

Consultation on council charging to monitor permitted activities in the National Environmental Standard for Plantation Forestry

We would like to hear your views on the inclusion in the NES-PF of provisions to allow councils to charge for monitoring of permitted activities.

Please feel free to use this template to prepare your submission. You do not have to complete the questions in one sitting. Your responses can be saved by clicking on the "save and continue later" bar at the top of the page.

If you have any queries to assist you in making your submissions please email us at NES-PFConsultation@mpi.govt.nz

Consultation closes at 5pm on Friday 16 June 2017

1. Name:

Auckland Council

2. Postal Address:

Auckland Council
Private Bag 92300
Victoria Street West Auckland 1142

3. Phone Number:

09 301 0101

4. Email Address:

unitaryplan@aucklandcouncil.govt.nz

5. Are you submitting on behalf of an organisation?

Yes

6. If yes, which organisation are you submitting on behalf of?

Auckland Council

7. If you are a forest owner/manager, what size of forest do you own/manage (in hectares):

N/A

Privacy Act 1993

Where you provide personal information in this consultation, the Ministry for Primary Industries (MPI) will collect the information and will only use it for the purposes of the consultation. Under the Privacy Act 1993 you have the right to request access and correction of any personal information you have provided or that MPI holds on you.

Submissions are subject to the OIA

Any submission you make has the potential to become public information. Anyone can ask for copies of all submissions under the Official Information Act 1982 (OIA). The OIA says we must make the information available unless we have a good reason for withholding it. You can find those grounds in sections 6 and 9 of the OIA. Tell us if you think there are grounds to withhold specific information in your submission and why. Reasons might include, it is commercially sensitive or it is personal information. However, any decision MPI makes to withhold information can be reviewed by the Ombudsman, who may require the information be released.

8. Please indicate below if you wish your personal details to be withheld:

- Please withhold my personal details in response to a request under the Official Information Act 1982.
- Please specify if there are parts of your submission you wish to be withheld in the case of a request under the Official Information Act 1992.

Questions for Submitters

9. Do you agree that this enabling power (for councils to charge to monitor permitted activities) should be included in the NES-PF? If not, why not.

Yes, agree.

10. Do you agree that administrative conditions should be excluded from the permitted activities that councils could set monitoring charges for? If not, why not?

Yes. However, as detailed by the enabling power proposal, the technical review of reports (or other such information provided to demonstrate permitted activity compliance should be considered a monitoring activity and be subject to fair and reasonable charging that the NES-PF changes enable.

11. What are the benefits and risks in the use of this enabling power in the NES-PF?

Agree with the benefits detailed within the NES-PF enabling power discussion paper. In particular, section 7 which identifies the limits of Council budgets to adequately monitor activities.

It is noted that the NES provisions include a suite of permitted activities (with conditions) which address the associated potential effects of these activities. In particular it is highlighted that if councils cannot choose to cost recover for monitoring and enforcement, limited budgets or competing needs for funding may mean that the permitted activities with

substantive conditions are not subject to adequate monitoring and enforcement. This is very important in light of the breadth of permitted activities included in the NES-PF.

12. If this enabling power was used in the NES-PF, what guidance information would you require to assist in the implementation of the power?

- Guidance that promotes national consistency of inspection regime, for example, the risk characteristics contribute to the level or frequency of monitoring and inspection.
- Guidance to industry on the enabling power and increasing awareness that Councils can on-charge for monitoring of permitted activities.

13. Do you have any other comments to make about this enabling power?

Monitoring under NES-PF may start prior to the activity commencing should review of reports be required. Charges associated with such review should be met by the person who is proposing to carry out the activity.