



# Southland District Council

## Stewart Island/Rakiura Visitor Levy Bylaw

(Revision 1, 2019)

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## Document Revision

Date	Amendments	Amended by	Approved by	Approval date
2012	Original		Council	12 Dec 2012
2019	2019 review <ul style="list-style-type: none"> <li>• adding/amending definitions of ‘Approved Operator’ and ‘Visitor’</li> <li>• adding the location of the collection box</li> <li>• adding the infringement fee that has been set by way of regulation</li> <li>• removing that payment can be made on website.</li> </ul>	Council	Council	7 February 2019 – to come into effect on 1 July 2019

## 1 Title and commencement

This bylaw may be cited as the Southland District Council Stewart Island/Rakiura Visitor Levy Bylaw.

This bylaw shall come into force on 1 October 2013.

## 2 Purpose of bylaw

The bylaw is made to prescribe:

- (a) the rate of the levy that will be imposed on or in respect of visitors; and
- (b) the means by which the levy is to be collected.

This bylaw does not apply to a person who travels to or from Stewart Island/Rakiura under a contract of carriage with an ‘Approved Operator’ or who is otherwise excluded from the definition of ‘visitor’. As at the date of this bylaw the Approved Operators are Real Journeys Limited (currently trading as Stewart Island Experience), Stewart Island Flights Limited, and ISS McKay Limited (as agent for the cruise ship operators).

## 3 Interpretation

In this bylaw, unless the context requires otherwise:

“**Act**” means the Southland District Council (Stewart Island/Rakiura Visitor Levy) Empowering Act 2012.

“**Approved Operator**” means a person who owns or operates or is otherwise in control of a transport vessel and who enters into a contract with the Council:

- (a) relating to the provision of a service to carry to or from the Island passengers who, but for the contract, would be visitors to the Island; and
- (b) providing for revenue to be collected from the passengers; and
- (c) that has the effect of bringing passengers carried by the operator within the definition of an excluded visitor; and
- (d) including any other terms and conditions that may be agreed from time to time by the approved operator and the Council.

“**Council**” means the Southland District Council.

“**GST**” means goods and services tax chargeable under the Goods and Services Act 1985.

“**Levy**” means the levy set under clause 4 of this bylaw.

“**Visitor**” means any person who:

- (a) travels to or from the Island, whether for a single day or for any continuous period of less than 21 days, by any transport vessel; but
- (b) is not a person who:
  - (i) for the purposes of the Local Government (Rating) Act 2002, is a ratepayer in respect of a rating unit on the Island; or

- (ii) is a resident of the Island by virtue of being a resident for electoral residency purposes under section 23 of the Local Electoral Act 2001; or
- (iii) is a tenant of a rating unit for the purposes of the Residential Tenancies Act 1986; or
- (iv) is the spouse, civil union partner, de facto partner, or dependant of a ratepayer or tenant; or
- (v) is a beneficiary of the Rakiura Māori Land Trust or who has an ownership interest in a Māori land block on the Island; or
- (vi) is an excluded visitor.

For the avoidance of doubt, as at the date of this bylaw, ‘visitor’ excludes a person who travels to or from Stewart Island/Rakiura under a contract of carriage with an Approved Operator or who is otherwise excluded from the definition of ‘visitor’.

## 4 Levy for visitors to Stewart Island/Rakiura

The levy for a visitor who travels to Stewart Island/Rakiura is \$5 (inclusive of GST).

## 5 Surrounding islands

For the avoidance of doubt, a visitor who has paid a levy for travel to Stewart Island/Rakiura is not required to pay an additional levy for return travel from Stewart Island/Rakiura to a surrounding island.

## 6 Means of collection of levies

Levies will be collected:

- (a) by Council at any of its offices;
- (b) by Council at its collection box on the Main Wharf in Oban; and
- (c) by agents of the Council appointed to collect levies on its behalf.

Details of the agents who have been appointed to collect levies will be given on the signs erected by the Council at major points of entry on Stewart Island/Rakiura under section 5(3) of the act and on the Council’s website.

## 7 Offences and penalties

A person commits an infringement offence under the act who:

- (a) evades the payment of a levy payable by that person; or
- (b) falsely claims that he or she is not a visitor.

The infringement fee for each infringement offence has been set by way of a regulation made under the act and it is \$250.

This bylaw has been made and confirmed by a resolution passed at a meeting of Council held on Wednesday 12 December 2012.

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

\_\_\_\_\_

**MAYOR**

\_\_\_\_\_

**CHIEF EXECUTIVE**