

**Minutes of the Regulatory Committee Meeting of the  
Southland Regional Council, held in Regional House,  
corner North Road and Price Street, Invercargill, on  
Wednesday, 13 November 2019, at 1.30 pm**

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Te Taiao Tonga

<b>Present:</b>	Cr NMG Cook	(Chair)
	Cr A Baird	
	Cr L Esler	
	Cr R Guyton	
	Cr L McCallum	
	Cr J McPhail	
	Cr B Mager	
	Cr D Stevens	
	Chairman Nicol Horrell	(ex officio)
<b>In Attendance:</b>	Cr L Ludlow	
	Cr P McDonald	
<b>Staff Present:</b>	Mr V Smith	(Director of Policy, Planning and Regulatory Services)
	Mr R Phillips	(Chief Executive)
	Mr G McKenzie	(Team Leader Compliance Technical)
	Mr M Durand	(Consents Manager)
	Mrs A Grant	(Team Leader Consents)
	Miss L Hayward	(Team Leader Consents)
	Mrs T McCann	(Communications Co-ordinator)
	Miss M Scott	(Personal Assistant)

**1 Welcome (*Haere mai*)**

The Chairman welcomed members to the meeting of Council.

**2 Apologies (*Nga Pa Pouri*)**

There were no apologies to be recorded as all members were in attendance.

### **3 Declarations of Interest**

There were no declarations of interest.

### **4 Public Forum, Petitions and Deputations (*He Huinga tuku korero*)**

There were no Public Forum, Petitions or Deputations presented to the meeting.

### **5 Confirmation of Minutes (*whakau korero*) – 24 July 2019**

#### ***Resolved:***

Moved Cr McCallum, seconded Chairman Horrell that the minutes of the Regulatory Committee meeting held on 24 July 2019 be taken as read and confirmed as a true and correct record.

Carried

### **6 Notification of Extraordinary and Urgent Business (*He Panui Autaia hei Totoia Pakihi*)**

#### **6.1 Supplementary Reports**

There were no supplementary reports tabled for inclusion in the agenda.

#### **6.2 Other**

There were no other items of business raised by Councillors for inclusion in the agenda.

### **7 Questions (*Patai*)**

It was asked that an update be provided on the review process that was currently taking place within the Consents and Compliance Divisions as well as the content of these reviews. Additionally it was queried when the output would be reported back to council.

Mr Smith replied that as part of the workshop sessions that were taking place (and scheduled for later in the day) as part of the induction process, he would be providing an update pertaining to the reviews in question and the process for them.

### **8 Chairman and Councillors' Reports (*Nga Purongo-a-Tumuaki me nga Kaunihera*)**

Neither the Chairman nor any Councillors presented reports.

## 9 Election of Deputy Chair to the Committee

This item had been provided to allow the meeting to appoint a Deputy Chairman.

### ***Nomination:***

**Moved Chairman Horrell, seconded Cr McPhail, that Cr Stevens be nominated to the position of Deputy Chairman of the Regulatory Committee.**

As there were no further nominations received, Cr Stevens was declared elected.

## 10 Director of Policy, Planning & Regulatory Services' Report – 19/RC/97

### ⇒ **Item 1 – Annual Compliance Monitoring Report 2018/19**

A copy of an updated Compliance Monitoring report was circulated at the meeting, and members were advised that minor changes had been made to the report since the original version was issued with the agenda.

Mr McKenzie informed the committee that every year the Compliance Division creates a report that outlines all activities undertaken throughout all industries, and summarises the enforcement work that had taken place within that financial year. He then welcomed any questions to this report.

It was noted that there had been reoccurring themes within the report of consent holders not fulfilling requirements such as timing on delivering documentation, incorrect formatting of this information and reporting that was not meeting the consent requirements. Concern was expressed that consent holders may not be getting enough education or information upon receiving their consent and as an outcome these trends were being observed. Mr Smith acknowledged the presence of said themes and stated that although the Compliance Division does currently provide extensive education to industries as well as individual consent holders, it is recognised that there may be greater opportunity to deliver extra assistance. He advised that these issues as well as a resourcing issue would be discussed further in upcoming workshops.

Comment was made about the ongoing matters with ICC Stormwater and odour issues pertaining to AB Lime and whether those industries were being worked with to improve outcomes. Mr McKenzie clarified that AB Lime had been “in the red” on the report as there had been an abatement notice sent out addressing measures they were not following. However since sending out the notice the company has mitigated the problems that had been identified. He also added that the Compliance Division were working very closely with ICC and significant improvement had been taking place, whilst acknowledging that challenges around management of the stormwater were ongoing.

**Resolved:**

**Moved Cr McCallum, seconded Cr Stevens, that Council note the Annual Compliance Monitoring Report for 2018/19 period, prior to public release.**

**Carried**

⇒ **Item 2 – Consents Team Activity and Performance – 1 July to 30 September 2019**

Mr Durand opened with an introduction of himself and Consent Team Leaders, Aurora Grant and Lydia Hayward for the benefit of the new councillors.

Mr Durand then spoke to his report. He highlighted a drain on resources that had been occurring due to there being 14 notified applications as well as the complex Woldwide applications at the time of the meeting. He also noted that the work load in the last quarter was slightly lower than the baseline, however informed the committee that this statistic was to be viewed as an outlier rather than a trend. The Consent Division were still anticipating the workload to continue to rise as the number of notified consents also seemed to continue to increase.

A question was posed as to whether future applicants were waiting to see the outcome of some of the current notified consents before they themselves decided to lodge their own consents and whether it was likely that these applicants would start lodging their consents in the New Year. Mr Durand explained that it could be the case however Council usually get an influx of applications in December and were already aware of applications that were currently being prepared for further farm expansions.

It was queried whether more interest in the Aquaculture space had been shown, to which Mr Durand responded that there had been, and made reference to the King Salmon costal marine applications that had been submitted the previous year. Mrs Grant also spoke on the number of consents coming up in the aquaculture industry and made mention of the consents in Big Glory Bay that will be requiring renewal by 2025. She advised of the need to work with the wider community to assist them with this process.

A question was raised in regards to the increasing numbers of winter grazing consents and how long they would take to process. Mr Smith advised the meeting that a project around standardised solutions was to be created which would hopefully help streamline the consenting process. However if the applicant was to choose not to accept the solution given, then further work would need to be done with the individual, which would take extra time.

The meeting then discussed the proposed Water and Land Plan that had been going through the Environment Court and the Essential Fresh Water Package which central government had been preparing, and how these policies would likely affect the future of consenting. Mr Smith offered the meeting a model example that for intensive winter grazing they were anticipating an estimated 350 consents under the Proposed Water and Land Plan, and an estimated 1000-1200 consents under the Essential Fresh Water Package.

From this discussion, concern was expressed over when individuals would have to start applying for their consents. Mr Durand clarified that under Section 20A of the RMA, consent holders had the right to continue their activities as permitted until the new rules were put into place as long as they were meeting certain criteria. When the new rules were in place they would have six months from that date to submit their applications. It was agreed that these matters would be further discussed in the upcoming workshop.

Chairman Horrell and Mr Smith acknowledged the success of the Winter Grazing Hui that had been held and how positive it was to see the industries stepping-up to provide education within the community.

***Resolved:***

**Moved Cr McCallum seconded Cr Guyton that Council note the activity and performance of the Consent Division.**

**Carried**

⇒ **Item 3 – Environmental Compliance Division Report – 5 July to 22 October 2019**

Mr McKenzie spoke to this report, commenting that staff and resources were depleted and therefore the number of completed dairy inspections had been lower than what would be expected at that time of year. It was added that a contractor had been employed to mitigate the staffing issue.

A discussion took place around the matter of aerial inspections. It was noted that a large number of non-compliant behaviour was being observed when aerial inspections had taken place and concern was raised on whether the Compliance Division had been restricted with how many follow-ups they could complete because of the lack of resources. Mr McKenzie clarified that those that have had identifiable potential issues observed from the air do require a ground visit, however many were able to be followed-up by mail. These letters included advice and education where it was needed. Any further questions on this matter should be referred to Mrs Washbourne (Team Leader Compliance Monitoring and Enforcement), who unfortunately was involved in a Court matter that same day. Following from this discussion Mr Smith suggested that a future date was to be set for further discussion with Mrs Washbourne and the Compliance Manager, Mr Mapp.

***Resolved:***

**Moved Chairman Horrell, seconded Cr McPhail, that Council note the Environmental Compliance Division report for the period 8 April to 5 July 2019.**

**Carried**

**11 Extraordinary and Urgent Business**

There was no items of extraordinary or urgent business considered by the meeting.

**12 Public Excluded Business**

There were no items of public excluded business considered by the meeting.

**Termination**

There being no further business, the meeting closed at 2.04 pm.