

**Minutes of the Ordinary Meeting of the
Southland Regional Council, held in Regional House,
corner North Road and Price Street, Invercargill, on
Wednesday, 9 October 2019 at 10.30 am**



Present: Chairman N Horrell (Chair)

Cr E R Currie
Cr R Guyton
Cr G Hubber
Cr L Ludlow
Cr L McCallum
Cr J McPhail
Cr M Rodway
Cr E Roy
Cr D Stevens

In Attendance:

Mr R Phillips	(Chief Executive)
Mr N Selman	(Director of Corporate Services)
Mr J Streat	(Director of Operations)
Mr K Swinney	(Acting Director, Science & Information)
Mrs T Hawkins	(Finance Manager)
Mrs L Hicks	(Policy and Planning Manager)
Mrs F Young	(Land and Water Services Manager)
Ms Ali Meade	(Biosecurity and Biodiversity Operations Manager)
Mr L Cleaver	(Maritime Manager – Harbourmaster)
Mr P Haynes	(Catchment Operations Manager)
Mr P Pollard	(Team Leader Catchment)
Mr D Connor	(Team Leader Catchment)
Mr R Win	(Biosecurity Officer – Marine and Biodiversity)
Mrs J Brown	(Executive Assistant)
Ms G Jefferies	(Communications & Engagement Manager)
Ms K Harper	(PA)

1 Welcome (*Haere mai*)

The Chairman welcomed members to the final meeting of the tenth Triennium of Southland Regional Council.

2 Apologies (*Nga Pa Pouri*)

Resolved:

Moved Cr Cook, seconded Cr McPhail, that apologies for absence be accepted on behalf of Cr G R Cockburn and Cr M Rodway (leave of absence previously granted).

Carried

3 Declarations of Interest

Cr McPhail declared an interest in regards to Item 4 with regard to his involvement with the Waikaka Community Group.

Cr McCallum declared an interest in regards to Item 15 in the Public Excluded section of the meeting noting he is the Co-Chair of Whakamana te Waituna.

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

There were no Public Forum, Petitions or Deputations.

5 Procedure for the Meeting and Valedictory

Councillors did not take up the opportunity for a valedictory presentation.

6 Confirmation of Minutes (*Whakau korero*)

(a) Ordinary Meeting of Council – 14 August 2019

Resolved:

Moved Cr McCallum, seconded Cr Stevens, that the minutes of the Ordinary Meeting of Council held on 14 August be taken as read and confirmed as a true and correct record.

Carried

7 Adoption of Committee Resolutions

(a) Strategy and Policy Committee – 4 September 2019

Cr Hubber highlighted key points from the meeting, including resolving that draft documentation be prepared for a special consultative procedure around the Southland Flood Control and Drainage Management Bylaw. He also noted that

Ian Coard and Simon Mapp had been appointed as alternate Marine Oil spill Response Regional On-Scene Commanders.

Resolved:

Moved Cr Hubber, seconded Cr Stevens, that the resolutions from the Strategy and Policy Committee meeting held on 4 September 2019 be adopted, and that the record of the meeting be amended at page 7 to refer to Chairman Horrell instead of Cr Nicol.

Carried

(b) Organisational Performance and Audit Committee – 4 September 2019

Cr McCallum advised, in Cr Rodway's absence, that the meeting provided for a full discussion with the auditor, resulting in the committee being pleased with the auditing process and the results of the auditing process.

Resolved:

Moved Cr McCallum, seconded Cr Cook, that the resolutions from the Organisational Performance and Audit Committee meeting held on 4 September 2019 be adopted.

Carried

(c) Chief Executive's Review Sub-committee – 30 September 2019

Resolved:

Moved Cr McCallum, seconded Cr Currie, that the resolutions from the Chief Executive's Review Sub-committee meeting held on 30 September 2019 be adopted.

Carried

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

8.1 Supplementary Reports

There were no supplementary reports provided to the meeting.

8.2 Other

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

9 Questions (*Patai*)

Cr Rodway had submitted and circulated questions prior to the meeting, in anticipation of his absence. These were to be addressed in Item 1 -Chief Executive's Report.

10 Chairman and Councillor's Reports (*Nga Purongo-a-Tumuaki me nga Kaunihera*)

⇒ Chairman's Report

Circulated with the agenda was a report of activities that the Chairman had undertaken on behalf of Council since the last meeting. No discussion arose

⇒ Councillors' Reports

The written Councillor reports were noted, and no additional verbal reports from Councillors' were presented at the meeting.

11 Staff Report – 19/C/88

The meeting noted that the report was broken into sections relating to Committees, and each Committee Chair would chair the section of the meeting relating to their portfolio of interest.

⇒ Item 1 – Chief Executive's Report

The Chief Executive's report was distributed with the agenda and provided Council with a governance overview of pan organisational current matters, including updates from all direct reports to the Chief Executive on topical matters.

In speaking to his report, Mr Phillips noted the Essential Freshwater package had been released for public feedback. There were a number conversations happening at national and regional levels, and it was encouraging to see the widespread interest and focus around the package. After feedback and submissions, a final decision would be made by Cabinet in early 2020. Environment Southland had been shaping up a council submission over the past while.

The 2019 Environment Southland Community Awards had been held on Tuesday 8 October 2019. Mr Phillips noted it had been a very successful evening and it was inspiring to see the positive ways Southlanders were contributing to their environment.

Responses to Cr Rodway's questions that had been previously circulated were as follows:

Salmon Hatchery – currently in process. Once details were clearer, a regulatory component would be included. Feedback would be provided to council.

Climate Change Action Plan – High School Student involvement – Mr Phillips reported that there were discussions around creating an action plan to involve younger generations. This was ongoing and feedback would be provided to council as this progressed.

Enforcement Rules around Winter Grazing – staff were looking at what tools Environment Southland currently had in place and how they were used to help ensure good practice. Two hui on wintering had been held and there was ongoing work developing an action plan to support all of the appropriate tools being used.

Cr McCallum took this opportunity to congratulate staff involved in the Environment Awards planning and execution, noting the high calibre of nominees this year. He further commented that it would be beneficial to workshop with students, the community and with council and new councillors around climate change actions that may need to be taken in the region in the near future.

Chairman Horrell noted the two hui held around winter grazing had been excellent, and that he had been encouraged by seeing the agencies together developing unified messaging for farmers.

Resolved:

Moved Cr McCallum, seconded Cr Cook, that Council note the report including the exercise of the delegation of the role of Chief Executive to Vin Smith (Director of Policy, Planning and Regulatory Services) for the period from midnight on Wednesday, 4 September 2019, through until midnight on Sunday, 22 September 2019.

Carried

⇒ **Item 2 – Financial Report as at 31 August 2019**

This item was for Council to note the financial report to 31 August 2019.

Mrs Hawkins highlighted the key points in the first report for the new financial year. She advised the overall result for the period 31 August 2019 was \$1.14 million better than budget. Operating income was above budget by \$451,000 while expenses were in line with budget.

In the first part of the financial year investment income was substantially above the early budget, with an increase of \$950,000 income on investments versus the budgeted income of \$220,000. The forecast for the upcoming financial year was being looked at conservatively, however.

In response to a question around funding large projects that Council was aware of, which would involve expenditure of capital, and whether Council was in the position to be able to do this, Mr Selman advised that staff were not proposing drawing funds out of investment portfolios as there was capacity within the rates collection and also with its overdraft to meet these costs.

Resolved:

Moved Cr McPhail, seconded Cr Hubber, that Council note the financial report as at 31 August 2019.

Carried

⇒ **Item 3 – Adoption of 2018/19 Annual Report and Summary**

This item was for Council to adopt the 2018/19 Annual Report and Summary Report.

Mr Swinney noted the amendments made at the Organisational Performance and Audit Committee on 30 September 2019 had been transferred into the finalised documentation. As a result of a spelling error around the use of the word “hui” at the bottom of page 9 of the Summary Report, it was agreed that a further, final check of these documents prior to printing, should be completed.

Resolved:

Moved Cr Cook, seconded Cr McCallum, that Council having considered the content of the Draft Annual Report for 2018/19 and not requiring any further information or explanation, pursuant to Section 98, Local Government Act 2002, adopt the Annual Report for 2018/19, and the Annual Report Summary for 2018/19.

Carried

Resolved:

Moved Cr Cook, seconded Cr Ludlow, that Council request the Chairman and Chief Executive to sign the financial statements and associated documents for forwarding to the auditors.

Carried

⇒ **Item 4 – Matura Liaison Committee Funding Application**

This item was for Council to consider a funding application from the Matura Liaison Committee to grant ratepayer funds to community catchment groups within the Matura catchment for a trial period of one year.

Mr Haynes summarised that the Matura Liaison Committee had applied to Council to grant six community catchment groups a total of \$5,000 each. The catchment groups were Balfour, Wendonside, Waikaka, Gore, Three Rivers and Lower Matura. It was further summarised that, after discussions with the finance team, funding could be used from interest from the Matura rating disaster reserve.

Mr Connor explained that the Waikaka Community Group had set its main objectives for using the funding as encouraging community engagement, and an understanding of water quality and soil conservation issues. He further explained that projects such as this would provide better linkage between the catchment groups and the Matura

Liaison Committee, which was an important factor in the Capacity Building Project. Funding would be scrutinised as it was for other funding mechanisms, for example the Farm Enablement Grant fund, to ensure funds were being used wisely.

Responding to queries around the types of projects proposed and how the funding would be used for the benefit of the catchment, Mr Haynes advised that staff would monitor projects and where money was being spent. There would be criteria to meet which staff would assess before funding was approved.

After discussion, with some concerns expressed around the need to ensure there is accountability provided for the expenditure of this public funding, Council agreed to approve funding for the trial period of one year. Cr Stevens noted his involvement in the Balfour area and abstained from voting.

Resolved:

Moved Cr McCallum, seconded Cr Cook, that Council, having considered the funding application from the Maitara Liaison Committee to grant ratepayer funds to community catchment groups within the Maitara catchment:

- 1. approve the proposal for a one year trial in the 2019/20 financial year;**
- 2. funding is to be sourced from interest gained from the Maitara rating disaster reserve;**
- 3. following the trial period a review be undertaken and its outcome be reported back to Council for further consideration.**
- 4. request staff with the Maitara Liaison Committee to develop a criteria against which applications will be assessed and report this back to Council for approval.**
- 5. ensure any funding grants that are provided meet the criteria that is adopted.**

Carried
Abstained – Cr Stevens

⇒ Item 5 – Update to Staff Delegations Manual

This item sought Council approval to make a further amendment to the Staff Delegation Manual.

Resolved:

Moved Cr Stevens, seconded Cr Hubber, that Council approve the proposed changes to the Staff Delegations Manual as outlined in Schedule 1, effective immediately.

Carried

⇒ **Item 6 – Local Government New Zealand Zone 5 and 6 Meeting - Attendance**

This item was for Council approval for the attendance of Council representatives at the Local Government New Zealand Joint Zone 5 and 6 meeting, scheduled to be held in Oamaru on 18 and 19 November 2019.

After discussion it was agreed to appoint two Councillors, the Chairman and the Chief Executive, the identify of who would be confirmed at the Inaugural Meeting of Council on 29 October 2019.

Resolved:

Moved Cr Cook, seconded Cr McCallum, that Council:

- 1. appoint up to two councillors, the Chairman and the Chief Executive to attend the Combined LGNZ Zone 5 and 6 meeting to be held in Oamaru on Monday, 18 and Tuesday, 19 November 2019;**
- 2. meet the associated costs of travel, accommodation and meals for those delegates attending the meeting.**

Carried

⇒ **Item 7 – Councillors' Meeting Schedule – August 2019 to October 2019**

This item was for Council to approve the meeting schedule that had been circulated with the agenda. Further amendments to that schedule were advised as follows:

- 8 October 2019 – Te Wai Parera Trust – Cr McCallum
- 10 October 2019 - meeting with H de Klerk, at Otama, - Chairman Horrell, Cr McCallum

Resolved:

Moved Cr McPhail, seconded Cr Currie, that Council:

- 1. appoint members to represent Council at the meetings marked on the schedule and as discussed at the meeting today;**
- 2. pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule.**

Carried

⇒ **Item 8 – Common Seal**

This item was to note the documents to which the Common Seal had been applied under approved authorisation.

Resolved:

Moved Cr McCallum, seconded Cr McPhail, that Council note the document to which the Common Seal has been affixed under approved authorisation.

Carried

⇒ **Item 9 – Policy and Planning Division Work Programme including External Agency Reports**

Chairman Horrell vacated the chair at this time. Cr Hubber assumed the Chair.

The purpose of this item was for Council to note the Policy and Planning Division work programme, which was updated for each Strategy and Policy Committee meeting. The item also included a summary of recent reports and discussion papers received from external agencies that may be of interest to Councillors.

Mrs Hicks provided an update on the progress of several projects and work programmes, including:

- Proposed Water and Land Plan – experts were due to conference the following week. Three further dates had been reserved in November, if needed. It was hoped to pass on an interim decision to Council in the near future
- Transport management - tenders for the cycleway contract would close at the end of October
- LIDAR Project – significantly more proposals than expected had been received, which was positive. Staff had assessed the submissions. Recommendations had been submitted back to LINZ. Staff expected to provide an update to Council before the end of the year

In response to a question Mrs Hicks advised that it was not 100% clear what potential implications would be in terms of the Essential Freshwater Package for consents and compliance. As the package currently had no legal weight, there were grey areas and consents, compliance and the land and water services teams were working closely together to be able to provide as much clarity as possible to those applying for or renewing consents.

At this time Cr Hubber took the opportunity to thank Mr Smith, Mrs Hicks and staff, for their work and assistance to him as chair of the Strategy and Policy Committee.

Resolved:

Moved Cr Cook, seconded Cr McCallum, that Council note the Policy and Planning Division Work Programme include External Agency Reports.

Carried

Cr Hubber vacated the Chair at this time, Cr Roy (as Deputy Chair of the Regional Services Committee) assumed the Chair.

⇒ Item 10 – Controlled Area and *Undaria* Management Update

Cr Roy acknowledged Cr Cockburn's leadership as Chair of the Regional Services Committee at this time, and along with all councillors present, wished him and his family well going forward.

The purpose of this item was to update Council on activities regarding the management of the Asian seaweed, *Undaria pinnatifida* (*Undaria*) in Fiordland and gain approval to revoke the Controlled Area Public Notice in Breaksea Sound.

Ms Meade explained that as the Southland Regional Pest Management Plan (RPMP) had come into effect in July 2019, and had replaced the Southland Regional Pest Management Strategy (RPMS), the RPMP contained stricter rules to manage *Undaria* in Fiordland, making the Controlled Area currently in place redundant.

Cr Roy asked specifically about publicity to the community regarding the new rules. Ms Meade advised that publicity centred around advising on the new rules and transferring the onus to boat owners in the Fiordland Sounds. Also, Mr Win would be meeting with boat owners in Breaksea and guiding them through the new rules as set in the RPMP.

Concern was expressed regarding wording in the attached report stating that *Undaria* was 'widespread and dense in Breaksea Sound'. It was asked what measures could be put in place to measure *Undaria* spread. Ms Meade responded by advising that dense, immature *Undaria* had spread further out into Breaksea Sound. It had also been found on the Northern Shore of the Sound. Existing control methods did not allow further eradication. Other options were being looked at to try and keep *Undaria* in Breaksea Sound, with the goal of containing the population as best as possible while new tools and methodologies were established. Mr Streat noted that the Controlled Area Notice was an interim tool in place while the RPMP was being finalised and was no longer the most effective tool in managing/containing the spread of *Undaria*.

Regarding the potential for *Undaria* to further spread and the effect this may have on commercial activities in Southland waters, it was asked whether there was the ability to require permits as was the case in Bluff Harbour. Ms Meade advised that there was the ability and work was being undertaken with MPI around this. In terms of long term management, as many options as possible would be considered.

Ms Meade further advised that work to contain *Undaria* over the last 10 years had been very effective. It was unclear if the current spread was due to marine movements or a boat. The spread would be investigated further and monitored.

Resolved:

Moved Chairman Horrell, seconded Cr Ludlow, that Council:

- 1. approve the Chief Executive revoking the Controlled Area Notice for Breaksea Sound;**
- 2. note the changes to the management of *Undaria* in Fiordland.**

Carried

⇒ **Item 11 – Biosecurity and Biodiversity Operations Annual Report**

This item provided an update to Council on the biosecurity work programme, including the progresses towards the Regional Pest Management Strategy outcomes and the expansion of the biodiversity programme.

Ms Meade explained that the report covered the last financial year. Over the past year, the Biosecurity and Biodiversity Operations Division had focused on policy change, outcomes within the current Regional Pest Management Strategy and reviewing and developing the proposal for a new Regional Pest Management Plan. The Possum Control Area was at almost 340,000 hectares. There had been increased interest in Predator Free projects throughout the year. A partnership with Ngai Tahu, DOC, ICC and GDC to coordinate Predator Free projects in Southland had been established. Further, the Memorandum of Understanding had been signed with Predator Free Rakiura and this project was underway.

Regarding biodiversity, Ms Meade reported that a collaborative strategy was being developed for advancement in this area.

It was commented around the TB Free/OSPRI partnership and that there was a lot happening in this space and staff were encouraged to attend local TB Free meetings to learn more.

Discussion was held about the wide range of activities currently going on within the Biosecurity and Biodiversity Operations Division. Ms Meade expanded on this, advising that the Division were looking at and prioritising existing programmes and ideas, in order to modify them to fit in with the new Strategy and the new Plan.

Comment was made in regard to the monitoring technology currently used at Waituna. Ms Meade noted that the technology was working well however staff were considering other options around lengthening antennae and moving the main antennae to a higher point. She further noted there were three or four options that were being considered with technical specialists.

Resolved:

Moved Cr Hubber, seconded Cr McCallum, that Council note the information provided in the Biosecurity & Biodiversity Operations Division annual report.

Carried

⇒ **Item 12 – Annual Report of the Land and Water Services Division**

The purpose of this item was to detail the work programmes and projects that the Land and Water Services Division had been working on in the 2018/19 financial year.

Mrs Young highlighted that the Land and Water Services Division was in a period of change in both the regulatory and community space. There was a strong need to ensure that action on the ground workstreams and People, Water and Land remained

a key component given the regulatory requirements required by both council and government.

Discussion was held on the need for the community to have and obtain core skills and knowledge about their soils and options around environmental management. It was also important to focus on and invest in staff to enable them to maintain their skills to help communities transition.

Speaking to partnerships and programmes, Mrs Young advised there was a lot of work happening in this space which brought with it significant investment in time and relationship building. The potential outcomes of the Capacity Building Project and the move to integrated catchment management were very important in terms of establishing where things would head in the future.

The meeting discussed the importance of communication with communities and promoting, encouraging and supporting self-action on the ground. Councillors acknowledged the Land and Water Services Division for their good work.

In response to a question, Mrs Young advised that the Land and Water Services Division had always, and continued to, form close relationships with and worked closely with other agencies and groups. The increase in funding and the pressure from within the community and government changed the nature of conversations with agencies. As much rigour and clarity as possible was being provided in these conversations to clearly define required and desired outcomes.

Resolved:

Moved Cr Ludlow, seconded Cr McCallum, that Council note the report.

Carried

⇒ Item 13 – 2018/19 Rating District Works Programme – Annual Report

This item was for Council to note the Rating District Works Programmes for 2018/19.

Mr Haynes summarised his report noting that the Environmental Code of Practice had been signed off by the three key agencies, which was very good. The Catchment Management Division now also enjoyed a full complement of staff.

Going forward, the Catchment Management Division would be focusing on asset management, a works programme package and addressing historical issues, amongst day-to-day work.

Resolved:

Moved Cr Hubber, seconded Cr Stevens, that Council receive the report for the 2018/19 Catchment Management Division programme results, and that relevant parts of the report be provided to the River Liaison Committees.

Carried

Cr Roy vacated the Chair at this time. Chairman Horrell resumed the Chair.

12 Extraordinary and Urgent Business (*Panui Autaia hei Totoia Pakihi*)

There was no extraordinary or urgent business.

13 Public Excluded Business (*He hui Pakihi e haram o te iwi*)

Resolved:

Moved Cr McCallum, seconded Cr McPhail, that the public be excluded from the following part of the proceedings of this meeting.

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

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
Confirmation of Minutes Ordinary Meeting of Council – 14 August 2019	To allow Council to carry out commercial activities (including commercial and industrial) without prejudice or disadvantage	S.7(2)(h)
Adoption of Committee Resolutions - Organisational Performance and Audit Committee – 4 September 2019	To protect the privacy of natural persons.	S.7(2)(a)
Adoption of Committee Resolutions – Chief Executive's Review Sub-committee 30 September 2019	To prevent the disclosure or use of information for improper gain or advantage.	S.7(2)(j)
Item 14 – Southland Regional Development Agency Board Appointments	To allow Council to carry on negotiations without prejudice or disadvantage (including commercial and industrial).	S.7(2)(i)
Item 15 – Landward Buffer – Whakamana te Waituna		
Item 16 – Cruise Ship Deed of Agreement Review - Update		

It is further moved that staff present be permitted to remain at this meeting after the public has been excluded.

Carried

Resumed in Open Meeting

Chairman Horrell took this opportunity to recognise the retirement and the achievements of Cr Cockburn and Cr Currie, and to thank them for their contributions over the years. A presentation was made to Cr Currie in recognition of his time on Council.

Cr Currie thanked members for their words, noting that his first years with Council had been somewhat fraught with a number of issues – in particular around compliance matters. He congratulated the Chief Executive on the rationalisation of the division and the work that was done to turn this around at the time.

Cr Currie also thanked the many staff who had taken him out and shown him the work they were involved with, which had added significantly to his knowledge. He also extended his thanks to the senior management team for their knowledge, guidance and support over the years. He closed by reading a poem he had written, to the meeting.

Termination

There being no further business, the meeting closed at 12.30 pm.