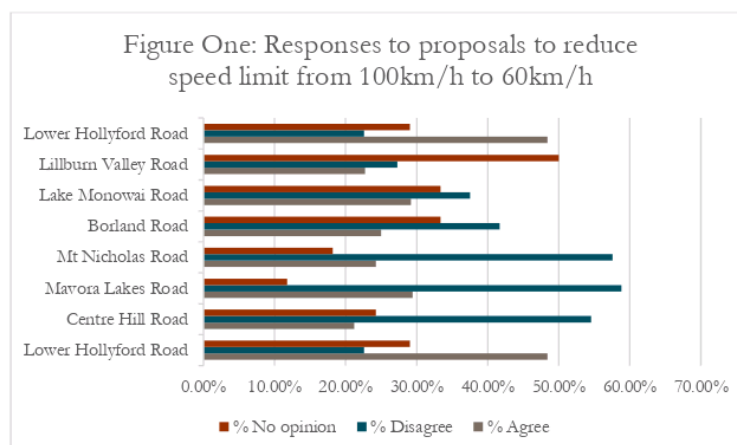
- Lower Hollyford Road
- Centre Hill Road
- Mavora Lakes Road
- Mt Nicholas Road
- Borland Road
- Lake Monowai Road
- Lillburn Valley Road
- Lower Hollyford Road

Council is being asked to consider these roads together due to their proximities and similarities. It would be confusing for motorists and enforcement to apply different speed limits to this group of roads.

Summary of feedback

Feedback about changing the speed limits on Centre Hill Road, Mavora Lakes Road and Mt Nicholas Road voiced that these roads are wide and largely straight, such that reducing the speed limit to 80 km/h would be reasonable, but that 60 km/h is too slow. Agricultural and tourist operators who use these roads voiced concern that the speed limit reduction proposed would adversely affect their businesses with increased travel time. Feedback was received that the proposed reduction will not be enforced or improve safety for cyclists and will increase the likelihood of risky driving, such as trying to pass in inappropriate places. It was also stated that visitor traffic is courteous and visitors generally travel at a safe speed, due to being unfamiliar with the roads.

Figure One shows whether respondents agreed, disagreed or had no opinion to the proposal to reduce the speed limit to 60km/h from 100km/h on the roads listed.



Discussion

As part of the bylaw review, an assessment was carried out on the roads listed above, applying NZTA strategy, rule and guide. The primary reasons for the proposed speed reductions for these roads include increasing road safety on highly frequented roads, including visitor routes as well as narrow, winding unsealed roads.

The New Zealand Speed Management Guide provides a classification method which combines the Infrastructure Risk Rating (IRR) and Collective and Personal Risk metrics to determine a speed appropriate for the road function, design, safety and use for both urban and rural areas. The IRR assessment tool takes into account the crash statistics for a given road.

Collective and Personal risk is another input to speed management recommendations. The crash risk measure for roads is a combination of Collective Risk (being likelihood for a given location) or Personal Risk (being driver likelihood given distance travelled).

All identified speed limits changes have been subject to on-site technical review before progressing to becoming a proposed permanent change.

The proposed reduction to 60km/h is deemed the safe and appropriate operating speed for these roads taking into account the road function, design, safety and use.

It is open to Council to consider a different speed limit to what is proposed in the draft bylaw. However, varying from the proposed speed limit means that Council is not proceeding in line with the assessment recommendation for these roads.

Options

Staff have identified three reasonable practical options on how Council could proceed on this issue, these are:

Option 1: That Council endorses the proposed reduction to 60km/h for these roads:

- Lower Hollyford Road
- Centre Hill Road
- Mavora Lakes Road
- Mt Nicholas Road
- Borland Road
- Lake Monowai Road
- Lillburn Valley Road
- Lower Hollyford Road

Option 2: That Council endorses a speed limit of 80km/h for these roads

Option 3: That Council endorses a different speed limit for some of these roads and not others.

Option 1 - That Council endorses the proposed reduction to 60km/h for these roads	
Advantages	Disadvantages
<ul style="list-style-type: none"> 60km/h is consistent with technical assessment for these roads this option is consistent with NZTA recommendation that all gravel roads be reduced to 60km/h over a graduated period of time incorporates some community views 	<ul style="list-style-type: none"> some community views did not support the proposed changes feedback suggested a 60km/h speed limit may adversely affect tourist and agriculture operators due to longer travel times

Option 2 - That Council endorses a speed limit of 80km/h for these roads	
Advantages	Disadvantages
<ul style="list-style-type: none"> incorporates some community views status quo may make the speed limit easier to enforce/follow 	<ul style="list-style-type: none"> 80km/h is not supported by the technical assessment will not be giving effect to the NZTA rules and objective to reduce speed limits there is the potential that NZTA object to 80km/h speed limits for these roads

Option 3 - That Council endorses a different speed limit for some of these roads and not others

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> incorporates some community views would give clarity on Council's preferred approach 	<ul style="list-style-type: none"> differing speed limits between these roads may lead to confusion a different speed limit may not be supported by technical assessment there is the potential that NZTA object to a different speed limit for these roads would likely delay the adoption and implementation of the draft bylaw

Recommendation

Option 2 - That Council endorses the proposed reduction to 60km/h for these roads:

- | | |
|---|---|
| <ul style="list-style-type: none"> Lower Hollyford Road Centre Hill Road Mavora Lakes Road Mt Nicholas Road | <ul style="list-style-type: none"> Borland Road Lake Monowai Road Lillburn Valley Road Lower Hollyford Road |
|---|---|

Excerpts of feedback about reductions to the roads around Mavora Lakes, Lake Monowai, Lower Hollyford Road and Lillburn Valley Road
SUBMITTERS' COMMENTS

My business has relied on the use of the Northern Southland roads for the past 25 years and my vehicle is fit for purpose on these gravel roads at or close to 100km/h. Many rental vehicles are not and as such the drivers already are driving at lesser speeds. Lowering the speed limit by an extraordinary 40% will adversely affect my business by increasing travel time for which I cannot charge for. A better approach would be to use signage with warnings so inexperienced drivers can be informed of the hazards of driving on gravel roads.

Changing the speed limit on the Centre Hill, Mavora and Mount Nicolas will not make it any safer for Cyclists. They should not be on the roads.

I have had no issues with the current speed limit on these roads. Although many of these are gravel road, the speed limit shall be left at 100km/h and the driver can drive to their ability and car ability, to choose their own speed. I feel by reducing the speed of these roads is only going to cause more speeding, passing and 'silly' driving. More slow lanes/bays are needed so slow vehicles can maintain their speed while allowing traffic to pass safely.

We farm at Mt Nicholas Station and will be affected by speed limit changes on Centre Hill Road, Mavora Lakes Road and Mt Nicholas Road. We feel that a limit reduction to 60km/hr is unnecessary and a reduction to 80km/hr would be more appropriate. Large tracts of these roads are straight and well maintained and a 80km/hr speed limit is appropriate. We are concerned about the ramifications in terms of costs to our business, especially in terms of freight costs through added travel time if the speed limit is reduced. This could potentially add an hour travel in a round trip to our closest towns (Te Anau and Mossburn) and would flow directly through in terms of cost to our business. Although there is quite a bit of tourism traffic on these roads, often driving inappropriate vehicles to be on a gravel road, my observation is that they generally travel at a safe and relatively low speed due to being unfamiliar with the road surface. I find that generally all road users in this area are very courteous and I cannot see

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any circumstance where a reduction in road speed limits will provide any tangible benefits or increased safety for users.
Map 31 shows the 60km speed area extending beyond the southern end of south Mavora Lake. There is a track end and small car park here right beside the road. I have loaded and unloaded my four children here within meters of the road. I suggest extending the 30km zone further south to at least include the track end and preferably include the entire forested section of road because the road is winding with limited visibility, two-way traffic, vehicles often towing, drivers unfamiliar with gravel roads and occasional pedestrians.
As a contractor servicing farms along the length of Centre Hill Road to Mavora Lakes a lower speed would impact productivity, almost doubling the time spent between jobs, as often we would travel parts of that road multiple times in a day. Also having "practiced" the 60 kph speed it was evident there was a likelihood of driving distraction and a difficulty to stay focused on driving at that very slow speed, possibly making this a MORE dangerous road to travel on. If there was to be a reduction of speed limit, 80 to 90 kph would be acceptable.
Reducing the speed limit from 100km to 60km is unacceptable, uneconomic and in general will cause people to not respect the speed limit, and who is going to police it?
Lower Hollyford is gravel and narrow to drive 100km on. Too many inexperienced drivers use that road thinking 100 is okay on it.



Southland District Council

Speed Limits Bylaw 2019

DRAFT

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date
2020	Original		Council	4 March 2020 – to come into effect 20 April 2020

1. Title and Commencement

Pursuant to section 145 of the Local Government Act 2002, section 22AB of the Land Transport Act 1998 and Land Transport Rule: Setting of Speed Limits 2017, Southland District Council makes the following bylaw:

- (a) The title of this bylaw is the Speed Limits Bylaw 2019.
- (b) This bylaw shall come into force on the 20th day of April 2020 and the speed limits described in the schedules come into force on the date specified in the schedules.

2. Interpretation

In this bylaw, the following terms have the meaning given to it in Land Transport Rule: Setting of Speed Limits 2017.

Road

- a) includes-
 - i. a street; and
 - ii. a motorway; and
 - iii. a beach; and
 - iv. a place to which the public have access, whether of right or not; and
 - v. all bridges, culverts, ferries and fords forming part of a road, street, or motorway, or a place referred to in iv (above); and
 - vi. all sites at which vehicles may be weighed for the purposes of the Land Transport Act 1998 or any other enactment; and
- b) includes a section of a road

Speed Limit

- a) means-
 - i. an urban, rural, permanent, holiday, temporary, emergency or variable speed limit; and
 - ii. the maximum speed at which a vehicle may legally be operated on a particular road; but
- b) does not mean the maximum permitted operating speed for classes or types of vehicle specified in any act, regulation, or rule

Urban Traffic Area

has the meaning given to it in Land Transport Rule: Setting of Speed Limits 2017.

3. Purpose

The purpose of this bylaw is to enhance public safety for all users of Southland District Council's roading network and to set the speed limits as specified in the schedules to this bylaw.

4. Speed Limits

The roads or areas described in the schedules specified in clause 5 or as shown on a map referenced in the schedules are declared to have the speed limits specified in the schedules and maps, which are deemed to be part of this bylaw.

5. Schedules

- Schedule 1: Roads subject to a speed limit of 20 km/hr
- Schedule 2: Roads subject to a speed limit of 30 km/hr
- Schedule 3: Roads subject to a speed limit of 40 km/hr
- Schedule 4: Urban Traffic Areas - roads subject to a speed limit of 50 km/hr
- Schedule 5: Roads subject to a speed limit of 60 km/hr
- Schedule 6: Roads subject to a speed limit of 70 km/hr
- Schedule 7: Roads subject to a speed limit of 80 km/hr
- Schedule 8: Rural Areas - roads subject to a speed limit of 100 km/hr.
- Schedule 9: Holiday Speed Limits

6. Offences

Every person commits an offence who breaches the speed limits fixed under this bylaw.

7. Repealed Bylaws

The Southland District Council Speed Limits Bylaw 2015 and its amendments are consequently repealed.

This bylaw was made and confirmed by a resolution at a meeting of Southland District Council on 4 March 2020.

THE COMMON SEAL of the
SOUTHLAND DISTRICT COUNCIL
was hereunto affixed in the presence of:

}

_____ **MAYOR**

_____ **CHIEF EXECUTIVE**

Schedule 1 - 20 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 20 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
20 km/hr	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 7 and 63 and identified in the legend as being 20 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

Schedule 2 - 30 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 30 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
30 km/hr	At Curio Bay All roads as marked on the map entitled Southland District Speed Limits, map 7 and 63 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
30 km/hr	At Orepuki: All roads as marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
30 km/hr	At Manapouri: All roads as marked on the map entitled Southland District Speed Limits, map 23 and 24 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
30 km/hr	At Mavora: All roads as marked on the map entitled Southland District Speed Limits, map 31, 32 and 64 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
30 km/hr	At Riverton: All roads as marked on the map entitled Southland District Speed Limits, map 41 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Rooding Bylaw 2001, Appendix 1 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
30 km/hr	At Te Anau: All roads as marked on the map entitled Southland District Speed Limits, map 44 and 45 and identified in the legend as being 30 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

Schedule 3 - 40 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 40 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
40 km/hr	No 40 km/hr restrictions within District.	N/A	N/A	N/A

Schedule 4 - Urban Traffic Areas – 50 km/hr

The roads or areas described in this schedule or as shown on a map referenced in this schedule are declared to be urban traffic areas subject to a speed limit of 50 km/hr, except for those roads that are:

- (a) described as having a different speed limit in another schedule to the bylaw; or
- (b) shown on a map to have a different speed limit and are referenced in another schedule to the bylaw.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Athol: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 1 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Rooding Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Balfour: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 2 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 28 July 1983, No. 109, page 2409. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Clifden: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 3 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
	different speed limit, as referenced in the appropriate schedule of the bylaw.			
50 km/hr	At Colac Bay: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 6 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	
50 km/hr	At Dipton: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 8 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Edendale: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Garston: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 12 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Lumsden: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 20 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Manapouri: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 23, 24 and 25 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Monowai: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 28 and 29 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw..	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Mossburn: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 30 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Nightcaps: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 33 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Ohai: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 34 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Orepuki: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 36 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Otautau: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 38 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Piano Flat: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 39 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Riversdale: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 40 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Riverton: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 41 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Stewart Island: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 43 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 4 August 1977, No. 83, page 2142. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Te Anau: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 44, 45 and 46 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 12 February 1987, No. 20, page 715. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Thornbury: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 48 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Tuatapere: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 51 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Waikaia: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 53 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	<p>At Wallacetown:</p> <p>All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 59 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.</p>	20 April 2020	Speed Limits Bylaw 2019	<p>Notice in the New Zealand Gazette, 3 March 1983, No. 26, page 572.</p> <p>Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005</p> <p>Southland District Council Speed Limits Bylaw 2015</p>
50 km/hr	<p>At Winton:</p> <p>All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 60 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.</p>	20 April 2020	Speed Limits Bylaw 2019	<p>Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232.</p> <p>Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007</p> <p>Southland District Council Speed Limits Bylaw 2015</p>

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
50 km/hr	At Woodlands: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 61 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 26 May 1988, No. 89, page 2165. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
50 km/hr	At Wyndham: All roads except state highways within the area marked on the map entitled Southland District Speed Limits, map 62 and identified in the legend as an Urban Traffic Area having a speed limit of 50 km/hr, except for those roads or areas that are marked on said map and identified in the legend as having a different speed limit, as referenced in the appropriate schedule of the bylaw.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 24 August 1978, No. 73, page 2371. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

Schedule 5 - 60 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 60 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
60 km/hr	At Browns: All roads as marked on the map entitled Southland District Speed Limits, map 04 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Roading Bylaw 2001, Appendix 2 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
60 km/hr	At Dipton: All roads as marked on the map entitled Southland District Speed Limits, map 08 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Drummond: All roads as marked on the map entitled Southland District Speed Limits, map 09 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Fortrose: All roads as marked on the map entitled Southland District Speed Limits, map 11 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Garston:	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
	All roads as marked on the map entitled Southland District Speed Limits, map 12 and identified in the legend as being 60 km/hr.			
60 km/h	At Gorge Road: All roads as marked on the map entitled Southland District Speed Limits, map 13 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 6 April, 1967, No. 21, page 527. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
60km/hr	At Haldane: All roads as marked on the map entitled Southland District Speed Limits, map 37, 42, 49, 50 and 63 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60km/hr	At Hauroko: All roads as marked on the map entitled Southland District Speed Limits, map 16 and 17 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60km/h	At Lochiel: All roads as marked on the map entitled Southland District Speed Limits, map 65 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
60km/hr	At Lower Hollyford: All roads as marked on the map entitled Southland District Speed Limits, map 19 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
60 km/hr	At Mavora Lakes: All roads as marked on the map entitled Southland District Speed Limits, map 5, 26, 27, 31, 32 and 64 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Monowai: All roads as marked on the map entitled Southland District Speed Limits, map 28 and 29 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Te Anau: All roads marked on the map entitled Southland District Speed Limits, map 44 and identified in the legend as being 60 km/hr	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
60 km/hr	At Thornbury: All roads as marked on the map entitled Southland District Speed Limits, map 48 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
				Southland District Council Speed Limits Bylaw 2015
60 km/hr	At Tokanui: All roads as marked on the map entitled Southland District Speed Limits, map 49 and 50 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Waianiwa: All roads as marked on the map entitled Southland District Speed Limits, map 52 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Waikawa: All roads as marked on the map entitled Southland District Speed Limits, map 54 and 55 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
60 km/hr	At Waimahaka: All roads as marked on the map entitled Southland District Speed Limits, map 56 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
60 km/hr	At Wairio: All roads as marked on the map entitled Southland District Speed Limits, map 58 and identified in the legend as being 60 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

Schedule 6 - 70 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be subject to a speed limit of 70 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
70 km/hr	At Colac Bay: All roads as marked on the map entitled Southland District Speed Limits, map 6 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
70 km/h	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 7 and 63 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 21 February 2002, No. 16, page 483. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
70 km/h	At Dipton: All roads as marked on the map entitled Southland District Speed Limits, map 8 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 18 December 1980, No. 146, page 4056. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
70 km/h	At Edendale: All roads as marked on the map entitled Southland District Speed Limits, map 10 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 22 November 1979, No. 107, page 3617. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
70 km/hr	At Mossburn: All roads as marked on the map entitled Southland District Speed Limits, map 30 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 2 June 1977, No. 63, page 1566. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
70 km/hr	At Ohai: All roads as marked on the map entitled Southland District Speed Limits, map 34 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
70 km/hr	At Orawia: All roads as marked on the map entitled Southland District Speed Limits, map 35 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
70 km/hr	At Wallacetown: All roads as marked on the map entitled Southland District Speed Limits, map 59 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
70 km/hr	At Winton: All roads as marked on the map entitled Southland District Speed Limits, map 60 and identified in the legend as being 70 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Notice in the New Zealand Gazette, 30 April 1992, No. 60, page 1232. Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015

Schedule 7 - 80 km/hr

The roads or areas described in this schedule or as indicated on the maps referenced in this schedule are declared to be subject to a speed limit of 80 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
80 km/hr	At Browns: All roads as marked on the map entitled Southland District Speed Limits, map 04 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Roading Bylaw 2001, Appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
80 km/hr	At Curio Bay: All roads as marked on the map entitled Southland District Speed Limits, map 07 and 63 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
80 km/hr	At Drummond: All roads as marked on the map entitled Southland District Speed Limits, map 09 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
80km/hr	At Fortrose: All roads as marked on the map entitled Southland District Speed Limits, map 11 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
80km/hr	At Haldane: All roads as marked on the map entitled Southland District Speed Limits, map 7, 14, 37, 42 and 63 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
80km/hr	At Limehills: All roads as marked on the map entitled Southland District Speed Limits, map 18 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
80km/h	At Lochiel: All roads as marked on the map entitled Southland District Speed Limits, map 65 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
80 km/hr	At Makarewa: All roads as marked on the map entitled Southland District Speed Limits, map 21 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 2 2007 Southland District Council Speed Limits Bylaw 2015
80 km/hr	At Te Anau: All roads as marked on the map entitled Southland District Speed Limits, map 47 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Speed Limits Bylaw 2005 - Amendment No. 1 2005 Southland District Council Speed Limits Bylaw 2015
80 km/hr	At Tokanui: All roads as marked on the map entitled Southland District Speed Limits, map 49 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	
80 km/hr	At Waikawa: All roads as marked on the map entitled Southland District Speed Limits, map 54 and 55 and identified in the legend as being 80 km/hr.	20 April 2020	Speed Limits Bylaw 2019	Southland District Council Rooding Bylaw 2001, appendix 3 Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015
80 km/hr	At Waipapa:	20 April 2020	Speed Limits Bylaw 2019	

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
	All roads as marked on the map entitled Southland District Speed Limits, map 57 and identified in the legend as being 80 km/hr.			

Schedule 8 - 100 km/hr

The roads or areas described in this schedule or as shown on the maps referenced in this schedule are declared to be rural areas, subject to a speed limit of 100 km/hr.

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT(S)
100 km/hr	All Southland District roads outside an Urban Traffic Area listed in Schedule 4 have a speed limit of 100 km/hr, except for roads or areas that are: (a) described as having a different speed limit in the appropriate schedule of the Bylaw; or (b) shown on a map as having a different speed limit, as referenced in the appropriate schedule of the Bylaw.	20 April 2020	Clause 3.4(2) Land Transport Rule: Setting of Speed Limits 2017 Speed Limits Bylaw 2019	Regulation 21(1) Traffic Regulations 1976. Southland District Council Speed Limits Bylaw 2005 Southland District Council Speed Limits Bylaw 2015

Schedule 9 - Holiday Speed Limits

SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
NA	No Holiday Speed Limits within District.	N/A	N/A	N/A

Schedule 10 - Variable Speed Limits

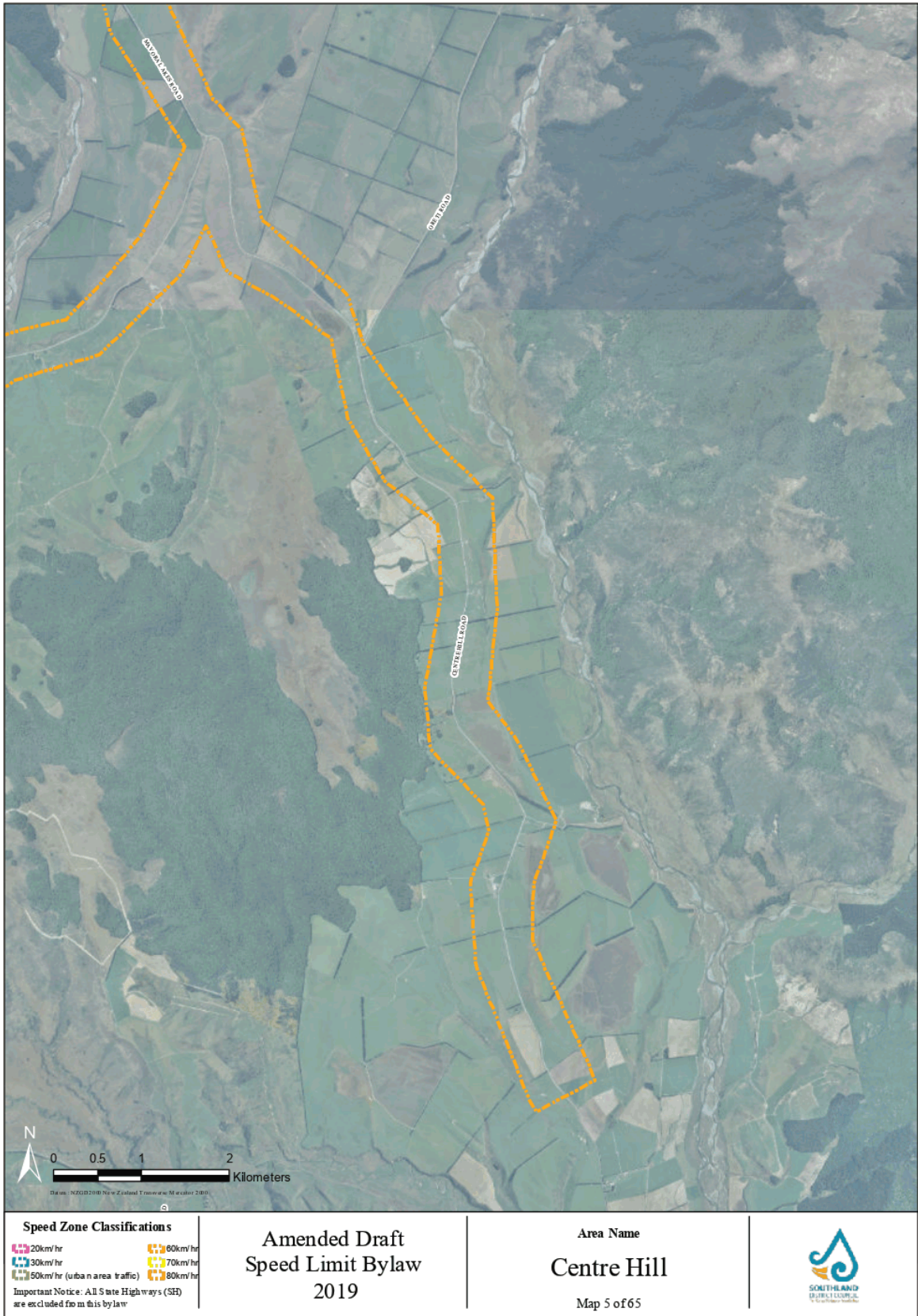
SPEED LIMIT	DESCRIPTION	DATE SPEED LIMIT COMES INTO FORCE	LEGAL INSTRUMENT	PREVIOUS LEGAL INSTRUMENT
NA	No Variable Speed Limits within District.	N/A	N/A	N/A





















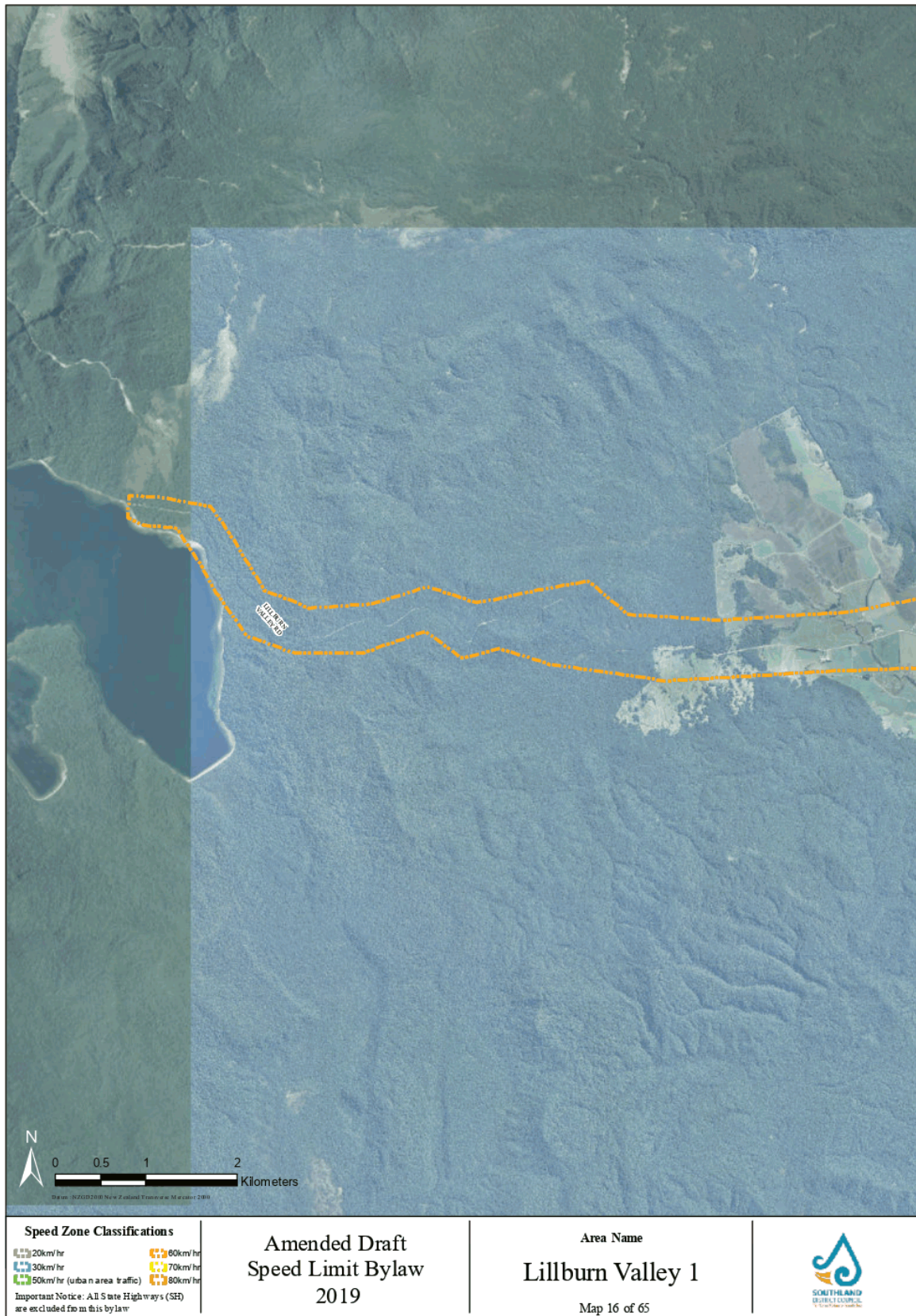






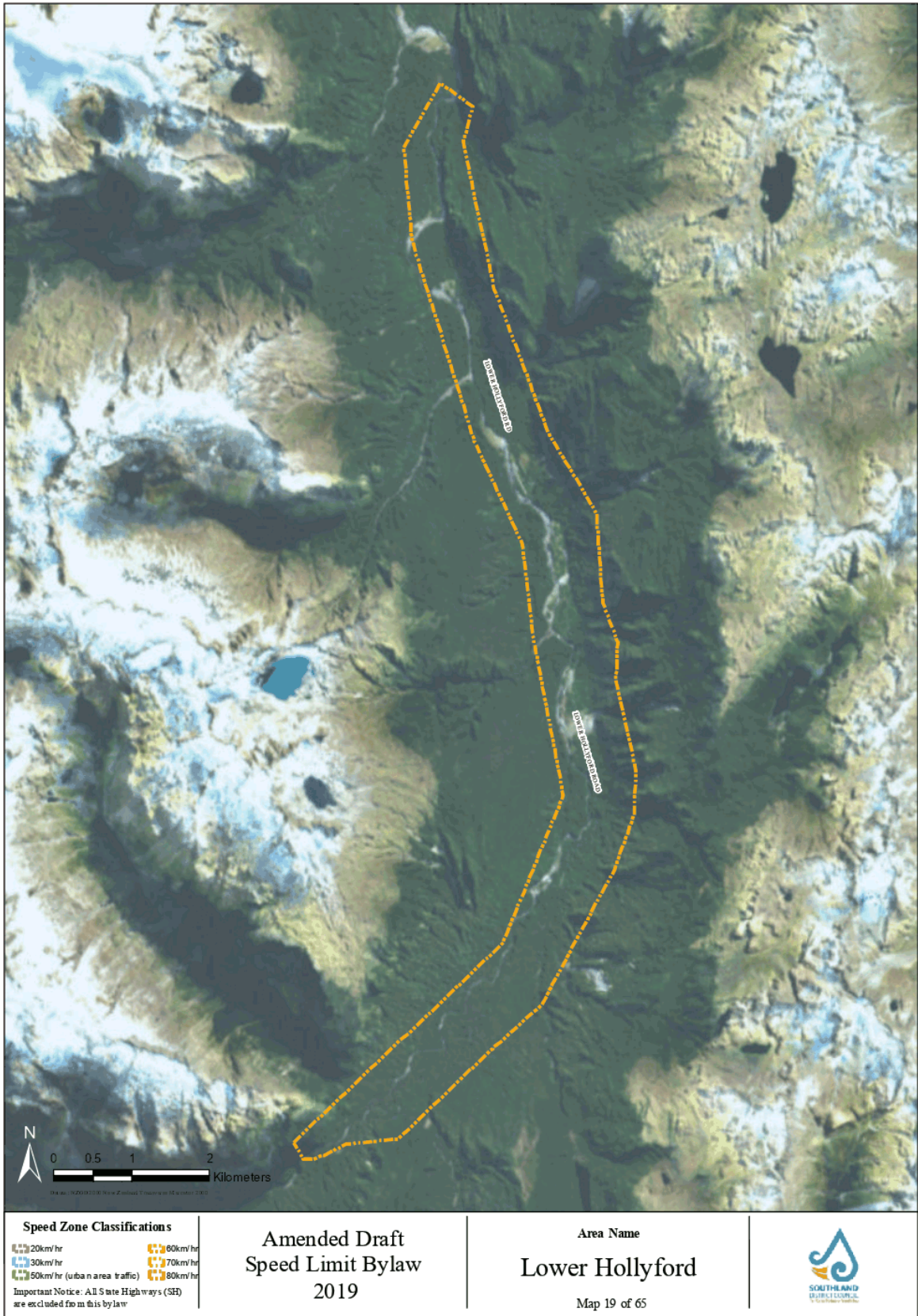




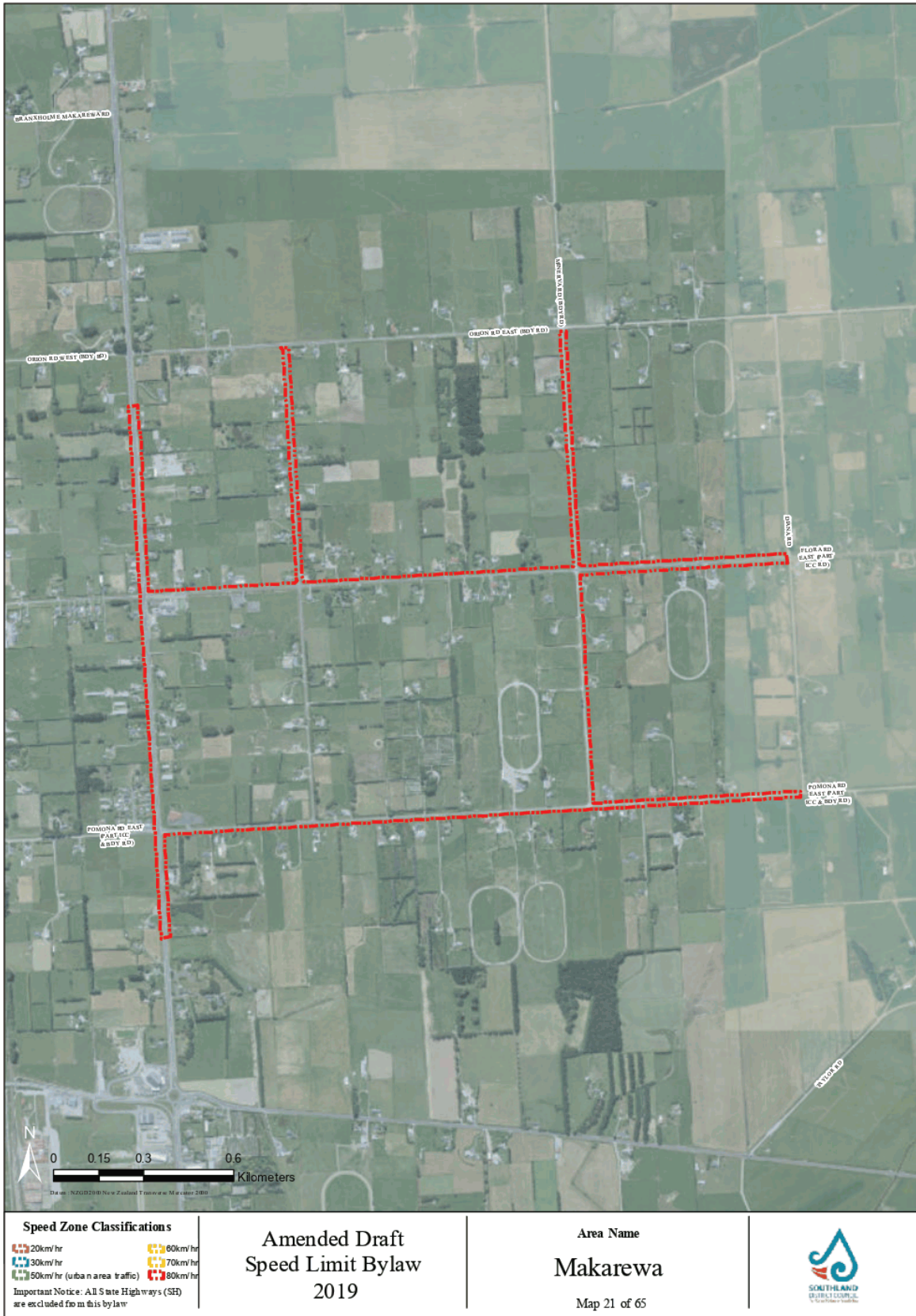










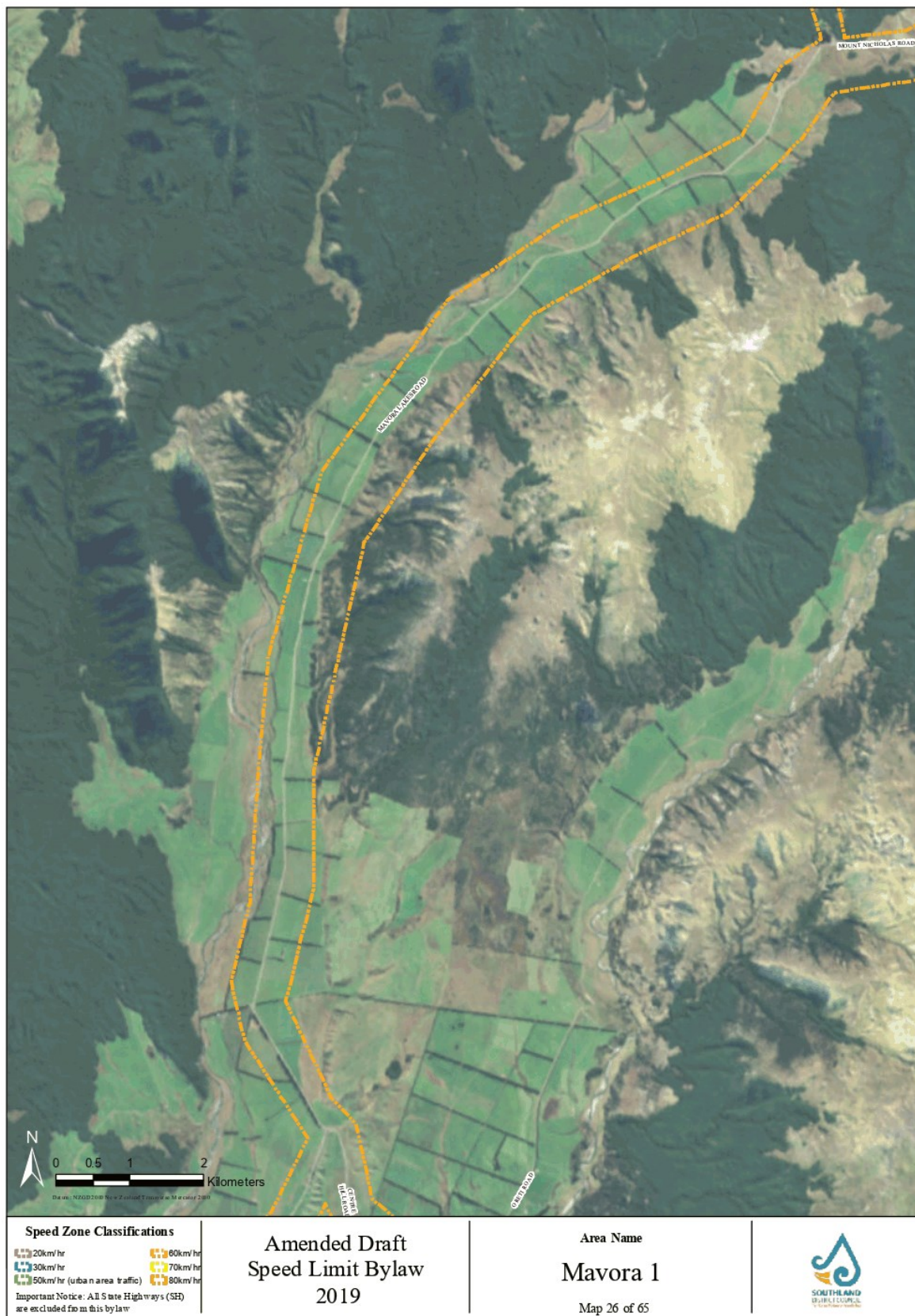






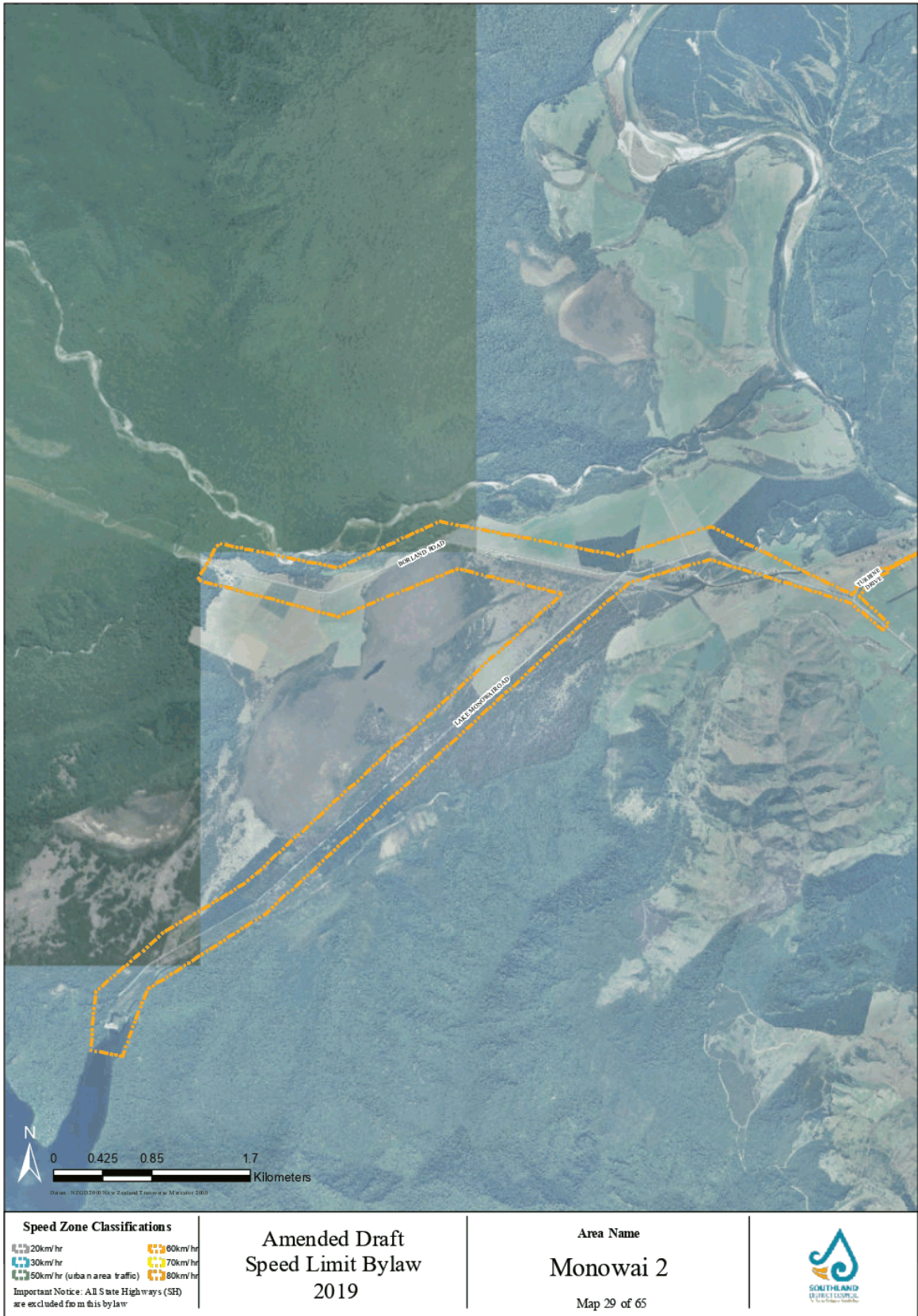






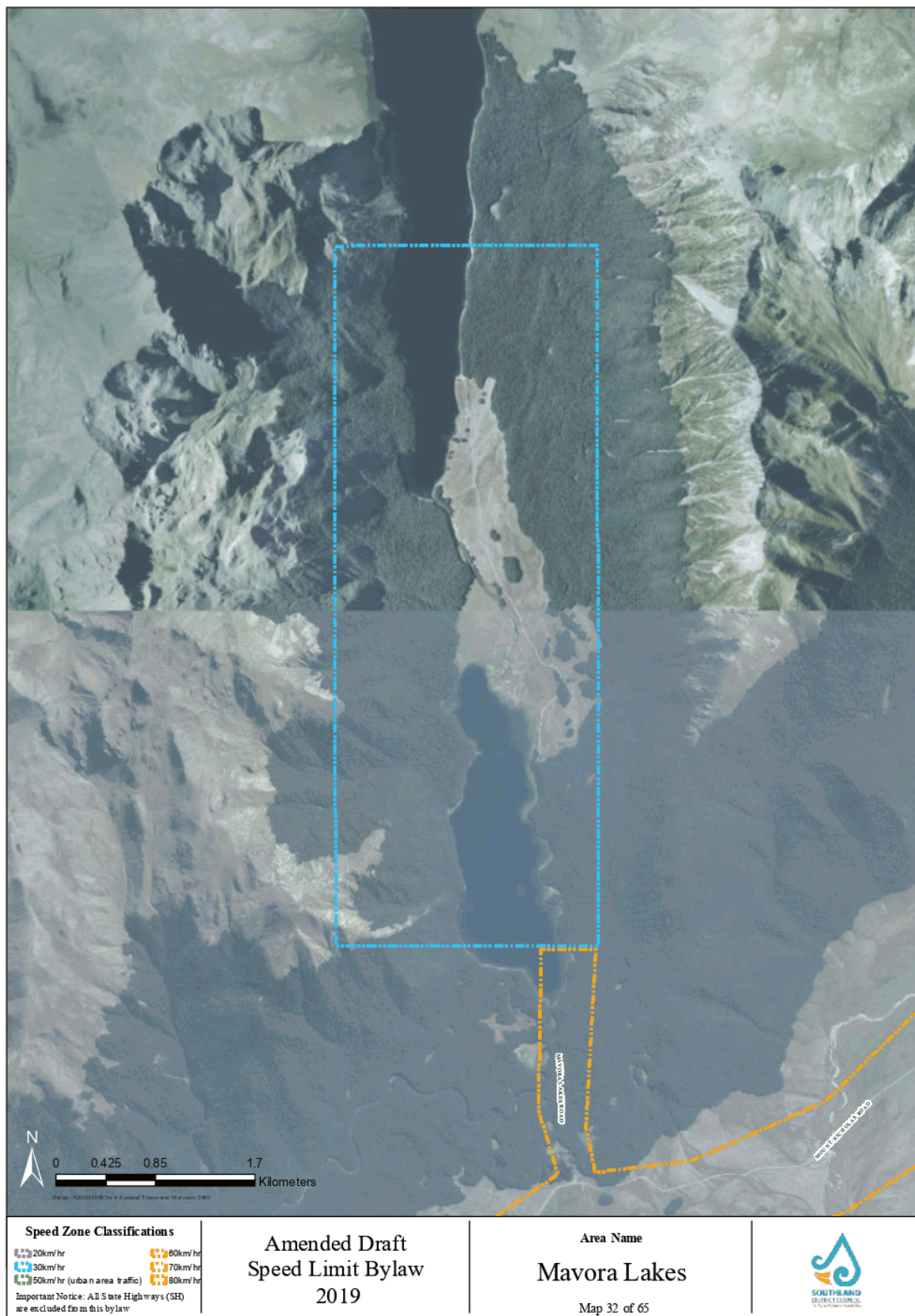




























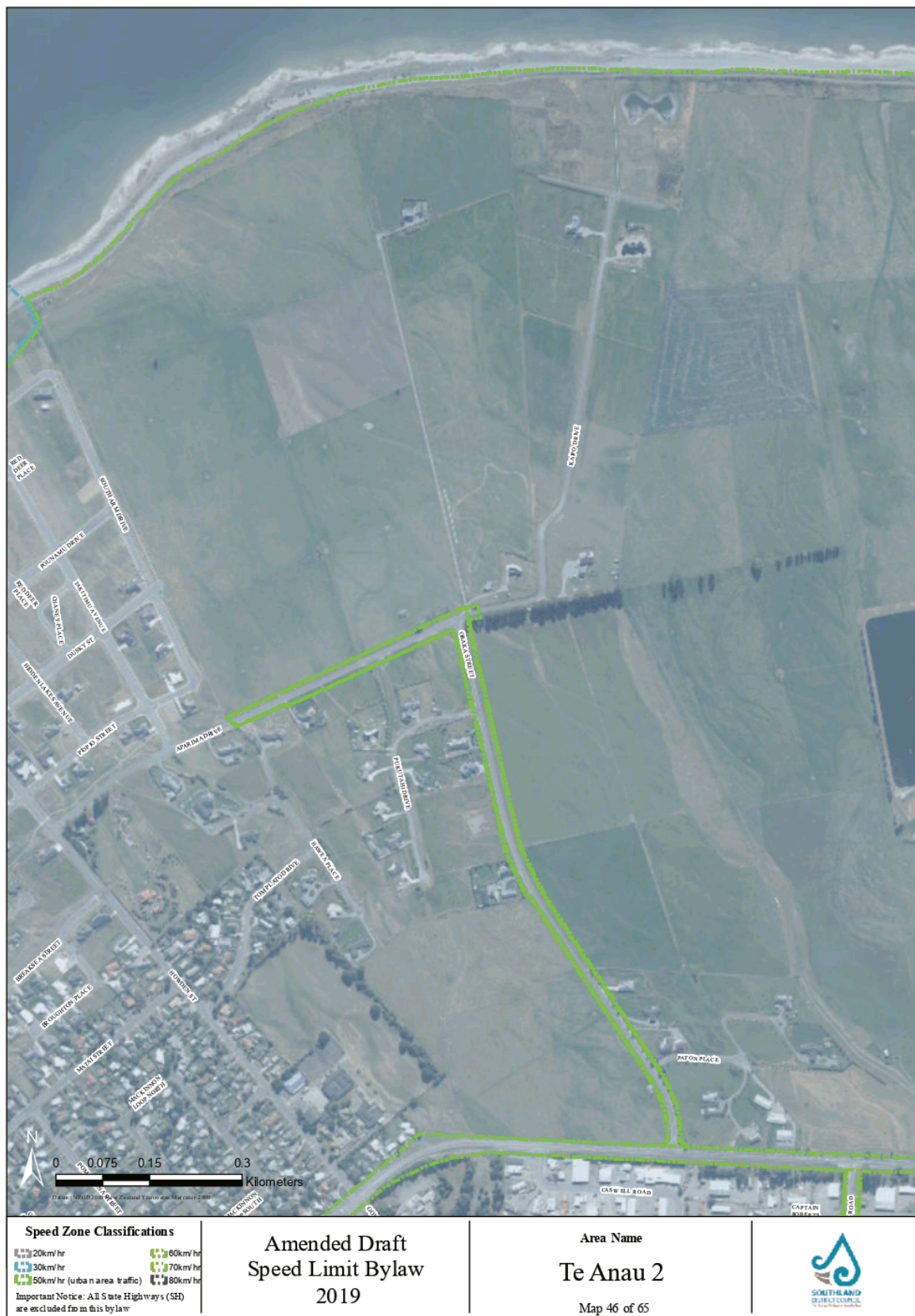






















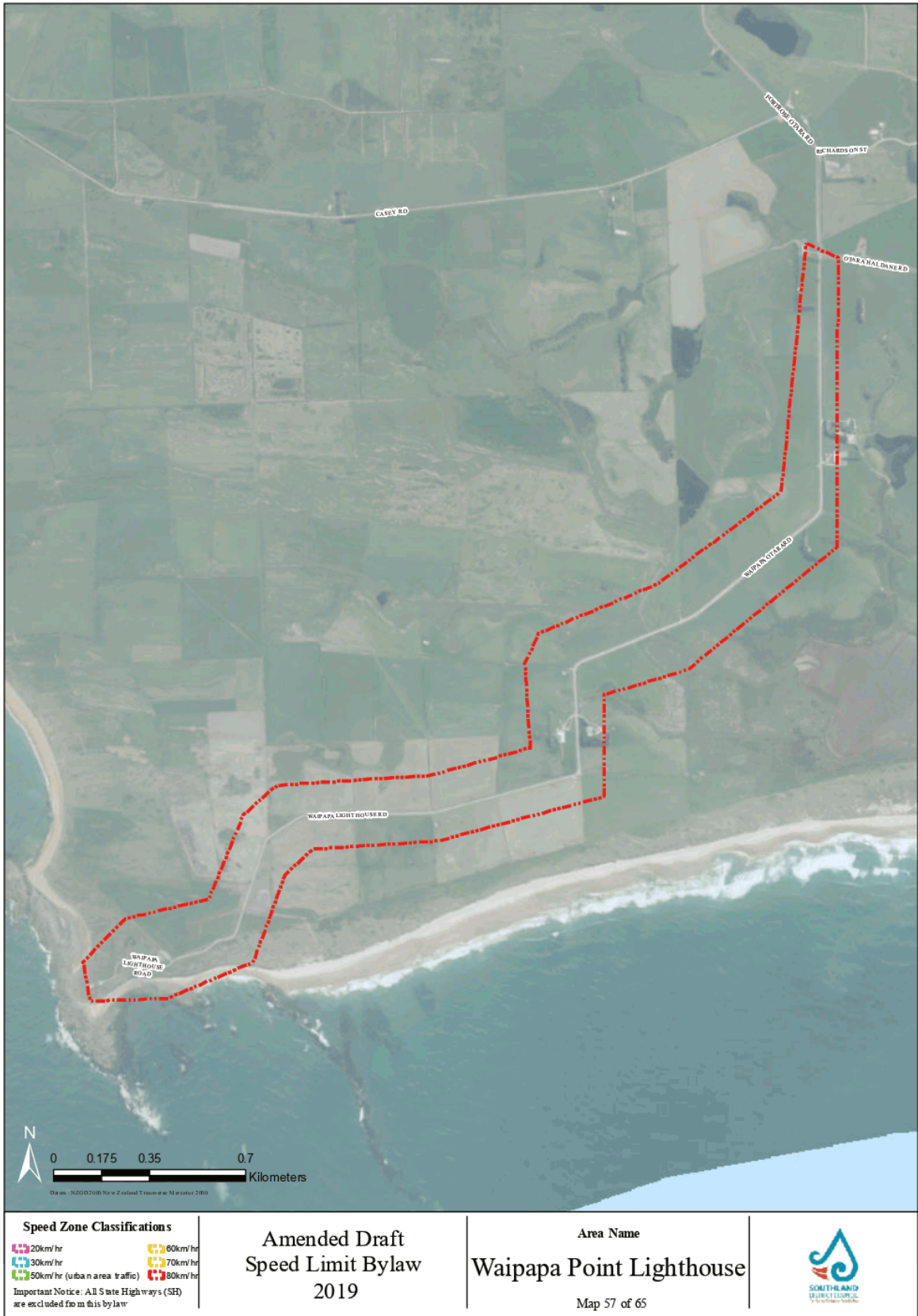




























Combined Local Alcohol Policy

Record No: R/20/2/3703
Author: Jane Edwards, Policy Analyst
Approved by: Fran Mikulicic, Group Manager Environmental Services

☒ Decision ☐ Recommendation ☐ Information

Purpose

- 1 The purpose of this report is to request that Council resolves to bring the combined Local Alcohol Policy (the LAP) into force with an operative date of 31 March 2020 in conjunction with Invercargill City Council (ICC).
- 2 The LAP is included as attachment A.

Executive Summary

- 3 The LAP enables local authorities to address local issues associated with the sale and supply of alcohol.
- 4 In collaboration with ICC, Council reviewed the LAP to confirm that the policy is still relevant for licensing in the territorial boundaries of the two councils.
- 5 The Joint Local Alcohol Policy Committee (the joint committee), with representatives from both councils, was established in order to manage and oversee the review and adoption of the policy. Delegated authority was given to the joint committee to act on Council's behalf during this process.
- 6 Nine submissions were received during the consultation period for the draft LAP, with the joint committee holding hearings in August 2019.
- 7 After deliberating, the joint committee endorsed a provisional LAP which was publically notified for appeal from 4 November to 6 December 2019.
- 8 No appeals were lodged with the Alcohol Regulatory and Licensing Authority and subsequently the LAP was adopted automatically by both councils on 6 December 2019.
- 9 The LAP has now come back to the two councils to make operative in accordance with section 90 of the Sale and Supply of Alcohol Act 2012 (the act).
- 10 The operative date proposed for both councils is 31 March 2020.

Recommendation

That Council:

- a) Receives the report titled “Combined Local Alcohol Policy” dated 25 February 2020.**
- 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) Resolves to bring the Combined Local Alcohol Policy into force with an operative date of 31 March 2020.**

Background

- 11 Section 75 of the act states that territorial authorities may adopt a local alcohol policy. The act allows two or more territorial authorities to adopt a single policy for their districts (section 76).
- 12 Council adopted the previous combined LAP with ICC and Gore District Council (GDC) in May 2016. The three councils were regarded as a single territorial authority with a single district for the purposes of producing a LAP under the act.
- 13 Subsequent to GDC’s decision to remove itself from the joint review process, Council, at its meeting on 18 December 2018, chose to continue, resolving to join with ICC to re-establish a joint committee in order to review the LAP and confirm that the policy was still relevant for licensing in the territorial boundaries of the councils.
- 14 In delegating its functions and powers to the joint committee at its meeting 10 April 2019, Council gave the joint committee the power of decision throughout the remaining life cycle of the LAP until its final adoption.
- 15 On 5 June 2019, the joint committee endorsed a statement of proposal, which included the draft policy, for public consultation.
- 16 From 1 July to 5 August 2019 the joint committee consulted on the draft policy in accordance with the special consultative procedure outlined in the Local Government Act 2002.
- 17 Nine submissions were received on the draft policy with four wishing to be heard in support of their submission at hearings held on 28 August 2019.
- 18 The joint committee reconvened to deliberate on 26 September 2019 and endorsed a provisional LAP which was publically notified for appeal from 4 November to 6 December 2019.
- 19 No appeals were lodged and the combined LAP was adopted automatically on 6 December 2019.

Issues

- 20 Overall, the provisions proposed in the draft policy were supported by submitters and comment was made in support of keeping the 'status quo' as the previous LAP, adopted in 2016, has for the most part, been viewed as functioning well.
- 21 However, feedback was also received via written and oral submissions, that the draft LAP put out for consultation was not restrictive enough and did not do enough to minimise or prevent further alcohol harm in the community.
- 22 The joint committee considered all submissions when deliberating and resolved to maintain the proposals put forward in the draft LAP. The committee endorsed:
- the provisions for sensitive premises proposed in the draft policy
 - the trading hours proposed in the draft policy (with an amendment to separate trading hours)
 - the discretionary conditions proposed in the draft policy

Factors to Consider

Legal and Statutory Requirements

- 23 Council has complied with all legal and statutory requirements when reviewing, consulting and adopting the combined LAP.
- 24 In forming the joint committee, Council delegated all of its functions under part 2, sub part 2 of the act to the joint committee, with the exception of the discretion afforded under section 88 and section 90. Section 88 gives the ability to discontinue with the LAP at any time and section 90 gives the power to bring the combined LAP into force.

Community Views

- 25 Community views have been obtained using the special consultative procedure required in section 79 of the Local Government Act 2012.

Costs and Funding

- 26 Costs associated with notifying the adoption of the LAP are shared between both councils and will be met within current budgets.

Policy Implications

- 27 There are no changes to the licensing of premises for the sale and supply of alcohol.

Analysis

Options Considered

- 28 Council has two options on how it could proceed:
- option 1 – Council resolves to bring the LAP into force (with an operative date of 31 March 2020)
 - option 2 – Council utilises the discretion afforded under section 88 of the act and does not bring the LAP into force.

Analysis of Options

Option 1 – Council resolves to bring the LAP into force (with an operative date of 31 March 2020)

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> the consistent approach between councils, facilitated by the combined LAP, is beneficial for all alcohol licence applicants and is promoted by the Southland Regional Development Strategy facilitates inter-council co-operation and support which is beneficial for growth, experience and understanding of the issues for both councils, the District Licensing Committee members and staff. is consistent with the previous approach taken by Council 	<ul style="list-style-type: none"> the LAP results in more monitoring and reporting. As it is not compulsory, it could be considered as a further administrative process to be undertaken (there is a cost associated with the time staff spend on this)

Option 2 – Council utilises the discretion afforded under section 88 of the act and does not bring the LAP into force

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> may give greater clarity on whether Council assesses a LAP as the best way of minimising alcohol related harm in the district if Council chooses to discontinue the joint process and apply a LAP to the district alone, having only one council involved may enable greater focus, without compromise, on issues in the Southland District 	<ul style="list-style-type: none"> this will contribute to greater inconsistency in approach across Southland, which may make it harder for alcohol licence applicants and agencies and is less consistent with the Southland Regional Development Strategy this would mean Council was changing its approach (from when the previous LAP was developed and adopted, and from its resolution on 18 Dec 2018) a change in approach may be confusing to the public this may hinder inter-Council co-operation and support Council would incur all costs involved if it chose to undertake a further review

Assessment of Significance

- 29 The decision Council is being asked to make in this report has been assessed as not significant in relation to Council's Significance and Engagement Policy.

Recommended Option

- 30 Staff recommend option 1 – that Council resolves to bring the LAP into force on 31 March 2020 in conjunction with Invercargill City Council.

Next Steps

- 31 If Council resolves to make the LAP operational, it will take effect and become enforceable on 31 March 2020.
- 32 ICC will be asked to resolve the same operative date at its full council meeting on 3 March 2020.
- 33 Regulation 19 of the act requires that the councils give notice of the adoption of LAP, and Council and ICC staff will publically notify the adoption by advertising in the Advocate, Express, Southland Times and Otago Daily Times.

Attachments

- A Operative Combined Local Alcohol Policy 2019 [↓](#)



Combined Local Alcohol Policy 2019

Adopted 6 December 2019

Operative 31 March 2020

Purpose

A Local Alcohol Policy (LAP) enables local authorities to make a meaningful contribution towards addressing issues associated with the sale, supply or consumption of alcohol.

This Combined Local Alcohol Policy (the policy) has been developed in recognition of the significant harm that the excessive consumption of alcohol has in our communities.

The policy is in line with the Sale and Supply of Alcohol Act 2012 (the act), to ensure that alcohol is sold and supplied in a safe and responsible manner and to ensure that the harm arising in individuals and communities, as a consequence of alcohol consumption, is minimised.

The policy aims to inform the decisions of the District Licensing Committees (the committees) on alcohol licences for the sale of alcohol within the Invercargill City and Southland District boundaries (the LAP district), not including Gore district.

The policy will provide direction as to whether alcohol licences shall be granted and what licence conditions could be imposed.

Scope

Through the LAP, the committees are able to:

- limit the **location** of licensed premises in particular areas or near certain types of facilities, such as specific neighbourhoods or near schools or churches
- limit the **density** of licensed premises by specifying whether new licenses or types of licenses should be issued in a particular area
- impose **conditions** on groups of licenses, such as a 'one way door' condition that would allow patrons to leave premises but not to enter or re-enter after a certain time
- recommend **discretionary conditions** for licences
- provide for the maximum trading hours of on, off and club licences.

Definitions

Alcohol	Means a substance that is or contains a fermented, distilled or spirituous liquor; and at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or that is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and is alcohol when completely thawed to 20°C; or that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people
Cellar door	Includes tasting rooms at a brewery or distillery. It excludes the sale of alcohol not brewed, distilled or made by that licence holder.
Club	Means a body that is a body corporate having its objective (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or is a body corporate whose object is not (or none of whose objects is) gain; or holds permanent club charter
CPTED principles	Means <i>Crime Prevention Through Environmental Design</i> and are set out in the Health Promotion Agency publications <i>Safer Bars and Restaurants – A guide to Crime Prevention Through Environmental Design (CPTED)</i> and <i>Safer Bottle Stores - A</i>

	<i>Guide to Crime Prevention Through Environmental Design (CPTED)</i>
Entertainment venue (includes centre)	<p>Means a venue that is used to provide entertainment. The entertainment may be arranged and organised by the owner/operator of the venue and features some or all of the following:</p> <ul style="list-style-type: none"> • a reasonable cover charge would apply – to be included in all advertising of any entertainment event • live entertainment would be provided on a regular, frequent and ongoing basis (live entertainment is entertainment by way of live performers, including bands, solo artists, live DJs, comedians) • a stage, dance floor or similar area would be available for entertainers and/or patrons to use • the design of the premises including the size of the bar will be required to be consistent with the nature of the principal form of entertainment.
Function centre	Means a centre that is used to host events/gatherings or occasions regardless of whether or not the centre has its own licence or is linked to another licenced venue
Higher risk periods	Means a period of time where either the number of patrons is likely to exceed a specified number or the type of event is assessed to be of greater risk. These higher risk periods will be determined by the committees on a case-by-case basis
Host responsibility	Means a policy and/or a plan designed to reduce the abuse of alcohol by creating and promoting a safe drinking environment
Intoxicated	<p>Means observably affected by alcohol, other drugs, or other substances (or a combination of two or all of those things) to such a degree that two or more of the following are evident:</p> <ul style="list-style-type: none"> • appearance is affected • behaviour is impaired • coordination is impaired • speech is impaired.
Invercargill central business district	Has the same meaning as the proposed Invercargill City District Plan (or any other plan in substitution) and is shown in the map attached to this policy
LAP district	Means the territorial districts of Invercargill City Council and Southland District Council
Licence	Means a licence issued under the Sale and Supply of Alcohol Act 2012 that is in force; and in relation to any licensed premises means the licence issued for them (or, in the case of premises that two or more licences have been issued for, any of those licences)
Sensitive premises	Means any school, child care facility, preschool or other facility providing for the education or care of children, or any place of religious gathering or assembly, or any residential activity

	including a dwelling or apartment and any community facility within 50 metres of the address with or applying for the licence.
Significant change in style	Includes any increase in the risk level to a premise (for example going from a restaurant to a night club/bar) and/or where the nature of the operation is likely to change
Trading hours	Means the hours a business may be licensed to be open to sell or supply alcohol

Key Issues

Identifying the problem

Alcohol misuse is a social problem and public health problem with significant implications for the social and economic well-being of people in the LAP district.

A minority of the alcohol sold is consumed in licensed premises or at licensed events, where there is supervision, control and host responsibility. A majority of alcohol is consumed in situations where there may be little control or supervision.

It is a priority to reduce the harm caused by alcohol misuse

As alcohol misuse is a serious social problem and public health problem, the Invercargill City and Southland District councils (the councils) will recognise and address alcohol misuse through their policies and through the way they deliver services to the people in the LAP district.

The councils also have the ability to address alcohol misuse through their responsibilities under the act.

The policy is a way people in the region can address alcohol misuse.

Providing a safe drinking environment

It is important that there are safe environments for the responsible sale, supply and consumption of alcohol.

Through this policy, the councils will:

- place significant emphasis on host responsibility, particularly in assessing applications and imposing conditions of approval
- encourage organisers of an event or special occasion to properly plan for it, if alcohol is to be available.

Policy Review

The policy will be reviewed six yearly to ensure it is up to date, relevant and meets legal requirements. At the review stage, information relating to alcohol related harm for the area will be gathered.

The following information will be sought:

- monitoring reports of premises and events, and the conditions imposed on licences (from the councils' licensing inspectors)
- statistics of hospital admissions of alcohol-related harm incidents and associated costs that relate to the LAP district (from the Southland District Health Board);
- monitoring statistics of education outcomes and an outline of community issues (from Primary Health South)

- statistics on alcohol related crime in the region's communities, as well as controlled purchase operations (from the New Zealand Police).

The Policies

Sensitive premises

When the councils receive an application for a proposed on, off or club licence or a renewal where the application pertains to a significant change in the style or operation of the business (not including special licence applications), evidence of consultation with all applicable sensitive premises shall be provided with the application, if the licenced premises is within 50 metres of the boundary of a sensitive premise.

Sensitive premises are:

- any school, childcare facility, pre-school, or other facility, providing for the education or care of children
- any place of religious gathering or assembly
- any residential activity – dwelling or apartment
- any community facility.

In relation to providing evidence of consultation with a tenanted property, the applicant will have to provide evidence that they consulted with both landowners and tenants.

Evidence of consultation will not be required where resource consent has been granted under the Resource Management Act 1991.

This requirement is to ensure that neighbouring properties are aware of the possibility that a licensed premise may be established nearby or that an existing licenced premise may have its licence renewed or altered. This requirement also ensures the occupants, owners or other parties related to a sensitive premise have an opportunity to voice any concerns, and for the applicants to respond to these.

Trading hours

The following shall be the maximum trading hours for the sale, supply and consumption of alcohol (within the context of alcohol licences) on licensed premises within the LAP district:

- on-licences – bars, taverns, hotels, entertainment venues and Class 1 restaurants:
 - Invercargill central business district areas:
 - earliest opening time 8am on any day
 - latest closing time 3am the following day.
 - Invercargill (other than Invercargill central business district areas):
 - earliest opening time 8am on any day
 - latest closing time 1am the following day.
 - Southland District:
 - earliest opening time 8am on any day
 - latest closing time 3am the following day.
- on-licences – class 2 and class 3 restaurants, including BYO restaurants:
 - earliest opening time 8am on any day
 - latest closing time 1am the following day.
- on-licences – other. No restriction, however applications for licences will need to justify the hours requested in terms of the purpose of the function or event. Including but not limited to:

- function centres
- theatres
- boats and lodges in Milford Sound
- caterers
- cellar doors
- off-licences – this includes dedicated ‘bottle store’ outlets and ‘across the bar’ sales:
 - earliest opening time 7am on any day
 - latest closing time 11pm the same day.
- club licences
 - earliest opening time 8am on any day
 - latest closing time 3am the following day.
 - applications for club licences will need to justify the hours requested on the basis of the activity of the club.
- special licences:
 - no restriction, however applications for special licences will need to justify the hours requested in terms of the purpose of the function or event.

All above provisions are subject to sections 47, 47A and 48 of the act, which relate to the sale and supply of alcohol on ANZAC Day morning, Good Friday, Easter Sunday and Christmas Day.

Discretionary conditions

The act enables the committees to issue a license subject to discretionary conditions that are consistent with the act. In terms of promoting responsible sale and supply, conditions that might be imposed include, but are not limited to:

- premises layout and design
 - design and layout requirements
 - minimum seating requirements
- staffing
 - training requirements for staff
 - management requirements in relation to staff (eg number of staff, duty managers)
 - prescribed ratio of security staff to patrons
 - uniform requirements (eg high visibility vests for security staff)
 - certified manager to be on duty at club-licensed premises, excluding chartered clubs, when alcohol is being sold or supplied during higher risk periods that are determined by the committees.
- host responsibility
 - queue management
 - provision of food
 - management of an event in such a way as to reduce abuse of alcohol
 - availability of transport home for patrons
 - display of safe drinking messages/material
 - any other matter that can encourage responsible alcohol sales, supply and consumption
- amenity and good order
 - cleaning the outside of the premises and immediate environs
 - use of CCTV
 - signage and advertising

- management of incidents
 - licensee to keep a register of incidents
 - mandatory notification to Police of violent incidents
- utilising CPTED principles

The committees can impose such conditions they deem to be appropriate, from the list.

The process for setting discretionary conditions aims to encourage a good working relationship between the councils and industry providers. The discretionary conditions also help promote the purposes of the act.

Other Matters

Invercargill City and Southland District councils intend to maintain and enforce existing alcohol and alcohol ban areas established under a bylaw or bylaws promulgated under the Local Government Act 2002.

Draft Keeping of Animals, Poultry and Bees Bylaw - Consultation

Record No: R/20/2/3781
Author: Robyn Rout, Policy Analyst
Approved by: Fran Mikulicic, Group Manager Environmental Services

☒ Decision ☐ Recommendation ☐ Information

Purpose

- 1 The purpose of this report is to present a draft Keeping of Animals, Poultry and Bees Bylaw (the 'draft bylaw'), with an associated statement of proposal, for Council to endorse for public consultation.

Executive Summary

- 2 The Keeping of Animals, Poultry and Bees Bylaw 2010 (the current bylaw) contains rules about keeping animals such as pigs, horses, poultry, cats and cattle, and about animal noise. This bylaw does not have any rules about dogs. Rules about dogs are in Council's Dog Control Bylaw. The bylaw aims to protect the public from nuisance and to ensure public health and safety. The current bylaw is included with this report as Attachment A.
- 3 The current bylaw was adopted by Council on 30 June 2010 and is due to be reviewed by 30 June 2020. In 2012, Council adopted a dispensation to the bylaw for the urban zone Ohai, which allows residents who live in that zone to keep animals not otherwise permitted by the current bylaw. The dispensation is included as Attachment B.
- 4 Council staff have undertaken community engagement to help inform the content of the draft bylaw. Feedback identified that the currently bylaw is working quite well, and that no significant changes to the bylaw are necessary/appropriate.
- 5 A statement of proposal, including the draft bylaw, is included with this report as Attachment C. The draft bylaw is reasonably similar to the current bylaw. The style and structure of the bylaw has been updated, and a slightly different permit system is proposed. Other small changes are discussed in the body of this report. It is also proposed to revoke the dispensation for Ohai so there are consistent rules across the District that are easy to understand.
- 6 On 12 February, staff obtained feedback from the Regulatory and Consents Committee on the draft bylaw and the dispensation for Ohai. The committee recommend that Council endorse the draft bylaw for public consultation. The committee also gave feedback that it supported revoking the formal dispensation for Ohai, and having a permit system used across the District.
- 7 If Council endorses the draft bylaw and releases the statement of proposal for consultation, staff will undertake a consultation process in accordance with the Special Consultative Procedure from 12 March to 13 April 2020.

Recommendation

That Council:

- a) **Receives the report titled “Draft Keeping of Animals, Poultry and Bees Bylaw - Consultation” dated 25 February 2020.**
- 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) **Determines pursuant to section 155(1) of the Local Government Act 2002 that a bylaw is the most appropriate way of addressing nuisance and health and safety problems associated with keeping animals in the District.**
- e) **Determines pursuant to section 155(2)(a) of the Local Government Act 2002, that the draft Keeping of Animals, Poultry and Bees Bylaw is the most appropriate form of bylaw.**
- f) **Determines pursuant to section 155(2)(b) of the Local Government Act 2002, that the draft Keeping of Animals, Poultry and Bees Bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990.**
- g) **Endorses the draft Keeping of Animals, Poultry and Bees Bylaw.**
- h) **Releases the draft Keeping of Animals, Poultry and Bees Bylaw statement of proposal for public consultation in accordance with the Special Consultative Procedure outlined in sections 83 and 86 of the Local Government Act 2002, from 12 March to 13 April 2020.**

Background

The current bylaw

- 8 The current bylaw contains rules about cats and various animals, such as pigs, horses, poultry and cattle. Provisions in the bylaw include where animals can be kept, how they can be kept, how many are permitted, and provisions relating to animal noise. The bylaw does not have any rules about dogs (these are in Council’s Dog Control Bylaw).
- 9 The current bylaw was adopted by Council on 30 June 2010 and is due to be reviewed by 30 June 2020.
- 10 Council’s animal control officers are not proactively monitoring for compliance and acting on observed non-compliance. When a complaint is received, animal control officers will discuss the issue with the person keeping the animal, and agree to a course of action. A follow-up letter is

sent outlining any agreement. If necessary, further action may be taken including writing a written warning, or charging for time.

- 11 The current bylaw states that people can keep animals not otherwise permitted by the bylaw if they seek a consent from Council under the Resource Management Act 1991 (RMA). The bylaw also states that Council can, in any particular case or cases, by resolution, dispense with rules in the bylaw. In recent years, Council has been granting dispensations to individuals to allow them to keep animals not permitted by the bylaw. People apply for a dispensation, and if the applicant's neighbours give their consent and an animal control officer believes it is appropriate, a dispensation is given under delegated authority held by the chief executive or the group manager of Environmental Services.

Requests made by particular communities for dispensation/changes to the bylaw

- 12 Since the current bylaw has been in force, three communities have formally requested changes for their area.
- 13 In 2012, the Ohai Community Development Area Subcommittee (CDA) requested that a dispensation be made to allow farm animals to be kept in the urban zone in Ohai. On 27 June 2012, Council adopted a formal dispensation for Ohai that allows people in the Ohai urban zone to keep farm animals (such as horses, cattle etc) if:
- the animals are confined to the property
 - the owner/occupier has given approval for the animals to be kept
 - the animals don't damage neighbouring fences or property.
- 14 In 2015, both the Nightcaps and Riversdale CDAs also formally requested that Council make changes to the current bylaw. Nightcaps requested a tightening of the bylaw for its urban zone, limiting the types of animals permitted and placing a restriction on the number of sheep. Riversdale requested to amend the bylaw so it would better reflect the expectation of the community. Council decided not to amend the bylaw in response to these requests due to it being inefficient to review bylaws before their review timeframes, and given the commitments and full work programme already set.

Engagement

- 15 Council staff have sought feedback on the current bylaw from a variety of sources. Internal feedback has been sought, and staff have sought feedback from external stakeholders through:
- Facebook posts
 - letters/emails to external stakeholders, including to vets, various animal-related clubs (such as pony clubs, poultry clubs etc) and to agencies such as Te Ao Marama, Federated Farmers, and Public Health South
 - e-mails to community board members
 - face-to-face conversations with people in towns throughout the District.

- 16 A summary of the feedback received, is outlined below.

TOPIC	SUMMARY OF FEEDBACK RECEIVED
BEES	General support for having/encouraging bees in the District.
CATS	People reported problems with cats in the District, particularly with stray cats. There was support for and against neutering, registering, microchipping, and limiting the number of cats people can keep.
MEAT PROCESSING	The larger proportion of feedback was that meat processing was not a problem in the District, and that provisions were not required. Others thought it should only be allowed in rural areas, on larger properties, and that clean up and having a person with appropriate skill were important.
PERMIT SYSTEM	Generally people supported a permit system allowing people to keep animals not permitted by the bylaw.
PIGS	There was a general consensus that there shouldn't be pigs in urban areas.
POULTRY/BIRDS	There was mixed feedback as to whether poultry should be allowed in urban areas. Some people said they didn't want roosters in towns. Internal feedback was that roosters do cause some problems.
FREEDOM OF CHOICE/ DEGREE OF REGULATION	People were keen to apply their own common sense, and to not have overly prescriptive rules unless they are necessary.

Issues

The draft bylaw

- 17 Staff are seeking Council to endorse the draft bylaw and to release the associated statement of proposal for public consultation.
- 18 The draft bylaw contains some general rules that aim to prevent nuisance, health and safety issues, the polluting of water ways, and animal related noise. Specific sections in the bylaw also provide:
- rules outlining animals that aren't permitted in urban zones
 - rules about keeping poultry in urban zones
 - rules about keeping animals in industrial zones
 - rules about pigs
 - provisions about placing limits on the number of cats
 - provisions about placing limits on keeping bees
 - information about buildings for animals
 - how to get a permit

- dispensing power
- information about enforcement
- information about penalties.

19 Aside from the changes proposed below, the draft bylaw is reasonably similar to the current bylaw.

CURRENT BYLAW	PROPOSED CHANGE	REASON
In some sections, it is not clear where the rules apply (for example, which zone)	To have sections outlining the general rules that apply to everyone, the rules for urban zones, the rules for industrial zones, and other specific rules	Clarity, readability
There is a section on animal related noise. There is no general rules section	To include a general rules section that states it is an offence to keep animals in a way that causes nuisance, health and safety issues, the polluting of water ways, or animal related noise	To clearly identify the rules that apply to everyone. Clarity, readability
The current bylaw refers to obsolete provisions in an outdated District Plan. It also states that to keep animals outside the bylaw, people have to get a consent under the RMA. The current bylaw gives Council the authority to grant dispensations	A permit system is proposed for people who want to keep an animal that is not permitted by the bylaw	The proposed permit system is similar to the dispensation system currently being used, which has been working well. Compared to getting a consent under the RMA, a permit system has a simpler application process, is less expensive for applicants and is not subject to appeals
Refers to urban and industrial areas in the District Plan, but gives no practical guidance on which towns have the zones, or how to view them	To include an appendix that lists the towns that have an urban zone, and to state in the definitions section where industrial zones are. The draft bylaw also includes some guidance on how to find the relevant parts of the District Plan	For ease of use. Staff are not proposing to include all of the relevant maps with the bylaw, as these maps may change before the bylaw is due to be reviewed

CURRENT BYLAW	PROPOSED CHANGE	REASON
Does not include any rules about killing animals or processing meat	Making it an offence to kill animals or process meat in a way that is, or is likely to become, a nuisance, dangerous, offensive or injurious to health	To try and prevent nuisance and health and safety issues
The current bylaw applies to all areas in the District, but a formal dispensation has been granted for the Ohai urban zone	Not including different rules for Ohai in the draft bylaw	To create consistency across the District. Staff believe the bylaw would become too complex and confusing if different rules were introduced for different towns. The permit system allows people to keep animals not permitted by the bylaw
Does not permit horses or other beast of burden, cattle, goats, deer or ostriches in the urban zone	Including a specific list of animals and removing the term 'beast of burden'. There is a change that llamas, emus, swans, chamois and thar would now be prohibited in urban areas	To try and prevent nuisance and health and safety issues

Cats

- 20 In the engagement undertaken by staff, feedback was received that cats are causing some nuisance and health and safety concerns in the District. The draft bylaw does not propose any new rules about cats as it seems most of the cat problems relate to stray cats. The problems would not be resolved by introducing rules about cats into the draft bylaw (as people do not 'keep' stray cats). The draft bylaw does allow Council to act (by requesting the problem be remedied/by imposing a limit on numbers/by imposing fines) if a person is keeping cats and the cats are causing nuisance or health problems.
- 21 If Council view it as a priority, it could request staff to collaborate/co-ordinate with other agencies/the community to further investigate cat populations in the District. Any information obtained could be used to inform amendments to the bylaw. Council can decide to review a bylaw at any time.

Dispensations

- 22 If Council adopts the draft bylaw, it is proposed that existing individual dispensations will be regarded as permits under the proposed bylaw. Only a small number of individual dispensations have been granted.
- 23 If Council does not want to have a dispensation for the Ohai urban zone, as staff recommend, the formal dispensation will have to be revoked. If this is to take place, prior to the dispensation

being revoked, staff would work with Ohai residents to identify the best way to transition to the permit system. Staff believe it may be appropriate to re-issue permits for these residents under the proposed bylaw, at no cost to the resident; provided there is compliance with conditions in the current Ohai dispensation.

Factors to Consider

Legal and Statutory Requirements

Making a bylaw

- 24 Under section 146 of the Local Government Act 2002 (the LGA), Council has the specific bylaw making power to regulate the keeping of animals, poultry and bees. Under section 145, bylaws can only be made for one of the following purposes:
- to protect the public from nuisance
 - to protect, promote, and maintain public health and safety
 - to minimise the potential for offensive behaviour in public places.
- 25 On this basis, in relation to keeping animals, Council does not have the power to include rules in the bylaw relating to animal welfare or to protect wildlife. The Animal Welfare Act 1999 establishes obligations in relation to caring for animals, and providing appropriate treatment for injured/sick animals. The focus of the current and draft bylaws is to protect the public from nuisance and to ensure peoples' health and safety.
- 26 It is proposed to consult on the draft bylaw using the Special Consultative Procedure outlined in sections 83 and 86 of the LGA. Staff believe this consultation method is appropriate (in relation to the LGA and Council's Significance and Engagement Policy) as:
- people are very interested in the animals they can keep
 - there are a lot of people impacted by this bylaw
 - Ohai residents may be interested if the formal dispensation is discontinued, and
 - people have strong views on the specific rules they would like for their community – three CDAs requested changes to the current bylaw.
- 27 The Special Consultative Procedure requires that Council adopts a formal statement of proposal, has a consultation period of not less than one month, and allows people to present their views to Council in a manner that enables spoken interaction, such as by having a hearing.

- 28 It is proposed that Council will make the statement of proposal as widely available as is reasonably practicable (in accordance with section 83 of the LGA), and encourage people to give feedback, by:
- placing an advertisement in the Advocate
 - placing posters in Council offices/libraries
 - promoting the consultation on Council's Facebook page
 - having the statement of proposal accessible on Council's website and in all of its offices
 - encouraging community boards to make a submission through the community leadership reports that go to each community board.

Determinations

Most appropriate way of addressing the perceived problem

- 29 Council must, before commencing the process for making a bylaw, determine whether a bylaw is the most appropriate way of addressing the perceived problem or issue. Across New Zealand, bylaws are the most typical method used by territorial authorities to address nuisance and health and safety problems associated with keeping animals. Staff are aware of one Council that does not have a bylaw, and instead relies on its District Plan and the provisions of the Resource Management Act 1991 (RMA) to control the keeping of animals. Staff believe it is appropriate to have the proposed smaller-scale rules on keeping animals in a bylaw, and that the District Plan is the more appropriate tool to manage larger scale, more enduring practices relating to animals, such as intensive farming. If people want to keep animals not permitted in a bylaw, it is also much easier to have a simple permit process under a bylaw than obtaining a resource consent to operate outside of the District Plan.

Most appropriate form of bylaw

- 30 Council is also required to determine whether the proposed bylaw is the most appropriate form of bylaw before it makes its decision. The draft bylaw has been drafted so that is easy to read and to use. Staff believe the draft bylaw is only creating necessary rules, and that it is not overly restrictive/prescriptive. The provisions in the bylaw allow Council to take action when nuisance and health and safety issues do arise. The bylaw has been made in recognition that many towns in the District are quite rural in nature.

Bill of Rights

- 31 Council is required to determine whether the draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (the BoR Act), which grants certain civil and political rights to people in New Zealand. In accordance with section 5 of the BoR Act, 'the rights and freedoms contained in the Bill of Rights may be subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society'.
- 32 In section 146 of the LGA there is a specific provision that allows local authorities to make bylaws on keeping animals, poultry and bees. Such a bylaw can only be made to prevent nuisance and ensure peoples' health and safety (s145). The LGA has been reviewed by the Attorney-General for any inconsistency with the BoR Act. On this basis, the Attorney-General has already assessed that any limits imposed on keeping animals to prevent nuisance and health in safety

issues, are reasonable limits. Therefore staff believe the provisions of the draft bylaw do not unreasonably interfere with any of the rights in the BoR Act.

Community Views

- 33 Staff have already engaged with the community about keeping animals and the current bylaw. A summary of the feedback received is given in paragraph 16. Council is aware there has been a preference to have specific rules for specific communities - three CDAs have made formal requests to amend the current bylaw.
- 34 Staff will capture further community views through the formal consultation on the draft bylaw. During the last review process for this bylaw (in 2010), Council received one submission on the bylaw.

Costs and Funding

- 35 There will only be minor costs associated with reviewing the bylaw, including the costs associated with staff time and advertising. The draft bylaw does not propose any significant changes to operational practice within the environmental health team. Costs associated with reviewing and applying the draft bylaw will be met within existing budgets.
- 36 It is proposed that people will have to pay a nominal amount when they apply for a permit to keep an animal that would not otherwise be permitted by the draft bylaw. The fee will cover the cost of staff processing permits.

Policy Implications

- 37 As has been outlined above, the draft bylaw proposes small changes to the current bylaw, including:
- to how people get approval to keep animals not permitted by the bylaw
 - making it an offence to kill animals or process meat in a way that is, or is likely to become, a nuisance, dangerous, offensive or injurious to health
 - not allowing people to keep llamas, emus, swans, chamois and thar on private land in an urban zone.
- 38 It is also proposed to remove the formal dispensation for people in the Ohai urban zone.
- 39 In regards to enforcing the provisions in the draft bylaw, staff are proposing to continue dealing with issues as complaints are received. This means that the current approach of not proactively monitoring the bylaw for compliance, will continue.
- 40 Council has a vision of 'one community, offering endless opportunities'. On this basis, staff have been careful not to be too restrictive, and to allow, where appropriate, people to have the opportunity to keep the animals and enjoy the lifestyle they want.
- 41 The draft bylaw is reasonably consistent with, but not the same as, the bylaws adopted by Invercargill City Council (ICC) and Gore District Council (GDC).

- 42 ICC places no limit on the livestock and the number of housed poultry that can be kept in urban areas, but the bylaw is drafted so limits can be imposed when necessary. ICC has more prescriptive rules around killing animals and processing meat.
- 43 As is proposed in the draft bylaw, GDC animal control bylaw does not allow people to keep livestock in town without a permit, and it places a cap on the number of poultry that can be kept in urban areas. In contrast, GDC does permit horses and it places restrictions on the number of beehives permitted on urban properties (maximum of one). GDC's bylaw also has rules about pet rodents.

Analysis

Options Considered

- 44 Staff have identified two practical options for how the Council could proceed:
- Option 1 – that Council endorse the draft bylaw (with any desired amendments) for consultation in accordance with the Special Consultative Procedure
 - Option 2 - that Council retain the status quo (with any desired amendments). This option would also require a consultation process to be undertaken.

Option 1 – endorse the draft bylaw for consultation in accordance with the Special Consultative Procedure

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• easy to read and to use• proposes a simple permit system• does not refer to the outdated District Plan, so brings the bylaw up-to-date• gives more clarity on where urban and industrial zones are• helps ensure people do not keep animals in a way that causes nuisance and health and safety issues• is in line with some community views as the draft bylaw sets rules to prevent nuisance and health and safety issues, without being overly prescriptive.• allows Council to take action when necessary• reasonably similar to the bylaws adopted by ICC and GDC, which makes it easier for people to know and apply the rules.	<ul style="list-style-type: none">• people may know the current dispensation system and take time to adjust to the new permit system• a more prescriptive bylaw may better prevent nuisance and health and safety issues• there may be support for having different rules for different communities• may not be supported by some people in the District.

Option 2 – retain the status quo (the current bylaw)

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• people may be familiar with the current bylaw, and know how the dispensation system works• helps ensure people do not keep animals in a way that causes nuisance and health and safety issues• is in line with some community views as the draft bylaw sets rules to prevent nuisance and health and safety issues, without being overly prescriptive.• allows Council to take action when necessary• reasonably similar to the bylaws adopted by ICC and GDC, which makes it easier for people to know and apply the rules.	<ul style="list-style-type: none">• not very easy to read or use• refers to the outdated District Plan• does not help clarify where there are urban and industrial zones• a more prescriptive bylaw may better prevent nuisance and health and safety issues• there may be support for having different rules for different communities• may not be supported by some people in the District.

Assessment of Significance

- 45 It has been identified that the decisions made in this report are not significant in relation to the LGA and Council's Significance and Engagement Policy.
- 46 Council has to assess the significance of all the issues it considers. This includes assessing the extent people are likely to be affected or interested in the matter. During the later stages of reviewing this bylaw, such as when the decision is made to adopt the final bylaw, the degree of importance of this matter may reach the threshold of being a significant decision.

Recommended Option

It is recommend that Council proceed with Option 1 and endorse the draft bylaw (with any desired amendments) for consultation in accordance with the Special Consultative Procedure.

Next Steps

Staff propose the following steps to complete the review of this bylaw.

DATE	ACTIVITY
12 March to 13 April 2020	Formal consultation period
7 May 2020	Report to Council presenting submissions and undertaking hearings
20 May 2020	Report to Council to present the bylaw for deliberation and adoption.

- 47 If Council endorses retaining the current bylaw, staff will make any desired amendments to the documents and present a draft bylaw to Council, to be endorsed for consultation.

Attachments

- A The Keeping of Animals, Poultry and Bees Bylaw 2010 [↓](#)
- B The Keeping of Animals, Poultry and Bees Bylaw 2010 - Dispensation for Ohai [↓](#)
- C Statement of proposal - Draft Keeping of Animals, Poultry and Bees Bylaw [↓](#)



The Keeping of Animals, Poultry and Bees Bylaw 2010

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

Pursuant to the provisions of the Local Government Act 2002 and the Bylaws Act 1910, the Southland District Council resolves to make the following Bylaw:

Short Title and Commencement

This Bylaw shall be known as the “Keeping of Animals, Poultry and Bees Bylaw 2010” and shall come into force on 5 July 2010.

Repeals

The Southland District Council Keeping of Animals, Poultry and Bees Bylaw 2005 is hereby repealed.

Definition

NUISANCE shall have the meaning assigned to it by the Health Act 1956.

1.0 Pig Keeping

1.1 No person shall keep or allow to be kept any pigs in a Southland District Urban Resource Area or Industrial Resource Area as identified in the Operative Southland District Plan.

1.2 No person shall keep any pigs so as to be or be likely to become or create a nuisance or any conditions injurious to health or offensive or in such a manner as to pollute or be likely to pollute any fresh or coastal water as defined in the Resource Management Act 1991.

1.3 No person shall construct or allow any pigsty to remain, or any pigs to be at large or to range, at a less distance than 50 m from any dwelling, or any wholly or partly occupied building, or any street or public place or any place used for the preparation, storage, or sale of food for human consumption, or from any boundary of any adjoining property.

2.0 Animal Keeping

2.1 No horse or other beast of burden, cattle, goats, deer or ostriches shall be kept or permitted to remain in a Southland District Urban Resource Area as identified in the Operative Southland District Plan unless the owner has first sought and obtained a resource consent from Council under the Resource Management Act 1991.

2.2 Where any such horse or other beast of burden, cattle, goats, deer or ostriches are kept in a building, the building shall be properly constructed in accordance with the New Zealand Building Code, and appropriate consent obtained where the proposed building is not exempt from the need of a building consent under Schedule 1 of the Building Act 2004

2.3 An Environmental Health Officer may impose a limit on the number of cats which may be kept on a private land (such limit being not more than five) where:

- (a) the Council has received a complaint about the number of cats kept on the private land; and
- (b) the officer considers that the number of cats is creating a nuisance or is likely to create nuisance; and

- (c) the person keeping those cats fails to comply with any reasonable request of the officer to abate or prevent the nuisance.

3.0 Poultry Keeping

3.1 No poultry, caged or otherwise, (which shall include geese, ducks, pigeons, turkeys and domestic fowls of all descriptions) shall be kept or permitted to remain in a Southland District Urban Resource Area or Industrial Resource Area as identified in the Operative Southland District Plan, except in a properly constructed poultry house covered in with a rainproof roof and provided with a floor of concrete or other approved material with a surrounding nib wall, to which a confined poultry run shall be attached. Every poultry house and poultry run shall be maintained in good repair, in a clean condition free from any offensive smell, vermin, or overflow. The maximum number of birds is limited to 10 on any individual property unless the owner has first sought the resource consent of Council under the Resource Management Act 1991.

3.2 No poultry house or poultry run shall be erected or maintained any part of which is within 10 m from any dwelling, factory, or any other building, whether wholly or partially occupied, or within its own height of the boundary of adjoining premises.

4.0 Noise from Animal, Bird or Fowl

4.1 No person shall keep within any premises, any noisy animal, bird, or poultry which shall be, or cause, a nuisance to residents in the neighbourhood.

5.0 Bee Keeping

5.1 No person shall keep bees in a manner that:

- (a) is, or is likely to become, a nuisance, or
- (b) is, or is likely to become, offensive, injurious to health, or dangerous.

5.2 The Council may prescribe conditions limiting the number of hives kept and the fixing of the location of such hives on the premises or place.

5.3 Where complaints are received in respect of the location of hives in any part of Southland District and the Chief Executive or Group Manager Environment and Community of the Southland District Council is satisfied, following consultation with the complainant(s) and owners of the hives, and with any other experts in the keeping of bees, that the location of the hives has resulted in bees causing a nuisance on any property located in the vicinity of the hives, then the owner of the hives may be directed to relocate or remove the hives completely.

6.0 Dispensing Power

6.1 It shall be lawful for the Council in any particular case or cases, by resolution, to dispense with any of the foregoing requirements of this Part of this bylaw.

7.0 Penalties


7.1 Every person who commits a breach of this Bylaw is liable to a fine not exceeding \$20,000 in any case.

This Bylaw has been made and confirmed by resolution passed at a meeting of the Southland District Council held 30 June 2010.

THE COMMON SEAL of the }
SOUTHLAND DISTRICT COUNCIL }
was hereunto affixed in the presence of: }



MAYOR



CHIEF EXECUTIVE



Keeping of Animals, Poultry and Bees Bylaw 2010

Dispensation for Ohai

Ohai Urban Zone:

(Approved by Council on 27 June 2012)

Clause 2.1 of the Keeping of Animals, Poultry and Bees Bylaw 2010 within the Ohai Urban Zone does not apply, in any case where the keeping of the animal meets all of the following conditions:

- a) the animals are confined to the property; and
- b) the owner or occupier of the property upon which the animals are being kept has given approval; and
- c) the animals do not cause any damage to a neighbouring fence or property; and
- d) the animals do not create a nuisance, as defined in the Health Act 1956.



Draft Keeping of Animals, Poultry and Bees Bylaw

Statement of Proposal – March 2020

1. Introduction

Southland District Council is reviewing its Keeping of Animals, Poultry and Bees Bylaw. This bylaw contains rules about keeping animals such as pigs, horses, poultry, cats and cattle, and about animal noise. This bylaw does not have any rules about dogs. Rules about dogs are in Council's Dog Control Bylaw.

To get information to help develop the draft bylaw, Council has sought feedback from a number of community groups and had discussions with a number of people in the District. Feedback identified that the currently bylaw is working quite well, and that no significant changes to the current bylaw are needed.

2. What is proposed?

The draft bylaw is included with this proposal as Attachment A.

The draft bylaw contains some general rules that aim to prevent nuisance, health and safety issues, the polluting of water ways, and animal related noise. The draft bylaw also has specific sections that provide:

- rules about keeping animals in areas that are zoned 'urban'
 - animals that aren't permitted in urban zones
 - restrictions on poultry
- rules about keeping animals in areas that are zoned 'industrial'
 - rules about pigs
 - restrictions on poultry
- provisions that relate to specific issues, including
 - restrictions on pigs and pigsties
 - that Council can impose a limit on the number of cats in specific circumstances
 - that Council can impose conditions on the number and location of beehives in specific circumstances
 - information about buildings for animals
- how to get a permit (to keep animals not otherwise permitted by the bylaw)
- dispensing power - that Council can forgo rules in the bylaw, in particular circumstances
- information about enforcement
- information about penalties.

The draft bylaw is similar to the current bylaw. Some of the changes that have been made, and the reason for the change, are:

PROPOSED CHANGE	WHAT IS IN THE CURRENT BYLAW	REASON FOR THE PROPOSED CHANGE
To have sections outlining the general rules that apply to everyone, the rules for urban zones, the rules for industrial zones, and other specific rules	In some sections, it is not clear where the rules apply (for example, which zone)	Clarity, readability

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To include a general rules section that states it is an offence to keep animals in a way that causes nuisance, health and safety issues, the polluting of water ways, or animal related noise	There is a section on animal related noise. There is no general rules section	To clearly identify the rules that apply to everyone. Clarity, readability
A permit system is proposed for people who want to keep an animal that is not permitted by the bylaw	The current bylaw refers to obsolete provisions in an outdated District Plan. It also states that to keep animals outside the bylaw, people have to get a consent under the Resource Management Act 1991. The current bylaw gives Council the authority to grant dispensations	The proposed permit system is similar to the dispensation system currently being used, which has been working well. Compared to getting a consent under the Resource Management Act 1991, a permit system has a simpler application process, is less expensive for applicants and is not subject to appeals
To include an appendix that lists the towns that have an urban zone, and to state in the definitions section where industrial zones are. The draft bylaw also includes some guidance on how to find the relevant parts of the District Plan	Refers to urban and industrial areas in the District Plan, but gives no practical guidance on the towns that have the zones, or how to view them	For ease of use. Staff are not proposing to include all of the relevant maps with the bylaw, as these maps may change before the bylaw is due to be reviewed
Making it an offence to kill animals or process meat in a way that is, or is likely to become, a nuisance, dangerous, offensive or injurious to health	Does not include any rules about killing animals or processing meat	To help prevent nuisance and health and safety issues
Not including different rules for Ohai in the draft bylaw	The current bylaw applies to all areas in the District, but a formal dispensation has been granted for the Ohai urban zone	To create consistency across the District. Staff believe the bylaw would become too complex and confusing if different rules were introduced for different towns. The permit system will allow people to keep animals not permitted by the bylaw
Including a specific list of animals that are prohibited, and removing the term 'beast of burden'. There is a change that llamas, emus, swans, chamois and thar would be prohibited in areas in an urban zone.	Does not permit horses or other beast of burden, cattle, goats, deer or ostriches in the urban zone.	To help prevent nuisance and health and safety issues.

In 2012, Council adopted a formal dispensation for Ohai that allows people in the Ohai urban zone to keep farm animals (such as horses, cattle, etc) in specific circumstances. When Council adopts a new bylaw, it may revoke the dispensation for Ohai and require people in Ohai to use the proposed permit system. If the dispensation for Ohai is going to be revoked, Council staff would work with Ohai residents to identify the best way to transition to the permit system. Council may re-issue permits for these residents under the proposed bylaw, at no cost to the resident; provided there is compliance with conditions in the current Ohai dispensation.

If Council adopts the draft bylaw, Council may treat dispensations that have already been granted to particular individuals (allowing people to keep an animal that would not otherwise be permitted under the current bylaw), as a permit under the draft bylaw. This would mean that the individuals who already have a dispensation, would not need to apply for a permit.

3. Reason for the Proposal

The key reasons for this proposal are:

- to protect the public from nuisance and to protect, promote and maintain public health and safety
- the current bylaw has been in place for nearly 10 years and legislation requires Council to review the bylaw
- to encourage people to give feedback on the draft bylaw
- to let people know how they can give feedback.

4. How to have your say

Council encourages any person or organisation with an interest in the draft bylaw to consider it and to give feedback.

Submissions will be accepted from 8am on 12 March 2020 and must be received **no later than 5pm on 13 April 2020**. Submissions can be made online at <https://www.southlanddc.govt.nz/my-council-/have-your-say/>

All submissions must state the submitter's name and their contact details. If you need help submitting please contact Council at 0800 732 732, or call in to one of Council's offices. Submitters should indicate in their written submission whether they would like to be heard on this matter. All written submissions made to Council will be acknowledged and made available to the public.

Council intends to convene a hearing on 7 May 2020, at which any party who wishes to do so can present their submission in person. Oral submissions will be heard in a Council meeting which is open to the public. If you indicate you would like to be heard in your written submission, Council staff will get in touch with you to arrange a time at the hearing. If you have any special requirements when appearing at the hearing (eg video conferencing or using sign language) please let us know.

If you indicate in your written submission that you do not want to be heard and then you change your mind, please get in touch with Council staff and we will try and accommodate you at the hearing.

5. Timetable for consultation

The dates below outline the timetable for the consultation process. Any changes to these dates will be publically advised on Council's Facebook page and website.

DATE	ACTIVITY
4 March August 2020	Council adopt the proposal for consultation
12 March 2020	Consultation period begins (8am)
13 April 2020	Consultation period ends (5pm)
7 May 2020	Oral submissions heard by Council (at Council offices, 15 Forth St, Invercargill)
20 May 2020 (or possibly June)	Council deliberate on this matter and adopt the draft bylaw
date TBC	Keeping of Animals, Poultry and Bees Bylaw comes into force

6. Options

The following options have been considered regarding how Council could proceed, after it has undertaken the consultation process:

Option 1 – adopt the draft bylaw

Option 2 – adopt an amended bylaw. This may include:

- changes to the types and numbers of animals permitted or how animals must be kept, across the District
- having different rules for different areas in the District (for example, it is possible Council may receive feedback that a particular community wants more liberal or restrictive rules for that community. If this occurred, Council may consider incorporating those rules into the bylaw)

Option 3 – retain the status quo (the current bylaw)

Analysis of Options

Option 1 – adopt the draft bylaw

Advantages	Disadvantages
<ul style="list-style-type: none"> • easy to read and to use • does not refer to the outdated District Plan, so brings the bylaw up-to-date • gives more clarity on where urban and industrial zones are • helps ensure people do not keep animals in a way that causes nuisance and health and safety issues • is not overly prescriptive • allows Council to take action when necessary • reasonably similar to the bylaws adopted by ICC and GDC, which makes it easier for people to know what the rules are likely to be. 	<ul style="list-style-type: none"> • people may know the current dispensation system and take time to adjust to the new permit system • a more prescriptive bylaw may better prevent nuisance and health and safety issues • may not be supported by some people in the District.

Option 2 - adopt an amended bylaw

Advantages	Disadvantages
------------	---------------

<ul style="list-style-type: none"> • an amended bylaw may better reflect community/stakeholder views • an amended bylaw may better prevent nuisance and health and safety issues. 	<ul style="list-style-type: none"> • an amended bylaw may not be as consistent and easy to use • an amended bylaw may not be as effective at preventing nuisance and health and safety issues. • may not be supported by some people in the District.
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Option 3 – retain the status quo

Advantages	Disadvantages
<ul style="list-style-type: none"> • people may be familiar with the current bylaw, and know how the dispensation system works • helps ensure people do not keep animals in a way that causes nuisance and health and safety issues • is not overly prescriptive • allows Council to take action when necessary • reasonably similar to the bylaws adopted by ICC and GDC, which makes it easier for people to know what the rules are likely to be. 	<ul style="list-style-type: none"> • not as easy to read or use • refers to the outdated District Plan • does not help clarify where there are urban and industrial zones • a revised bylaw may better prevent nuisance and health and safety issues • may not be supported by some people in the District.

7. Determinations

Council has made the following determinations in relation to the draft bylaw.

Most appropriate way of addressing the perceived problem – Council resolved that having a bylaw is the most appropriate way to address the nuisance and health and safety issues associated with keeping animals.

Most appropriate form of bylaw – Council resolved that the draft bylaw is the most appropriate form of bylaw. The draft bylaw has been drafted so that is easy to read and to use. Staff believe the draft bylaw is only creating necessary rules, and that it is not overly restrictive. The provisions in the bylaw allow Council to take action when nuisance and health and safety issues do arise. The bylaw has been made in recognition that many towns in the District are quite rural in nature.

Does not give rise to any implications under the New Zealand Bill of Rights Act 1990 - The New Zealand Bill of Rights Act 1990 grants certain civil and political rights to people in New Zealand. Council resolved that the provisions of the draft bylaw do not unreasonably interfere with any of the rights given pursuant to this act.

8. Legal rights and requirements

Council is required to consult on the draft bylaw in accordance with sections 83 and 86 of the Local Government Act 2002 (LGA). Council will satisfy these legal requirements. Council will also abide by the principles of consultation outlined in section 82 of the LGA.

9. Making an effective submission

Written submissions can take any form (eg online form, email, letter). An effective submission references the clause(s) of the draft bylaw you wish to submit on, states why the clause or change is supported or not supported and states what change to the clause or limit is sought.

Submissions on matters outside the scope of the draft bylaw won't be considered by Council as part of this bylaw review process.

Attachment A

Southland District Council

The Keeping of Animals, Poultry and Bees Bylaw

DRAFT

Southland District Council
Te Rohe Pōtae o Murihiku

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

1. Commencement

This bylaw shall come into force in the district on XX June 2020. This bylaw has been reviewed and adopted by a resolution passed at a meeting of Council held on XX.

2. Purpose

This bylaw is to:

- help protect people in the District from nuisance, and
- help protect, promote, and maintain the health and safety of people in the District.

3. Definitions

Council	means Southland District Council
District	means the area within the territorial boundary of Council
Industrial zone	means specific areas classified as 'industrial' under Council's operative District Plan. These areas can be located by selecting the 'District Plan' on Council's website (https://www.southlanddc.govt.nz/), and by viewing the 'District Plan maps'. There are industrial zones in Oban, Te Anau, Winton and in Riverton/Aparima
Nuisance	shall have the meaning assigned to it by the Health Act 1956
Poultry	includes chickens, geese, pheasants, pigeons, peafowl, ducks, quails and domestic fowl of all descriptions
Urban zone	means specific areas classified as 'urban' under Council's operative District Plan. These areas can be located by selecting 'District Plan' on Council's website, and by viewing the 'District Plan maps'. A list of the townships that have an urban zone, is included with this bylaw as Appendix A

4. General rules

It is an offence to keep animals, kill animals, or process meat in a way that is, or is likely to become, a nuisance, dangerous, offensive or injurious to health.

It is an offence to keep animals in a way that is, or is likely to pollute any fresh or coastal water as defined in the Resource Management Act 1991.

It is an offence to keep any noisy animal, bird, poultry or fowl, which is, or is likely to become, a nuisance to residents in the neighbourhood.

5. Rules for urban zone

Animals not allowed in an urban zone unless a permit is obtained

It is an offence to keep the following animals (including their young) on private land in an urban zone without obtaining a permit from Council:

- alpacas
- cattle/bison/buffalo
- deer
- donkeys/mules
- goats/chamois/thar
- horses/ponies
- llamas
- ostriches/emus
- pigs
- swans.

Restrictions on poultry

It is an offence to keep more than 10 poultry (that are over six months of age) on private land in an urban zone, without obtaining a permit from Council.

It is also an offence to keep poultry on private land in an urban zone, without obtaining a permit from Council, unless they are housed and contained appropriately. Poultry are housed and contained appropriately when:

- they are in a properly constructed house covered in with a rainproof roof
- the poultry house has a floor made of solid wood, concrete, or another appropriate material, with a surrounding nib wall where a poultry run shall be attached
- the poultry house/poultry run keep the poultry contained
- both the poultry house and any poultry run are least 10 metres from any dwelling, factory, or wholly/partially occupied building
- the poultry house and poultry run are at least two meters from any boundary not separated by a solid fence
- the poultry house and poultry run are clean and in good condition, and free from any offensive smell, overflow or vermin.

Additional information on keeping animals in an urban zone

There are no restrictions on keeping cats or bee hives on private land in an urban zone, unless specific restrictions have been imposed by Council.

There are no restrictions on the number of sheep that may be kept on private land in an urban zone.

6. Rules for industrial zone

Animals not allowed in industrial zone unless a permit is obtained

It is an offence to keep any pigs on land in an industrial zone without obtaining a permit from Council.

Restrictions on poultry

The same restrictions apply to keeping poultry in an industrial zone, as apply in an urban zone. These restrictions are outlined in section 5 of this bylaw.

7. Other specific rules

Pigs

It is an offence to build or allow any pigsty to remain, or any pigs to be at large or to range, at a less distance than 50 meters from a:

- dwelling
- wholly or partly occupied building
- street or public place
- place used for the preparation, storage, or sale of food for human consumption
- boundary of any adjoining property.

Cats

Council may impose a limit on the number of cats that may be kept on a private land (a limit being not more than five) where:

- Council has received a complaint about the number of cats kept on private land, and
- Council considers cats are being kept in a way that is, or is likely to become, a nuisance, offensive or injurious to health, and
- the person keeping the cats fails to comply with any reasonable request of the officer to abate or prevent the nuisance or health concern.

It is an offence to not comply with any limit imposed by Council, on the number of cats that may be kept.

Bees

Council may impose conditions limiting the number and location of hives on private land where:

- Council observes or receives a complaint that bees are being kept in a way that is, or is likely to become, a nuisance, dangerous, offensive or injurious to health, and
- Council has consulted with the complainant(s) (where possible), and
- Council has consulted with the person keeping the bees (where possible), and
- Council has requested the person keeping the bees to keep them in way that is not, or is not likely to become, a nuisance, dangerous, offensive or injurious to health (this may include specific requests such as moving a hive), and
- the person keeping the bees has failed to comply with Council's request.

Council may seek advice from experts in the keeping of bees through this process.

It is an offence not to comply with conditions imposed by Council, limiting the number and location of hives on private land.

Buildings for animals

Where animals are kept in a building, any required resource consent must be obtained. The building must also be properly constructed in accordance with the New Zealand Building Code, and appropriate building consent obtained where the proposed building is not exempt from the need of a building consent under Schedule 1 of the Building Act 2004.

8. Permits

To obtain a permit, please complete the 'Permit to Keep an Animal form' that is available on Council's website under 'Apply For It' and then under 'Environmental Health'.

To determine whether a permit should be granted, a Council staff member may choose to:

- seek further information from the applicant
- visit the premises to assess whether keeping the animal/s is appropriate
- require the applicant to seek approval from their neighbours.

If an application is successful, a written permit will be issued to the applicant by post or e-mail. The permit may include conditions about how the animal is kept. It is an offence to not comply with any conditions imposed by a permit.

9. Dispensing Power

It shall be lawful for Council in any particular case or cases, by resolution, to dispense with any of the foregoing requirements of this bylaw.

10. Enforcement

In addition to enforcing the provisions in this bylaw, Council may elect to take action relating to animals, poultry and bees under the Health Act 1956 or the Resource Management Act 1991.

11. Penalties

Every person who commits a breach of this bylaw is liable to a fine not exceeding \$20,000.

Appendix A - List of the townships that have an urban zone

- Balfour
- Browns
- Colac Bay/Oraka
- Edendale
- Lumsden
- Manapouri
- Mossburn
- Nightcaps
- Oban/Rakiura
- Ohai
- Otautau
- Riversdale
- Riverton/Aparima
- Te Anau
- Tokanui
- Tuatapere
- Waikaia
- Wallacetown
- Winton
- Wyndham

Submission on National Policy Statement for Indigenous Biodiversity

Record No: R/20/2/3822

Author: Rebecca Blyth, Senior Resource Planner - Policy, Resource Management

Approved by: Fran Mikulicic, Group Manager Environmental Services

☒ Decision

☐ Recommendation

☐ Information

Purpose

- 1 To present the draft Council submission on the Proposed National Policy Statement for Indigenous Biodiversity for endorsement.

Executive Summary

- 2 A draft submission prepared by staff is attached to this report for consideration and endorsement. Submissions on the Proposed National Policy Statement for Indigenous Biodiversity close on 14 March 2020.
- 3 The submission supports the intent of the proposed policy statement in principle but highlights the practical and financial challenges that the Council face in attempting to comply with the timeframes and milestones to be established.

Recommendation

That the Council:

- a) **Receives the report titled "Submission on National Policy Statement for Indigenous Biodiversity" dated 20 February 2020.**
- b) **Determines that this matter or decision be recognised not as 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) **Endorses the Submission on behalf of Southland District Council with any minor amendment arising from discussion at this meeting of Council.**

Background

- 4 Improving the national policy framework for managing and protecting indigenous biodiversity has been part of successive government's goals for the last 20 years. This is in response to the continued loss of native plants and animals in New Zealand, some of which are now extinct or considered to be threatened with extinction.

- 5 However, it has been difficult for all the different parties and stakeholders to reach consensus on how to intervene to address what is happening. Various policy proposals have been drafted and failed to reach support across all key stakeholders over the years.
- 6 In 2017 the Minister for the Environment established the Biodiversity Collaborative Group (BCG) to develop a national level policy for indigenous biodiversity. This was a stakeholder led group with a wide ranging membership tasked with the preparation of a draft policy and recommendations to the government. This was completed in October 2018.
- 7 The Ministry for the Environment and Department of Conservation continued to work on the proposed policy which was released for public comment in late November 2019. Submission close on this policy statement on 14 March 2020.

Issues

- 8 The Proposed Policy Statement presents a number of matters that will have significant implications for the manner in which Council allocates resources and connects with its community. The current role that Council has within maintaining and enhancing biodiversity is significantly widened and there will be greater accountability expected with regard to achieving the outcomes set out in the national policy.
- 9 The Council submission is attached to this report which provides more detail with regard to the specific implications of each part of the proposed National Policy Statement(NPSIB). However in summary:

Submission – Key Themes

- Southland District Council considers that it is **disproportionately impacted by the NPSIB**.
All New Zealander's benefit from Southland's indigenous biodiversity and yet all the costs of identifying and maintaining this indigenous biodiversity is borne by the 15,800 rate payers of the District Council, who also pay regional rates.
- The NPSIB is heavily reliant on regulatory intervention to achieve protection, maintenance AND restoration and enhancement. This is a costly and often adversarial approach. If local authorities had even a portion of the total funding that implementation will cost is that best invested in a regulatory framework – **What could be achieved if this funding was invested into relationship building and existing areas identified as priorities for restoration and enhancement?**
- The costs outlined in the draft Section 32 analysis¹ do not accurately capture and level of impact that this national direction will have on Southland District. Given the preliminary analysis undertaken by Council staff it has been concluded that Southland District Council will be **unable to achieve compliance with the milestones and timeframes** in the NPSIB.
- The NPSIB requires an assessment of all land within a territorial authority boundary, irrespective of ownership. Approximately 60% of land within the District is under the management of the Department of Conservation. **Southland District Council supports option 3 in the**

¹ Pg 182-187 NPSIB Section 32 Evaluation and CBA October 2019

discussion document², and further requests that assessments of crown land are funded by the Crown.

- Even with the removal of public conservation land from the total land area required to be assessed by Territorial Authorities, Southland District Council will require **significant external support** in terms of funding, resources, expertise and guidance to achieve the identification and mapping of SNA's. (Further analysis of the implications of part 3.8 NPSIB is provided below).
- Southland District Council will require **significant external support** in terms of funding, resource, expertise and guidance to achieve the additional requirements around managing all other indigenous biodiversity, monitoring and restoration.
- The impact of the requirements of the NPSIB needs to be considered alongside all other national direction currently being developed or recently established. The Local Government resource management planning sector is expected to deliver on a number of matters across a similar timespan as the NSPIB, all require additional capacity and capability. **This will have a significant impact on the sector and its ability to implement the NPSIB.**
- There are competing priorities for Southland District Council's resources including significant infrastructure investment in the next 10-30 years, all to be funded from the same source of funding. **Not everything will be able to be funded from the current sources of funding.**

Factors to Consider

Legal and Statutory Requirements

- 10 It is likely that given the level of cross sector support from key stakeholders involved in the development of the proposed NPSIB it will progress through to being gazetted (made law) by the government prior to elections. It is therefore a question of when, not if, the legal and statutory requirements become established.
- 11 Council has set timeframes under the proposed NPSIB to meet stated milestones with regard to the identification of significant natural areas and a regulatory framework within the District Plan to protect and manage these sites and activities within them.
- 12 Council will need to proactively consider the manner in which it wishes to meet these requirements.
- 13 With regard to making a submission, there is no legal requirement to make a submission. Council staff have prepared a submission in an attempt to continue to advise government on the practical implications of the proposed policy. It is likely that Council will need to establish a dialogue with government after the NPSIB is gazetted around the level of support that will be necessary to achieve the required timeframes and milestones. Staff consider that by making a submission on the proposed NPSIB this establishes an awareness by government of the key matters that will need resolution for Southland District Council.

² Pg 81-83 Discussion document on a proposed National Policy Statement for Indigenous Biodiversity, MfE, November 2019

- 14 It is also hoped that by making a submission the Council is able to influence the requirement to assess all land for the presence of SNAs and the associated monitoring costs of that. We are requesting that public conversation and crown land not be subject to the same requirements or that the assessment of that land is funded by the public body i.e. DOC, or LINZ.

Community Views

- 15 Consultation on the NPSIB has not been actively promoted by the government, they have utilised a 'soft release' approach. Given the policy was prepared initially by key stakeholders it is expected that those stakeholders have also communicated directly with their community.
- 16 There has been very little public comment or enquiry as far as staff are aware. There is still potential for the existence of the NPSIB and its requirements on Council to come as a surprise to the local rural community. It will be important for Council to have some key messages ready in preparation for beginning a conversation locally.
- 17 It is likely that there will be concerns within our local rural community as to what this will mean for day to day activities and any future plans for development they may have.

Costs and Funding

- 18 The preparation of the submission and analysis of the policy has been undertaken by council staff, supported by the Regional Planning Working Group.
- 19 The cost implications of the NPSIB once gazetted are significant and will require consideration through the preparation of the next Long Term Plan. It is anticipated that the funding of these requirements will be a matter that will need specific consultation through that process. Staff have been working together to ensure that these will be incorporated into that process.

Policy Implications

- 20 The policy implications of the NPSIB are significant. The District Plan will be required to be reviewed to achieve realignment with the national policy direction. The level of intervention currently established through the District Plan will be reviewed and extended at both a regulatory and non-regulatory level. This constitutes a significant shift in the policy approach previously taken by the Council.

Analysis

Options Considered

- 21 This report is to seek endorsement of the draft submission on the proposed NPSIB. Therefore there are two options available to council.

Analysis of Options

Option 1 – Do not submit on the NPSIB

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• Reduces staff time involved in this work stream.	<ul style="list-style-type: none">• The key themes of council position are not made clear to government, which inhibits the council's ability to influence the final policy.• Lost potential of building the case for significant external support to achieve the milestones expected by the NPSIB.

Option 2 – Submission made on the NPSIB

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• The key themes of council position are made clear to government• Utilises an opportunity to influence the final policy.• Raises the governments' awareness of likely level of external support the council will need to achieve the milestones and timeframes within the NPSIB.	<ul style="list-style-type: none">• Staff time is invested in finalising and lodging the submission.

Assessment of Significance

- 22 This report requests the endorsement of a draft submission on the proposed NPSIB. A decision to endorse the submission to be submitted is not considered to be significant in terms of Section 76 of the Local Government Act 2002. However, the subsequent consideration of the implications of the national policy will be significant and will be required to be addressed through the Long Term Plan process.

Recommended Option

- 23 It is recommended that Option 2 is selected. The Council is requested to endorse the draft submission, with any minor amendments arising from discussion at the meeting. This will authorise staff to make the submission on the Council's behalf.

Next Steps

- 24 Council staff will complete the submission and ensure it is made by the closing date of 14 March 2020.
- 25 Ongoing work is being undertaken with regard to the implications of the NPSIB and will be the subject of future reports, workshops and discussions.

Attachments

A Council submission on NPSIB March 2020 [↓](#)

Southland District Council

Submission on the Draft National Policy Statement for Indigenous Biodiversity

Introduction

Southland District Council has been actively engaged in the development of the Draft National Policy Statement having been involved in the following processes:

- 2018 - Territorial Authority reference group with the Biodiversity Collaborative Group attending workshops.
- 2019 - New Zealand Biodiversity Strategy/National Policy Statement Indigenous Biodiversity Territorial Reference Group with the Ministry for the Environment and Department of Conservation.
- 2019 – Section 32 Evaluation and Cost Benefit Analysis as a case study participant.
- 2020 – LGNZ submission working group and Case Study participant
- 2020 – Ministry for the Environment road testing participant
- 2020 – Submission on the Draft National Policy Statement for Indigenous Biodiversity (NPSIB)

The Council recognises the importance of maintaining indigenous biodiversity across New Zealand and supports in principle the objective of the Draft NPSIB. The Council released its limited policy resource to participate and contribute to the development of the national level direction in recognition that this will have a significant impact on the Council, its Community and New Zealand as whole.

The Council wishes to express its gratitude towards all parties in inviting representatives from Southland District Council to be involved in the various aspects of policy development and testing.

The goal of the Council in being actively engaged is to ensure it understands the practical implications of the proposed national direction and can plan accordingly. Throughout the process Council has sought to provide constructive feedback on how the NPSIB would practically be implemented. Therefore this submission is made with this experience and understanding in mind.

Southland District Context

Southland District Council has a large jurisdiction, equating to approximately 11% of New Zealand's total land area. Of that area 60% of the Districts total land area is managed as Conservation Estate by the Department of Conservation. The remainder of the District is made up of small settlements and large tracts of land that are predominately used for pastoral farming, the population is estimated to be 30,000 with approximately 15,800 rate payers.

The Southland District Plan was made operative in January 2018 with the resolution of the outstanding appeals on the Biodiversity Section. The Plan does not have mapped Significant Natural Area's and relies on a "blanket" clearance rule to manage the protection of indigenous vegetation.

Preliminary work towards a regional wide biodiversity assessment was initiated via a collaborative regional project in 2018. This collaboration has brought together all local authorities and Iwi and continues to prepare for significant work in this area.

Submission – Key Themes

Southland District Council strongly supports the submission from LGNZ, which represents the views of the sector at large. Southland District Council's submission focus is on the practical impacts of the policy direction on the District.

- Southland District Council considers that it is **disproportionately impacted by the NPSIB**.
All New Zealander's benefit from Southland's indigenous biodiversity and yet all the costs of identifying and maintaining this indigenous biodiversity is borne by the 15,800 rate payers of the District Council, who also pay regional rates.
- The NPSIB is heavily reliant on regulatory intervention to achieve protection, maintenance AND restoration and enhancement. This is a costly and often adversarial approach. If local authorities had even a portion of the total funding that implementation will cost is that best invested in a regulatory framework – **What could be achieved if this funding was invested into relationship building and existing areas identified as priorities for restoration and enhancement?**
- The costs outlined in the draft Section 32 analysis¹ do not accurately capture and level of impact that this national direction will have on Southland District. Given the preliminary analysis undertaken by Council staff it has been concluded that Southland District Council will be **unable to achieve compliance with the milestones and timeframes** in the NPSIB.
- The NPSIB requires an assessment of all land within a territorial authority boundary, irrespective of ownership. Approximately 60% of land within the District is under the management of the Department of Conservation. **Southland District Council supports option 3 in the discussion document², and further requests that assessments of crown land are funded by the Crown.**
- Even with the removal of public conservation land from the total land area required to be assessed by Territorial Authorities, Southland District Council will require **significant external support** in terms of funding, resources, expertise and guidance to achieve the identification and mapping of SNA's. (Further analysis of the implications of part 3.8 NPSIB is provided below).

¹ Pg 182-187 NPSIB Section 32 Evaluation and CBA October 2019

² Pg 81-83 Discussion document on a proposed National Policy Statement for Indigenous Biodiversity, MfE, November 2019

- Southland District Council will require **significant external support** in terms of funding, resource, expertise and guidance to achieve the additional requirements around managing all other indigenous biodiversity, monitoring and restoration.
- The impact of the requirements of the NPSIB needs to be considered alongside all other national direction currently being developed or recently established. The Local Government resource management planning sector is expected to deliver on a number of matters across a similar timespan as the NSPIB, all require additional capacity and capability. **This will have a significant impact on the sector and its ability to implement the NPSIB.**
- There are competing priorities for Southland District Council's resources including significant infrastructure investment in the next 10-30 years, all to be funded from the same source of funding. **Not everything will be able to be funded from the current sources of funding.**

Detailed Comments

Provision of NPSIB	Comment
Part 1.8 Definitions	SDC has concerns with the current definition for Indigenous vegetation, which currently covers all plants. This means that any area with singular indigenous species is captured by the proposed definition. SDC requests that the definition be reviewed and amended to enable pragmatic application within the context of the NPSIB.
Part 2&3 – Part 3.2, 3.3, 3.14 (toanga)	Current relationship and practices will facilitate the continued development and alignment of policy and practice in this area.
Iwi relationships	However, additional funding support for Iwi and Council will be necessary. This would enable additional staff time to be allocated to continuing to build relationships and facilitate identification processes.
Part 3.8, Appendix 1&2, SNA Identification	The identification of SNA's will require an exponential increase in funding, access to expertise, on the ground council staff (policy, specialist ecology, consents, compliance, and monitoring and liaison staff). It is unlikely that SDC will be able to achieve the timeframes of the NPSIB without significant support.
Part 3.8 – SNA identification and assessment	Implications of Part 3.8 for Southland District Council: How much is this going to cost? Local Context – what do we know about SNA's in Southland? Number of likely SNA's in Southland? Southland District Council (SDC) joined with all other Local Authorities in the Southland Region to initiate a desktop review of potentially significant areas of indigenous vegetation in the Southland Region.

Provision of NPSIB	Comment
	<p>This desk top review determined that there were approximately 3000 areas that are considered to be potentially Significant Natural Areas (SNA's) in the Southland District Council area. This excludes any land covered by DOC/QEII or reserve status, and is therefore the best case cost scenario for SDC.</p> <p>SDC has been given an estimate of \$3000 to complete a SNA assessment by an ecologist.³ This cost does not include staff time, liaison officer time or legal/administration time. This estimate does not take into account the potential size and remoteness of SNA locations.</p> <p>Therefore based on known information the cost of completing the SNA assessment process under Policy 3.8 is estimated to be in excess of:</p> <p style="text-align: right;">3000 sites x \$3000 = \$9 million</p> <p>With regard to assessments:</p> <p style="text-align: right;">3000 sites/ 5 years = 600 per year (completed assessments)</p> <p style="text-align: right;">OR 600 sites per year/46 weeks = 13 per week</p> <p>Costs:</p> <p style="text-align: right;">\$3,000 per site (ecologist only) = \$40,000 per week</p> <p style="text-align: right;">= \$1.8 Million per year</p> <p style="text-align: right;">= \$9 Million over 5 years</p> <p>What is the implications of this on rates?</p> <p>Note: this is an assessment of the ecologist only assessment cost NOT the entire process cost. There are a number of assumptions contained within this assessment related to timeframe funded over, number of sites, costs per site, timeframe to give effect to the NPSIB and any potential external contributions.</p> <p><u>Impact on total rates:</u></p> <p>Total rates 2019/2020 48,134,290</p> <p>If all funded in one year 18.70%</p> <p>If spread over three years 6.23%</p>

³ Estimate provided from Environment Southland in 2019, based on average cost of undertaking a High Value Area assessment through the joint council (ES & SDC) non-regulatory programme.

Provision of NPSIB	Comment															
	<p>How much of Southland could be considered an SNA?</p> <p>An assessment of the area of land likely to be considered SNA provides an indication of the magnitude of the assessment process to be undertaken by SDC. Furthermore, it also provides an understanding of how Southland will be affected by the rules required to be developed to implement part 3.9 – Managing adverse effects within SNA’s, and the requirements to monitor those SNA’s once identified (part 3.20).</p> <p>This information is drawn from material developed as part of the draft s32 analysis for the NSPIB of which Southland District was used as a case study⁴.</p> <p>Southlands total land area is: 3,019,840ha or approximately 11% of NZ</p> <p>Total potential SNA has been assessed as: 1,708,330ha or 57% of the District.</p> <p>It is acknowledged that a significant portion of the District is in public ownership. According to the data in the case study DOC land is estimated to equate to 60% of the total District land area.</p> <p>With regard to the proportion of land identified as potentially significant the following provides an ownership breakdown:</p> <table><tr><td>DOC</td><td>1,483,080ha</td><td>(87% of all potential SNA land)</td></tr><tr><td>Crown</td><td>96,086ha</td><td>(6%)</td></tr><tr><td>Maori land court</td><td>32,555ha</td><td>(2%)</td></tr><tr><td>Treaty settlement</td><td>2,380ha</td><td>(less than 1%)</td></tr><tr><td>General land</td><td>94,229ha</td><td>(6% approximately)</td></tr></table> <p>IF it is determined⁵ that public conservation land, AND Crown land does not need to be assessed and can be categorised as SNA (high/medium – to be determined) and achieving the NPSIB requirements become the responsibility of DOC, then the following implications are likely.</p> <p>Assessment of remaining land area - 129,164ha</p> <p>As a guide over the last 5 years under the highly valued areas programme (voluntary assessment) a total of 173 assessments have been completed covering 3,631ha. It must be noted that a large portion of that area was for one Landcorp farm which is crown land.</p> <p>Therefore an average of 726.20ha has been completed over the last 5 years.</p>	DOC	1,483,080ha	(87% of all potential SNA land)	Crown	96,086ha	(6%)	Maori land court	32,555ha	(2%)	Treaty settlement	2,380ha	(less than 1%)	General land	94,229ha	(6% approximately)
DOC	1,483,080ha	(87% of all potential SNA land)														
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Treaty settlement	2,380ha	(less than 1%)														
General land	94,229ha	(6% approximately)														

⁴ The Land Cover Database was used primarily to determine vegetative cover for the case study areas and it is acknowledged that this has drawbacks with regard to accuracy of classifications.

⁵ See page 81 of discussion document on NPSIB which sets out options for SNA's on public land

Provision of NPSIB	Comment
	<p>In terms of private property owners affected:</p> <p>4400 general properties are assessed as having potential SNA's, or 12.5% of all general properties.</p>
Part 3.15 Highly Mobile Fauna	<p>SDC does not support the inclusion of this aspect of the NPSIB.</p> <p>This is a complex area and the NPSIB creates confusion between the roles and responsibilities of agencies. For example the implementation of this part refers to local authorities, this term refers to both territorial and regional councils. In addition the Department of Conservation has a role in species management which is not acknowledged within this proposal. While it is unclear what species is to be captured by this clause there are many species likely to fall under this category that are already intensively managed by the department.</p> <p>There is a lack of clarity in what is considered "highly mobile". For example are bats, insects and seals intended to all be captured? Seals transverse both the marine and terrestrial environments and therefore cross jurisdictions of both councils and RMA plans.</p> <p>Alternatively if this aspect is retained SDC requests that the NPSIB should identify which specific species are to be considered as "highly mobile" and be inserted as an appendix to the policy statement.</p> <p>In addition, there is a lack of local capacity and capability and no in-house expertise to effectively implement these requirements. Access to specialists is limited in this geographical area, with consultants being required to be sourced from outside the region. The NPSIB also requires ongoing monitoring of those highly mobile species identified as being at risk and threatened, this would compound the ongoing capacity and capability challenges and be a significant cost to Southland District Council.</p> <p>SDC would require significant external expert support to assess and develop measures to implement the NPSIB as it is currently drafted.</p>
Part 3.9, 3.10, 3.12 Managing activities in SNA's	<p>The effects management framework and its relationship with high and medium SNA classification is unclear. This will create outcomes that are contrary to the objective of the NPSIB to provide direction for nationally consistent policy and regulatory provisions.</p> <p>SDC recommends that high and medium classifications be removed, and the effects on SNA's managed through directive policies for avoiding specific effects (i.e. similar to 3.9(1)) and all other effects through the hierarchy. The resource consent process can provide an appropriate process for assessing activities and protecting SNA's.</p> <p>SDC also recommends that a National Environmental Standard be created to establish the nationally consistent rules to achieve Part 3.9., 3.10, 3.12, and 3.13)</p> <p>The plan change process to incorporate SNA's and the associated direction in the NPSIB will have significant costs associated with it. The Southland District Plan cost one million dollars spread over 10 years to review and</p>

Provision of NPSIB	Comment
	<p>reach operative state. This was a very straightforward review with few controversial issues. It is likely that the development of the biodiversity plan change and incorporation of the SNA mapping will attract a greater number of submissions and cost at least the same amount as the previous plan review.</p> <p>The existing use approach regarding pastoral farming undermines the current SDC policy approach and will make implementation difficult requiring additional expertise and on the ground staff. The SDC plan currently provides for a level of continued clearance where land has previously been cleared before, but only of vegetation that has naturally regrown since 2000.</p> <p>Part 3.12 provides much greater scope and introduces ambiguity in the terminology used. What is considered 'periodic', a 'regular cycle' and 'improved pasture' will be open to interpretation and may undermine the objectives of the NPSIB.</p> <p>SDC does not have capacity to undertake the required monitoring of SNA's in an ongoing manner for state of the environment or district plan effectiveness.</p> <p>Successful implementation will also be reliant on achieving a significant community shift in valuing the role of biodiversity.</p>
Part 3.13 General Rules	<p>Careful consideration needs to be given to how this part interacts with the current definition of indigenous vegetation. SDC supports in principle the concept of a two tiered approach to managing impacts on indigenous biodiversity. However to ensure that this is implemented effectively this will require a greater investment in monitoring and assessment of consent applications than currently provided for, alongside a significant shift in community perspectives regarding biodiversity.</p>
Part 3.16, 3.17, 3.18 – Restoration and Enhancement	<p>SDC supports the concept of a comprehensive regional biodiversity strategy that facilitates action towards a clear vision and goal.</p> <p>SDC however has concerns regarding the strong direction regarding restoration and enhancement being facilitated through methods in resource management plans, including the ability to impose or review restoration or enhancement conditions on resource consents and designations. These are appropriate within a non-regulatory strategy which provides flexibility and tools outside of the RMA to facilitate long term changes through relationship building and community participation.</p> <p>From a practical perspective, while these policies are directed at regional councils the only way to achieve changes to land use, development and subdivision are through District Plan provisions. These provisions will require additional staff and expertise beyond that currently approved.</p> <p>There is a strong direction within the NPSIB regarding the provision of incentives and actions to meet set targets. This will necessitate an increase in an investment in actions outside of regulation beyond the current level of funding. This will be subject to the Long Term Plan process which involves allocation of funding across many</p>

Provision of NPSIB	Comment
3.20 Monitoring	competing priorities for local government. There is a risk that funding will not meet priority criteria when compared against other critical projects.
	With regard to the practical implementation of monitoring, it is difficult to see how national consistency in methods and areas monitored can be achieved without greater direction in the NPSIB.
	SDC recommends that greater direction is provided within the NPSIB to ensure that the outcomes desired from the NSPIB can be achieved, and that progress towards the overall goal of maintaining indigenous biodiversity can be measured.
	While this requirement is the responsibility of the Regional Council the impact of additional environmental monitoring, and additional effectiveness and efficiency monitoring will translate into additional requests for funding and support from Territorial Authorities as well. This will be well in excess of SDC's current investment in staff and resourcing for all RMA monitoring. SDC currently has 0.5FTE allocated to all RMA consent monitoring, compliance and enforcement.
	Plan monitoring is incorporated into the 1.3FTE policy staff work load.
	SDC understands that regional councils have had preliminary discussions regarding agreed indicators and that initial costs by Southland Regional Council estimated that for a base level of monitoring would potentially cost 1.7 Million dollars for Southland region. This does not include monitoring of mobile species.

Thank you for the opportunity to submit on this proposal. Southland District Council appreciates your consideration of the matters raised in the submission above and look forward with interest to the outcome of this submission phase on the NPSIB. If there any questions regarding the matters raised in this submission please contact Rebecca Blyth – Environmental Policy Lead via email Rebecca.blyth@southlanddc.govt.nz or phone 0800732732.

Details on the Financial and Reserve Contribution Fund

Record No: R/20/2/3734
Author: Shelley Dela Llana, Accountant
Approved by: Anne Robson, Chief Financial Officer

☒ Decision ☐ Recommendation ☐ Information

Purpose

- 1 The purpose of this report is to provide a breakdown of the financial and reserve contribution fund, outlining what the fund is made up of and any conditions or commentary around the funds remaining and what they can be used on. This report also follows previous requests by the Edendale-Wyndham Community Board about providing an update on contributions from Fonterra.
- 2 It will also seek to get the Council's support for the partial use of the fund towards the purchase of reserve land at Curio Bay.

Executive Summary

- 3 This report has previously been presented to the Community and Strategy Committee and is being brought to Council to seek confirmation.
- 4 The financial and reserve contribution fund is made up of financial contributions collected under the Resource Management Act 1991 (RMA) and collected via the Southland District Plan (principally from Fonterra) with interest allocated to the reserve annually.
- 5 Two key issues discussed in the report include:
 - what to do with funds previously allocated for the Edendale hall and school layby project that have been since cancelled
 - background to the request from Council to look at funding options for the purchase of reserve land at Curio Bay
- 6 A third issue, looking at changes to the process of allocation of monies remaining in this fund, will be discussed in a separate report in this meeting agenda.
- 7 At the 30 June 2019, the reserve had \$619,704. \$402,173 of this was remaining contributions from Fonterra of which \$400,095 has been allocated. The balance of \$217,531 is related to interest earned on the reserve over the years.
- 8 As part of issuing resource consents to Fonterra or its namesakes in the past, Council and Fonterra had a number of discussions and/or noted in the resource consent correspondence potential uses of the fund or guidance on the manner in which some would be allocated. This is noted further in the report.

Recommendation

That the Council:

- a) **Receives the report titled “Details on the Financial and Reserve Contribution Fund ” dated 25 February 2020.**
- 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) **Notes the discussions and comments sent to or had with Fonterra as part of the resource consent approval process on the potential use of financial contributions paid by them or the process that would enter into around any allocation**
- e) **Supports the proposed funding of the purchase of land for a reserve at Curio Bay from the financial and reserve contribution reserve up to \$319,800, noting that other sources of funding are still being investigated**
- f) **Seek feedback from Fonterra representatives and the Waihopai Toetoe Community Board as to their support of the use of Fonterra financial contributions to fund the land at Curio Bay for a public reserve before Council makes the final decision on how the Financial and Reserve contribution reserve is to be allocated.**
- g) **Requests that Cr Keast, Cr Duffy, Group Manager of Environmental Services and the Team Leader of Resource Management meet with Fonterra representatives.**

Background

- 9 As part of the grant funding review being undertaken, Council’s financial team have undertaken a review of the monies received and granted to date. As part of this process, Council staff have identified any correspondence with contributors that further identified the use of the contributions received or the ways in which Council would be looking to distribute the monies.
- 10 Staff have subsequently identified that a number of the resource consents issued with Fonterra and its namesakes, noted or made comment about how each would be spent in the correspondence sent to them on issuing of the consent or, in one case, as a result of the appeal of the financial contribution charged.

- 11 As at 30 June 2019, the fund had a total reserve of \$619,704. A breakdown of this reserve indicates the following:

Analysis of Financial & Reserve Contribution Reserve		\$
Unallocated Fonterra contributions		\$2,078
Fonterra funds allocated to the building of a new Edendale hall, since returned due to the decision not to proceed with the hall		\$198,750
Fonterra funds allocated for the Edendale School layby project		\$100,436
Fonterra funds allocated for the Edendale water supply scheme		\$100,909
		\$402,173
Interest earned		\$217,531
Total		\$619,704

- 12 The table below provides further analyses and outlines the six financial contributions that have been received from Fonterra or its equivalent namesakes since 1997 totalling \$894,018 (GST excl). The table details the amount spent to date, the funds remaining as well as any relevant correspondence identified regarding the use of the funds.

Year	Contribution excl GST	Amount Spent	Amount Remaining	Discussions/Consent letter comments relating to amounts remaining
1997	\$2,933	\$2,933	-	
1998	\$171,907	\$171,907	-	
1999	\$15,333	\$13,255	\$2,078	Nothing identified.
2002	\$225,000	\$155,000	\$70,000	Discussion that \$90k for district wide activities and \$135k for use in the Edendale/Wyndham area. The remaining \$70k was for the Edendale hall upgrade that has been cancelled.
2003	\$277,500	\$148,750	\$128,750	Letter where the committee declined to resolve how the money was to be allocated however noted that prior to any allocation consultation by Council staff would occur with the Edendale and Wyndham Community Boards.
2008	\$201,345	-	\$201,345	Letter identifying \$100,436 to Edendale School for the school layby project and \$100,909 for the purposes of a community water supply scheme.
	\$894,018	\$491,845	\$402,173	

- 13 Council is legally bound by the conditions it imposed as part of the resource consent. The narrations above were not part of the conditions but were included in the correspondence with Fonterra either:
- advising of the consent; or
 - the appeal to the consent by Fonterra; or
 - in correspondence by the Resource Consent Hearing committee at times about the potential use of funds
- 14 Staff recognise that although Council is not bound by these discussions, they recognise the value Council places on the relationship with Fonterra. Accordingly staff have included a recommendation in the report suggesting a general discussion be had with Fonterra advising of the potential use of funds and seeking feedback from them before Council makes a final decision.

- 15 The interest that has been earned on the reserve has no restrictions attached to it. However this does not stop the Council from establishing some criteria around its future use.
- 16 For background, Attachment One includes a schedule of the monies allocated to date.
- 17 In 2002 the manager of resource planning at the time presented a report to the Policy Committee. This report outlined the background to the \$225,000 financial contribution charged and the reasons why the Resource Planning committee identified specific projects the money was to be used on as part of the consent correspondence. It drew the committee's attention to Section C and D of the District Plan over the purpose and use of the funds, which is detailed in the legal and statutory section below. The report also noted the legal cases that were occurring at the time and the potential cost and delay in the decision making process should it have gone to the Environment Court. It then went on to outline the projects that had been agreed for the \$225,000 and the company's strong desire to see a substantial amount of its contribution targeted towards the Edendale and Wyndham areas.
- 18 On the 11th February this report went up to the Community and Strategy committee, in discussing they requested that staff prepare an additional recommendation to Council outlining who would meet with Fonterra representatives. Subsequent discussions have resulted in recommendation g, noting the appropriateness of Cr Keast, Cr Duffy, the Group Manager of Environmental Services and the Team Leader of Resource Management meeting with Fonterra representatives.

Issues

- 19 There are potentially three discussion points/issues that the Council needs to consider and provide direction over:
- discussion around the current committed funds for the Edendale School layby project of \$100,436 and monies remaining from the Edendale hall project cancellation of \$198,750
 - the potential application of funds towards the purchase of part lot 300 dp526128 at Curio Bay, further to a resolution of Council
 - the future use of the funds and any application criteria the Council may see as relevant for the granting of funds taking into account correspondence with Fonterra over how the monies would be spent or with whom consultation would occur. A separate report in this meeting agenda has been prepared to discuss this issue further.
- 20 Additionally monies tagged for the Edendale water supply scheme will be allocated to the appropriate Council reserve for spending on the scheme.

Edendale School layby project and Edendale hall

- 21 Discussions with Councillor Duffy indicate that this project was in response to safety concerns by the school given its location immediately beside state highway one.
- 22 Indications are that the layby planned was to enable the dropping off and picking up of school children safely. By all accounts this project was put on hold when NZTA announced the potential re-alignment of the state highway. This realignment has recently been completed.

- 23 Funds were also set aside for the Edendale hall. Following many years of investigation the decision was made at the Edendale- Wyndham Community Board meeting on the 22 March 2016 not to proceed with the development of the hall.
- 24 Given that both of these projects have been cancelled, the funds previously committed would now be available for other uses in line with the purpose of collection as noted in the District Plan.

Purchase of reserve land at Curio Bay

- 25 On the 14 November 2019, Council resolved to “*purchase part lot 300 DP 526128 containing 4500 square metres more or less for \$319,800 plus gst for a recreation reserve to be funded by way of a district wide loan against the curio bay district reserve*”. Additionally it also “*request staff to investigate additional funding sources to reduce the amount of the loan such as funding from the Reserve and Development Contributions and that where additional funding is obtained that this is used to reduce the loan*”.
- 26 This property is in the Porpoise Bay/Curio Bay area and has seen significant growth in visitors, with over 100,000 per annum. Council owns or administers the adjacent land to the south and the Curio Bay Reserve including the adjacent camping ground. Regarding the purchase of lot 300, it was stated that it provides a better configuration for future land management overall, especially given the increasing pressure for physical space in this locality.
- 27 As noted in Schedule 6.22 of the District Plan 2001, subsection 2.6(d);
- (a) *The use of the financial contribution shall be for one or more of the following in the Edendale Township, its environs or the District generally;*
- *Offsetting additional demands on infrastructure and utility services by Council.*
 - *Offsetting additional demands on community and recreational facilities.*
 - *Restoring or enhancing amenity values.*
 - *Restoring or enhancing open space and landscaping*
- 28 As such, the purchase of the land is in line with the use defined in the District Plan.
- 29 Given this and Council’s earlier resolution to purchase the land, staff are recommending that the Fonterra contributions be used to fund the balance of the property up to \$319,800 after the application of any other funding sources currently being investigated.
- 30 If the Council supports the purchase of the land from this fund, it is proposed to use the balance of Fonterra contributions first, with the use of any interest accrued to make up the difference.

Factors to Consider

Legal and Statutory Requirements

- 31 Under section 108(2)(a) of the RMA, financial contribution conditions can be imposed subject to section 108(10) which states,

A consent authority must not include a condition in a resource consent requiring a financial contribution unless

(a) The condition is imposed in accordance with the purposes specified in the plan... and

(b) The level of the contribution is determined in the manner described in the plan...

- 32 The District Plan 2001, section 6, schedule 6.22 Edendale Dairy Plant Development Concept Plan, subsection 2.6 para a to d state;

(a) The Council may impose a financial contribution for developments in the Edendale Dairy Plant Development Concept Plan Area the value of which exceed \$500,000

(b) The financial contribution shall not exceed 0.5% of the value of the development

(c) The purpose of the imposition of the financial contribution shall be to remedy, mitigate or offset adverse effects arising from, in consequence of, or in association with, any development.

(d) The use of the financial contribution shall be for one or more of the following in the Edendale Township its environs or the District generally

- Offsetting additional demands on infrastructure and utility services provided by Council*
- Offsetting additional demands on community and recreational facilities.*
- Restoring or enhancing amenity values*
- Restoring or enhancing open space and landscaping*

Community Views

- 33 The contributions collected are done so under the Resource Management Act. As noted under the legal and statutory requirements section above, the District Plan outlines the criteria under which monies are collected and the reasons for the collections of the monies.
- 34 Having said this and, keeping in mind the previous correspondence and discussions with Fonterra, it is recommended that Council does liaise with Fonterra and the Waihopai Toetoe Community Board to inform them of the proposed use of funds and seek their feedback before making a final decision on the use of the funds collected from Fonterra.

Costs and Funding

- 35 There are no costs associated with this report.
- 36 As noted previously, a separate report on the Council agenda discusses possible criteria around the potential use of any remaining funds.

Policy Implications

- 37 Discussion around the relevant sections of the District Plan are noted in the legal and statutory section above.

Analysis

Options Considered

- 38 The options are to either support or not support the funding of the purchase of land for a reserve at Curio Bay from the financial and reserve contribution reserve up to \$319,800, noting that other sources of funding are still being investigated.

Analysis of Options

Option 1 – Support the funding of land to be purchased for a reserve at Curio Bay from the financial and reserve contribution reserve up to \$319,800 noting that other sources of funding are still being investigated

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">The purchase is in line with the use of the funds identified in the District Plan.	<ul style="list-style-type: none">The funds will not be available for any other purpose the Council may consider desirable.

Option 2 – Not support the funding of land to be purchased for a reserve at Curio Bay from the financial and reserve contribution reserve up to \$319,800 noting that other sources of funding are still being investigated

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">The funds will be available for other projects identified by the Council which are in line with the District Plan uses.	<ul style="list-style-type: none">Rates funding will be needed to fund the loan repayments for the purchase of the land which will still be purchased.

Assessment of Significance

- 39 In terms of Council's significance policy, this issue is not considered significant. Notwithstanding this, Fonterra and the Waihopai Toetoe Community Board do have a specific interest in this matter and as such, it is recommended that Council liaises with them both, informing them of the proposed use of funds and seeking any feedback before making a final decision on the use of the funds collected from Fonterra.

Recommended Option

- 40 Option 1 – Support the funding of land to be purchased for a reserve at Curio Bay from the financial and reserve contribution reserve up to \$319,800 noting that other sources of funding are still being investigated.

Next Steps

- 41 Councillors and staff to organise a meeting with Fonterra.

- 42 Finance staff will get a copy of this report included in the next agenda of the Waihopai Toetoe Community Board.
- 43 Continue to investigate the other funding sources available to fund the purchase of the land.

Attachments

- A Allocations paid to date from Financial & Reserve Contribution Fund [↓](#)

Attachment 1 - Financial Contribution Allocations

	\$
Biodiversity Initiatives Grant	20,000
Curio Bay Toilets	100,000
Lumsden Toilet	15,000
Riversdale First Response unit	2,500
District Wide amenity fund - Manapouri Frasers Beach	20,000
District Wide amenity fund - Moturua Gardens	8,000
District Wide amenity fund - Greenheart	10,000
District Wide amenity fund	17,000
Edendale Bowling Club whiteware upgrade	1,000
Edendale Volunteer fire brigade replace vehicle	11,500
Edendale Community Pool	12,000
Edendale Darts club - exterior painting & Interior	1,000
Edendale Presbyterian building upgrade	15,000
Edendale Primary School Playground	15,000
Edendale Primary School Tennis Court	30,000
Edendale Rugby Club hot water upgrade & Storage	8,000
Edendale Scout Group	25,000
Edendale Scouting Assn Hall repairs	600
Edendale Seaward Road Stormwater Upgrade	48,000
Edendale Township Water Supply upgrade	10,000
Edendale Vintage Machinery	33,750
Edendale First Response Units	2,500
Wyndham/Edendale Stormwater upgrade	40,000
Wyndham Edendale Comm Trust - Defibrillator & Laptop	5,995
Wyndham and Districts Rest Home	20,000
Wyndham Playground	20,000
	491,845

Summary

	\$	%
<u>Waihopai Toetoes Ward</u>		
Edendale Projects	213,350	
Wyndham Projects	40,000	
Edendale/Wyndham Projects	45,995	
Curio Bay Toilet	100,000	
	399,345	81%
<u>District Wide</u>		
District Wide Amenity Fund	55,000	
District Wide - Biodiversity Fund	20,000	
District Wide Toilets (Lumsden)	15,000	
District Wide - First respons unit (Riverton)	2,500	19%
	92,500	
	491,845	100%

Monthly Financial Report - January 2020

Record No: R/20/2/4375
Author: Dee Patel, Project Accountant
Approved by: Anne Robson, Chief Financial Officer

☐ Decision ☐ Recommendation ☒ Information

Summary

1. The purpose of this report is to provide Council with an overview of the financial results to date by the nine activity groups of Council, as well as the financial position, and the statement of cash flows.
2. This report summaries Council financial results for the seven months to 31 January 2020.

Recommendation

That the Council:

- a) **Receives the report titled “Monthly Financial Report - January 2020” dated 24 February 2020.**

Attachments

- A Monthly Financial Report - January 2020 [↓](#)

Monthly Financial Report

January 2020

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Executive Summary

1. This Monthly Financial Report summarises Council's financial results for the seven months to 31 January 2020.
2. The Monthly Financial Report Summary consolidates the business units within each of Council's Groups of Activities.
3. The Monthly Financial Report includes:
 - Year to Date (YTD) Actuals, which are the actual costs incurred,
 - Year to Date (YTD) Projection, which is based on the full year projection and is a combination of the Annual Plan and carry forwards,
 - Year to Date (YTD) Budget, which is based on the full year Annual Plan budget with adjustments for phasing of budgets,
 - Full Year (FY) Budget, which is the Annual Plan budget figures,
 - Full Year (FY) Projection, which is the Annual Plan Budget figures plus the carry forward, and forecast adjustments.
4. Phasing of budgets occurs in the first two months of the financial year, at forecasting and when one-off costs have actually occurred. This should reduce the number of variance explanations due to timing.
5. Where phasing of budgets has not occurred, one twelfth of annual budgeted cost is used to calculate the monthly budget.
6. Southland District Council summary reports use a materiality threshold to measure, monitor and report on financial performance and position of the Council. The materiality threshold adopted by Council, together with annual budget for 2019/2020 is variances more or less than 10% of the original adopted budget and greater than \$10,000 in value.
7. Report Contents:
 - A. Council Monthly Summary
 - B. Council Summary Report - Income and Expenditure and Commentary
 - C. Statement of Comprehensive Income
 - D. Statement of Financial Position and Movement Commentary
 - E. Statement of Cash Flows.

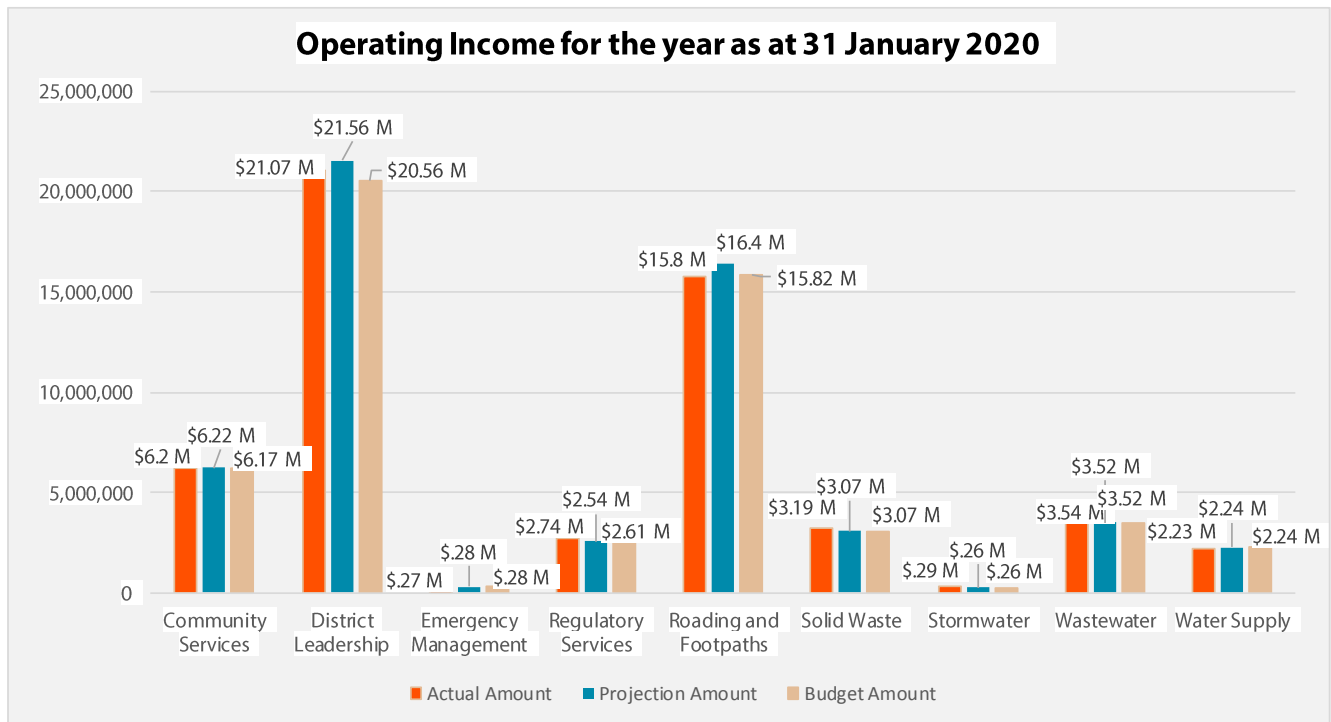
Abbreviation Explanation

Abbreviation	Description
AP	Annual Plan
CAPEX	Capital Expenditure
ELT	Executive Leadership Team
FYB	Full Year Budget
GDC	Gore District Council
GIS	Geographic Information System
GMSE	GeoMedia Smart Client
GST	Goods and Services Tax
ICC	Invercargill City Council
LED	Light Emitting Diode
LTP	Long Term Plan
ME	Month End
NZTA	New Zealand Transport Authority
SDC	Southland District Council
SIESA	Stewart Island Electricity Supply Authority
YE	Year End
YTD	Year To Date
YTD Variance	Comparison of actual results compared to YTD budget
\$M	Millions of dollars

A. Council Monthly Summary

1. Income

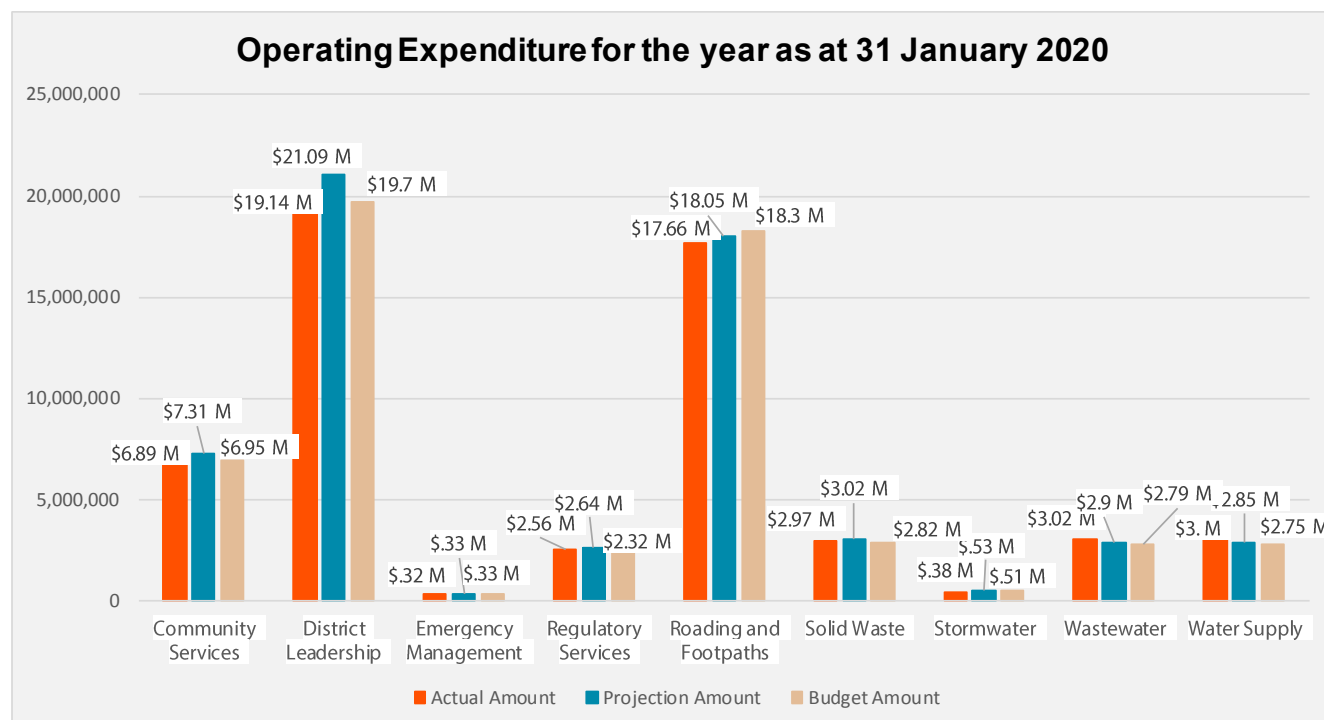
Operating Income is \$761K (1%) under projection for YTD (\$55.3M actual vs \$56M projected).



Overall, revenue is generally on track with projection. **Roothing and Footpaths** is under projection by \$601,198 (4%) due to the timing of works occurred, therefore NZTA income is \$733K under projection as well as Transit recoveries \$89K under projection.

2. Expenditure

Operating Expenditure is \$2.8M (5%) under projection for the YTD (\$55.9M actual vs \$58.7M projection).



Community Services operating expenditure is \$420,741 (6%) under YTD projection.

- **Cemeteries** is \$78,533 (39%) under projection, whilst most budgets are under spent within this activity the largest items are interment costs at \$28,000, however maintenance is also underspent due to the time of the year and the prolonged wet period.
- **Community Centres** is \$73,821 (16%) under projection. This is spread across the majority of the halls and is due to the non-Council owned halls who have not uplifted their rates.
- **Council Facilities** is \$48,253 (3%) under projection due to maintenance for the Invercargill office, this is due to impending decisions that will be made by Council on the future of the building. The maintenance for the Te Anau office is also under projection as Council is yet to invoice for work completed that will bring the expenditure back in line.
- **Grants and Donations** is \$37,183 (4%) under projection, many of the grants are paid out at the beginning of the year and then the others in February in the next year, so there are always variances in the YTD.
- **Library Service** is \$100,164 (10%) under projection, related to staff vacancies, additionally a number of budget lines that need to be phased to later in the year (Online Databases, Internet Expenses).
- **SIESA** is \$78,318 (7%) under projection. Management fees and fuel charges projection were increased during the October forecasting round and actuals have come in lower than projected. Depreciation charges are also lower than projection as a number of capital works have not been undertaken in prior years.

District Leadership operating expenditure is \$1,944,112 (9%) under YTD projection, this is mainly due to:

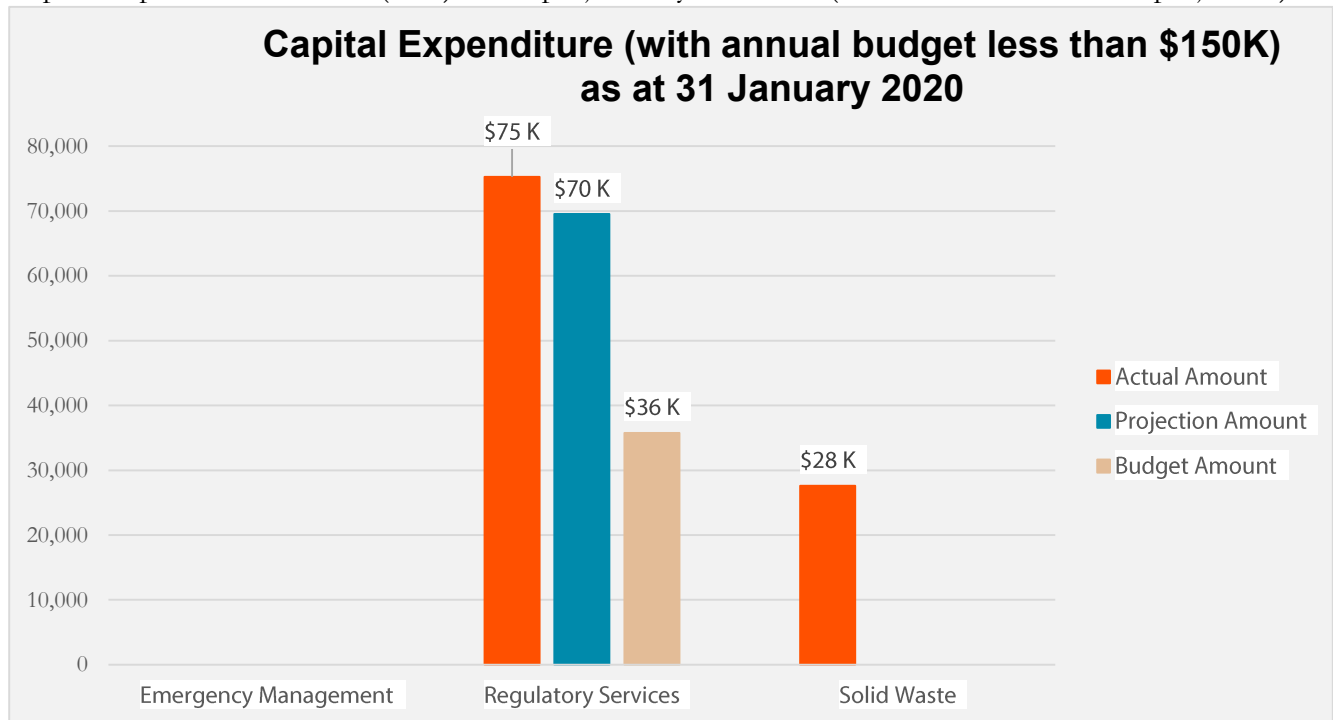
- **Communications and Engagements** is \$91,817 (15%) under projected spend due to the timing of project work undertaken.
- **Information Management** being \$262,156 (15%) under projected spend due to a reduction in staff due to staff vacancies (\$150K). We are projecting to be under projection at year end, additionally the funding of the Go Get project is also under projected by \$100K. This will be phased and we are on track to be on projection by year end.
- **Milford Opportunities Project** being \$455,202 (98%) under projected spend. We are currently working through the contract with the consultant team to undertake the work. This will mean an intensive first six months of work so there will be significant expenditure before the end of the 2019/2020 financial year.
- **Council and Councillors** is \$60,942 (9%) under projected spend. This will be fully spent as the year progresses as we have increased remuneration for both Councillors and community board members.
- **Strategy and Communication** is \$201,528 (7%) under projected spend. The expenditure in this activity is a direct charge through from the activities discussed elsewhere in this report. The activities that contribute to this are financial services, people and capability, property and spatial services, knowledge management, communications and engagement, engineering administration and engineering consultants.

Roading and Footpaths operating expenditure is \$391,424 (2%) under YTD projection, with the main contributor being:

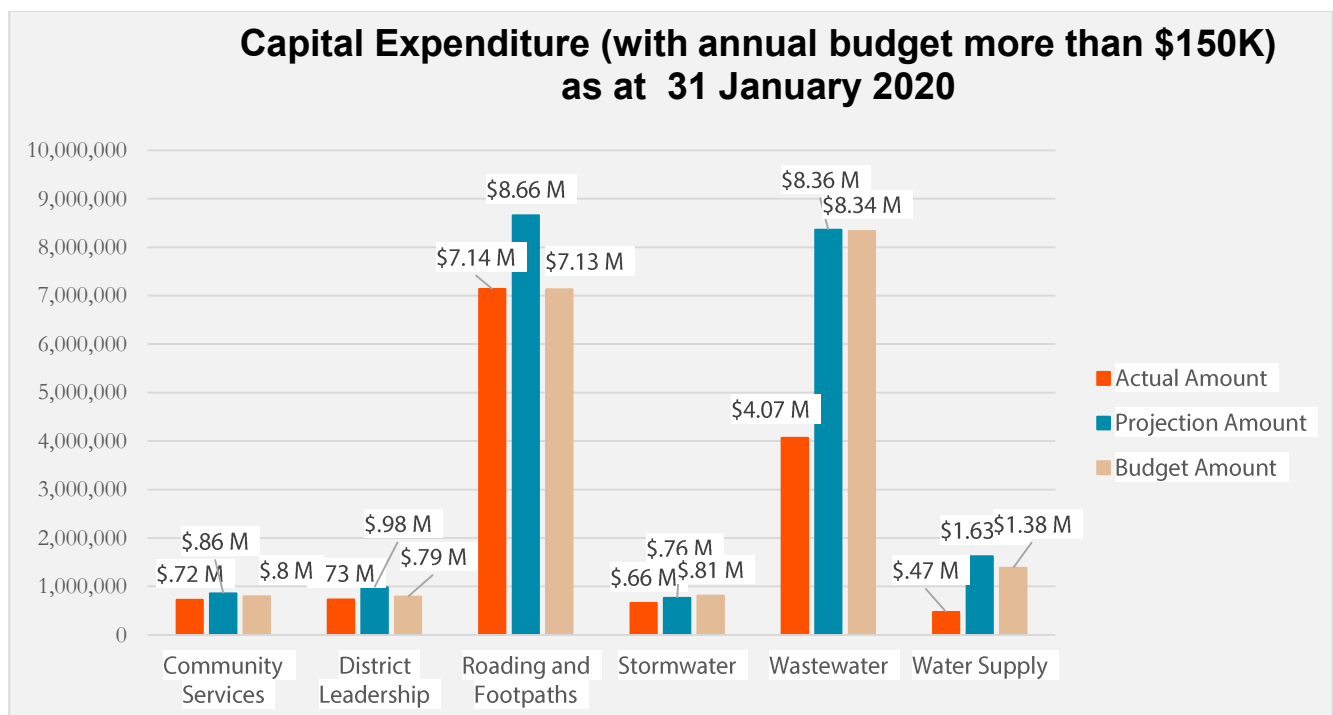
- **Roading –Administration** is \$200,397 (39%) under projection, of which \$133K relates to higher level recoverable work. This is due to the timing of billing between Contractors and SDC.
- **Roading – District Wide** is \$153,536 (1%) under projection due to timing of sealed road maintenance works (\$210K) particular around stabilisation and digout works due to wetter weather conditions.

3. Capital Expenditure (CAPEX)

Capital Expenditure is \$7.4M (35%) under projection year to date (\$13.8M actual vs \$21.3M projection).



Solid Waste is \$27,590 (100%) over projection due to the additional wheelie bins that have been supplied this year.



Community Services is \$135,905 (16%) under projection due to:

- **Library Service** being \$48,936 (33%) under projection which has been caused mainly book releases over the pre-Christmas period.

- **Public Conveniences** \$84,379 (19%) under projection due to the projects continuing at Monkey Island, Clifden Bridge and Waikawa from the previous financial year. Council have received the final archaeological assessment for the Monkey Island project. We are now in a position to apply to Heritage New Zealand for approval to continue with this project. There is a 20 working day on processing these applications so we are on track to complete the work by the end of the financial year.

District Leadership is \$249,698 (25%) under YTD projection. **Information Management** is \$257,714 (28%) under projection due to how the original budget was phased compared to the timing of expenditure. Work is ongoing on major capital items like the Core System Review project (GoGet Electronic Building Processing, RM8 and Pathway Integration) and Infrastructure Upgrade project (End User Hardware).

Roading and Footpaths is \$1,522,354 (18%) under YTD projection.

- **Roading - District Wide** is \$1,162,228 (15%) under projection with sealed road resurfacing being (\$402K) under projected spend. This activity is very weather dependent. Sealed road levels of services is also \$147K under projected spend due to timing of finalising land legislation of the alternative coast route project. Traffic services renewal is \$128K under projected spend. This is largely due to pavement marking which has slowed right up during January. Minor improvement works is \$383K under projected spend due to the delays with the seal widening project along Fortrose Otara.
- **Streetworks** is \$258,152 (47%) under projection which is made up of various community projects that are behind project schedule, these have been forecasted to be completed by 30 June.

Wastewater is \$4,297,064 (51%) under YTD projection, this is largely due to the delay in construction associated with the Te Anau wastewater project consenting and the regional desludging work. Whilst the desludging work is likely to be recovered this financial year, Te Anau wastewater delays are unlikely to be recovered. This will be further forecasted through the February re-forecasting round with limited work expected to be undertaken on the disposal field and membrane filtrations process.

Water Supply is \$1,153,244 (71%) under projection, due to Otautau water renewal works have commenced in January, we are projected for works to be completed under projection, Te Anau water main renewal work will start in March and we are also expecting to complete the works under projection which has been forecasted for in February.

B. Council Summary Report

Southland District Council Financial Summary for the period ending 31 January 2020

Operating Income									
	YTD					FYB			
	Actual Amount	Projection Amount	Budget Amount	Variance	Var %	Projection Amount	Budget Amount	Variance	Var %
Community Services	6,196,426	6,218,732	6,171,682	(22,306)	(0%)	11,724,740	11,649,511	(75,229)	(1%)
District Leadership	21,071,099	21,562,579	20,558,320	(491,480)	(2%)	34,864,193	33,357,610	(1,506,583)	(4%)
Emergency Management	272,718	281,067	281,067	(8,348)	(3%)	481,829	481,829	0	0%
Regulatory Services	2,743,907	2,541,559	2,613,819	202,348	8%	4,308,446	4,252,321	(56,126)	(1%)
Roading and Footpaths	15,798,464	16,399,662	15,818,519	(601,198)	(4%)	30,335,405	29,143,773	(1,191,632)	(4%)
Solid Waste	3,191,473	3,067,145	3,067,145	124,328	4%	5,242,541	5,242,541	0	0%
Stormwater	286,155	264,331	264,331	21,824	8%	508,193	508,193	0	0%
Wastewater	3,544,998	3,515,014	3,515,014	29,985	1%	7,642,920	7,642,920	0	0%
Water Supply	2,225,561	2,241,389	2,238,473	(15,829)	(1%)	3,888,463	3,883,463	(5,000)	(0%)
Total	\$55,330,802	\$56,091,478	\$54,528,369	(760,676)	1%	\$98,996,730	\$96,162,160	(2,834,570)	(3%)

Operating Expenditure									
	YTD					FYB			
	Actual Amount	Projection Amount	Budget Amount	Variance	Var %	Projection Amount	Budget Amount	Variance	Var %
Community Services	6,887,577	7,308,318	6,950,433	(420,741)	(6%)	12,743,301	12,060,484	(682,817)	(5%)
District Leadership	19,143,232	21,087,344	19,700,334	(1,944,112)	(9%)	37,533,587	35,029,141	(2,504,446)	(7%)
Emergency Management	324,779	334,019	334,019	(9,241)	(3%)	481,829	481,829	0	0%
Regulatory Services	2,557,968	2,642,384	2,321,039	(84,416)	(3%)	5,541,353	4,365,134	(1,176,219)	(21%)
Roading and Footpaths	17,662,530	18,053,954	18,303,834	(391,424)	(2%)	31,273,169	32,474,106	1,200,937	4%
Solid Waste	2,968,461	3,022,805	2,824,190	(54,344)	(2%)	5,181,552	4,841,069	(340,483)	(7%)
Stormwater	381,089	529,161	505,828	(148,072)	(28%)	889,920	849,920	(40,000)	(4%)
Wastewater	3,019,922	2,898,299	2,785,049	121,624	4%	4,890,359	4,696,217	(194,142)	(4%)
Water Supply	3,000,829	2,850,585	2,753,493	150,244	5%	4,884,202	4,717,759	(166,443)	(3%)
Total	\$55,946,386	\$58,726,869	\$56,478,217	(2,780,482)	(5%)	\$103,419,272	\$99,515,659	(3,903,613)	(4%)

Net Surplus/Deficit	(\$615,585)	(\$2,635,390)	(\$1,949,849)	2,019,806	6%	(\$4,422,542)	(\$3,353,499)	1,069,043	1%
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Capital Expenditure									
	YTD					FYB			
	Actual Amount	Projection Amount	Budget Amount	Variance	Var %	Projection Amount	Budget Amount	Variance	Var %
Community Services	722,782	858,687	797,222	(135,905)	(16%)	2,388,424	2,293,135	(95,289)	(4%)
District Leadership	729,896	979,594	790,305	(249,698)	(25%)	374,189	49,693	(324,496)	(87%)
Emergency Management	-	-	-	0	-	-	-	0	0%
Regulatory Services	75,249	69,521	35,771	5,728	8%	337,861	132,861	(205,000)	(61%)
Roading and Footpaths	7,136,790	8,659,143	7,132,620	(1,522,354)	(18%)	17,521,490	14,945,146	(2,576,344)	(15%)
Solid Waste	27,591	-	-	27,591	-	-	-	0	-
Stormwater	656,805	764,198	809,673	(107,393)	(14%)	787,032	832,507	45,475	6%
Wastewater	4,067,187	8,364,251	8,337,766	(4,297,064)	(51%)	14,626,831	14,538,516	(88,315)	(1%)
Water Supply	471,942	1,625,186	1,382,049	(1,153,244)	(71%)	2,960,848	2,730,994	(229,854)	(8%)
Total	\$13,888,242	\$21,320,580	\$19,285,406	(7,432,338)	(35%)	\$38,996,675	\$35,522,852	(3,473,823)	(9%)

Activities reporting under Groups listed:

Community Services	District Leadership	Regulatory Services
Community Assistance	Representation and Advocacy	Building Control
Parks and Reserves	Community Development	Resource Management
Cemeteries	District Support	Animal Control
Community Facilities	Corporate Support	Environmental Health
Community Groups	Forestry	
Library Services		
Public Toilets		
Airports		
Electricity Supply		

C. Statement of Comprehensive Income

Statement of Comprehensive Revenue and Expenses					
for the period ending 31 January 2020					
	YTD			FYB	
	Actual Amount	Projection Amount	Budget Amount	Projection Amount	Budget Amount
Revenue					
Rates Revenue	28,097,795	28,093,454	28,079,145	48,411,467	48,411,467
Other Revenue	6,875,268	6,385,298	6,023,922	8,372,470	8,372,470
Interest and Dividends	235,760	39,766	39,766	68,170	68,170
NZ Transport Agency Funding	6,751,568	7,503,998	6,922,855	13,575,038	13,129,323
Grants and Subsidies	1,515,769	1,853,761	1,304,293	4,264,406	4,170,975
Other gains/losses	21,574	48,650	28,750	(1,407,317)	(1,447,317)
Development and financial contributions	4,991	9,184	0	383,899	368,155
	43,502,726	43,934,112	42,398,731	73,668,133	73,073,243
Expenditure					
Employee Benefit Expense	7,847,604	8,598,583	8,095,161	13,387,725	13,387,725
Depreciation and Amortisation	13,528,095	13,523,553	13,523,553	23,183,233	23,183,233
Finance Costs	12,784	12,833	12,833	22,000	22,000
Other Council Expenditure	22,729,827	24,434,533	22,717,033	40,558,392	39,833,784
Balance Sheet	0	0	0	0	0
Internal Reconciliations	0	0	0	0	0
	44,118,310	46,569,502	44,348,580	77,151,351	76,426,742
Total Comprehensive Income	(615,585)	(2,635,390)	(1,949,849)	(3,483,218)	(3,353,499)

Note: The presentation of the statement of comprehensive income aligns with Council's annual report. The annual report is based on national approved accounting standards. These standards require us to eliminate internal transactions. Council is also required to report by activities. A number of Council functions relate to a number of activities, eg, finance. To share these costs, an internal transaction is generated between the finance business unit and the activity business units. Within the annual report, Council also prepare Activity Funding Impact Statements. These statements are prepared under the Financial Reporting and Prudence Regulations 2014. This regulation requires internal charges and overheads recovered be disclosed separately. The Council summary report is a summary of what these Activity Funding Impact Statements will disclose for income and expenditure at year end.

The result of this is that the revenue and expenditure in the Comprehensive Income Statement does not reconcile to the total income and total expenditure reported in the Council summary report on page 13 due to the elimination of the internal transactions. However, the net surplus/deficit (as per the Council summary report) matches the total comprehensive income (as per the Statement of Comprehensive Income).

D. Statement of Financial Position

Council's financial position as at 31 January 2020 is detailed below. The balance sheet below only includes Southland District Council and SIESA financials. This means that the balance sheet for 30 June 2019

differs from the published annual report which includes Venture Southland financials.

SOUTHLAND DISTRICT COUNCIL
STATEMENT OF FINANCIAL POSITION
as at 31 January 2020

	Actual 31-Jan-20	Actual 30-Jun-19
Equity		
Retained Earnings	718,031,869	718,647,453
Asset Revaluation Reserves	822,120,037	822,120,037
Other Reserves	42,546,133	42,546,133
Share Revaluation	2,666,473	2,666,473
	1,585,364,514	1,585,980,098
Represented by:		
Current Assets		
Cash and Cash Equivalents	11,045,112	14,911,330
Trade and Other Receivables	9,524,301	11,123,195
Inventories	129,402	129,402
Other Financial Assets	1,333,750	1,508,271
Property, Plant and Equipment	-	-
	22,032,566	27,672,199
Non-Current Assets		
Property, Plant and Equipment	1,557,847,996	1,556,700,350
Intangible Assets	2,482,984	2,565,313
Forestry Assets	11,900,000	11,900,000
Internal Loans	30,346,617	31,315,988
Work in Progress	66,884	772,054
Investment in Associates	314,495	314,495
Other Financial Assets	302,238	302,608
	1,603,261,214	1,603,870,809
TOTAL ASSETS	1,625,293,780	1,631,543,007
Current Liabilities		
Trade and Other Payables	5,621,050	8,358,955
Contract Retentions and Deposits	516,352	451,905
Employee Benefit Liabilities	1,279,611	1,583,186
Development and Financial Contributions	2,125,473	2,112,712
Provisions	14,000	14,000
	9,556,486	14,220,759
Non-Current Liabilities		
Employment Benefit Liabilities	18,010	18,010
Provisions	8,152	8,152
Internal Loans - Liability	30,346,617	31,315,988
	30,372,780	31,342,151
TOTAL LIABILITIES	39,929,266	45,562,909
NET ASSETS	1,585,364,514	1,585,980,098

F. Statement of Cash Flows**Statement of Cashflows for the period ended January 2020**

	2019/2020 YTD Actual
Cash Flows from Operating Activities	
Receipts from rates	25,205,751
Receipts from other revenue (including NZTA)	16,833,454
Cash receipts from Interest and Dividends	235,760
Payment to Suppliers	(24,946,540)
Payment to Employees	(8,151,179)
Interest Paid	(12,784)
GST General Ledger (net)	2,361,097
<i>Net Cash Inflow (Outflow) from Operating Activities</i>	11,525,558
Cash Flows from Investing Activities	
Receipts from sale of PPE	21,574
(Increase)/Decrease Other Financial Assets	174,892
Purchase of property, plant and equipment	(13,970,571)
Purchase of Forestry Assets	-
Purchase of Intangible Assets	82,329
<i>Net Cash Inflow (Outflow) from Investing Activities</i>	(13,691,775)
Cash Flows from Financing Activities	
Increase/(Decrease) Term Loans	(1,700,000)
Increase/(Decrease) Finance Leases	-
<i>Net Cash Inflow (Outflow) from Financing Activities</i>	(1,700,000)
Net Increase/(Decrease) in Cash and Cash Equivalents	(3,866,217)
Cash and Cash Equivalents at the beginning of the year	14,911,330
Cash and Cash Equivalents at the end of January	11,045,113

Cash and Cash Equivalents and Other Financial Assets

1. At 31 January 2020, Council had \$9M invested in three term deposits ranging from one to three month maturities as follows:

SDC Investments - Term Deposits				
Bank	Amount	Interest Rate	Date Invested	Maturity Date
ANZ	\$ 3,000,000	2.19%	29-Nov-19	19-Mar-20
BNZ	\$ 4,000,000	1.75%	2-Dec-19	19-Feb-20
WPC	\$ 2,000,000	2.64%	22-Nov-19	19-Mar-20
Total	\$ 9,000,000			

At 31 January 2020, SIESA had \$1.57M invested in five term deposits as follows:

SIESA Investments - Term Deposits				
Bank	Amount	Interest Rate	Date Invested	Maturity Date
BNZ	\$ 370,000	3.15%	29-Jul-19	2-Mar-20
BNZ	\$ 200,000	1.18%	1-Oct-19	1-Nov-19
BNZ	\$ 350,000	3.28%	23-Apr-19	23-Jan-20
BNZ	\$ 350,000	3.31%	23-Apr-19	23-Apr-20
BNZ	\$ 300,000	3.23%	6-May-19	6-Jul-20
Total	\$ 1,570,000			

2. Funds on Call at 31 January 2020:

Funds on Call				
	Amount	Bank	Account	Interest Rate
SDC	\$ 2,645,139	BNZ	Funds on Call	0.25%
	\$ 10,000	BNZ	Operating Bank Acc	1.00%
	\$ 333,688	BNZ	Restricted Funds Acc	3.25%
SIESA	\$ 106,202	BNZ	Funds on Call	3.25%

Council's Investment and Liability Policy states that Council can invest no more than \$10M with one bank. Investments and Funds on Call, comply with the SDC Investment Policy.

Unbudgeted Expenditure - Lumsden Watermain Replacement

Record No: R/20/2/4811
Author: Joe Findley, Projects Manager
Approved by: Matt Russell, Group Manager Services and Assets

☒ Decision ☐ Recommendation ☐ Information

Purpose

- 1 The purpose of this report is to seek unbudgeted expenditure for the replacement of a section of water main within the Lumsden-Balfour water scheme.

Executive Summary

- 2 This report provides context regarding a proposal to replace a section of 150mm asbestos watermain which is the main water supply pipe for the Lumsden Township. The existing watermain has experienced three major breaks between November 2019 and February 2020, due in most part to poor ground conditions and poor pipe condition.
- 3 The proposed replacement is to construct a 410 meter 150mm HDPE pipeline, and associated fittings along a new alignment through private land. The landowner is in agreement with the proposal and a price for the works has been provided by Downer Ltd, Council 3 Waters Contractor.
- 4 To undertake this works, the report seeks approval from Council for unbudgeted expenditure for a total amount of \$115,000.00 excluding GST.

Recommendation

That the Council:

- a) **Receives the report titled “Unbudgeted Expenditure - Lumsden Watermain Replacement” dated 26 February 2020.**
- 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 total unbudgeted expenditure of \$115,000.00 excluding GST to construct 410 meters of 150mm diameter HDPE watermain on the Lumsden-Balfour water supply scheme.**
- e) **Approves the total unbudgeted expenditure amount of \$115,000.00 excluding GST to be funded by a 30 year loan, from the district water supply rate.**

Background

- 5 The Lumsden-Balfour water supply scheme was constructed throughout the 1970's. It is one of Council's largest water supply schemes in terms of volume and provides potable water to the Lumsden and Balfour townships and a large rural area surround the Balfour region.
- 6 The rising main for the scheme is a 200mm pipe which runs from the Lintley Road water treatment plant, along the east side of the Lumsden township then through private land to the main reservoir. There is a 150mm asbestos main which branches off this rising main to feed the town of Lumsden which was constructed in 1979. Further development was completed in 2007 with the installation of break pressure tanks to add further storage for the town, when the restricted supply was replaced with full mains supply.

Issues

- 7 The section of 150mm asbestos main that runs between the rising main and break pressure tanks, was installed along a paper road through a gully, next to a creek. The pipe was never properly bedded and was laid upon a rotten rock base. Further, most of the area has over time transformed into a willow grove which is water logged and inhibitive to access with machinery.
- 8 The absence of bedding material and the swampy ground conditions have caused the pipe condition to deteriorate faster than under best practice installation conditions. During the month of November 2019, this line experienced two significant bursts just outside of the willow grove area which resulted in a loss of water supply to Lumsden. The pipe burst again in early February delivering a similar result.
- 9 Following the two November repairs, Downer Ltd, Council's 3 Waters Contractor, requested a site visit with Council representatives to discuss the significant risks posed by the poor condition

of the line. It was highlighted to Council staff that the line was in a very bad condition and at risk of further bursts and that if the line were to burst within the willow grove that we may have significant difficulty locating where the burst was.

- 10 Given that the pipeline is the only feed for the Lumsden Township it is assessed as being a critical piece of infrastructure. If it were to burst in a location that was inaccessible or difficult to locate due to the wet nature of the area, an emergency over ground main may have to be installed to keep water up to the town while the burst was located and repaired. Such a scenario would likely come at a high financial cost to Council.
- 11 Given the above, the proposed replacement is to construct a 410 meter 150mm HDPE pipeline, and associated fittings along a new alignment in the private land portion. The landowner is in agreement with the proposal and a price for the works has been provided by Downer Ltd, Council 3 Waters Contractor.
- 12 The existing pipeline alignment is through a mix of private land and unformed road reserve (Paper Road). Given the unsuitability of the existing alignment to construct a replacement pipeline, Council staff met with the landowner to discuss a new alignment within his property. The landowner is satisfied with the proposed alignment and a landowner agreement is being drafted for both Council and the Landowner to sign regarding the assets which are currently and are proposed to be on his property.
- 13 To undertake this works, the report seeks approval from Council for unbudgeted expenditure for a total amount of \$115,000.00 excluding GST.

Factors to Consider

Legal and Statutory Requirements

- 14 This project is being undertaken in accordance with the statutory processes and to fulfil Council's statutory obligations set out in the Local Government Act 2002.
- 15 A landowner agreement is being drafted following verbal approval from the landowner to install the pipe through a new alignment through his land.

Community Views

- 16 While it was envisaged that the project be included as an Annual Plan staff submission for 2020/2021, the break which occurred in February has prompted this report for unbudgeted expenditure. Subsequently, no community consultation has occurred due to the required urgency of the work.

Costs and Funding

- 17 Following the site visit with Downer Ltd, Council staff requested a price from Downer to undertake the replacement works of 410m of 150mm HDPE watermain and associated fittings. The price submitted by Downer Ltd for the works is \$103,901.00 excluding GST. A total budget amount of \$115,000.00 is requested to cover any contingent sums which may be required as the project progresses.
- 18 It is proposed the total unbudgeted project amount of \$115,000.00 excluding GST is funded via loan from the district wastewater rate.

- 19 There is no current budget available within the current 2018-2028 Long Term Plan, and this report seeks approval from Council for the total unbudgeted expenditure amount of \$115,000.00 excluding GST to replace the 410m section of watermain.
- 20 Wastewater capital work in the Long Term Plan is primarily funded by a 30 year loan repaid through the district wastewater rate. It is proposed that this pipe replacement is funded in the same manner.
- 21 Funding the \$115,000 through a 30 year loan, results in an additional rates required of \$7,128 (excluding GST) per annum in 2019/2020 to 2021/2022. This is an additional \$0.88 (excluding GST) per rating unit or 0.23% of the water supply rate for 2019-2020 set at \$386.36 (excluding GST). This is an additional \$1.01 per rating unit including GST.

Policy Implications

- 22 There is no current project outlined within Council's current 2018-2028 Long Term Plan, and this reports seeks unbudgeted expenditure approval from Council to undertake this activity.

Analysis

Options Considered

- 23 The following three options have been considered, and are as outlined below.

Analysis of Options

Option 1 – Construct new 410 meter 150mm diameter HDPE pipeline including all required valves and link-ins.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• Increased confidence in the robustness of the new line• No disruptions to the water supply for the Lumsden Township and subsequent reduced risk of non-compliance with Public Health requirements for the continual supply of potable water to dwellings• Replacement of an ageing asset in poor condition	<ul style="list-style-type: none">• Unbudgeted expenditure required to the value of \$115,000.00

Option 2 – Add project to construct new 410 meter 150mm diameter HDPE pipeline including all required valves and link-ins as a staff submission to the annual plan for 2020/2021

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• Offset of costs in the short term• No requirement for unbudgeted expenditure	<ul style="list-style-type: none">• Continued high risk of mains bursts resulting in interruptions to water supply for Lumsden• Risk of contamination of water supply if burst occurs within water logged willow grove, with ground water entering water pipe• Possible case for Downer to seek to recover costs of continued and frequent repair

Option 3 – Do Nothing

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• No requirement for unbudgeted expenditure	<ul style="list-style-type: none">• Continued high risk of mains bursts resulting in interruptions to water supply for Lumsden• Risk of contamination of water supply if burst occurs within water logged willow grove, with ground water entering water pipe• Possible case for Downer to seek to recover costs of continued and frequent repair

Assessment of Significance

- 24 This project is not deemed of significance as per Council's current significance policy.

Recommended Option

- 25 It is recommended that Option 1 of this report, to construct new 410 meter 150mm diameter HDPE pipeline including all required valves and link-ins, is undertaken.

Next Steps

- 26 If Council is to approve the unbudgeted expenditure of \$115,000.00 excluding GST, it is recommended to award the works to Downer Ltd.
- 27 Downer Ltd have a minor capex agreement with Council to undertake works under \$50,000.00 on a direct engagement basis, as part of their current 3 Water contract. The rates that Downer Ltd submitted for this project have been compared to other rates received for similar projects which were open tendered within the past three months. The Downer rates would be regarded as

competitive on the open market and given the urgency of this project based on the possible risks, it would be recommended to proceed with price that Downer Ltd submitted.

Attachments

There are no attachments for this report.

Local Governance Statement 2019 - 2022 Triennium

Record No: R/20/2/4157

Author: Clare Sullivan, Governance and Democracy Manager

Approved by: Rex Capil, Group Manager Community and Futures

☐ Decision

☐ Recommendation

☐ Information

Purpose

- 1 The purpose of the report is to present to Council for adoption the Local Governance Statement for Southland District Council for the 2019 – 2022 triennium.

Executive Summary

- 2 Section 40 of the Local Government Act 2002 requires Council to make publicly available a Local Governance Statement providing up to date information about the governance structure and management of Council.
- 3 The document contains information about the governance structure and management of Council to assist in enabling the public and interested parties to participate in local government and representation matters.
- 4 The statement is required to be prepared and made publicly available within six months following the triennial local authority elections.
- 5 Council's Local Governance Statement has been reviewed and updated for the 2019 – 2022 triennium and is now presented to Council for adoption.

Recommendation

That Council:

- a) **Receives the report titled “Local Governance Statement 2019 - 2022 Triennium” dated 26 February 2020.**
- 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) **Adopts, pursuant to Section 40 of the Local Government Act 2002, the Local Governance Statement for the 2019 – 2022 triennium as attached to this report.**
- e) **Agrees to make the Local Governance Statement publicly available as required by the Local Government Act 2002.**
- f) **Delegates to the chief executive officer the authority to update the Local Governance Statement as necessary and appropriate during the 2019 – 2022 triennium to ensure it is current and accurate.**

Background

- 6 Council is required to observe and maintain certain governance principles. Among other things, these require Council to ensure that the role of democratic governance of the community and the expected conduct of elected members is clear and understood by elected members and the community and ensure that the governance structures and processes are effective, open and transparent.
- 7 As part of fulfilling these principles Council is required to prepare and publish a Local Governance Statement.

Issues

- 8 Councils have been preparing Local Governance Statements since 2003 and is required to update it every three years following the triennial elections. The information contained in the attached statement brings together in one document information held by Council in a variety of sources.

Factors to Consider

Legal and Statutory Requirements

- 9 As noted earlier this is a statutory requirement under section 40 (2) of the Local Government Act 2002. This statement will be placed on Council’s website and make copies available at Council offices/libraries. This will fulfil the requirements of the act.

Community Views

- 10 No specific community views were sought in preparing the Local Governance Statement. The statement provides information to the public as to how they can connect and engage with Council.

Costs and Funding

- 11 The costs associated with the production of the Local Governance Statement have been met from budgets.

Policy Implications

- 12 There are no policy implications associated with the preparation of the Local Governance Statement. If changes are made to any of the governance arrangements referred to in the statement, the statement can be updated accordingly to reflect the changes.

Analysis

Options Considered

- 13 The options considered are either to prepare and adopt or not prepare and adopt the Local Governance Statement for the 2019 – 2022 triennium.

Analysis of Options

Option 1 – Prepare and adopt the Local Governance Statement

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• fulfils the statutory requirements in the Local Government Act 2002• demonstrates good governance and management practice• supports community participation in local governance and local government activity	<ul style="list-style-type: none">• no disadvantages

Option 2 – Not prepare and adopt the Local Governance Statement

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none">• no advantages	<ul style="list-style-type: none">• does not fulfil the statutory requirements in the Local Government Act 2002• does not demonstrate good governance and management practice• does not support community participation in local governance and local government activity

Assessment of Significance

- 14 The Local Governance Statement preparation and adoption is not considered significant in terms of the Council's Significance and Engagement Policy

Recommended Option

- 15 Prepare and adopt the Local Governance Statement as attached.

Next Steps

- 16 If Council adopts the Statement it will be made publicly available.

Attachments

- A Local Governance Statement 2019-2022 [↓](#)



Southland District Council

Local Governance Statement – 1 March 2020

Southland District Council
Te Rohe Pōtae o Murihiku

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Invercargill 9840

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Document Revision

Date	Amendment	Amended by	Approved by	Approval date

Introduction

A requirement exists under Section 40 of the Local Government Act 2002 for Southland District Council to prepare and make publicly available a local governance statement.

This document contains information about the governance arrangements of Council to enable the public to participate fully in local governance.

A local governance statement is to be prepared and made publicly available within six months after each triennial general election of Council and the statement can be updated from time to time by Council as necessary.

Council Functions, Responsibilities and Activities

The purpose of Southland District Council as set out in section 10 of the Local Government Act 2002 is:

- to enable democratic local decision-making and action by, and on behalf of, communities; and
- to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

To give effect to that stated purpose Council has overall responsibility and accountability in a variety of roles including –

- planning the District's strategic direction alongside local communities within the District as part of developing the Long Term Plan (LTP) to take a sustainable development approach and promote community wellbeing
- facilitating solutions to local issues and needs
- advocacy on behalf of the local community with central government, other local authorities and other agencies
- providing prudent stewardship and the efficient and effective use of resources within the District in a sustainable way
- risk management
- management of local infrastructure including network infrastructure (eg roads, sewage disposal, water, stormwater) and community infrastructure (eg libraries, reserves and recreational facilities)
- administering various legal and regulatory requirements
- ensuring the integrity of management control systems
- engaging with, informing and reporting to communities, ratepayers and residents.

As identified in the Southland District Council 10 Year Plan 2018-2028 - Council is guided by its vision: "One community offering endless opportunities". Our mission is "Working together for a better Southland". These are underpinned by a guiding principle of "People first" and supported by our community outcomes, which are:

- proud, connected communities that have an attractive and affordable lifestyle
- resilient communities that leave a legacy for tomorrow.

Our approach in achieving this is that we will:

- work in partnership with communities
- constantly look for better ways
- work as one team.

Legislation Relevant to Council

Southland District Council exercises powers and fulfils responsibilities conferred upon it by various statutes. Important among these are the Local Government Acts of 1974 and 2002, the Local Government (Rating) Act 2002, the Resource Management Act 1991, the Building Act 1991, the Building Act 2004, the Local Government Official Information and Meetings Act 1987 and the Local Electoral Act 2001. Other legislation which confers powers, obligations or responsibilities on Southland District Council and otherwise regulates the functions and operations of Council includes:

Airport Authorities Act 1966
Animals Welfare Act 1999
Arts Council of New Zealand Toi Aotearoa Act 1994
Auctioneers Act 1928
Bill of Rights Act 1990
Biosecurity Act 1993
Building Act 2004
Building Research Levy Act 1969
Burial and Cremation Act 1964
Bylaws Act 1910
Cadastral Survey Act 2002
Citizenship Act 1977
Civil Aviation Act 1990
Civil Defence Emergency Management Act 2002
Civil List Act 1979
Climate Change Response Act 2002
Commerce Act 1986
Companies Act 1993
Conservation Act 1987
Consumer Guarantees Act 1993
Copyright Act 1994
Counties Insurance Empowering Act 1941
Crimes Act 1961
Disabled Persons Community Welfare Act 1975
District Courts Act 1947
Dog Control Act 1996
Earthquake Commissions Act 1993
Electricity Act 1992

Employment Relations Act 2000
Energy Companies Act 1992
Environment Act 1986
Fair Trading Act 1986
Fees and Travelling Allowances Act 1951
Fencing Act 1978
Fencing of Swimming Pools Act 1987
Finance Act (No. 2) 1941
Financial Reporting Act 1993
Fire Services Act 1975
Food Act 1981
Foreshore and Seabed Act 2004
Forest and Rural Fires Act 1977
Gambling Act 2003
Gas Act 1992
Goods and Services Tax Act 1985
Hazardous Substances and New Organisms Act 1996
Health Act 1956
Health and Safety in Employment Act 1992
Historic Places Act 1993
Holidays Act 2003
Housing Act 1955
Housing Corporation Act 1974
Human Rights Act 1993
Impounding Act 1955
Income Tax Act 2007
Insolvency Act 2006
Interpretation Act 1999
Land Act 1948
Land Drainage Act 1908
Land Transfer Act 1952
Land Transport Act 1998
Libraries and Mechanics' Institute Act 1908
Limitation Act 2010

Litter Act 1979
Local Authorities (Members' Interests) Act 1968
Machinery Act 1950
Minimum Wage Act 1983
Municipal Insurance Act 1960
National Provident Fund Restructuring Act 1990
New Zealand Bill of Rights Act 1990
New Zealand Geographic Board Act 2004
(Nga Pou Taunaha o Aotearoa)
New Zealand Library Association Act 1939
New Zealand Public Health and Disability Act 2000
Ngāi Tahu Claims Settlement Act 1998
Oaths and Declarations Act 1957
Occupiers Liability Act 1962
Ombudsmen Act 1975
Parental Leave and Protection Act 1987
Plumbers and Gasfitters and Drainlayers Act 2006
Privacy Act 1993
Property Law Act 2007
Prostitution Reform Act 2003
Protected Disclosures Act 2000
Public Bodies Contracts Act 1959
Public Bodies Leases Act 1969
Public Works Act 1981
Queen Elizabeth the Second National Trust Act 1977
Railway Safety and Corridor Management Act 1992
Rating Valuations Act 1998
Rates Rebate Act 1973
Reserves Act 1977
Residential Tenancies Act 1986
Resource Management Act 1991
Sale and Supply of Alcohol Act 2012
Second hand Dealers and Pawnbrokers Act 2004
Secret Commissions Act 1910

Securities Act 1978
Securities Transfer Act 1991
Smoke-free Environments Act 1990
Soil; Conservation and Rivers Control Act 1941
Sovereign's Birthday Observance Act 1952
Standards Act 1988
Statutes Amendment Acts 1936-1951
Statutory Land Charges Registration Act 1928
Summary Offences Act 1981
Te Ture Whenua Māori Act 1993
Telecommunications Act 2001
Transit New Zealand Act 1989
Transport Act 1962
Treaty of Waitangi Act 1975
Trespass Act 1980
Trustees Act 1956
Unit Titles Act 1972
Walking Access Act 2008.
Wild Animal Control Act 1977
Wildlife Act 1953
Trespass Act 1980
Trustees Act 1956
Unit Titles Act 1972

Local Legislation

In addition to the statutes referred to above, Southland District Council is also bound by local legislation that applies specifically to it. In some cases the former local authorities no longer exist but the local acts continue to apply to Southland District Council as successor. These acts are:

Local Acts

Southland Land Drainage Act 1935

Authorised by the former Wallace and Southland Counties and by succession Southland District Council to make better provision for land drainage within the District.

Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012

Provides a mechanism for Council to set and collect levies and obtain revenue from passengers travelling to Stewart Island/Rakiura, in order to better provide services, facilities, and amenities for those persons while they are on the island.

Private Acts

Southland Flood Relief Committee Empowering Act 1980

Provides for the administration of funds held in trust for the relief of persons suffering loss or damage from floods in Otago and Southland in 1980.

Bylaws

The following bylaws have been made by Council and apply within the District:

Control Of Advertising Signs Bylaw 2008
Roading Bylaw 2008
Stormwater Drainage Bylaw 2008
Trade Waste Bylaw 2008
Wastewater Drainage Bylaw 2008
Water Supply Bylaw 2008
Speed Limits Bylaw 2005
Speed Limits Bylaw 2005, Amendment No. 1
Speed Limits Bylaw 2005, Amendment No. 2
Public Places Liquor Control Bylaw 2005
Keeping Of Animals, Poultry And Bees Bylaw 2010
Fire Prevention (Vegetation) Bylaw 2010
Dog Control Bylaw 2010
Solid Waste Bylaw 2008
Camping Control Bylaw 2012

Trading In Public Places Bylaw 2013
Subdivision and Land Development Standards Bylaw 2012
Southland District Council Stewart Island/Rakiura Visitor Levy Bylaw 2012
Stormwater Drainage Bylaw 2017
Wastewater Drainage Bylaw 2017
Water Supply Bylaw 2017
Trade Waste Bylaw 2018
Roading Bylaw 2008 (Revision No.2) 2018
Stewart Island/Rakiura Visitor Levy Bylaw (Revision No.1) 2019

The Electoral System

First Past the Post (FPP)

Elections of Southland District Council are currently conducted using the First Past the Post electoral system. Under this system voters tick the name of the candidates they prefer up to the number of vacancies. If there is one vacancy, for example for the Mayor, you can vote for one candidate. If there are three vacancies, you can vote for up to three candidates. Those receiving the most votes win.

Single Transferable Vote (STV)

The other option available under the Local Electoral Act 2001 is the Single Transferable Vote electoral system (STV). This system is used in District Health Board (DHB) elections. Voters rank candidates in order of preference (1 to 5 etc), rather than picking their most preferred candidate for each vacancy.

Electors rank candidates in order of preference eg Jim Brown 1, Jeff Smith 2, Bill Jones 3 and so on. The number of votes required for a candidate to be elected (called the quota) depends on the number of positions to be filled and the number of valid votes.

Under STV voters have one vote but can indicate their preference for as many or as few of the candidates as they wish.

The number of candidates required to fill all vacancies is achieved –

- first by the counting of first preferences
- then by a transfer of a proportion of votes received by any candidate where the number of votes for that candidate is in excess of the quota
- then by the exclusion of the lowest polling candidate and the transfer of these votes in accordance with the voters second preferences.

Changing Electoral Systems

Under the Local Electoral Act 2001 there are three ways in which Council's electoral system can be changed. They are:

- Council can resolve to change the electoral system to be used at the next two elections or

- Council can conduct a binding poll of electors or
- electors can demand that a binding poll be undertaken. That demand requires 5% or more of the electors to sign a petition demanding that a poll be held.

Once changed, an electoral system must be used for at least the next two triennial Council elections.

Representation Arrangements

Mayoral Office

A mayor is elected at large (across the whole of the District) by all eligible electors who choose to vote.

Wards

Southland District Council is divided into five wards.

- Mararoa Waimea Ward - three councillors
- Stewart Island Rakiura Ward - one councillor
- Waiau Aparima Ward - three councillors
- Oreti Ward - three councillors
- Waihopai Toetoe Ward - two councillors

The ward representation structure of Council recognises the need to provide fair and effective representation of communities of interest within the District, while meeting legislative requirements.

Council reviewed the ward boundaries during the representation review in 2018 and made changes to the boundaries of the Oreti and Waihopai Toetoe wards. Whether to continue to retain was considered as was the number of councillors which remained at 12.

A plan identifying each ward is attached as Appendix 1 to this statement.

Community Boards

The community governance review recognised that there are two key pillars that support the community governance concept as implemented in Southland District. These are:

- a community led development pillar which is about each place being at the centre with Council being one of a number of agencies supporting the development of each place or local community
- a representative leadership pillar which is about the more traditional role of elected representatives being the identified political leaders within their community.

In leading to conduct of the representation review in 2017-2018 as it was required to do through the Local Electoral Act 2001, Council over four years conducted a community governance review project.

In addition to the process under the representation review the process and requirements for the constitution of any new community board within the District is prescribed in Schedule 6 to the Local Government Act 2002.

The community boards are part of the representative leadership pillar.

Following the representation review Southland District Council now has District-wide coverage of community boards with a network of nine community boards. They are:

- Ardlussa Community Board
- Fiordland Community Board
- Northern Community Board
- Oraka Aparima Community Board
- Oreti Community Board
- Stewart Island/Rakiura Community Board
- Tuatapere Te Waewae Community Board
- Waihopai Toetoe Community Board
- Wallace Takitimu Community Board.

A plan identifying each community board is attached to this document.

Seven of the community boards have six members elected by the community plus one councillor appointed by Council from the ward in which the board is situated, two community boards being the Oreti and the Waihopai Toetoe Community Boards have seven members elected plus one appointed councillor.

The key functions of the community boards are to:

- promote the social, economic, environmental and cultural wellbeing of local communities and in so doing contribute to the realisation of Council's vision of one District offering endless opportunities
- provide leadership to local communities on the strategic issues and opportunities that they face
- be advocates and representatives for their local community and in so doing ensure Council and other agencies have a clear understanding of local needs and aspirations
- be decision-makers on issues that are delegated to the board by Southland District Council
- develop relationships and communicate with key community organisations, special interest groups, residents and businesses within the community
- maintain an overview of the services Council delivers to its communities and assess the extent to which these services meet community needs
- recommend the setting of levels of service and budgets for local activities

In addition Section 52 of the Local Government Act 2002 sets out the role of community boards.

Council has a policy of decentralising responsibilities as necessary to provide an effective means of ensuring local input into decision-making. An extensive range of delegated powers given to the community boards within the District by Council allows for and encourages decision-making at the local level. Some of the changes to the delegations for community boards for the 2019-2022 term include an increase in the approval of expenditure for local activities, providing for community boards to accept donations of a local asset to a value of less than \$20,000 and providing for community boards to approve business cases for approved budgeted capital expenditure up to \$300,000.

The delegations also recognise that community boards have a relationship with other parts of the governance structure – committees and various subcommittees. In exercising the delegations, community boards must act within the policies or standards or resolutions adopted by Council.

Each community board elects its own chairperson at its first meeting after the triennial election.

Maori Wards

The Local Electoral Act 2001 also gives Council the ability to establish separate wards for Maori electors. Council may resolve to create separate Maori wards or conduct a poll on the matter or the community may demand a poll. The demand for a poll can be initiated by a petition signed by 5% of electors within the District.

Changing Representation Arrangements

Council is required to review its representation arrangements at least once every six years.

As noted above, Council reviewed its representation in 2018. A representation review is scheduled to be undertaken in 2023-2024.

This review must include the following –

- the number of elected members (within the legal requirement to have a minimum of six and a maximum of 30 members, including the mayor)
- whether the elected members (other than the mayor) shall be elected by the entire District, or whether the District will be divided into wards for electoral purposes, or whether there will be a mix of ‘at large’ and ‘ward’ representation
- if election by wards is preferred, then the boundaries and names of those wards and the number of members that will represent each ward
- whether or not to have separate wards for electors on the Maori roll
- whether to have community boards and if so how many, their boundaries and membership and whether to subdivide a community for electoral purposes.

Council must follow the procedure set out in the Local Electoral Act 2001 when conducting this review, and should also follow guidelines published by the Local Government Commission. The act gives the public the right to make a written submission to Council, and the right to be heard if you wish.

The public also has the right to appeal any decisions on the above to the Local Government Commission which will make a binding decision on the appeal. Further details on the matters that Council must consider in reviewing its membership and basis of election can be found in the Local Electoral Act 2001.

Elected Members and Chief Executive

The mayor and the councillors of Southland District Council have the following roles –

- setting the policy direction of Council
- monitoring the performance of the Council
- giving effect to the purpose of the Local Government Act 2002 which is:
 - (a) to enable democratic local decision-making and action by, and on behalf of, communities; and
 - (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- representing the interests of the District (on election all members must make a declaration that they will perform their duties faithfully and impartially, and according to their best skill and judgement in the best interests of the District)
- employing the chief executive (under the Local Government Act the local authority employs the chief executive, who in turn employs all other staff on its behalf)

Mayor

The mayor is elected by the District as a whole and as one of the elected members shares the same responsibilities as other members of Council. In addition the mayor has the following roles:

- ensuring Council is effective in its governance role and provision of leadership and vision to the whole organisation
- presiding member at Council meetings. The mayor is responsible for ensuring the orderly conduct of business during meetings (as determined in the Standing Orders)
- advocate on behalf of the community. This role may involve promoting the community and representing its interests. Such advocacy will be most effective where it is carried out with the knowledge and support of Council
- ceremonial head of Council
- providing leadership and feedback to other elected members on teamwork and chairing committees.

Deputy Mayor

The deputy mayor is recommended by the mayor and elected by Council. The deputy mayor exercises the same roles as other elected members. In addition, if the mayor is absent or incapacitated, or if the office of mayor is vacant, then the deputy mayor must perform all of the responsibilities and duties, and may exercise the powers of the mayor (as summarised above). The deputy mayor may be removed from office by resolution of Council.

Chief Executive

The chief executive is appointed by Council in accordance with Section 42 and Clauses 33 and 34 of Schedule 7 of the Local Government Act 2002. The chief executive implements and manages Council's policies and objectives within the budgetary constraints established by Council. Under Section 42 of the Local Government Act 2002, the responsibilities of the chief executive are:

- implementing the decisions of Council
- providing advice to Council and community boards
- ensuring that all responsibilities, duties and powers delegated to the chief executive or to any person employed by the chief executive, or imposed or conferred by any act, regulation or bylaw are properly performed or exercised
- managing the activities of Council effectively and efficiently
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of Council
- providing leadership for the staff of Council
- employing staff (including negotiation of the terms of employment for the staff)

Elected Members

Elected members have specific obligations as to their conduct in the following legislation:

- Schedule 7 of the Local Government Act 2002, which includes obligations to act as a good employer and to abide by the current Code of Conduct and Standing Orders

- The Local Authorities (Members' Interests) Act 1968 which regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect)
- The Secret Commissions Act 1910, which prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way
- The Crimes Act 1961 regarding the acceptance of gifts for acting in a certain way and the use of official information for private profit
- The Local Government Official Information and Meetings Act 1987 is of importance for the roles and conduct of elected members where a chair has the responsibility to maintain order at meetings. All elected members should accept a personal responsibility to maintain acceptable standards of address and debate.

Code of Conduct

All elected members are required to adhere to a Code of Conduct. Adopting such a code is a requirement of the Local Government Act 2002. Council adopted its first code in August 2003. Once adopted, the code may only be amended by a 75% or more vote of Council. The code sets out Council's understanding and expectations of how the mayor and councillors will relate to one another, to staff, to the media and to the general public in the course of their duties. It also covers disclosure of information that is received by or is in the possession of elected members, and contains details of the sanctions that Council may impose if an individual breaches the code.

The current Code of Conduct was passed by Council on 1 November 2017.

Governance, Membership and Delegations

Council

Southland District Council has 12 councillors elected in five wards and a mayor who is elected by the District at large.

Mayor: Gary Tong	Mayoral: 0800 732 732 Mobile: 0274 655 182 Email: gary.tong@southlanddc.govt.nz
Deputy Mayor: Ebel Kremer	Private: 03 249 8255 Mobile: 027 510 7785 Email: paul.duffy@southlanddc.govt.nz
Councillors: Mararoa Waimea Ward: John Douglas Rob Scott	Private: 03 248 6110 Mobile: 027 493 0633 Email: john.douglas@southlanddc.govt.nz Mobile: 021 609 567 Email: robin.scott@southlanddc.govt.nz

Ebel Kremer	Private: 03 249 8255 Mobile: 027 510 7785 Email: ebel.kremer@southlanddc.govt.nz
Stewart Island	
Buce Ford JP	Private: 03 219 1282 Mobile: 027 231 7815 Email: bruce.ford@southlanddc.govt.nz
Waiau Aparima Ward:	
Don Byars	Mobile: 027 488 8858 Email: don.byars@southlanddc.govt.nz
George Harpur	Private: 03 226 6040 Mobile: 027 652 6728 Email: george.harpur@southlanddc.govt.nz
Karyn Owen	Mobile: 021 0848 8452 Email: karyn.owen@southlanddc.govt.nz
Oreti Ward:	
Christine Menzies	Mobile: 027 950 2760 Email: christine.menzies@southlanddc.govt.nz
Darren Frazer	Mobile: 021 415 840 Email: darren.frazer@southlanddc.govt.nz
Margie Ruddenklau	Private: 03 236 9599 Mobile: 027 266 7421 Email: margaret.ruddenklau@southlanddc.govt.nz
Waihopai Toetoe Ward:	
Julie Keast	Private: 03 246 8410 Mobile: 027 220 6404 Email: julie.keast@southlanddc.govt.nz
Paul Duffy	Private: 03 246 8559 Mobile: 027 288 5865 Email: paul.duffy@southlanddc.govt.nz

Council is responsible for –

- developing and approving Council policy
- determining the expenditure and funding requirements of Council through the planning process
- monitoring the performance of Council against its stated objectives and policies
- employing, overseeing and monitoring the chief executive's performance.

Generally, the legislation, which Council uses on a day-to-day basis, provides for delegations. When an act or regulation empowering “Council” to carry out a decision-making function, that decision must be made by way of a resolution of the full Council unless the act or regulation, permits delegation to a committee, subcommittee, or officer.

Council may delegate specific functions to a committee (subject to any conditions or limitations imposed).

Council cannot delegate:

- (a) the power to make a rate; or
- (b) the power to make a by-law; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long Term Plan or otherwise expressly covered in the policy; or
- (d) the power to adopt a Long Term Plan, Annual Plan, or Annual Report; or
- (e) the power to appoint a chief executive; or
- (f) the power to adopt policies required to be adopted and consulted on under this act in association with the Long Term Plan or developed for the purpose of the local governance statement; or
- (g) the power to adopt a remuneration and employment policy; or
- (h) the power to approve or change a plan (RMA); or
- (i) the power to approve or amend Council's Standing Orders; or
- (j) the power to approve or amend the Code of Conduct for elected members; or
- (k) the power to appoint and discharge members of committees or;
- (l) the power to establish a joint committee with another local authority or other public body; or
- (m) the power to make the final decision on a recommendation from the ombudsman where it is proposed that Council not accept the recommendation.

Note: For (a) - (g) see clause 32(1) Schedule 7 Local Government Act 2002 and for (h) - (m) see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and Section 34A of Resource Management Act 1991.

In addition, Council has also decided to retain the following powers:

- (a) to approve Council strategy and policy;
- (b) to discharge chairpersons of committees and subcommittees;
- (c) to approve Council's recommendation to the Remuneration Authority for the remuneration of elected members;
- (d) to approve the Triennial Agreement;
- (e) to approve the Local Governance Statement;
- (f) to determine whether or how to fill any extraordinary Council vacancies;
- (g) to make decisions on representation reviews;
- (h) to appoint and discharge trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (CO's) and to other external bodies.

- (i) In respect of District Plan decisions:
- to notify a proposed District Plan
 - to approve the proposed District Plan as operative (Section 34A(1)(a) of the RMA)
 - to appoint a hearings commissioner (Section 34A(1) of the RMA)
 - to make a decision on submissions and further submissions to a proposed District Plan
 - to agree to settle and submit a draft consent order to the Environment Court relating to an appeal on a proposed District Plan, plan change, variation or notice of requirement to designate land or for a heritage order
 - to reject a private plan change request.

Council Committees and Subcommittees

In order to be efficient, effective and timely in delivering its services, Southland District Council has established a number of committees to assist with the conduct of the business of Council. A committee chairperson is responsible for presiding over meetings of the committee and ensuring that the committee acts within the delegated jurisdiction conferred by the Council.

Executive Committee

Chairperson - Mayor Gary Tong

Cr Paul Duffy

Cr Ebel Kremer

Cr Julie Keast

The Executive Committee is responsible for:

- monitoring the progress and performance of Council and the chief executive
- addressing Code of Conduct issues relating to elected members and the chief executive
- making decisions on urgent matters arising between scheduled Council meetings or on specific matters referred to it by Council
- monitoring compliance with Southland District Council Fraud Policy.

Regulatory and Consents Committee

Chairperson - Cr Paul Duffy

Mayor Gary Tong

Cr Don Byars

Cr Paul Duffy

Cr Darren Frazer

Cr Julie Keast

Cr John Douglas

Cr Ebel Kremer

The Regulatory and Consents Committee is responsible for overseeing the statutory functions of Council under the following legislation:

- Resource Management Act 1991

- Health Act 1956
- Food Act 2014
- Dog Control Act 1996
- Sale and Supply of Alcohol Act 2012
- Heritage New Zealand Act Pouhere Taonga Act 2014
- Building Act 2004
- Freedom Camping Act 2011
- Psychoactive Substances Act 2013
- Impounding Act 1955

Services and Assets Committee

Chairperson - Cr Ebel Kremer

The Mayor and all councillors

The Services and Assets Committee is responsible for overseeing the following Council activities:

- transport;
- property management including community facilities, acquisitions and disposals (including land dealings)
- forestry
- water supply, wastewater and stormwater
- solid waste management
- flood protection
- waste management
- rural fire management
- Te Anau Airport
- Stewart Island Electrical Supply Authority
- Stewart Island Jetties and Riverton Harbour
- water supply schemes.

Finance and Assurance Committee

Chairperson – Bruce Robertson

Mayor Gary Tong

Cr Don Byars

Cr John Douglas

Cr Paul Duffy

Cr Julie Keast

Cr Ebel Kremer

The Finance and Assurance Committee is responsible for:

- ensuring that Council has appropriate financial, risk management and internal control systems in place that provide:
 - an overview of the financial performance of the organisation
 - effective management of potential opportunities and adverse effects
 - reasonable assurance as to the integrity and reliability of Council's financial and non-financial reporting.
- exercising active oversight of information technology systems.
- exercising active oversight of "Council's health and safety policies, processes, compliance, results and frameworks"
- relationships with external, internal auditors, banking institutions and insurance brokers.

The Finance and Assurance Committee will monitor and assess the following:

- the financial and non-financial performance of Council against budgeted and forecasted outcomes
- consideration of forecasted changes to financial outcomes
- Council's compliance with legislative requirements
- Council's risk management framework
- Council's control framework
- Council's compliance with its treasury responsibilities.

Community and Strategy Committee

Chairperson - Cr Julie Keast

The mayor and all councillors

The Community and Strategy Committee is responsible for:

- assessing and providing advice to Council on:
 - key strategic issues affecting the District and Council
 - community development issues affecting the District and Council
 - the service needs of the District's communities and how these needs might best be met
 - resource allocation and prioritisation processes and decisions
- developing and recommending strategies, plans and policies to Council that advance Council's vision and goals, and comply with the purpose of the Local Government Act
- monitoring the implementation and effectiveness of strategies, plans and policies
- developing and approving submissions to government, local authorities and other organisations
- advocating Council's position on particular policy issues to other organisations, as appropriate
- considering recommendations from Council's subcommittees and make decisions where it has authority from Council to do so, or recommendations to Council where a Council decision is required.

It is also responsible for community partnerships and engagement. This includes:

- allocations of grants, loans, scholarships and bursaries in accordance with Southland District Council policy
- international relations

- developing and overseeing the implementation of Council's community engagement and consultation policies and processes.

Ohai Railway Fund Subcommittee

Chairperson – Yet to be appointed

Council appointees:

Mayor Gary Tong

Cr Don Byars

Cr George Harpur,

Cr Margie Ruddenklau

Community appointees yet to be appointed

Responsible for making all grants or loans or both from the Ohai Railway Fund for the benefit of the residents of the District of the former board or to any resident of the District of the former board.

Riverton Harbour Subcommittee

The Riverton Harbour Subcommittee will comprise as follows:

- Mayor Gary Tong and Cr Don Byars
- four members nominated by Riverton/Aparima Community Board (community board to nominate a representative from the community board, two representatives from berth owners and one representative from either Riverton Rowing Club or Riverton Coastguard)
- one member nominated by the local Iwi Aparima Oraka Runaka
- one representative from Environment Southland (with no voting rights)

The Riverton Harbour Subcommittee is delegated the following responsibilities by Southland District Council.

- (a) the management and control of all Riverton Harbour assets vested in the SDC being:
 - the use and maintenance of the boat ramp adjacent Koi Koi park
 - the use and maintenance of the “unloading wharf” and crane at Lees Point operated by Council so that no vessel anchors, moors, secures or is placed at the unloading wharf unless actively loading or unloading fuel, provisions, fishing equipment or fish (1972 Bylaw No. 3)
 - the use and maintenance of the “common walkway” on the jetty leading to the privately owned berth numbered L36
 - the use and maintenance of the “common walkway” on the jetty leading to the privately owned berths numbered L22, L23, L24, L25, L26, L27, L28, L29 and L30
 - the provision and maintenance of the ‘lead lights’ markers the white light at Howells Point and red flashing light at Pearl Rock and any other navigational aids required to assist those vessels leaving and entering the Riverton harbour
 - the use and maintenance of berth L35 currently subject to a lease.
- (b) the administration, management and control of all Riverton Harbour endowment lands now vested in Southland District Council in consultation with and subject to approval by Southland District Council being those lands comprised in Certificates of Title 5C/914, 5C/917, 5C/918, 5C/919, 5C/920, 5C/921, 5B/825, 9D/859, 10C/615, 10C/616 and all such other Riverton harbour endowment lands so vested.

Stewart Island/Rakiura Visitor Levy Allocation Subcommittee

The membership of the Stewart Island/Rakiura Visitor Levy Allocation will comprise as follows:

Council appointees:

Chairperson – Cr Julie Keast

Mayor Gary Tong

Cr Bruce Ford

Bruce Robertson - (Chair of Finance and Assurance Committee)

Community appointees: to be appointed

The Stewart Island/Rakiura Visitor Levy Allocation Subcommittee is responsible for governance of the Stewart Island/Rakiura Visitor Levy Fund and setting strategic objectives to act as the basis for assessing applications for funding.

Water Supply Subcommittees

Council has constituted three water supply subcommittees operating as subcommittees of the Services and Assets Committee and are each responsible for the overall governance of the respective water supply scheme in accordance with the policies of Council. These subcommittees are:

Five Rivers Six members plus ward councillor

Matuku Six members plus ward councillor

Te Anau Basin One member each from Ramparts, Mt York, Takitimu, Kakapo, Homestead, Princhester plus two appointed by Landcorp and the ward councillor

Council may also, from time to time establish adhoc committees to consider particular issues.

Joint Committees of Council

Venture Southland

Joint Committee – Mayor Gary Tong and Cr Ebel Kremer

Oversee the winding up and transfer of the assets of Venture Southland to the Southland Regional Development Agency.

Civil Defence Emergency Management Group

Mayor Gary Tong, Cr Paul Duffy

Purpose of the Group is to identify the hazards and risks to be managed by the group and the Civil Defence Emergency Management measures deemed necessary to manage those hazards and risks.

WasteNet (Waste Advisory Group)

Mayor Gary Tong, Cr Ebel Kremer

WasteNet has been developed to oversee waste management in Southland.

Southland Regional Heritage Joint Committee

Cr Paul Duffy, Cr Karyn Owen

The purpose of the committee is to establish and preserve the regional heritage of Murihiku/Southland.

Southland Regional Transport Subcommittee

Cr Ebel Kremer, Cr John Douglas

To develop and oversee regional land transport in Southland.

Council Controlled Organisations

Council Controlled Organisations (CCOs) are those organisations in which Council is involved by itself or with other local authorities and controls 50% or more of the voting rights or appoints 50% or more of the directors. The Council Controlled Organisations in which Council is involved are:

Milford Community Trust

The purpose of the Milford Community Trust is to manage and carry out services and undertake leadership, planning and advocacy for the general benefit of the Milford community.

Council has one representative – Cr Ebel Kremer - on a board of seven trustees. Representation is by Council appointment.

Southland Museum and Art Gallery Trust Board

The purpose of the trust board is to maintain, manage and operate a museum and art gallery.

Council has two members – Mayor Gary Tong and Cr Christine Menzies - on an eight member trust board as permitted by the constitution. Representation is by Council appointment.

Council Organisations

Council Organisations (COs) are those organisations in which Council is involved by itself or with other local authorities and has any voting rights or rights to appoint directors etc. The Council organisations in which Council is involved are –

External Organisation	Representation	Nominated Appointee
Age Concern Southland	An officer	Janet Thomas
Destination Fiordland	Two councillors	Crs Ebel Kremer, John Douglas
Creative Communities	One councillor	Cr Margie Ruddenklau
Gore and Districts Community Counselling Centre Inc.	One councillor	Cr Julie Keast
Milford Opportunities Project	Mayor	Mayor Gary Tong
Pioneer Women's Memorial Trust (Gore)	One councillor	Cr Julie Keast
Rakiura Heritage Centre Trust	One councillor	Cr Ford
Regional Community Road Safety Network	An officer	Hartley Hare
Southland Indoor Leisure Centre Charitable Trust	One councillor	Cr Darren Frazer
Southland Medical Foundation	Mayor	Mayor Gary Tong
Southland Regional Heritage Building and Preservation Trust	Two councillors	Crs Paul Duffy, Karyn Owen
Te Roopu Taiao	Mayor (and an alternate)	Mayor Tong, Cr Paul Duffy
Waiau Working Party	One councillor	Cr Harpur

The Reorganisation Process

The Local Government Act 2002 sets out procedures which must be followed during proposals to –

- make changes to the boundaries of the District
- create a new District.
- create a Unitary Authority, a territorial authority which also has the responsibilities, duties and powers of a regional council
- transfer a particular function or functions to another Council.

A reorganisation application to the Local Government Commission may be made by any person, body or group, including the local authority or the Minister of Local Government. Before supporting a reorganisation application, the Local Government Commission must be satisfied that there is demonstrable community support in the district of each affected territorial authority. The commission also has to be satisfied that the reorganisation will promote good local government. Where, by petition, 10% or more of affected electors with the district request a poll of electors, the poll may determine the final outcome.

Further information on these requirements can be found in the Local Government Act 2002 (in particular Schedule 3). The Local Government Commission has also prepared guidelines on procedures for local government reorganisation.

Meeting Requirements and Processes

The legal requirements for conducting Council, community board and committee meetings are provided for in the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

Scheduled meetings are publicly notified not more than 14 days and not less than five days before the end of each month for the following month. Where this requirement cannot be satisfied (eg in the case of extraordinary meetings) then Council shall cause such public notice as is reasonable in the circumstances to be given. The place, dates and times of meetings are advertised in the Southland Times newspaper circulating within the District.

All Council, community boards and committee meetings must be open to the public unless there is reason to consider some item 'in committee' (ie these items are considered to be confidential and members of the public will be asked to leave the room until discussion on the item has been completed). Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made with the Council, community board or committee.

The LGOIMA specifies those circumstances where a Council, community board or committee may consider items with the public excluded. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order. The Council agenda is a public document, although parts may be withheld if the above circumstances apply. Minutes of all meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available subject to the provisions of the LGOIMA.

During meetings the mayor, councillors and community board members must follow Standing Orders which are a set of procedures for conducting meetings agreed upon by Council. The application of Standing Orders can be suspended at any meeting by a vote of 75% of the members present. A copy of the Standing Orders can be obtained by contacting Council.

Consultation Principles

The Local Government Act 2002 establishes certain principles and requirements for consultation as part of the planning, decision-making and accountability role of Council.

In the course of making any decision Council is required to –

- consider those options available to achieve the objective of a decision by assessing the costs, benefits and impact of those options
- consider the views of the community at the various stages of the decision-making process and the views of Māori (especially where land or water are involved)
- have regard to the present and future social, economic, environmental and cultural wellbeing of communities
- identify the reasons for a decision also for any decision which is inconsistent with any other Council policies or plans.

Special Consultative Procedure

When making certain types of decision the Local Government Act 2002 requires Council to use the ‘special consultative procedure’. The special consultative procedure is regarded as a minimum process that Council must use when making certain decisions under the Local Government Act 2002 or addressed in Council’s policy on significance. The purpose of the policy on significance is to ensure that communities within the Southland District are fully consulted and encouraged to participate in the consideration of issues, proposals or decisions deemed to be significant and/or involve dealing with the strategic assets of Council.

The special consultative procedure comprises the following steps:

- **STEP ONE:** Preparation of a statement of proposal and a summary. Council must prepare a description of the proposed decision or course of action. The statement must be available for distribution throughout the community and must be available for inspection at Council offices and may be made available elsewhere. Council also has to prepare a full and fair summary of the proposal which must be distributed as widely as Council considers to be reasonably practicable. That statement must be included on an agenda for a Council meeting
- **STEP TWO:** Public notice. Council must publish a notice in one or more daily newspapers, or in other newspapers of equivalent circulation, of the proposal and of the consultation being undertaken
- **STEP THREE:** Receive submissions. Council must acknowledge all written submissions and offer submitters a reasonable opportunity to make an oral submission. Council must allow at least one month (from the date of the notice) for submissions
- **STEP FOUR:** Deliberate in public. All meetings where Council deliberates on the proposal or hears submissions must be open to the public (unless there is some reason to exclude the public under the LGOIMA). All submissions must be made available unless there is reason to withhold them under LGOIMA
- **STEP FIVE:** Follow up. A copy of the decision and a summary of the reasons must be provided to submitters. There is no prescribed format for such a summary.

Council must follow the special consultative procedure before it:

Adopts a Long Term Plan (LTP) or Annual Plan.

- amends the LTP
- adopts, revokes, reviews or amends a bylaw.

Council may be required to use the special consultative procedure under other legislation, and it may use this procedure in other circumstances if it wishes to do so.

Other Consultation and Engagement Processes

In addition to the statutory requirements Council has long been committed to public involvement and consultation and engagement in the administration of the District. An extensive network of representation exists. The administration and provision of services and responsibilities has been decentralised as necessary thereby allowing an effective means of ensuring local input into decision-making. The range of delegations to community boards and water supply committees contributes to local decisions being made on local issues.

Consultation and engagement are often required on issues for which there are no statutory processes or timeframes in legislation. Consultation and engagement should be tailored to the complexity of an issue and its potential for controversy.

In exercising its discretion, Council should have regard to the nature and significance of the decision and the extent to which Council is already aware of the views of the affected public.

Iwi Liaison

Southland District Council recognises Ngāi Tahu as the tāngata whenua within the Murihiku/Southland District.

Council values highly its relationship with Ngāi Tahu within Murihiku/Southland. To help promote and develop this relationship, Council (together with the other three local authorities in the Southland region namely Environment Southland, Invercargill City Council and Gore District Council) is an active participant and signatory to the 'Charter of Understanding' between the four councils and Te Ao Mārama Incorporated.

The 'Charter of Understanding' has been revised following discussions at Te Roopu Taiao (the councils/Tāngata Whenua Joint Management Committee) to incorporate the wider responsibilities under the Local Government Act 2002.

The 'Charter of Understanding' provides:

- the basis for an ongoing relationship between the four councils and the tāngata whenua of Murihiku to assist in developing the capacity of Māori to contribute to the decision-making processes
- a foundation for consultation on a wide range of local government issues
- for the recognition and willingness of Te Ao Mārama Inc to assist all councils in consultation with all 'ngā matawaka' living in Murihiku (ngā matawaka being Māori living in Murihiku/Southland who are not Ngāi Tahu).

Te Roopu Taiao - meets four times a year. Deals with the higher level political interface, budget setting, accessing resources, commitments from members. Councillor representatives from each council plus officers, and representatives from each of the four Papatipu Rūnanga in Murihiku/Southland.

Te Ao Mārama Inc - the day-to-day management structure that is run and operated directly by tāngata whenua. Consists of representatives from each of the four Papatipu Rūnanga in Murihiku/Southland, and some representation from Te Rūnanga o Ngāi Tahu as and when required.

Kaupapa Taiao Manager - effectively is the iwi liaison officer role. Has direct contact with the councils on an almost daily basis. Deals directly with applicants for resource consents for affected party sign offs. Responsible for the daily running of the Te Ao Mārama Inc.

Management Structures and Relationships

The chief executive is responsible to Council for:

- ensuring the management team provides Council with policy advice
- implementing Council's policies to achieve the required results.

The management of Council is structured under four groups and three core areas.

The executive leadership team is made up of four group managers, the people and capability manager, chief information officer, chief financial officer and the chief executive officer and they review all general organisation issues and provide a link between Council and the staff.

Chief Executive Officer

The Local Government Act 2002 requires Council to employ a chief executive officer whose responsibilities are to employ other staff on behalf of Council, implement Council decisions and provide advice to Council. Under the Local Government Act the chief executive is the only person who may lawfully give instructions to a staff member. Any complaint about individual staff members should therefore be directed to the chief executive, rather than the mayor or councillors.

The chief executive is: Steve Ruru
His contact details are: Southland District Council
PO Box 903
Invercargill 9840
Phone: 0800 732 732
Fax: 0800 732 329
Email: steve.ruru@southlanddc.govt.nz

Executive Leadership Team

Other members of the executive leadership team are:

Group Manager - Community and Futures

Contact: Rex Capil
Phone: 0800 732 732
Email: rex.capil@southlanddc.govt.nz
Responsible for: Communications, engagement, governance, community leadership and strategy and policy.

Group Manager – Customer Delivery

Contact: Trudie Hurst
Phone: 0800 732 732
Fax: 0800 732 329
Email: trudie.hurst@southlanddc.govt.nz
Responsible for: Customer services, libraries, information technology, knowledge management, and mapping.

Group Manager - Environmental Services

Contact: Fran Mikulicic
Phone: 0800 732 732
Fax: 0800 732 329
Email: fran.mikulicic@southlanddc.govt.nz
Responsible for: Building control, environmental health, alcohol licensing, resource management, animal control, rural fire and civil defence.

Group Manager - Finance

Contact: Anne Robson
Phone: 0800 732 732
Fax: 0800 732 329
Email: anne.robson@southlanddc.govt.nz
Responsible for: Rates and Council finances.

Group Manager - People and Capability

Contact: Janet Ellis
Phone: 0800 732 732
Fax: 0800 732 329
Email: janet.ellis@southlanddc.govt.nz
Responsible for: Human resources and health and safety.

Group Manager - Services and Assets

Contact: Matt Russell
Phone: 0800 732 732
Fax: 0800 732 329
Email: matt.russell@southlanddc.govt.nz
Responsible for: Water and waste, roading, Council property, forestry, harbours, Stewart Island Electricity Supply and Te Anau Airport.

Equal Employment Opportunities Policy

Council is committed to the principle of equal employment opportunities in recruiting, employing, training and promoting staff.

One of the responsibilities of the chief executive, upon appointment, is the promotion of equal employment opportunities within Council. There is also a requirement upon Council to act as a good employer by operating a personnel policy which includes having an equal employment opportunities policy.

Council has a policy of Equal Employment Opportunity for all staff where:

- the elimination of any discrimination and the provision of equal opportunities are regarded as essential in the management of staff resources; and

- no employee or potential employee shall gain advantage or suffer disadvantage by reason of race, colour, gender, employment status, marital status, personal disability, religion, sexual orientation, age or political beliefs.

The aim of Council is to incorporate the principles of equal employment opportunities as part of its human resources strategy.

Approved Planning and Reporting Documents

Council has adopted and approved a number of key planning and reporting documents to assist it in fulfilling the purpose of local government, performing its role as a local authority and exercising the powers, responsibilities and duties conferred on it.

The Long Term Plan (LTP)

The Long Term Plan (LTP) is Council's primary organisational planning document, covering a period of 10 years and is reviewed every three years. It also forms the Annual Plan for the first year. The intent of the LTP is that it provides a vision and strategic framework within which Council operates.

The LTP sets out Council's priorities over the medium to long-term. Under the Local Government Act 2002, the purpose of the LTP is to: describe the activities of Council, describe the community outcomes of the District (or region), provide integrated decision making and co-ordination of resources, provide a long-term focus for Council's decisions and activities, provide accountability and also participation by the public in the decision-making processes on activities to be undertaken by Council.

Information to be included in the LTP is set out in Schedule 10 of the Local Government Act 2002, and includes: community outcomes; groups of activities; capital expenditure for groups of activities; statements of service provision; funding impact statement for groups of activities; details of variations between the LTP and assessment of water and sanitary services and waste management plans; information about council-controlled organisations; policy on development of Māori capacity to contribute to decision-making processes; financial strategy; revenue and financing policy; policy for determining significance; financial statements (forecast and previous year); statement concerning balancing of budget; funding impact statement; information about reserve funds and significant forecasting assumptions.

Council uses a variety of information to prepare the LTP, including information from surveys, other District, regional and national strategies as well as activity management plans (described below). In addition, Council's various local committees and subcommittees (community boards, water supplies, halls, reserves, villages, harbours and jetties) provide input into plans regarding township/area services and are involved in the preparation of local budgets.

For an LTP, the preparation work will start at least 30 months ahead of the adoption date.

Council's LTP:

- describes the type of District the community wants (community outcomes)
- outlines the role Council will play in working towards achieving that vision
- identifies some of the key challenges facing Council over the next 10 years
- provides an overview of each activity Council will carry out and the services it will provide for the next 10 years
- determines how much the business of Council will cost, and how it will be funded.

Council must follow the special consultative process in preparing and adoption of the LTP. Once the preparatory work is complete, Council's adopts the draft LTP and this is advertised for public comment. A summary document is also prepared and is distributed to all households in the District as well as non-residential ratepayers. The public have at least one month to make a written submission. As well as making a written submission, submitters have the opportunity to address Council in person at its submission hearing. Once all submissions have been considered, Council then considers any changes it wishes to make to the LTP before adopting the final document.

The Annual Plan

Council is required to produce an Annual Plan in each of the two years when an LTP is not produced. The purpose of the Annual Plan is to support the LTP, extend the opportunity for public participation, contribute to Council's accountability to its community, detail the annual budget and identify any variances from the LTP funding and financial information for that year.

The Annual Plan has an operational function to implement the strategy, which has been developed and adopted through the LTP. The Annual Plan's primary purpose is to provide the accountability base for the setting and assessing of rates, which cannot be set until Council adopts the Annual Plan.

The intensive preparation work for the Annual Plan (include budget preparation and review by local committees and Council) generally occurs from November - March prior to adoption.

The process used by Council in preparing, consulting on and adopting the Annual Plan is similar to that described above for the LTP.

The Annual Report

At the end of each financial year (1 July - 30 June) the Council publishes an Annual Report, which contains audited accounts for the previous financial year. Each annual report must be completed and adopted by resolution, within four months after the end of the financial year to which it relates.

The purposes of the annual report are:

- to promote Council's accountability to the community for the decisions made throughout the year by Council; and
- to compare the annual activities and performance with the intended activities and performance set out in the Annual Plan/LTP.

In addition to the full Annual Report, Council must also prepare a summary of the report. The summary must be a fair and consistent representation of the major matters in the Annual Report.

The District Plan

The Southland District Plan (the District Plan) enables Southland District Council (Council) to carry out its functions under the Resource Management Act 1991 (the act). The purpose of the act is to provide for the sustainable management of natural and physical resources. Section 73 of the act requires territorial authorities to have a District Plan.

The District Plan is a legally enforceable document and the act provides penalties for breaches of plan rules.

The District Plan sets a framework for development and the management of the natural and physical resources in the District. It establishes objectives, policies and rules for managing the environmental effects of land use, subdivision and development.

The first Southland District Plan to become operative under the act took legal effect in July 2001. The current plan is a second generation District Plan under the act and will eventually supersede the 2001 plan following the outcomes of public notification and the formal submission hearing and appeal processes of the act.

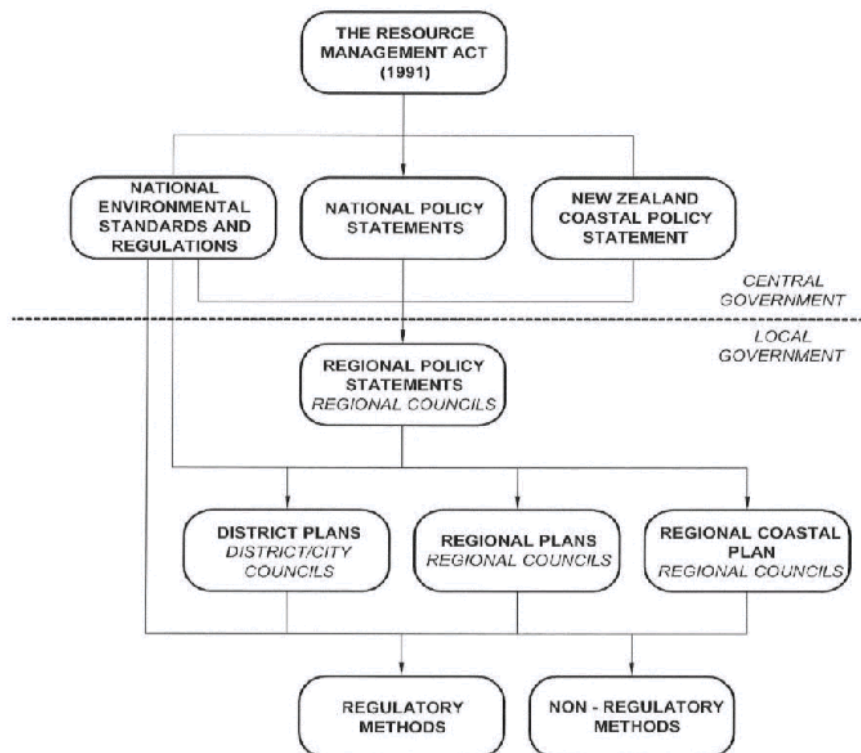
The District Plan is representative of both Council and the community's aspirations for the Southland District.

The act requires the District Plan to give effect to the Southland Regional Policy Statement which acts as the overarching Resource Management Policy document for the Southland Region. In preparing the District Plan, Council must consider a range of other plans and policy documents of relevance to the District. In particular, Section 75 of the act requires that a District Plan must:

- give effect to any national policy statement, New Zealand coastal policy statement and any regional policy statement, and
- not be inconsistent with a water conservation order or any regional plan.

Council will undertake plan changes, where these plans or policy documents are prepared or altered during the life of the District Plan. Figure 1, illustrates the key linkages in the New Zealand legislative and policy framework.

Figure 1: Legislative and Policy Framework in New Zealand



National park management plans and conservation management strategies are also relevant to consider in the development of plans and policies.

Activity Management Plans (AMP)

Council has a number of activity management plans (AMP) for its activities which support the data and forecasts included in the LTP and provide additional detail about the activities and assets of Council. AMP assist Council to ensure that information and assumptions underlying the forecast information provided in the LTP are reasonable, supportable and reliable.

These plans help to ensure that Council provides a desired level of service (as defined by the community of Southland District) through the management of assets and activities in the most cost effective and sustainable manner for present and future customers. Activity management planning provides direction for future management of assets and activities and a robust basis for long term financial forecasts. Council's AMP provide information about the following (by the community, where applicable):

- what the activity is and why Council provides it
- what service and performance standards are sought, why these standards have been adopted and how Council has been performing against those targets
- how demand is likely to change over the period of the plan, the impact of demand change on the assets and services and where the demand-sensitive areas are (eg, where significant investment is required to meet future demand, and/or where the consequence of not meeting demand is high)
- how Council operates, maintains, renews and upgrades the networks to ensure performance standards are met in a manner that maximises value for money (eg, how decisions are made on whether to continue maintenance or renew assets, how investment priorities are decided to provide greatest benefit for the cost)
- the strategies that are in place to ensure risks are understood and managed
- what all this will cost and the impact on user charges (rates, etc) over the plan period (minimum of 10 years).

Systems for Public Access

Principal Council Office: Southland District Council
 15 Forth Street
 PO Box 903
 Invercargill 9840
Phone: 0800 732 732
Fax: 0800 732 329
Email: emailsdc@southlanddc.govt.nz
Internet: <http://www.southlanddc.govt.nz>

Local Council Offices located at:

Location	Hours	Contact Details
Lumsden: 18 Diana Street	Monday, Wednesday and Friday 10am - 5pm	Phone: 0800 732 732 Fax: 0800 732 329
Otautau: 176 Main Street	Monday - Friday 8am - 5pm	Phone: 0800 732 732 Fax: 0800 732 329

Riverton:

117 Palmerston Street Monday - Thursday **Phone:** 0800 732 732
 8am - 4.30pm **Fax:** 0800 732 329
 Friday
 8am - 6pm

Stewart Island:

9 Ayr Street Monday - Friday **Phone:** 0800 732 732
 Halfmoon Bay 9am - 12noon **Fax:** 0800 732 329

Te Anau:

24 Milford Crescent Monday - Friday **Phone:** 0800 732 732
 8am - 5pm **Fax:** 0800 732 329

Winton:

1 Wemyss Street Monday - Friday **Phone:** 0800 732 732
 8am - 5pm **Fax:** 0800 732 329

Wyndham:

44 Balaclava Street Tuesday and Thursday **Phone:** 0800 732 732
 2pm - 5pm **Fax:** 0800 732 329
 Thursday
 6.30pm - 8pm

Requests to Council

Anyone can lodge a request for Council service by –

- visiting any of the offices of Council
- telephoning Council office or local offices
- writing to Council's chief executive or appropriate group manager
- contacting the mayor or a councillor
- emailing Council at emailsdc@southlanddc.govt.nz
- making a request through on-line services on www.southlanddc.govt.nz.

Requests for information of particular topics should be made to the staff concerned. Contact or assistance on finding the correct staff member can be either found on the website under "Services" or through the customer support partners answering the 0800 732 732 number.

Consultation and Engagement

Council prepares and publishes a quarterly newsletter entitled 'First Edition' which is delivered to all residents of the District, non resident ratepayers and other councils. This newsletter is used by Council to inform ratepayers and residents of current issues and activities. From time to time Council will also invite comments or submissions on certain issues to improve the decision-making process or assist in the development of proposals.

Throughout any year there are numerous opportunities for the public to participate in the decision-making process. This can be via special consultative procedures used for any proposal and also the Annual Plan/LTP. Council encourages the involvement of all communities within its District through a system of nine community boards in addition to five wards of the District, represented by the 12 councillors.

Requests for Official Information

Under the Local Government Official Information and Meetings Act 1987 (LGOIMA) any person may request information from Council. Any request for information is a request made under LGOIMA. You do not have to say you are making a request under LGOIMA.

Once a request is made Council must supply the information unless good reason exists for withholding it. The LGOIMA says that information may be withheld if release of the information would:

- endanger the safety of any person
- prejudice maintenance of the law
- compromise the privacy of any person
- reveal confidential or commercially sensitive information
- cause offence to tikanga Māori or would disclose the location of waahi tapu
- prejudice public health or safety
- compromise legal professional privilege
- disadvantage the local authority while carrying out negotiations or commercial activities
- allow information to be used for improper gain or advantage.

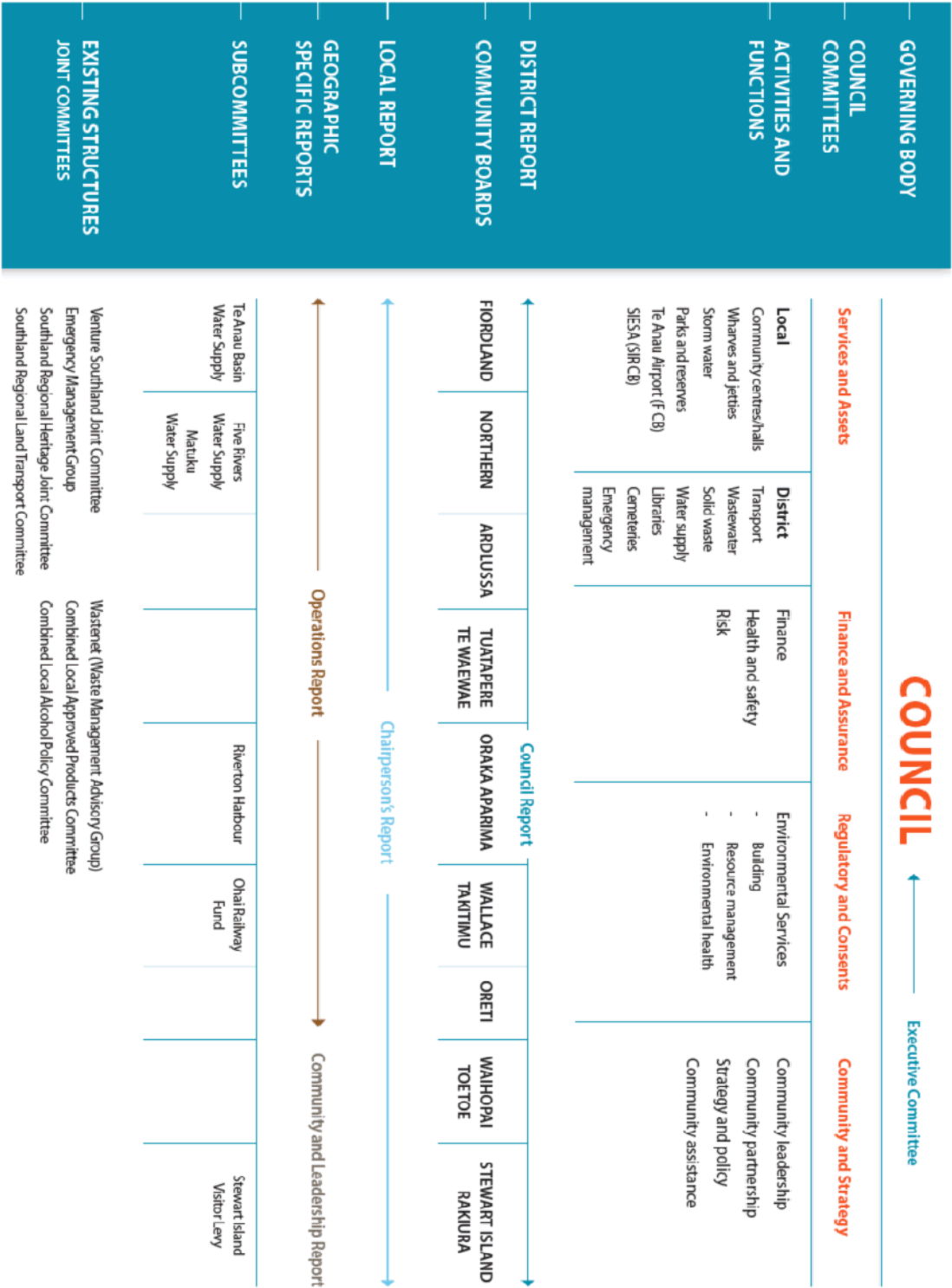
Council must answer requests within 20 working days (although there are certain circumstances where this timeframe may be extended). Council may charge for official information under guidelines set down by the Ministry of Justice.

In the first instance you should address requests for official information to:

The Chief Executive
Southland District Council
PO Box 903
Invercargill 9840



Appendix 2



Predator Free Rakiura - Project Update

Record No: R/20/2/4833
Author: Scott Dickson, Graduate Planner
Approved by: Fran Mikulicic, Group Manager Environmental Services

☐ Decision ☐ Recommendation ☒ Information

Purpose

- 1 The purpose of this report is to provide Council with an update about the Predator Free Rakiura (PFR) project.

Executive Summary

- 2 The Predator Free Rakiura Leadership Group (PFR LG) was created in 2014 as an inter-agency initiative to progress the goal of achieving and maintaining predator free status for Stewart Island/Rakiura.
- 3 Council has been a participant in the PFR project since the establishment of the project in 2014. The formalisation of future direction and relationships via a Memorandum of Understanding was viewed by the PFR LG as a key component of moving forward. All agencies represented on the PFR LG signed a Memorandum of Understanding in July 2019.
- 4 In 2017 an application was prepared to the Ministry of Business Innovation and Employment (MBIE) for \$100,000 excluding GST of funding for the creation of a Project Manager position for PFR. The application was successful, and Bridget Carter, a Rakiura resident and experienced environmental manager, was appointed to this role in mid-2018, with Southland District Council acting as her employer.
- 5 Bridget Carter, on behalf of the PFR LG, seeks to provide Council with a project update.

Recommendation

That the Council:

- a) **Receives the report titled "Predator Free Rakiura - Project Update" dated 26 February 2020.**
- 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.**

Background

- 6 The following agencies are represented on the leadership group:
- Community representatives (2)
 - Stewart Island/Rakiura aquaculture and fishing interests
 - Awarua Runanga
 - Oraka Aparima Runanga
 - Waihopai Runanga
 - Hokonui Runanga
 - Te Runanga o Ngai Tahu
 - Rakiura Maori Lands Trust
 - Rakiura Titi Islands administering body
 - Rakiura Titi Committee
 - Department of Conservation
 - Environment Southland
 - Real Journeys
 - New Zealand Deerstalkers Association
 - Southland District Council
- 7 Strong inter-agency collaboration has developed in the PFR LG. There is valuable representation and commitment from Runanga towards the outcomes sought by the project. Council is represented by the group manager environmental services, Fran Mikulicic, and resource management planner, Scott Dickson, as alternate.
- 8 The project has received, and continues to receive, very strong technical and leadership support from DOC throughout. Paul Norris from Real Journeys is the current chair of the PFR LG and brings his wealth of sector and community knowledge to this role.
- 9 Previous consultation processes undertaken on Rakiura have demonstrated strong community support for progressing predator free and biodiversity enhancement opportunities as a key component of securing the environmental, cultural and socio-economic future of the community.
- 10 The PFR LG will continue to progress the project going forward, and consider it appropriate to provide a project update to the Southland District Councillors at this time.

Attachments

There are no attachments for this report.

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

Recommendation

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

C10.1 Otago/Southland Three Waters Investigation: Information for Councils

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
Otago/Southland Three Waters Investigation: Information for Councils	s7(2)(i) - The withholding of the information is necessary to enable the local authority to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).	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.

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