

**Council Members**

Chairman Nicol Horrell  
Cr Lloyd McCallum (Deputy)  
Cr Allan Baird  
Cr Neville Cook

Cr Lloyd Esler  
Cr Robert Guyton  
Cr Lyndal Ludlow  
Cr Peter McDonald

Cr Jeremy McPhail  
Cr Bonnie Mager  
Cr Eric Roy  
Cr David Stevens



## Ordinary Meeting of Council (Te Huinga Tu)

Environment Southland Council Chambers  
and via Zoom digital link

10.30 am

30 September 2020

### AGENDA (Rarangī Take)

1. Welcome (*Haere mai*)
2. Apologies (*Nga Pa Pouri*) – Cr Mager
3. Declarations of Interest
4. Public Forum, Petitions and Deputations (*He Huinga tuku korero*)
5. Confirmation of Minutes (*Whakau korero*)
  - (a) Ordinary Meeting of Council 12 August 2020
  - (b) Extraordinary Meeting of Council 3 September 2020
6. Adoption of Committee Resolutions
  - (a) South Port Sub-committee 27 August 2020
  - (b) Organisational Performance and Audit Committee 2 September 2020
  - (c) Regulatory Committee 2 September 2020
  - (d) Strategy and Policy Committee 3 September 2020
  - (e) Regional Services Committee 3 September 2020
7. Notification of Extraordinary and Urgent Business (*He Panui Autaia hei Totoia Pakihi*)
  - 7.1 Supplementary Reports
  - 7.2 Other

*NB: Councillors are reminded to advise the Chairman, at least a day prior to the meeting, of your intention to raise any matters.*



8.	Questions ( <i>Patai</i> )	
9.	Chairman and Councillors' Reports ( <i>Nga Purongo-a-Tumuaki me nga Kaunihera</i> )	
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	• Confirmation of Minutes <i>Extraordinary Meeting of Council – 3 September 2020</i>	
	• Adoption of Committee Resolutions <i>South Port Sub-committee – 27 August 2020</i> <i>Organisational Performance and Audit Committee – 2 September 2020</i>	
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R A Phillips  
**Chief Executive**

RECOMMENDATIONS IN COUNCIL REPORTS ARE NOT TO BE CONSTRUED  
AS COUNCIL POLICY UNTIL ADOPTED BY COUNCIL



## Confirmation of Minutes

- **Ordinary Meeting of Council – 12 August 2020**
- **Ordinary Meeting of Council – 8 September 2020**

**Minutes of the Ordinary Meeting of the  
Southland Regional Council, held in Regional House,  
corner North Road and Price Street, Invercargill, on  
Wednesday, 12 August 2020 at 10.30 am**



<b>Present:</b>	Chairman N Horrell	(Chair)
	Cr A Baird	
	Cr NMG Cook	via Zoom digital
	Cr I L Esler	
	Cr R L Guyton	via Zoom digital
	Cr L R Ludlow	
	Cr B E Mager	via Zoom digital
	Cr L J McCallum	
	Cr P G McDonald	
	Cr J A McPhail	
	Cr E Roy	
	Cr D H Stevens	
<b>In Attendance:</b>	R Phillips	(Chief Executive)
	W Falconer	(GM Strategy and Engagement) via Zoom digital
	A Kubrycht	(GM People and Capability) via Zoom digital
	N Selman	(GM Corporate Services)
	V Smith	(GM Policy, Planning and Regulatory Services)
	J Streat	(GM Operations)
	L Hicks	(Policy and Planning Manager)
	A Morgan	(Team Leader Policy and Planning)
	T Robb	(Principal Policy Planner)
	N Carter	(Senior Policy Planner)
	T Hawkins	(Finance Manager) via Zoom digital
	G Jefferies	(Communications and Engagement Manager)
	J Brown	(Executive Assistant)
	K Harper	(PA)

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

The Chairman welcomed members to the August meeting of Council for 2020. Chairman Horrell advised that Cr Robert Guyton, Cr Neville Cook and Cr Bonny Mager were joining the meeting via Zoom digital link, and that the meeting was to be livestreamed to Youtube.

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

There were no apologies.

### **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.

### **5 Confirmation of Minutes (*Whakau korero*)**

#### **(a) Ordinary Meeting of Council – 30 June 2020**

*Resolved:*

**Moved Cr Ludlow, seconded Cr Baird, that the minutes of the Ordinary Meeting of Council held on 30 June 2020 be taken as read and confirmed as a true and correct record.**

**Carried**

### **6 Adoption of Committee Resolutions**

#### **(a) Strategy and Policy Committee – 22 July 2020**

Cr Roy highlighted the key points discussed at the meeting, noting that the Committee was given an interim progress report around where things were at with the Climate Action Plan.

*Resolved:*

**Moved Cr Roy, seconded Cr Stevens, that the resolutions from the Strategy and Policy Committee meeting held on 22 July 2020 be adopted.**

**Carried**

#### **(b) Organisational Performance and Audit Committee – 22 July 2020**

Cr Ludlow advised the Committee had received a Long-term Plan update, and that advice from Local Government was that the Long-term Plan should have a Covid-19 “recovery focus”, with the 2024-34 LTP addressing the reinstatement of the wellbeings.

*Resolved:*

**Moved Cr Ludlow, seconded Cr McCallum, that the resolutions from the Regulatory Committee meeting held on 22 July 2020 be adopted.**

**Carried**

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

### **7.1 Supplementary Reports**

There were no supplementary reports provided to the meeting.

### **7.2 Other**

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

## **8 Questions (*Patai*)**

There were no questions.

## **9 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, circulated with the agenda, were noted. In addition, the following verbal reports were provided.

Cr McCallum had attended the Southern Pest Eradication Society's AGM, noting the meeting was very well attended with good discussion. In response to a question around funding of this group, Cr McCallum outlined the funding via rates that this group received.

Cr Roy and Cr McDonald had attended a Three Waters workshop, which was well attended by staff and TA's. He reported that messaging from the Government was serious and that workshopping around Three Waters was in preliminary stages and it was important Council stayed engaged.

Cr Stevens reported he had attended a Regenerative Farming seminar in Gore at the end of July 2020. He commented on the variety of practices, and interpretations of regenerative farming already in place, and that the seminar was very informative.

Cr McDonald advised that he, Cr McPhail and Cr Ludlow had also attended a Regenerative Farming seminar in Invercargill.

## 10 Staff Report – 20/C/67

### ⇒ Item 1 – Chief Executive’s Report

The Chief Executive’s report provided Council with a governance overview of pan organisational current matters, including updates from all direct reports on topical matters.

Mr Phillips reported that the Three Waters Reform initiatives and the management of water was a Government priority. The implications of this for Regional Councils was to focus on drinking water quality and ensuring source water was protected and managed appropriately. The Freshwater package had been released the week prior to this meeting and reinforced Council’s direction of travel in this space. He noted the bar has been raised and staff would be looking at what this means for Council going forward. Councils plans were still very relevant in this regard.

In response to a question around the removal of the N-impacted catchment schedule, Mr Phillips advised that the DIN requirements had been parked for the next 12 months, as they were being reconsidered. There was enough clarity around what was required, to meet requirements for N-impacted catchments.

In response to a comment regarding estuaries being included in the “Mountains to the Sea” concept, Mr Phillips advised that Southland estuaries were included in Council’s plans and were considered in the way Southland water was managed.

***Resolved:***

**Moved Cr McCallum, seconded Cr McPhail, that Council note the report.**

**Carried**

### ⇒ Item 2 – Changes to delegations relating to the proposed Southland Water and Land Plan Appeals

The purpose of this item was to enable staff to mediate and settle appeals on the proposed Southland Water and Land Plan that give effect to the objectives decided by the Court in accordance with Environment Court procedures.

Mr Morgan explained that the most recent update on appeals was a combined Memorandum on behalf of all parties which was lodged with the Environment Court in order to resolve outstanding components of the Topic A appeals. Staff were waiting on direction from the Court regarding this. The Court’s decision could mean the end of Topic A appeals, allowing Topic B to commence. He advised that in order to effectively mediate on the Plan with other parties, it was a requirement of the Environment Court that staff had the appropriate delegated authority to sign off on mediated points.

Mr Morgan noted specifically that neither the Appeals Sub-committee nor staff would have the authority to decide on mediation points outside of the scope of this delegation. Any changes beyond this scope would still need to be reported to Council for decision.

Brief discussion for clarification was held around the formalising and appointing of a Chair to the Appeals Sub-committee. This would be dealt with at the first meeting of the Subcommittee.

In response to a comment around the process being slow moving, and the need to establish bottom lines and bench marks for farmers, Mr Morgan advised that in moving into a phase of direct negotiation between the parties and experts, he was optimistic the process would be expedited.

**Resolved:**

**Moved Cr McCallum, seconded Cr McDonald, that Council:**

- 1. approve the proposed bespoke delegations, as outlined in Schedule1, effective immediately; and**
- 2. that the Appeals Sub-committee is to provide guidance to staff during mediation.**

**Carried**

**⇒ Item 3 – Update of the Southland Region Agreement for the Position of River Mouths**

The purpose of this item was for Council’s approval of a revised Southland Region Agreement for the Position of River Mouths’ (‘the Agreement’).

Ms Carter summarised the report noting the two main issues of the current Agreement, the first being the Agreement defined specific river mouths and their position co-ordinates using a system that had been superseded in 2001. The second issue related to co-ordinate and conversion errors and these needed to be addressed. Correcting these issues would help identify exactly where river mouths were.

In response to a question regarding the Hollyford river mouth and possible impacts on whitebait stand holders, Ms Carter advised that the actual mouth in the current plan was situated in the bush. Further, she was not aware of any permitted whitebait stands on the Hollyford river. The proposed changes would provide certainty for users

**Resolved**

**Moved Cr Ludlow, seconded Cr McPhail, that Council:**

- 1. note that the current Southland Region Agreement for the Position of River Mouths needs to be updated;**
- 2. approve the revised Southland Region Agreement for the Position of River Mouths;**
- 3. agree that the revised Agreement should take effect as soon as possible;**



4. **instruct staff to co-ordinate signing of the revised Agreement with the Department of Conservation, Southland District Council and Invercargill City Council.**

**Carried**

#### ⇒ **Item 4 – Review of Electoral System**

The purpose of this item was for Council to consider for the 2022 elections the electoral system it chooses to use, whether Maori representation should be introduced, and whether Council wishes to undertake a representation arrangement review.

Chairman Horrell advised that Council should be guided by Iwi around introducing a separate Maori representation. Iwi were fully aware of the timeframes, and their rights and abilities regarding this.

Crs Guyton and Mager endorsed community consultation for moving to the Single Transferable Voting (STV) system. Other Councillors suggested that the First Past the Post (FPP) system was reasonably understood by the community and worked well, and there would be significant cost associated with community consultation and education around the STV system.

**Moved Cr Roy, seconded Cr Baird, that Council:**

- 1 **note the report titled “Review of Electoral System”;**
- 2 **pursuant to section 27 of the Local Electoral Act 2001, for the 2022 Environment Southland triennial elections:**
  - (i) **retain the First Past Post electoral system;**

**and that public notice be given by 19 September 2020 of the decision of the right of electors to demand a poll on the electoral system to be used;**
3. **not undertake a representation arrangements review as such a review is not legally required.**

**Carried**

**[Crs Guyton and Mager against]**

#### ⇒ **Item 5 – Councillors’ Meeting Schedule – August 2020**

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:

- 14 July 2020 – Mataura River Liaison Committee Capacity Building presentation – Cr McPhail
- 14 July 2020 – Waituna Liaison Committee Capacity Building presentation – all councillors

- 28–29 September 2020 – Strategy LTP Sessions – moved from 7 – 8 September 2020–All councillors

Leave of absence requests received by the meeting were:

- Cr Roy–14 August 2020–28 August 2020

In response to a question around recording Webinar attendance, Mrs Brown advised that it was helpful to include these in the Councillors Diary for everyone’s benefit however as no meeting or travel expense were being claimed, it was not strictly necessary.

**Resolved:**

**Moved Cr Stevens, seconded Cr McPhail, that Council:**

1. **appoint members to represent Council at the meetings marked on the schedule and as discussed today;**
2. **pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule;**
3. **approve the leave of absence requests for Cr Roy (14 August 2020-28 August 2020).**

**Carried**

## ⇒ **Item 6 – Common Seal**

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

**Resolved:**

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

**Carried**

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

There was no extraordinary or urgent business.

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

**Resolved:**

**Moved Cr Roy, seconded Cr McPhail, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act**

**1987 and the particular interest or interests protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), it is moved that the public is excluded from the following parts of the proceedings of this meeting, namely:**

- confirmation of the minutes of the meeting of Council held on 30 June 2020;
- adoption of Committee Resolutions from the Organisational Performance and Audit Committee – 22 July 2020;
- adoption of the Committee Resolutions from the Regional Services Committee – 11 June 2020;
- adoption of the Committee Resolutions from the South Port Sub-committee meeting – 17 June 2020.

**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 for excluding the public, as specified by s.48(1) of the Local Government Official Information and Meetings Act 1987, are set out below:**

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
<b>Confirmation of Minutes Ordinary Meeting of Council – 30 June 2020</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
	To enable the Council holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h)
	To protect the privacy of natural persons.	S.7(2)(a)
<b>Adoption of Committee Resolutions – Organisational Performance and Audit Committee – 22 July 2020</b>	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
	To enable the Council holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h)
	To protect the privacy of natural persons.	S.7(2)(a)
<b>Adoption of Committee Resolutions - Regional Services Committee – 11 June 2020</b>	The matter may be subject to proceedings in the Environment Court	S.48(1)(d) as qualified by S.45(2)(a)(i)
<b>Adoption of Committee Resolution – South Port Sub-committee – 17 June 2020</b>	To allow Council to carry out, without prejudice or	S.7(2)(h)

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
	disadvantage, commercial activities.	

It is further moved that Rob Phillips, Neil Selman, Vin Smith, Wilma Falconer, Jonathan Streat, Amy Kubrycht, Gail Jefferies, Alex Morgan, Jan Brown and Kirsten Harper be permitted to remain at this meeting after the public has been excluded.

Carried

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 11.48 am.

**Minutes of the Extraordinary Meeting of the  
Southland Regional Council, held in Regional House,  
corner North Road and Price Street, Invercargill,  
on Thursday, 3 September 2020 at 11.30 am**

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<b>Present:</b>	Chairman N Horrell	(Chair)
	Cr A S Baird	
	Cr NGM Cook	
	Cr I L Esler	
	Cr R L Guyton	(via Zoom digital)
	Cr L R Ludlow	
	Cr L J McCallum	
	Cr P G McDonald	
	Cr J A McPhail	
	Cr B E Mager	(via Zoom digital)
	Cr E Roy	
Cr D H Stevens		
<b>In Attendance:</b>	Mr R A Phillips	(Chief Executive)
	Ms K Harper	(PA)

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

Chairman Horrell welcomed members to the Extraordinary Meeting of Council.

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

There were no apologies.

## **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 Declarations.

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

### **5.1 Supplementary Reports**

There were no supplementary reports provided to the meeting.

## 5.2 Other

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

## 6 Questions (*Patai*)

No questions were asked by the meeting.

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

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

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

**Resolved:**

Moved Cr Roy, 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>
⇒ <b>Item 1 – Appointment of Great South Board of Directors</b>	To protect the privacy of natural persons.	S.7(2)(a)
	To enable the Council holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h) S.7(2)(j)

It is further moved that Rob Phillips and Kirsten Harper be permitted to remain at this meeting after the public has been excluded.

Carried

## Resumed in Open Meeting

## Termination

There being no further business, the meeting closed at 11.55 am.



## **Adoption of Committee Resolutions**

- **South Port Sub-committee – 27 August 2020**
- **Organisational Performance and Audit Committee – 2 September 2020**
- **Regulatory Committee – 2 September 2020**
- **Strategy and Policy Committee – 3 September 2020**
- **Regional Services Committee – 3 September 2020**

**Minutes of the South Port Sub-Committee Meeting  
of the Southland Regional Council, held in Regional  
House, corner North Road and Price Street,  
Invercargill, on Thursday,  
27 August 2020 at 4:00 pm**

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**Present:** Cr D Stevens (Chair)  
Cr N Cook  
Cr L Ludlow  
Cr J McPhail

**Also Present:** Mr R Chapman (Port Company Chairman)  
Mr N Gear (Port Company Chief Executive)

**In Attendance:** Mr N Selman (GM, Corporate Services)  
Ms A Kubrycht (GM, People & Capability)  
Mrs J M Brown (Executive Assistant)  
Miss M Scott (Personal Assistant)

**1 Welcome (Haere mai)**

The Chairman welcomed those present to the meeting.

**2 Apologies (Nga Pa Pouri)**

*Resolved:*

**Moved Cr Cook, seconded Cr McPhail, that an apology for absence be received from Chairman Horrell and Cr Roy.**

**Carried**

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

There were no public forum, petitions or deputations presented to the meeting.



#### **4 Confirmation of Minutes (Whakau korero)**

***Resolved:***

Moved Cr Ludlow, seconded Cr McPhail, that the minutes of the South Port Sub-Committee meeting held on 17 June 2020 be taken as read and confirmed as a true and correct record.

Carried

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

##### **5.1 Supplementary Reports**

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

##### **5.2 Other**

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

#### **6 Questions (*Patai*)**

There were no questions asked by the meeting.

#### **7 Chairman's Report (*Te Puronga a Tumuaki*)**

The Chairman did not present a report to the meeting.

#### **8 Extraordinary and Urgent Business**

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

#### **9 Staff Report – 20/SP/54**

At this stage of the meeting, Mr Chapman noted the problems that were being experienced by the NZ Stock Exchange. This had resulted in the company being unable to advise the Stock Exchange formally of its year end results. He therefore suggested it would be inappropriate for the meeting to proceed in public, given that situation. This view was supported by the meeting.

**10 Public Excluded Business**

*Resolved:*

Moved Cr Cook, seconded Cr McPhail, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest/s protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), the public be excluded from the following parts of the proceedings of this meeting, namely:

- ⇒ Confirmation of Minutes – South Port Subcommittee – 17 June 2020
- ⇒ South Port New Zealand Limited’s Year End Result to 30 June 2020

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

General Subject Matter	Reason for Passing the Resolution	Grounds under S. 48(1)
<ul style="list-style-type: none"> <li>⇒ Confirmation of minutes – South Port Subcommittee – 17 June 2020</li> <li>⇒ South Port New Zealand Limited’s Year End Result to 30 June 2020</li> </ul>	To allow Council to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(h)

Carried

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 4:47 pm.

**Minutes of the Organisational Performance and Audit  
Committee (*Arataki Mahi me Tātaki Kauta*) Meeting of  
the Southland Regional Council, held onsite on  
Wednesday 2 September 2020 at 9.00 am**

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**Present:** Cr L Ludlow (Chair)  
Chairman N Horrell  
Cr A Baird  
Cr Cook  
Cr L McCallum  
Cr J McPhail  
Mr B Robertson

**Also Present:** Cr E Roy (*joined from 9.15 am*)

**In Attendance:** Mr R A Phillips (Chief Executive)  
Mr N Selman (General Manager, Corporate Services)  
Mrs W Falconer (General Manager, Strategy & Engagement)  
Ms A Kubrycht (General Manager, People & Capability)  
Mrs T Hawkins (Finance Manager)  
Mrs T McCann (Senior Communications Coordinator)  
Mr B Rickertsen (Digital Media Coordinator)  
Mrs P Toomey (Principal Records Systems and Office Support)  
Mr J Prince (Science Informatics and Operations Manager)  
Mrs M Weston (PA)

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

The Chairman welcomed members to the Organisational Performance and Audit Committee meeting for September 2020 and those attending the live stream of this event.

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

There were no apologies for absence as all members were present.

**3 Declarations of Interest**

There were no declarations of interest made by members.

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

There were no public forum, petitions or deputations presented at the meeting.

## 5 Confirmation of Minutes (*Whakau korero*) – 22 July 2020

### **Resolved:**

Moved Cr Cook, seconded Cr McCallum that the minutes of the Organisational Performance and Audit Committee meeting, held on 22 July 2020, be taken as read and amended, to record Cr Cook as being present, 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 raised by Councillors for inclusion in the agenda.

## 7 Questions (*Patai*)

There were no questions asked by the meeting.

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

Neither the Chairman nor any Councillors presented reports to the meeting.

## 9 General Manager, Corporate Services Report – 20/OPAC/70

### ⇒ Item 1 – Financial Report to 30 June 2020

This report covered the 12-month period from 1 July 2019 to 30 June 2020, and recorded a tumultuous year with two flood emergencies followed by the COVID-19 emergency and lockdown.

Council forecasts during the year signalled a significant deficit resulting from flood expenses, a loss of income from the investment portfolio and the loss of income from cruise ships.

A focus on expenditure reduction plus reallocation of catchment resources to flood repairs, resulted in overall operating savings being made. Despite the earlier falls income from the investment portfolio also finished the year ahead of budget.

The draft full year surplus was \$392,000 which was \$578,000 better than budget. Total expenses were \$788,000 above budget; income was \$1.2 million above budget while investment income finished \$191,000 above budget.

The February flood emergency was a lengthy event involving a large amount of administration work in preparing insurance claims. The current infrastructure claim is estimated at \$2.4m, while the Emergency Management Southland (EMS) cost recovery claim is estimated at \$800,000. Environment Southland's first insurance claim through AON is being progressed in London.

Council were advised that the Auditors may need certainty on the insurance amounts for both NEMA and AON, at the time of completion of the Annual Report. Alternatively, these items may need to be reported in the Annual Report for the following year.

Further items raised in the discussion included the following:

- the Debt Management Central Agreement (DMC) was completed
- Debt Management Central (DMC) sent out letters on our behalf to Customers owing on rates.
- \$2M of fees and charges are being sent out, noting that this is part of Council's annual Compliance and Consents charges.

**Resolved:**

**Moved Cr McCallum, seconded Mr Robertson that Council note the Financial Report to 30 June 2020.**

**Carried**

#### ⇒ **Item 2 – Investment Report to 31 July 2020**

At 31 July 2020, the total of Council's managed fund investments amounted to \$28,839,407, an increase of \$531,062 from 30 June 2020. As at the date of the meeting the managed fund investment amount has increased to \$29.4m.

Staff advised a correction was needed to the table entitled "statement of position" found on pg. 20 of the Agenda. The column marked "inc/dec" requires an update in the formula to reflect the correct values.

Council noted a rolling 12 month return on the portfolio of 7.51%.

**Resolved:**

**Moved Chairman Horrell, seconded Cr Baird that Council note the Investment Report to 31 July 2020.**

**Carried**

#### ⇒ **Item 3 – Cash Forecast to June 2021**

Each year Council projects its cash flow requirements for the coming year and recommends any drawdowns from the investment portfolio.

Council ended the 2019/20 financial year with a better financial result than forecast during lockdown. Expenditure in the last quarter ended below the original budget and flood

repairs were completed below the original estimates. As a result, Council ended the year with a lower bank overdraft. It is anticipated that the amount required to drawdown

maybe less than had been anticipated, however staff continue to carefully monitor and assess through the year.

**Resolved:**

**Moved Cr McCallum, seconded Cr Baird that Council note the Cash Forecast to June 2021.**

**Carried**

⇒ **Item 4 – Deferral of Adoption of 2019/20 Annual Report**

*(Chief Executive, Rob Phillips left the room)*

Each year Council adopts the Annual Report prior to or on 31 October as required by the Local Government Act 2002. As a result of the COVID-19 emergency and lockdown, an extension has been granted to all local government authorities to acknowledge the challenges resulting from COVID-19.

The Auditors had submitted a request for a two-week delay and the additional time would allow more time to finalise numbers in relation to the Insurance Claims. This would not affect the ability of the Financial team to provide financial reports to the Committee. Staff therefore proposed to defer the adoption of the 2019/20 Annual Report to 26 November 2020 to accommodate both Auditors and staff needs.

*(Chief Executive, Rob Phillips returned to the room)*

**Resolved:**

**Moved Cr Cook, seconded Cr McPhail that Council defer the Adoption of 2019/2020 Annual Report to 26 November 2020.**

**Carried**

⇒ **Item 5 – Annual Vehicle Report for 2020/21**

The Annual Vehicle Report for 2020/21 was presented to Council by Neil Selman. In the 2019/20 financial year, Council approval was obtained to replace up to eleven vehicles. To-date only two vehicles were officially replaced and under the current circumstances, vehicles will not automatically be replaced.

A Fleet Management Programme was recently implemented and moving forward the report information generated from this would be used to inform the replacement programme. This will ensure that Environment Southland has the correct number of vehicles and will assist with the following:

- introducing a pooling system
- reducing the number of Utes for more economic vehicles, thereby generating less emissions

- diversification of the fleet

**Resolved:**

**Moved Cr McCallum, seconded Cr McPhail that Council receive the annual vehicle report and resolve to:**

1. **approve the Chief Executive undertaking a vehicle replacement programme of up to 11 vehicles in the 2020/21 financial year; and**
2. **note the other vehicle fleet management changes being progressed.**

**Carried**

### ⇒ **Item 6 – Update to Staff Delegations Manual**

The report summarised further amendments to the Staff Delegations Manual. This manual is to be kept up-to-date with role changes in order that staff have the ability to make required decisions to undertake their duties, and to ensure that those decisions have the requisite authority and legal standing.

**Resolved:**

**Moved Cr Cook, seconded Chairman Horrell that Council approve the proposed changes to the Staff Delegations Manual as outlined in Schedule 1, effective immediately.**

**Carried**

*(Due to a technical issue with zoom, a short break from 10.10 am to 10.25 am was taken).*

### ⇒ **Item 7 – Long-term Plan Progress Report**

Every three months, Council is provided with a progress report on the status of the work programmes as set out in the Long-term Plan. This item was presented by Wilma Falconer who drew attention to:

- Trends have changed and that was reflected in the report by a few amber signals which indicates a slow-down of work in the last quarter due to COVID-19 and the lockdown. An example of this can be seen in some of the work programmes e.g. Policy and Planning
- Consents and Compliance reported an increase in their work programmes during this time
- Further discussion is required with Managers in relation to the Science Programme, the levels of service and measures;
- Biodiversity with ongoing complexity of their work.

Other items raised included the following:

- how staff report the information when there is not a “green signal”
- COVID-19 delays – are we able to carry over to next year?
- the amount of work which Council has coming at it

- how will measures and targets be recorded when dealing with external partners and external pressures e.g. floods

**Resolved:**

Moved Mr Robertson, seconded Cr McPhail that Council note the end-of year Long-term Plan progress report for the 2019/20 year.

Carried

⇒ **Item 8 – Annual Activity Plan**

Staff advised that this item will be revisited at the Council Workshop set for 22 September 2020.

**Resolved:**

Moved Cr McCallum, seconded Chairman Horrell that Council note the Annual Activity Plan.

Carried

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

There were no items discussed.

**11 Public Excluded Business (*He hui Pakihi e hara mo te iwi*)**

**Resolved:**

Moved Chairman Horrell, seconded Cr Cook, that in accordance with section 48(1) of the Local Government Official Information and Meetings Act 1987 and the particular interest/s protected by section 6 or section 7 of that Act (or sections 6, 7 or 9 of the Official Information Act 1982, as the case may be), the public be excluded from the following parts of the proceedings of this meeting, namely:

- Confirmation of Minutes – 22 July 2020
- Item 9 – Local Government Official Information and Meetings Act 1987 – Summary of Enquiries for 1 January to 30 June 2020
- Item 10 – Divisional Update
- Item 11 – Overview Governance Level Risk Management

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



<b>General Subject Matter</b>	<b>Reason for Passing the Resolution</b>	<b>Grounds under S. 48(1)</b>
→ <b>Confirmation of Minutes – 22 July 2020</b>	To enable the Council holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(i)
	To protect the privacy of natural persons.	S.7(2)(a)
	To prevent the disclosure or use of information for improper gain or advantage.	S.7(2)(j)
→ <b>Item 9 – Local Government Official Information and Meetings Act 1987 – Summary of Enquiries for 1 January to 30 June 2020</b>	To prevent the disclosure or use of information for improper gain or advantage.	S.7(2)(j)
	To protect the privacy of natural persons	S.7(2)(a)
→ <b>Item 10 – Divisional update</b>	To prevent the disclosure or use of information for improper gain or advantage.	S.7(2)(j)
→ <b>Item 11 – Overview Governance Level Risk Management</b>	To prevent the disclosure or use of information for improper gain or advantage.	S.7(2)(j)

It is further moved that Rob Phillips, Neil Selman, Tanea Hawkins, Amy Kubrycht, Wilma Falconer, Adrienne Henderson, Boi Rickertsen, Tania McCann, John Prince and Mel Weston be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the item they are associated with will be of assistance in relation to the matter to be discussed.

Carried

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 3.37 pm.

**Minutes of the Regulatory Committee Meeting of the Southland Regional Council, held in Regional House, corner North Road and Price Street, Invercargill, on Wednesday, 2 September 2020, at 1.00 pm**



<b>Present:</b>	Cr NMG Cook	(Chair)
	Cr A Baird	
	Cr L Esler	
	Cr R Guyton	Via Zoom
	Cr L McCallum	
	Cr J McPhail	
	Cr B Mager	Via Zoom
	Cr D Stevens	
	Chairman Nicol Horrell	
<b>Staff Present:</b>	Mr R Phillips	(Chief Executive)
	Mr V Smith	(General Manager Policy, Planning and Regulatory Services)
	Mr S Mapp	(Compliance Manager)
	Ms A Grant	(Consents Manager)
	Mrs T McCann	(Communications Coordinator Publications)
	Mrs A Henderson	(Senior Communications Coordinator)
	Mr B Rikertsen	(Digital Media Coordinator)
	Mrs N Baxter	(Personal Assistant)

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

The Chairman welcomed members to the meeting of the Regulatory Committee.

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

There were no apologies as all members were in attendance.

**3 Declarations of Interest**

Cr McCallum gave a statement saying he was resuming his role on the Regulatory Committee given that the investigation relating to a complaint about some cows near a river on his property was complete. The investigation resulted in no action being taken, however being subject to investigation was a stressful experience to himself and to his family. He was relieved it was over and like all challenges and situations in life, he felt there were learnings from this. The bar was continuing to rise for good management practise and management of water ways, and as a Councillor and farmer he would continue to review and improve his farming practises to ensure they are acting at or above good practise. He looked forward to returning to work for all the ratepayers of Southland and would not be making any further public comment on this matter.

**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*) – 10 June 2020**

**Resolved:**

**Moved Cr Stevens, seconded Chairman Horrell that the minutes of the Regulatory Committee meeting held on 10 June 2020 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*)**

There were no questions.

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

Neither the Chairman nor any Councillors presented reports.

**9 Director of Policy, Planning & Regulatory Services' Report – 20/RC/75**

**⇒ Item 1 – Consents team Activity and Performance – 26 May 2020 to 14 August 2020**

Ms Grant spoke to this item taking the report as read. She noted that the report had been split into two sections which she welcomed feedback on, she split it into past reporting and forecasted activity in the upcoming period.

In the past reporting period the team had 89 applications lodged which was slightly less than usual. She felt that this was due to the Fresh Water package and the forecasted drop in renewals for this year. 94 decisions were made with only five decisions exceeding time frames over the reporting period, making timeframe compliance over the period 94%. 100% of applications lodged were processed in house.

Ms Grant said that a significant portion of the Consents team's time currently was being spent looking at what the implications from the essential freshwater package would be

on the Consents Division and the community. She reported that the Applicant Experience Research Survey had not had much uptake and had not been as successful as they would have liked. Further the Consents Consultants Working Group had resumed, with their first meeting last week.

Ms Grant also advised that Environment Southland was still waiting on an Environment Court decision on the Wilkins Farming Ltd appeal and were hoping for a decision sooner rather than later.

The Chair congratulated Ms Grant on her appointment as the Consents Team Manager.

Cr McCallum asked if Ms Grant felt the low uptake in the Applicant Experience Survey was because it was not going to an independent body, and was coming directly to Council. Mr Smith felt that there was a number of reasons why they had had low uptake with the Survey. They had commissioned by way of the strategy group, a broader review of customer feedback which was being completed by an independent consultant who has been liaising with a variety of applicants to provide an early insight. They were also reviewing how the survey information was going out and where it was coming back to try and alleviate any issues such as the ones noted.

Cr Stevens congratulated the team on 94% time compliance on processing consent applications and asked how much too late the applications were that were not processed in the desired 20 working days. Ms Grant advised that the applications that did go over time were only over time by one day.

Chairman Horrell felt it was good that customer service was being further developed and it would help Environment Southland gain good feedback for various improvement. He then asked if any consent applications had been received that fell outside the Section 28 rules, and was advised that two applications had been received.

Mr Smith said that Consents, Compliance, Planning, Land and Water Services and the Communication teams were developing an implementation plan that will shortly be rolled out to communicate to the community what the Environment Southland Section 360 Regulations and broader National Policy Statement and NES means, and how Council is responding to that. Lucy Hicks in the Policy and Planning area of Council was the lead for this work.

***Resolved:***

**Moved Cr McCallum, seconded Cr Stevens that Council note the activity and performance of the Consents Division during the 26 May to 14 August 2020 period.**

**Carried**

**⇒ Item 2 – Environmental Compliance Division Report – 22 May 2020 to 14 August 2020**

Mr Mapp spoke to this report and highlighted some of the activities which the Compliance team had been working on. There were 359 aerial discharge permit

inspections conducted with 314 fully compliant, 22 minor issues, 23 minor non-compliant, and 0 significant non-compliant.

The Technical team had been busy on 13 industry inspections, 375 industry consent condition audits and 10 meetings with consent holders. 258 incidents were received in the time, 112 air, 3 coastal, 69 land and 74 water.

They were facing quite a lot of Local Government Official Information Act requests, which could not be forecast and this had increased workloads within the division.

Mr Mapp then advised that Whakahi Dairies Limited were charged with a Section 15(1)(b) which was the winter grazing incident that was beside the Kindergarten. A Restorative Justice conference was held between Whakahi Dairies and Southland Kindergarten Association which resulted in the defendant donating \$15,000 to the Kindergarten for the construction of a fence and to also assist in a planting programme. They also were sentenced with a \$31,500 fine, cost recovery to the Kindergarten of \$14,514.70 and reparation in favour of the Kindergarten of \$2,500.

Kauana Limited Partnership were charged with a Section 15(1)(b) and sentenced with a \$52,500 fine.

Alphonsus Zeestraten was jointly charged with Southern Centre Dairies, with Mr Zeestraten being discharged without conviction, but Southern Centre Dairies being convicted and fined \$30,000.

Mr Mapp then ran through the compliance work plan highlighting the five main priorities for the team.

Cr Baird asked about the 258 incidents over winter, how they compared to other years, and were people becoming less tolerant with one another and putting in complaints. Mr Mapp said that over winter there had been a significant decrease in complaints about winter grazing, but more complaints to do with air quality issues. These related to back yard burning or farms burning off hedge trimmings, so those numbers of complaints were normal.

Cr Guyton asked if there was a theme to the Official Information Act requests, Mr Mapp said that the requests were general and not just one topic. There was an increase on the amount of information requested which was of concern. Mr Smith said that there were a lot more LGOIMA requests in regards to aluminium dross disposal, storage and other such matters in recent months.

In response to questions from Cr Guyton relating to a Queenstown winter grazing activists meeting, the following was noted:

- photos displayed at the meeting were from this year, and were locations in Southland;
- Cr Stevens encouraged those who took the photos to report the concerns to ES so they could be investigated
- It was not known at this time whether complaints had been lodged or not.

Cr McPhail asked Mr Mapp if there is a reasonable uptake of the advice around the province. Mr Mapp said it was drier this year which had helped, but an improvement in practice was noticeable.

***Resolved:***

**Moved Cr McPhail, seconded Chairman Horrell that Council note the Environmental Compliance Division report for the period 22 May 2020 to 14 August 2020.**

**Carried**

**10 Extraordinary and Urgent Business**

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

**11 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 1.34 pm.

**Minutes of the Strategy and Policy Committee  
(*Rautaki me Mahere*) Meeting of the  
Southland Regional Council, held in Regional House,  
corner North Road and Price Street, Invercargill, on  
Thursday, 3 September 2020, at 9.00 am**

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<b>Present:</b>	Cr E Roy	(Chair)
	Cr R Guyton	via Zoom digital
	Cr L Ludlow	
	Cr L McCallum	
	Cr B Mager	via Zoom digital
	Cr L Esler	
	Cr D Stevens	(Deputy Chair)
	Chairman N Horrell	
<b>In attendance:</b>	Cr J McPhail	
	Ms F Smith	(Regional Forum Co Chair)
<b>Staff Present:</b>	Mr V Smith	(GM, Policy, Planning & Regulatory Services)
	Mr Rob Phillips	(Chief Executive)
	Mr L Cleaver	(Maritime Manager – Harbourmaster)
	Ms A Grant	(Consents Manager)
	Mrs B Lawrence	(Programme Manager – People, Water & Land)
	Mrs E Moran	(Senior Policy Analyst/Economist)
	Ms T Robb	(Policy Planner)
	Mrs A Henderson	(Senior Communications Co-ordinator)
	Mrs L Hicks	(Policy & Planning Manager)
	Mr G McCullagh	(Team Leader Policy & Planning)
	Mr A Morgan	(Team Leader Policy & Planning) via Zoom digital
	Miss M Scott	(PA - <i>minutes</i> )

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

The Chairman welcomed everyone to the Strategy and Policy Committee meeting for September including the Councillors joining via Zoom digital and the wider public via livestream.

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

There were no apologies recorded for the meeting.

### **3 Declarations of Interest**

There were no declarations of interest made to the meeting.

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

### **4.1 Presentation to Council**

Mr Abe de Wolde gave a presentation about the struggle he had had with the processing of a resource consent. Mr de Wolde presented the committee with improvements that he believed could be made to the consenting process. A full copy of his presentation to the Committee has been put on file. [A591692]

Mr de Wolde provided the following clarifications:

- the 108 conditions he had referred to in his presentation encompassed all three consents;
- there were six to seven bores and some of them had presented with low results;
- If he was to have known how strenuous the process was going to have been beforehand then he would have thought twice about submitting the applications.

## **5 Confirmation of Minutes (*Whakau korero*) – 22 July 2020**

**Resolved:**

**Moved Cr Ludlow, seconded Cr Stevens that the minutes of the Strategy and Policy Committee meeting, held on 22 July 2020 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 for inclusion in the agenda.

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

There were no questions asked by the meeting.

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

Neither the Chairman nor any Councillors presented a report to the meeting.



## 9 General Manager, Policy, Planning & Regulatory Services Report – 20/S&P/76

### ⇒ Item 1 – Regulations for Prevention of Air Pollution from Ships

Lyndon Cleaver spoke to this item which provided Council with an update on the MARPOL International Convention for the Prevention of Pollution from the Ships Annex VI Regulations and the Government's planned accession to the IMO convention.

Clarification was sought by Cr McCullum on how Environment Southland would be monitoring vessels to ensure the use of low sulphuric fuel. Mr Smith informed the committee that Environment Southland does not have a role in managing what fuel is used by ships – this is co-ordinated and regulated by central government.

In responding to questions, Mr Cleaver clarified that all vessels entering the region were already complying with the lower sulphur fuel criteria and that this change would not create any compliance issues.

Cr Guyton asked whether the low sulphur fuel would be less damaging and easier to contain if there was to be a spill. Mr Cleaver advised that there was no difference in the overall properties of the fuel itself, so the pollution response would remain the same.

#### **Resolved:**

**Moved Cr McCallum, seconded Cr Ludlow, that Council note the update on the MARPOL International Convention for the Prevention of Pollution from Ships Annex VI Regulations and the Government's planned accession to the IMO convention.**

**Carried**

### ⇒ Item 2 – Regional Forum Report on Phase Two

This item had been prepared for Council to receive the Regional Forum's Report on Phase Two and consider the recommendations that are put forward as part of the Long-term Plan process. Fiona Smith (Regional Forum Chair) summarised the report provided for the meeting.

Cr Baird requested an elaboration on priority one. Ms Smith clarified that the Regional Forum had found there to be a lack of depth of understanding within the wider community. They had felt there was a need to provide the community with further understanding of where their recommendations were coming from.

Ms Smith clarified that there was still a lot of work to be done around the framework. She informed the meeting that ideally they would seek to collaborate with the community on how the information would be best presented.

Multiple queries were raised in relation to values within the community. Ms Smith and Mrs Lawrence confirmed that the Regional Forum had found common values within the various industries and wider community and noted that this was an encouraging finding. A brief discussion took place on whether it was necessary to return to community groups to check in and make sure that there were still common values present. Mrs Lawrence

advised that this would be up to Council to decide as only a year had passed since many of the community consultations had been undertaken. It was however noted that there would be scenario testing happening in the future on how values would be achieved over time.

Following discussion, it was acknowledged that there was a need to discuss the risks if the recommendations were not adopted by Council. It was decided that a workshop to develop Council's knowledge on the recommendations would be held before discussing perceived risks.

**Resolved:**

**Moved Cr McCallum, seconded Cr Baird, that Council:**

- (1) receive the report from the Regional Forum on Phase Two;**
- (2) consider the recommendations in the report as part of the Long-term Plan process.**

**Carried**

⇒ **Item 3 – Policy and Planning Division Work Programme including External Agency Reports**

This item was prepared to allow the Policy and Planning Division work programme to be reviewed on a regular basis, and to receive reports and discussion papers from external agencies that may be of interest to Council.

Mrs Hicks spoke to this item and summarised the updates and highlighted the following key points:

- Topic A of the proposed Southland Water and Land Plan Appeals was nearing completion;
- workshops on discussion papers for the Coastal Plan review would continue throughout the year;
- scope of work for the Clean Air Scheme had been delayed but would be presented to the Executive Team in September and to the committee around the end of October;
- the LIDAR tender process was complete - another update was to be provided in October;
- there would be a workshop taking place on the flood management scheme for the Waihopai to socialise the report.

To questions raised, Mrs Hicks clarified that the issues with KiwiRail in regards to the cycle track had been resolved. She also noted that there was work being done with ICC to provide positive communications to the public for when the track was ready to use.

A short discussion took place on the timeframe and data for the LIDAR survey. Mrs Hicks informed the committee that once the weather had cleared they could begin flying. She

noted that there was work being done with the IT Team to consider how to display the data using the GIS system.

Mrs Hicks provided a brief summary to update the committee on the progress of interpreting the Action for Healthy Waterways package. A lengthy discussion took place around this matter and how Environment Southland would implement the National Environmental Standard (NES) rules. The following clarifications were made:

- detailed analysis will continue for some time;
- stakeholder engagement and webinars with interested parties will be held over the next few weeks;
- there would be an opportunity to work with the communities that would be affected and to gain insight from them that would help to implement the rules;
- proactive engagement with stakeholders and the community would occur when the analysis was completed and clear messaging had been framed-up;
- moving forward a large number of farmers would need to be liaised with – some who had never interacted with the Council before – which may be problematic.;
- there had been some frustration around mapping as it has been presented very coarsely in the documentation – the team were waiting for more clarity around this;
- it was noted that the Minister of Agriculture had stated that these were guidelines however legal advice was that they were to be taken as rules and not guidelines;
- there had been elements changed for consenting timeframes – these issues were being worked through.

Mr Smith acknowledged the contributions of Gavin McCullagh (Team Leader Policy & Planning) and Alex Morgan (Team Leader Policy & Planning) as they would soon be leaving the organisation. In turn the committee thanked Mr Smith for his work and contribution as General Manager Policy, Planning and Regulatory Services, as he was also set to leave the organisation at the beginning of October.

***Resolved:***

**Moved Chairman Horrell, seconded Cr Stevens, that Council note the Policy and Planning Division Work Programme including External Agency Reports.**

**Carried**

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

There were no items of extraordinary or urgent business considered by the meeting at this time.

**11 Public Excluded Business (*He hui Pakihi e hara mo te iwi*)**

There was no public excluded business included on the agenda.

**Termination**

There being no further business, the meeting closed at 10:28 am.

**Minutes of the Regional Services Committee  
(Ropu Tiaki Waka-a-Rohe) meeting of the Southland  
Regional Council, held in Regional House, corner North  
Road and Price Street, Invercargill, on Thursday,  
03 September 2020, at 1.00 pm**



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<b>Present:</b>	Cr J McPhail Chairman Horrell Cr L Ludlow Cr L McCallum Cr P McDonald Cr E Roy Cr D Stevens Cr L Esler	(Chair)
<b>Also Present:</b>	Mr P Melgren	(Department of Conservation)
<b>In Attendance:</b>	Mr R Phillips Mr J Streat Mr P Haynes Mrs F Young Mrs A Henderson Mr B Rickertsen Mr D McIntosh Mrs N Baxter	(Chief Executive) (GM, Operations) (Catchment Manager) (Land and Water Services Manager) (Senior Communications Co-ordinator) (Digital Media Co-ordinator) (Property Officer) (Personal Assistant)

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

The Chairman welcomed everyone to the Regional Services Committee meeting for September 2020.

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

There were no apologies for absence recorded, as all members were present.

**3 Declarations of Interest**

Cr McCallum advised that he had a declaration of interest to raise on the tabled information as part of Item 5.

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

There was no public forum, petitions or deputations presented at the meeting.

## 5 Confirmation of Minutes (*Whakau korero*) – 11 June 2020

### *Resolved:*

Moved Cr McCallum, seconded Cr McDonald, that the minutes of the meeting of the Regional Services Committee, held on 11 June 2020 be confirmed as a true and correct record.

Carried

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

### 6.1 Supplementary Reports

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

### 6.2 Other

Tabled for the meeting was Item 5 Progress on Works appendice which had been omitted from the agenda.

## 7 Questions (*Patai*)

No questions were asked by the meeting.

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

Neither the Chairman nor any Councillors provided reports for the meeting.

## 9 General Manager of Operations' Report – 20/RS/71

### ⇒ Item 1 – Annual Report of the Land and Water Services Division

Mrs Young spoke to this report advising that she had some presentations that she would share via zoom. The first presentation gave the Councillors an introduction to what Land and Water Services role was, who they work with outside the organisation and the work the team does.

Mrs Young said that this year has not been like any other year, some of the LAWS team assisted in the emergency response during the February floods as they had extensive experience working in emergency management. Further disruption came at the end of March with COVID-19; this created a new working environment for the team but she was proud of how the staff adapted by putting new systems in place to continue their work.

Mrs Young then reflected on the work done in the past twelve months. She said that in August last year there was huge public attention on intensive winter grazing, as a result the LAWS team worked alongside other agencies outside the organisation as well as Environment Southland divisions to try and deliver a more coherent story around winter grazing and provide clarity to the regions farmers. The team also gathered

information to support good practices to help farmers in the future around intensive winter grazing practice.

The LAWS team continue to deliver the Focus Activity Farm Plans and delivered 50 Farm Plans over the past twelve months. They are in the process of creating a new way of delivering Farm Plans with the new regulatory requirements as well as including some of the learnings that they have gained around Farm Plans.

The staff have also been working closely with the River Liaison Committees to refresh the Terms of Reference of those groups. The Committee meetings were complete and the team was in the process of shaping the final version of the Terms of Reference and summarising the key messages of those meetings.

A lot of work had been done in the Gore EnviroSchools area and something to come out of that work was the Charlton/Waimumu Pilot Project which included planting 50,000 plants on farm land at Waimumu.

Mrs Young reported that there is a lot of work happening in the landfill risk assessment space and the LAWS team had provided data to assist with the New Zealand wide Landfill Risk Assessment Tool. The first draft of the Assessment Tool had been received and staff were in the process of testing it. They had worked alongside ICC, Iwi, landowners, and DOC on the Ocean Beach issue to request funding from the Government to begin a site investigation and an options assessment.

Mrs Young then showed a short movie in regards to the riparian planting project at Charlton/Waimumu, noting that riparian planting would occur across 150 farms and there would be 24 Focus Activity Farm plans produced. They were going to plant 50,000 plants working with Hokonui Runanga, Gore Catchment Group and EnviroSchools groups.

Following the short movie, Mrs Young thanked the LAWS team for all the work they had done.

Following Mrs Young's report, there was a range of questions and in-depth discussion by the Councillors.

Cr McCallum noted the Land Sustainability Officers were welcomed on farm and had good relationships with farmers. He noted that the LAWS team helped with compliance flights surveillance, and enquired about how LAWS linked in with the Consents team and compliance issues. He wondered if maybe the LAWS team could help explain to farmers more about consents, why they need them and do more education around the consents process going forward. Mrs Young explained that LAWS was involved with the cultivation flights and worked with the Compliance team for a while in the Winter Grazing space and the Consents team in regards to the permits. Cr McCallum would like to have seen more on this work. Mrs Young said that whilst they support the Consents team and farmers in terms of consent requirements, they had to be careful in this area because there was so much change and so much complexity. It was important LAWS did not compromise the way that the regulatory process works.

The Chair praised the team for the project at Charlton and suggested Councillors having a drive out to Charlton/Waimumu to view the planting project.

The Chair also commented that there were a lot of different Farm plans being created now and it was hard to keep tabs on which plan is what and if they were the correct plan for what the farm needed. He felt that they should all be combined to create one farm plan for ease of farmer use.

**Resolved:**

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

**Carried**

⇒ **Item 2 – Biosecurity and Biodiversity Operations Annual Report**

Mrs Meade spoke to this item saying that the Biosecurity and Biodiversity team had a very busy year. COVID-19 stopped their field work programme which hampered their control on pests, but the weather had been mild over winter on return to a more normal working environment, enabling the team to get a lot of their field work done. She noted that a lot of the “not achieved” or “partially achieved” results were due to the lockdown and not being able to get out in the field to complete the work. Mrs Meade also said that the flooding in February hampered work programmes when the team were not able to get onto people’s properties.

Mrs Meade then highlighted that the Biodiversity Programme was still going strong and they had been inundated with applications for the Environmental Enhancement Fund.

The Biosecurity team had the new Pest Management Plan and Strategy approved which was a great celebration for the team. The staff were moulding all of their work programmes around the new strategy, and over winter a lot of planning was put in place to be implemented in spring. The Gorse and Broom programme was significantly reduced and the time reallocated into different weed programmes. The team had also been looking into new technology by using drones and artificial intelligence programmes to identify high priority weeds in ecologically sensitive areas, which will save the team time, making the process more efficient.

Unfortunately, Undaria had spread and was found in Breaksea Sound. The team had previously worked hard and put measures in place to contain the Undaria in Chalky Sound, but it had not been enough. Through the partnership, they created a funding strategy to deal with the Undaria going forward to try and eradicate it.

The team had started a site-led programme at Stewart Island which involved de sexing and microchipping cats as well as developing weed control. A lot of planning was done to put contracts in place to deal with weed control, but unfortunately with COVID-19 lockdown, these were put on hold. The contracts will be a priority going forward.

Cr Roy commented that he felt that investigating reports of exclusion species was not proactive enough. He said a Wallaby was run over around Shingle Creek near Roxburgh and it had probably been released there by hunters. He asked if the penalties for illegal introduction of exclusion species were well known and asked if they were strong enough to act as a deterrent? Mrs Meade advised staff would need to catch someone in the act of releasing a pest in Southland to really be able to prosecute. The rules are in place and the team were working with land owners to make them very aware



wallabies could also be coming across the border. Staff were concerned about these issues both on land in the marine areas. They have been putting plans together to see how much they should be investing to try and prevent incursions before they are a problem.

Mr Streat advised that the Wallabies crossing the border were not an unmanaged issue. Biomangers were well aware of it and had controls in place to try and prevent further spread.

Cr Baird commented that wild deer do not appear in the report; he felt the numbers are out of control and enquired if the team was doing anything about the deer numbers. Mrs Meade replied that when the pest management plan was reviewed, deer was one of the species that the team looked at. Because they were managed by Wild Animal Control rather than the Biosecurity Act the decision was to leave that Act and let DOC handle the matter.

**Resolved:**

**Moved Cr Roy, seconded Cr Stevens, that Council note the information provided in the Biosecurity and Biodiversity Operations Division annual report.**

**Carried**

⇒ **Item 3 – 2019/20 Rating District Works Programme – Annual Report**

Mr Haynes spoke to this report noting that the Catchment division had a busy year with floods in the Waiau in November and February floods throughout Southland. The Catchment team worked through COVID-19 trying to clean up after the floods and get all the flood damage fixed before another flood, and Mr Haynes praised his staff for all the work they had done over the last eight months.

Mr Haynes noted some typo's in the budget sheets, but that at the time of the meeting all works were under budget and the insurance work was not included in the budgets. The only program that went over budget was the Waiau, which was supported by the Liaison Committee.

The Chair praised Mr Haynes and the Catchment team on all the work they had done and enquired if the BAU maintenance work had been completed. Mr Haynes replied that the team had a list of priorities and had methodically worked through that list. Everything left on the list was considered to be low risk.

The Committee asked questions relating to the Catchment team report, the following was noted:

- Business as usual work was completed along with flood repairs;
- Shovel Ready funding for the Waiau was approved to value of \$750,000;
- In the event that the Waiau flooded, river banks still eroded and damage caused even though it is only running at 1/3 of its previous flow before the Manapouri Scheme.

Cr McDonald asked if there was something the Catchment team could do to make the Otepuni look more attractive outside Kmart, as it was a bit of an eyesore when coming down the escalator at Kmart. Mr Haynes said that they can tidy it up a bit by including it in the city river programme. Cr Ludlow suggested talking to the ICC Youth Council as a starting point, as it may be of interest to them.

**Resolved:**

**Moved by Cr McPhail, seconded Cr Ludlow, that the Committee thank the Catchment team for their work during and following the two floods this year.**

Carried

**Resolved:**

**Moved Cr McCallum, seconded Cr Stevens, that Council receive the report for the 2019/20 Catchment Operations Division programme results, and that the relevant parts of the report be provided to the River Liaison Committees.**

Carried

#### ⇒ **Item 4 – Catchment Management Work Programmes**

Mr Haynes spoke to this item giving the Committee an update on works to date. He said that flood repair work was underway and the team still have a lot of work to do, but all the critical areas were repaired. Insurance claims had been lodged, only the odd claim still remained due to ground conditions, unfortunately staff could not get in and finish off some work.

Mr Haynes reported that he had received official notification from the Government that the Shovel Ready Projects the team had applied for funding for would go ahead, and that they had received 75% of the funding that was requested. Mr Haynes was waiting for contracts to arrive from MBIE at the time of the meeting. Mr Haynes advised that a steering group had been set-up within Environment Southland to help manage the process. An item would also be going to expanding on these matters in the near future.

Cr McCallum said that he would like to see the Shovel Ready Projects reported and kept separate from BAU work. Mr Haynes said that staff had been looking at how other Councils dealt with these matters.

Mr Streat advised that the Steering Group was currently working through the structures and processes required to create a framework that enabled co-ordination and cross-reporting between Councils, to make the processes more uniform between Councils, the sector and Central Government.

In response to questions regarding timelines for the projects Mr Haynes advised they would take anywhere from two or three years to complete, and Central Government would like the work to commence as soon as possible. He said the Shovel Ready Projects were designed for the local economy, to help keep local contractors and local people in work which is what the team were aiming to do. There will be a tender

process for a lot of the work and it was unknown who would be involved in that process at the time of the meeting.

Cr McCallum commented that his understanding was that the Government were looking to create work and not an administrative process. He said that he felt that Central Government would be looking to see that a lot of the work was done on the ground and not spent in administrative expenses. He also asked where the other 25% of the funding would come from since only 75% of the funding had been provided. Mr Streat said that there will be a contribution required from Council. There was different funding mixes for different projects and there was also different partners coming in for their parts of the projects as well. These questions would come to Council for a decision

**Resolved:**

**Moved Cr Ludlow, seconded Cr McCallum, that Council note the update on the Catchment Operations Work Programmes.**

**Carried**

⇒ **Item 5 – Contracts and Progress on Works**

Mr Haynes spoke to this item which reported on contracts for all the works that have been undertaken for the last quarter.

Cr McCallum noted his interest in work done on his property which was in the report and refrained from speaking and voting on this item.

**Resolved:**

**Moved Chairman Horrell, seconded Cr Roy, that Council note the update on Contracts and Progress on Works.**

**Carried**

⇒ **Item 6 – Lease Inspection Reports**

Mr McIntosh spoke to this item reporting that COVID-19 had not affected any of the work they had planned for the leases, but that the flooding did cause some problems on some of the leases which had to be repaired.

**Resolved:**

**Moved Cr Baird, seconded Cr McCallum, that Council receive the March and June 2020 quarter of the Lease Inspection Reports.**

**Carried**

## **10 Department of Conservation Verbal Update**

Mr Melgren gave the Committee an update on current matters he was involved with on behalf of the Department of Conservation:

- Howden Hutt would be demolished and there had been no decision made on if it would be rebuilt.
- Part of the Routeburn track is closed until 6 December 2020, there was a section from Mt McKenzie to The Divide and also on Milford track there was a section which is remaining closed until the end of November which goes from Quintin Hutt to Sandfly Point.
- On 5 August a Southern Right Whale calve in Te Wae Wae Bay.
- On 5 August a very rare Hour Glass dolphin wash up near Orepuki. A autopsy indicated it died from pneumonia.
- Waikawa 1080 operation saw a 0% trap of rats and mice.
- COVID-19 stopped all fieldwork.
- Awarua and Tiwai trapping mustelids was continuing.
- Pigs caught and disposed of at Waituna.
- DOC was investigating using a judice pig.

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

There was no extraordinary or urgent business.

## **11 Public Excluded Business (He hui Pakihi e hara mo te iwi)**

There was no public excluded business considered by the meeting.

## **Termination**

There being no further business, the meeting closed at 2.28 pm.



# Chairman and Councillors' Reports



## **Chairman's Report**

**Activities undertaken by the Chairman  
since the last meeting**

### **August 2020**

- 11 Meeting with Te Anau constituents  
NZ Infrastructure Commission – dinner
- 12 Ordinary meeting of Council  
Council briefing – Biosecurity/Biodiversity Shovel Ready Projects  
COVID-19 Alert Level 2 EMS briefing
- 13 COVID-19 Regional leadership update
- 14 Meeting with Simon Oats  
Compliance investigation update
- 17 Southland Mayoral Forum Zoom meeting
- 18 By-law meeting with Staff
- 19 Joint Shareholders Committee meeting by Zoom
- 20 OSPRI Stakeholders Council meeting by Zoom
- 21 LGNZ Annual General Meeting
- 22 Otago/Southland Mayoral Forum by zoom
- 25 Council Strategy Workshop  
Thriving Southland Webinar
- 26 Community Trust of Southland  
Council & TAMI Workshop – People Water & Land Project
- 27 Mayoral Forum by Zoom  
South Port Subcommittee
- 28 LGNZ Regional Sector Group
- 31 AGM of COIN  
Council Strategy Workshop by Zoom  
Te Roopu Taiao hui

### **September 2020**

- 1 Council Strategy Session  
Council/TAMI Joint Workshop
- 2 Organisational Performance & Audit Committee  
Regulatory Committee followed by workshop
- 3 Strategy & Policy Committee  
Regional Services Committee  
Meet Policy Advisor – Mayoral Forum  
Winter Grazing Strategy by Zoom
- 7 Meeting with Ministers Parker & O'Connor
- 8 Minister O'Connor's visit to Mid Dome
- 9 Mayoral Forum re Tiwai
- 11 Otago/Southland Mayoral Forum re 3 Waters



- |    |  |
|----|--|
| 16 | Council/TAMI Joint Workshop – People Water & Land Programme<br>Council/TAMI Joint Workshop – Coastal Plan & Coastal Occupation Charges |
| 18 | Property Working Party<br>Industry Hui – EFW   |
| 22 | Council workshop – Strategy Session  |
| 23 | Jobs for Nature hui at Bluff   |
| 25 | Southland Mayoral Forum  |
| 28 | Council Workshop – Strategy Session/LTP<br>AGM of Southland Regional Development Agency (Great South)                                  |
| 29 | Council workshop – Strategy Session/LTP  |
| 30 | Ordinary meeting of Council  |



**Performance Review**  
*(Te Arotake I te Mahi)*

**Item 1 Chief Executive’s Report**

<b>MORF ID:</b> -	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Rob Phillips, Chief Executive	<b>Approved by:</b> -
<b>Executive Approval:</b> -	

**Purpose**

To provide Council with a governance overview of pan organisational current matters.

**Summary**

This is the Chief Executive’s report for the month of September 2020. It provides an update from all direct reports to the Chief Executive, on topical matters.

**Recommendation**

**It is recommended that Council resolve to note the report.**

**Report**

**National/Regional Events and Issues**

With the release of the Government’s Essential Freshwater Package, and the subsequent concern within the farming community in particular with some of its proposals, Council hosted Ministers David Parker (Minister for the Environment) and Damien O’Connor (Minister of Agriculture) on Monday, 7 September 2020. There was an initial meeting with the Councillor Executive and Management team with the Ministers, and this was then followed by a meeting with local farmer land sector leaders, where they provided details of their concerns around the new national regulations for freshwater and their implementation.

As a result of that meeting, an agreement to form a local advisory group to be facilitated by Environment Southland, was achieved. This group is to provide advice into the national implementation group established by Minister Parker recently.

The next week, Council hosted an industry hui on the EFW to, amongst other things, establish the advisory group. The desire of the group is to find practical solutions to the new freshwater regulations, particularly focusing on the intensive winter grazing provisions. The advisory group comprises representatives from the rural sector and industry groups, and an invitation is to be extended to Fish & Game and also iwi, to participate in the group.

Those who participated in the hui acknowledged there is a need to improve water quality in Southland and the advisory group will focus on practical ways of achieving this. The group will liaise with wider hui members, and also with Otago Regional Council, Environment Canterbury, and the wider regional sector to ensure they are connected with the national work that is already underway.





On the local front, my focus has been internally on the organisation – including revitalising the ES Way programme and focusing on the Long-term Plan.

**Report – Policy, Planning & Regulatory Services Directorate**

**Policy and Planning**

The Environment Court proceedings on the Topic A portion of the pSWLP appeals is still continuing, although the latest minute from the Court indicates its intention to issue a final decision soon. Staff have been directed to compile a Section 32AA report to assess the changes that have been made through Topic A and to commence preparations for mediation of the Topic B matters. As a result, mediation could commence before Christmas.

The Essential Freshwater Package was gazetted at the beginning of August 2020 and since then the majority of the Policy and Planning staff have been undertaking the detailed analysis required to determine the implications of these new regulations for Southland – part of this has been to determine what it means for resource consents and for the community. Guidance is being developed for the community and for the Land and Water Services team to use, as well as FAQs on Council’s website, which are being updated as the analysis continues and elements continue to change. The regional sector is working closely together to share information and to join efforts on elements of implementation, wherever possible.

**Consents**

**Current situation**

There are 86 applications in progress at the time of writing this report.

Ten consent applications are amid a notified process. All progressing as normal.

**Current notified applications**

<b>Applicant</b>	<b>Application and status</b>
<b>Castlerock Farming Company Limited</b>	To take and use groundwater from the Lumsden aquifer for irrigation. <i>Aquifer testing has now been assessed and is being discussed with the applicant. Once completed, a hearing date will be set.</i>
<b>Fiordland Trails Trust</b>	<i>Decision to grant both applications subject to mitigations and conditions was issued by the independent commissioner on 27 July 2020. Total costs will be invoiced next week. These include a 40% waiver from July 2019.</i>
<b>Alliance Group Ltd - Maitua</b>	To discharge treated meat works wastewater and condenser cooling water to the Maitua River and to take and use water for cooling and processing purposes from the Maitua River. <i>Hearing has been deferred, awaiting new date.</i>
<b>Real Journeys Limited</b>	To carry out commercial surface water activities in the coastal marine area adjacent to the Fiordland National Park from Yates Point to Puysegur Point, Doubtful Sound, Fiordland.

Applicant	Application and status
	<i>Active. Submitter has withdrawn its right to be heard. Decision on necessity of hearing pending.</i>
<b>Aerodrome Farm Limited</b>	To discharge agricultural effluent to land, to take and use groundwater, discharge winter barn effluent, to use land for a winter barn and farming. <i>Granted under delegated authority.</i>
<b>Suelen Properties Limited</b>	Two applications to establish and operate a marine farm for the cultivation of oysters at two sites situated in Horseshoe Bay site and at Horseshoe Nugget, Stewart Island and Nathans Island, Stewart Island. <i>Hearing timeframe extended due to MPI involvement. Arrangements to schedule a hearing date to be made.</i>
<b>Mr Peter Clinton</b>	To transfer water from the Oreti River into a confined aquifer via an injection bore and recover a portion of that recharged water from the same bore, on a short-term trial basis. <i>Limited notified - awaiting hearing deposit.</i>
<b>New Zealand Transport Agency</b>	To undertake wetland modification required for construction of State Highway infrastructure, to install a new culvert and divert ground and surface water. <i>To be decided under delegated authority.</i>
<b>International Specialty Aggregates Limited</b>	To take groundwater from two existing wells and two existing ponds for gravel washing, discharge approximately 1,070,000 l/day of groundwater and discharge contaminants to air at 223 Pitt Road, Otatara. <i>Granted under delegated authority.</i>

#### **Further comments**

- The hearing of SRC vs Wilkins Farming Co Limited was held before the Environment Court on 16-17 July 2020 in Christchurch. No decision has been released at time of writing.
- The cost objection hearing regarding the Woldwide recent suite of granted applications was heard on 31 July 2020. The decision from the Independent Commissioner was received on 25 August 2020, with costs reduced by \$99,604.45. The Finance Division is completing the remainder of remittal process.
- An application from ABLime Limited to remove the current tonnage cap was lodged on 2 June 2020 and is being processed in-house. The further information requested has been received and is being assessed by engaged experts.
- Ngāi Tahu Seafood Resources' application to develop approximately 2,500 hectares of coastal space for fin-fish farming remains on hold for further information.
- Sanford resource consent application to undertake marine farming of King Salmon at the south-eastern end of Foveaux Strait remains on hold for further information.
- Timeframe compliance for the time period 23 July to 16 September 2020 was 95%. Three applications were one day over.



## Compliance

The compliance workstreams highlighted in the Compliance Plan and at the last Regulatory Committee meeting are ongoing. In addition to these workstreams, the focus for the near future is:

- dairy effluent monitoring – this has started and inspections are proceeding well;
- groundwater monitoring programme – this is about to commence;
- high rate water takes - the technical team is focusing on this;
- whitebait stand inspection programme – this has commenced.

## Harbour Management Activity

The Maritime team has been updating the following industry specific training plans that have been due for their three yearly review/approval with Maritime New Zealand:

- Fiordland Pilots Training Manual;
- Fiordland/Stewart Island Pilotage Exemption Training Manual;
- Council's Part 35 Industry Specific Vessel Training Scheme for ES staff.

The Director, Maritime New Zealand, has also renewed the Chief Executive's delegated authority for functions under the Maritime Transport and Marine Protection Rules, to undertake regulatory activities relating to oil transfer sites, which include site audits and approval of Oil Transfer Site Plans. These responsibilities have been sub-delegated to the Maritime Manager.

The Fiordland VHF radio project to provide improved coverage in some of the more remote areas of Fiordland is due to recommence once there are more favourable weather conditions. The last and most northern VHF site on Mt Grono, Doubtful Sound, is currently standalone operational, and will soon be linked back to the southern Mt Clerke site in Dusky Sound, when weather conditions are more favourable. Once this link is completed, mariners will have vastly improved VHF radio coverage from Doubtful Sound to Bluff.

With the start of the boating season commencing soon, development of a boating safety work programme is underway.

## Report – Operations Directorate

### Catchment Operations

The flood damage repair works are continuing well, as programmed. Most major issues have been addressed and insurance claims have been submitted.

The Asset Management Plan review for flood protection and land drainage is underway, with new software addressing the issues when inspections are carried out. This will be presented to Council in the near future.

Preparations are well underway in anticipation for the shovel-ready projects. The draft contract from the Government has arrived and is currently being reviewed. See separate item.

### **Land and Water Services**

The Land and Water Services team is busy with business as usual (advice and education, support for catchment and community groups and responding to contaminated land information requests and landfill assessment projects). It is also delivering a number of key projects alongside other staff at Environment Southland and external partners. Many of these have been underway for some time, and are now coming to a conclusion. The Capacity Building Project team has concluded discussions with the Liaison Committees and is preparing a summary of the points made at these meetings. The terms of reference will be updated and a revised draft provided to Council for consideration. The Farm Environment Plan update is currently in the testing phase, as documentation and methodology are finalised. This sees the conclusion of the Focus Activity Farm Plan programme, with a shift to the farmer/landowner providing the information in a way that is consistent with current regulatory requirements. Staff will be reflecting on the FAFP programme, the relationships built, data gathered, funding provided and overall successes.

In the new project space is the Charlton Waimumu Riparian Pilot, which has evolved from the work done in the Gore area with Enviroschools, Hokonui Runanga, the Gore Catchment Group and individual farmers. What is learnt from this project will be essential as staff develop a regional planting programme for Southland.

### **Biosecurity & Biodiversity Operations**

The Biosecurity and Biodiversity team has been out in the field catching up on the work that was delayed in the autumn. The Maitara PCA (possum control area) is nearly complete and the team has been working through the PCA maintenance schedule.

The pest plants team has run a successful planting day along the Bluff foreshore, as part of the German Ivy eradication project, with over 50 people attending. Environment Southland controls the German Ivy on an annual basis, and the tree planting this year aims to help suppress weed growth, reducing the need for annual herbicide control and to provide increased amenity value for the area. Invercargill City Council, Bluff Hill Motupōhue Environment Trust and Bluff 2050 also supported the planting day.

The annual Environmental Enhancement Fund has been fully allocated to a range of projects throughout the region.

### **Science Informatics & Operations**

In this period, it has been business-as-usual involving the collection of environmental data relating to the various State of the Environment (SoE) monitoring programmes. Examples include river flow and rainfall (hydrological response), river, lakes, estuary and groundwater quality (nutrient and sediment loads) and aquatic ecology (aquatic macro-invertebrates and periphyton).

Staff continue to work through the lakes and recreational water sampling programmes that have been brought in-house (from contractors). The lakes work is ongoing and the recreational (bathing) sampling programme is being planned out for the forthcoming summer monitoring period. The work is proving to be challenging.

Lydia Hayward has recently been appointed to the Team Leader – Data Ecosystems position.



## Emergency Management Southland

Emergency Management Southland continues to work with all its partners and stakeholders to ensure robust plans are in place for any resurgence of the COVID-19 pandemic in Southland. A Regional Leadership Group was formed, chaired by Mayor Tracy Hicks, and comprising members of the Mayoral Forum, Civil Defence Joint Committee and the Co-ordinating Executive Group.

In August 2020, Delia Riley left EMS to be the new Regional Forum Lead at Environment Southland and Aly Curd has replaced her as Acting Team Leader – Resilience until this position is filled. Aly has been working on the last two Community Response Plans for the rural Southland region and the Waikaia and Riversdale plans are about to be published.

This is a huge milestone for EMS, completing its three-year work programme to engage with all the communities across Southland, both rural and urban. The next step is to maintain these relationships with training, exercising and ongoing re-engagement.

With the move back to Alert Level 1, several initiatives are being planned around the Get Ready Week in October 2020, including Shakeout, Riverton Schools Tsunami Hikoī, Clued up Kids in Otautau and Gore and the School Shaky Trailer week in November 2020.

## Report – Strategy and Engagement Directorate

### Communications

The focus in recent weeks has been on freshwater and communicating what we know about the Government's new rules for freshwater.

Work continues on supporting the Regional Forum and the wider People, Water and Land Programme.

The winter air quality campaign has concluded and the focus on outdoor burning continues. The items of particular media and public interest have been the concluding of the compliance investigation into the Deputy Chairman's property, the Ouvea premix at Matura and the new freshwater rules.

The team has also been delivering internal communications and its role continues on the Incident Management team; preparing for the rates notices going out, supporting the annual charges going out, the ministers' visit; live streaming council and committee meetings; and is involved in strategic LTP planning and the IRIS project.

### Council's People, Water and Land Programme

As freshwater remains a priority for Council, the People Water and Land Programme, *Te Mana o te Tangata, te Wai, te Whenua* is a critical cross-organisational work programme and work has continued.

The focus of the programme is:

- **Values and Objectives**

The Values and Objectives package will be presented to Council and the TAMI Board in late October/early November 2020 for **agreement in principle**. The draft freshwater objectives are a key part of the package and underpin the Regional Forum's next phase of work; to assess

the options (methods and limits) to achieve the freshwater objectives. Recently, the Values and Objectives team completed the collective Southland Murihiku draft freshwater objectives report (bringing together the iwi and community work), which is now out for peer review. Bringing together the values and draft freshwater objectives has been a complex task, but is of significant value to the process and the direction of freshwater management in the region. Peer review is important, as Southland is leading the way in bringing together the iwi and community workstreams across the regional sector. Workshops were held with the Council and TAMI Board on 26 August and 16 September 2020 where the Southland Murihiku draft freshwater objectives report was introduced and discussed. Options for the draft freshwater objectives were traversed along with early key messages from the contaminant reduction work. A further workshop is planned for 13 October 2020 prior to the Values and Objectives package going to Council and the TAMI Board. A plan is being developed and implemented to socialise the Values and Objectives package to the wider community.

- **Regional Forum**

As discussed previously, the role of the Forum is to provide a package of advice to Governance on **how** to achieve the community's aspirations for freshwater, principally via methods, both regulatory and non-regulatory. Governance for the People, Water and Land Programme is via the Strategy and Policy Committee of the Council, which is intended to include mana whenua appointee(s), the recommendations from which are brought to full Council meetings for adoption. While the package of advice is deliverable at the end of the process, there are key decision points for Governance through the process where they will need the input of the Regional Forum and, in turn, feedback to the Regional Forum. Governance received its first report from the Regional Forum in August 2020. The report reflects their knowledge and learning through Phase One and Two of the Regional Forum process. The report outlined their reflection of what the community wants to achieve for freshwater, the challenge ahead, the areas of focus for Phase Three and immediate recommendations for practical action. Council is now considering this as part of the Long-term Plan (LTP) process.

Delia Riley started as the Regional Forum Lead on 31 August 2020. Delia was with Emergency Management Southland and heavily involved in the region's COVID-19 response. Planning and preparing for the workshops ahead is Delia's priority. The planning is focused on how the Regional Forum will look at the various options to achieve the draft Southland Murihiku freshwater objectives and over what timeframes, which will include scenario testing for both the effects of policy options on the environment and the wider community. While we expect this work to begin in earnest in 2021, we will continue working on the foundations of this through the remainder of 2020 (in a mix of online and in-person workshops). The next Regional Forum workshop in-person is in Riversdale on 20-21 October 2020. More details will be shared closer to the time.

## Strategy and Partnerships

As Councillors are aware, a series of workshops to prepare the 2021-2031 Long-term Plan (LTP) has commenced. As a result of the COVID-19 pandemic, the LTP will be a "recovery" LTP, with a focus on financial strategy, forecasting assumptions and risk. As part of this work, a new framework is being developed to underpin the organisation's strategic planning going forward. This work is expected to reach maturity in time for the 2024-2034 LTP (which will be the first "wellbeing" LTP following last year's reinstatement of the four wellbeings – social, economic, cultural and environmental – into the Local Government Act).

The new framework is designed to support the development of measurable outcomes across strategic groups against which the organisation's activities can be mapped and managed relative to the outcomes. The strategic groups that have been identified include water and land, marine, biodiversity and biosecurity, climate change and community resilience and air.

### **Science Strategy & Investigations**

The science team has been working through the newly released National Environmental Standards and National Policy Statement to determine the implications for the team. Areas of particular interest include Te mana o te wai, fish passage and sediment rules.

The report on contaminant limits has been finalised and the focus now is on socialisation of the findings.

The air quality team is wrapping up the winter monitoring programme. New sampling sites are being set up in Mātaura.

Planning for the summer recreational monitoring season is underway.

### **Report – People & Capability**

When COVID-19 Level 2 was reactivated a number of “at risk” people returned to working from home – but not as many as first time around. Updated Ministry of Health guidance meant that some employees previously categorised as “at risk” could come off the list. Furthermore, during Level 1 Council developed an approach to enable some at risk people to return to work in the office with comprehensive health and safety plans in place to manage risk.

Using the learnings from lockdown, a review of the working from home and flexible work policies was carried out and presented to employees. Several staff members have formally applied to work more flexibly.

Bargaining with the Public Service Association has been completed.

A toolkit and guidelines for “our people” leaders that support the development aspects of the overall PDP (performance development programme) process have been developed and launched.

Whilst turnover and recruitment remain low overall, there has been an increase in activity in these areas. Not all vacancies are being filled, only the most necessary ones and, to date, all advertised vacancies have been filled internally. It is good to be able to retain skills, knowledge and talent within the organisation by providing these types of development activities. There remains a nationwide shortage of talent in the planning/consents space, although councils further north have reported they are noticing an increasing number of suitable applicants returning from overseas.

Council is in the third year of its annual Our voice; waha korero survey. This survey provides staff with the opportunity to provide their feedback about the organisation – what it is doing well and where it can improve. Results from this survey help shape key focus areas for improvement. An update on the results will be provided in October 2020.

Two in-depth accident investigations were completed last month – one involving a quad-bike and the other requiring a Worksafe notification. Both investigations identified a number of improvements

required in Council's practices, which it is remedying, including a review of the requirement for a quad-bike in Council's "fleet". Worksafe closed its investigation after a conversation with Council's Health, Safety and Wellness Business Partner.

### Report – Corporate Services Directorate

#### **IT**

- Only 30 old devices remain to be replaced.
- IT is in a good position if COVID Level 3 is activated, with users more aware of what is required. A Working from Home guide has been developed.
- The COVID Level 2 status has increased the number of people working from home and increased the support requests.
- The IRIS NextGen workshops have been completed (over 48 hours) with subject matter experts from all function areas across Council.
- Current IRIS performance has been significantly improved with Datacom making changes to the code, we are on the latest version
- Annual charges invoices have been sent out. The process has been greatly improved, with further development of ProMapps, checklists and good quality assurance throughout the year.
- Rates strike process is on schedule.
- IT continues to support and develop new GIS tools, particularly for the Regional Forum, Thriving Southland, science, policy and planning, catchment and biosecurity and biodiversity.
- A contacts project has been initiated and the organisation-wide protocols have been signed off.

#### **Finance**

The team has continued to operate well, with nearly all staff members working from the office.

Accounting for the 2019/20 Annual Report and audit is well underway. End of year accounting work for community partnerships is ready for audit.

Insurance claims work for both Emergency Management Southland and the Catchment Operations Division are ongoing.

Preparation for the rates strike is well advanced. Rates invoices are expected to be posted on 16 October 2020.

#### **Records and Office Support**

- **Procurement – Policy and Manual** – implementation workshops and training were held on 8-10 September 2020, with good attendance across the organisation.
- **E-Road Project** – a Fleet Management Team has been established. Training has been held for the service and maintenance module and data is currently being entered into the system.
- **Get Home Safe** – internal refresher training has been held for end users to address device use to ensure everyone is using the devices to their full potential. Staff are working with the supplier to improve processes.
- **Information Management/Records** - approval received from Archives New Zealand for the organisation to implement ALGIM and standard GDAs for retention and disposal of records in accordance with the Public Records Act. These schedules will be applied across physical and digital material.





- **Records Office Support Team** – PDP reviews have been completed. Staff are currently working through the new development toolkit.

### **Organisational Support**

- Support for the Regional Forum.
- Agendas and meeting support for a number of Council workshops and regular Committee and Council meetings.
- BioManagers SIG.
- Annual Report/audit support work for the Finance team.
- Property Working Party.
- Council/Ministerial visit arrangements.
- Performance review programme.
- Councillor meeting arrangements/visit to Te Anau.
- Southland Heritage Building & Preservation Trust support and review.
- General Manager/Executive support.
- Policy review work.

### **Attachments**

None



## Approvals Required (Whakaengia)

### Item 2 Rates Setting – Levies 2020/21

<b>MORF ID:</b> A590269	<b>Strategic Direction:</b> Rates Setting
<b>Report by:</b> Malcolm Brown, Rates Officer	<b>Approved by:</b> Tanea Hawkins, Finance Manager
<b>Executive Approval:</b> Neil Selman, General Manager, Corporate Services	

#### Purpose

For Council to set and assess the 2020/21 rates, and set due dates and the penalty regime.

#### Summary

The Local Government (Rating) Act 2002 (Section 23) outlines the procedure to be followed when a Council sets its rates. Rates must be set by a resolution of Council and relate to a financial year and be set in accordance with the relevant provisions of the Council’s Long-term Plan and Funding Impact Statement for that financial year, in this instance 1 July 2020 to 30 June 2021. The Funding Impact Statement is documented in the Council’s 2020/21 Annual Plan.

This report sets out the information and recommendations required for Council to properly set the 2020/21 rates.

#### Recommendation

**It is recommended that Council resolve to set and assess the 2020/21 rates, as calculated in the following schedule and according to the following conditions:**

##### General rates

Type of rate categories of rateable land	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
<b>General rate</b>			
The general rate is set differentially on the capital value of all rateable land in the region. The differential categories are defined by the boundaries of each territorial authority and are set differentially for the purpose of equalising the rates.			
Southland District	20.78	per \$100,000 capital value	4,405,653
Gore District	21.10	per \$100,000 capital value	816,551
Invercargill City	25.70	per \$100,000 capital value	2,181,408
			<b>7,403,612</b>

##### Uniform annual general charge

The uniform annual general charge is a fixed charge per rating unit. It is part of the total general rate and set at a level that Council considers appropriate.



Type of rate categories of rateable land	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
All rating areas	106.50	Fixed amount per rating unit	<b>4,884,410</b>

**Targeted rates**

Type of rate categories of rateable land	Matters to define Categories	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
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**Biosecurity rate**

The biosecurity targeted rate is set differentially on the land value of all rateable land in the region. The differential categories are defined by the boundaries of each territorial authority and are set differentially for the purpose of equalising the rates. The rate contributes funding to the biosecurity activity.

Southland District	where the land is situated	12.89	per \$100,000 land value	1,880,743
Gore District	where the land is situated	13.34	per \$100,000 land value	296,321
Invercargill City	where the land is situated	16.40	per \$100,000 land value	472,851
				<b>2,649,915</b>

**Land sustainability rate**

The land sustainability targeted rate is set differentially on the land value of all rateable land in the region. The differential categories are defined by the boundaries of each territorial authority and are set differentially for the purpose of equalising the rates. The rate contributes funding to the land sustainability activity.

Southland District	where the land is situated	11.52	per \$100,000 land value	1,680,637
Gore District	where the land is situated	11.92	per \$100,000 land value	264,794
Invercargill City	where the land is situated	14.65	per \$100,000 land value	422,541
				<b>2,367,972</b>

**Southern Pest Eradication Society (SPES) Rate**

The SPES targeted rate is set differentially on the land value of all rateable land in the region. The rate is set and assessed on all rating units greater than or equal to 4 hectares contained in the Southland region, south of the Mimihau Stream and east of the Mataura River. The rate contributes funding to the biosecurity activity.

Southland District	where the land is situated and the area of the land	2.70	per hectare	264,749
Gore District	where the land is situated and the area of the land	2.70	per hectare	903
				<b>265,652</b>

**District rated by annual maintenance charge**

**Scheme 653 - Lower Waikawa River**

As authorised by Section 11 Soil Conservation and Rivers Control Amendment Act 1948 to raise \$2,608 for willow control maintenance.

All serviced land	where the land is situated and the provision of a service to the land	2.61	Per hectare	2,608
				<b>2,608</b>

### Catchment rates

There are 17 catchment targeted rates. Each rate has its own differential categories and calculation basis. The differential categories are determined according to agreed benefit having considered soil type, land contour, location, type of work undertaken and other appropriate matters. For catchments that are in more than one territorial authority land values are equalised. Catchment rates contribute funding to the Catchment Planning, River Works and Land Drainage activities.

Categories of rateable land (Class)	Matters to define categories	Ratio	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
<b>Scheme 424 - Duck Creek</b>					
A	where the land is situated	24	42.12	per hectare	20,835
B	where the land is situated	20	35.10	per hectare	28,354
C	where the land is situated	8	14.04	per hectare	10,105
D	where the land is situated	4	7.02	per hectare	4,063
E	where the land is situated	2	3.51	per hectare	5,811
F	where the land is situated	1	1.75	per hectare	4,406
					<b>73,574</b>
<b>Scheme 436 - Otepunui Creek</b>					
A	where the land is situated	6	12.85	per hectare	4,847
B	where the land is situated	5	10.71	per hectare	5,517
C	where the land is situated	4	8.57	per hectare	4,086
D	where the land is situated	3	6.43	per hectare	2,861
E	where the land is situated	2	4.28	per hectare	2,443
F	where the land is situated	1	2.14	per hectare	882
					<b>20,636</b>
<b>Scheme 441 - Upper Waihopai River</b>					
A	where the land is situated	6	14.25	per hectare	1,258
B	where the land is situated	5	11.87	per hectare	1,662
C	where the land is situated	4	9.50	per hectare	7,274
D	where the land is situated	3	7.12	per hectare	13,555
E	where the land is situated	2	4.75	per hectare	2,278
F	where the land is situated	1	2.37	per hectare	591
					<b>26,618</b>
<b>Scheme 442 - Upper Waikawa River</b>					
A	where the land is situated	15	10.71	per hectare	3,188
B	where the land is situated	10	7.14	per hectare	357
C	where the land is situated	9	6.42	per hectare	2,644
D	where the land is situated	6	4.28	per hectare	1,508
F	where the land is situated	3	2.14	per hectare	1,620
					<b>9,317</b>
<b>Scheme 443 - Upper Waikiwi River</b>					
A	where the land is situated	22	26.32	per hectare	2,131
B	where the land is situated	12	14.36	per hectare	7,298
C	where the land is situated	8	9.57	per hectare	4,299
D	where the land is situated	6	7.18	per hectare	3,070
E	where the land is situated	2	2.39	per hectare	612
F	where the land is situated	1	1.20	per hectare	153
U1	where the land is situated	20	23.93	per hectare	3,562
U2	where the land is situated	10	11.96	per hectare	620
					<b>21,745</b>

Categories of rateable land (Class)	Matters to define categories	Ratio	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
<b>Scheme 448 - Waituna Creek</b>					
A	where the land is situated	8	9.76	per hectare	4,707
B	where the land is situated	7	8.54	per hectare	4,587
C	where the land is situated	6	7.32	per hectare	26,159
D	where the land is situated	5	6.10	per hectare	13,194
E	where the land is situated	3	3.66	per hectare	3,291
F	where the land is situated	1	1.22	per hectare	2,508
BCL	where the land is situated	1	0.00	per hectare	-
BCM	where the land is situated	1	0.00	per hectare	-
					<b>54,446</b>
<b>Scheme 978 - Clifton Drainage</b>					
A	where the land is situated	20	23.52	per hectare	4,858
B	where the land is situated	15	17.64	per hectare	1,066
					<b>5,924</b>
<b>Scheme 428 - Invercargill Flood Control</b>					
M1	where the land is situated	16%	49.38	per \$100,000 land value	90,942
M2	where the land is situated	8%	72.51	per \$100,000 land value	45,471
M3	where the land is situated	1%	158.95	per \$100,000 land value	5,684
M4	where the land is situated	75%	23.91	per \$100,000 land value	426,293
					<b>568,390</b>
<b>Scheme 434 – Waiau Rating District</b>					
C4	where the land is situated	1	171.75	per \$100,000 land value	4,517
D1	where the land is situated	600	836.56	per \$100,000 land value	26,644
D2	where the land is situated	110	153.37	per \$100,000 land value	17,900
E1	where the land is situated	10	3.96	per \$100,000 land value	684
E2	where the land is situated	60	23.74	per \$100,000 land value	2,642
E3	where the land is situated	700	276.93	per \$100,000 land value	11,886
F1	where the land is situated	1	0.08	per \$100,000 land value	506
F2	where the land is situated	4	0.34	per \$100,000 land value	106
F3	where the land is situated	35	2.93	per \$100,000 land value	10,730
					<b>75,615</b>
<b>Scheme 435 - Lake Hawkins</b>					
A	where the land is situated	5	417.65	per \$100,000 land value	114,631
B	where the land is situated	4	334.12	per \$100,000 land value	6,388
C	where the land is situated	1	83.53	per \$100,000 land value	10,390
					<b>131,409</b>
<b>Scheme 440 - Oreti Rating District</b>					
Land within Southland District Council					
A1	where the land is situated	3	113.83	per \$100,000 land value	43,891
A2	where the land is situated	2	75.89	per \$100,000 land value	51,341
A3	where the land is situated	2	75.89	per \$100,000 land value	4,939
A4	where the land is situated	1.50	56.92	per \$100,000 land value	72,347
A6	where the land is situated	1	37.94	per \$100,000 land value	3,364
B1	where the land is situated	7	83.87	per \$100,000 land value	4,263
B2	where the land is situated	7	83.87	per \$100,000 land value	276,989

Categories of rateable land (Class)	Matters to define categories	Ratio	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
B3	where the land is situated	7	83.87	per \$100,000 land value	56,164
B4	where the land is situated	3	35.94	per \$100,000 land value	1,909
B6	where the land is situated	1	11.98	per \$100,000 land value	58
C1	where the land is situated	3	94.61	per \$100,000 land value	24,053
C2	where the land is situated	2	63.07	per \$100,000 land value	6,814
C3	where the land is situated	1	31.54	per \$100,000 land value	8,866
C4	where the land is situated	0.80	25.23	per \$100,000 land value	16,001
C5	where the land is situated	0.75	23.65	per \$100,000 land value	1,748
E2	where the land is situated	1	56.61	per \$100,000 land value	22,794
F1	where the land is situated	8	59.84	per \$100,000 land value	4,149
F2	where the land is situated	2	14.96	per \$100,000 land value	281,046
F3	where the land is situated	2	15.71	per \$100,000 land value	19,188

Land within Invercargill City Council

A2	where the land is situated	2	96.55	per \$100,000 land value	2,269
A7	where the land is situated	2	96.55	per \$100,000 land value	2,110
B2	where the land is situated	7	106.70	per \$100,000 land value	2,017
B5	where the land is situated	3	45.73	per \$100,000 land value	777
B7	where the land is situated	0.75	11.43	per \$100,000 land value	4,525
C1	where the land is situated	3	120.37	per \$100,000 land value	2,072
C2	where the land is situated	2	80.25	per \$100,000 land value	6,908
E2	where the land is situated	1	72.03	per \$100,000 land value	1,325
F2	where the land is situated	2	19.03	per \$100,000 land value	54,265
F4	where the land is situated	0.28	2.67	per \$100,000 land value	53,047

**1,029,243**

**Scheme 445 - Waihopai River**

Land within Southland District Council

A	where the land is situated	9	96.98	per \$100,000 land value	3,912
B	where the land is situated	6	64.66	per \$100,000 land value	1,703
C	where the land is situated	4	43.10	per \$100,000 land value	6,129
D	where the land is situated	3	32.33	per \$100,000 land value	5,608
E	where the land is situated	2	21.55	per \$100,000 land value	5,727
F	where the land is situated	1	10.78	per \$100,000 land value	1,466

Land within Invercargill City Council

A	where the land is situated	9	123.39	per \$100,000 land value	2,924
B	where the land is situated	6	82.26	per \$100,000 land value	6,174
C	where the land is situated	4	54.84	per \$100,000 land value	3,652
D	where the land is situated	3	41.13	per \$100,000 land value	1,568
E	where the land is situated	2	27.42	per \$100,000 land value	1,223
F	where the land is situated	1	13.71	per \$100,000 land value	139

**40,225**

**Scheme 1080 - Makarewa Rating District**

Land within Southland District Council

A2	where the land is situated	3	90.01	per \$100,000 land value	52,656
A3	where the land is situated	2	60.01	per \$100,000 land value	6,523
A4	where the land is situated	1	30.01	per \$100,000 land value	1,913
B1	where the land is situated	6	50.38	per \$100,000 land value	39,650
B2	where the land is situated	5	41.98	per \$100,000 land value	4,555
B3	where the land is situated	5	41.98	per \$100,000 land value	12,910

Categories of rateable land (Class)	Matters to define categories	Ratio	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
B4	where the land is situated	6	50.38	per \$100,000 land value	575
B5	where the land is situated	5	41.98	per \$100,000 land value	11,589
B6	where the land is situated	5	41.98	per \$100,000 land value	12,049
B7	where the land is situated	6	50.38	per \$100,000 land value	1,139
B8	where the land is situated	35	293.88	per \$100,000 land value	1,969
C2	where the land is situated	3	102.71	per \$100,000 land value	246
C3	where the land is situated	2	68.47	per \$100,000 land value	431
C4	where the land is situated	1	34.24	per \$100,000 land value	1,049
F1	where the land is situated	1	7.09	per \$100,000 land value	93,425
Land within Gore District Council					
A4	where the land is situated	1	31.06	per \$100,000 land value	160
B3	where the land is situated	5	43.46	per \$100,000 land value	2,571
F1	where the land is situated	1	7.33	per \$100,000 land value	6,496
Land within Invercargill City Council					
F1	where the land is situated	1	9.01	per \$100,000 land value	69
					<b>249,976</b>
<b>Scheme 1101 - Mataura Rating District</b>					
Land within Southland District Council					
A1	where the land is situated	1	111.92	per \$100,000 land value	4,790
A2	where the land is situated	1	111.92	per \$100,000 land value	7,443
B1	where the land is situated	25	138.62	per \$100,000 land value	17,546
B5	where the land is situated	15	83.17	per \$100,000 land value	12,581
B6	where the land is situated	5	27.72	per \$100,000 land value	5,639
B7	where the land is situated	5	27.72	per \$100,000 land value	6,424
B8	where the land is situated	5	27.72	per \$100,000 land value	2,721
C1	where the land is situated	5	112.50	per \$100,000 land value	40,108
C2	where the land is situated	3	67.50	per \$100,000 land value	31,026
C3	where the land is situated	2	45.00	per \$100,000 land value	50,690
C4	where the land is situated	1	22.50	per \$100,000 land value	17,274
C5	where the land is situated	5	112.50	per \$100,000 land value	21,244
D1	where the land is situated	1	117.78	per \$100,000 land value	4,842
D2	where the land is situated	1	117.78	per \$100,000 land value	7,644
E1	where the land is situated	3	69.31	per \$100,000 land value	237,939
E2	where the land is situated	2	46.21	per \$100,000 land value	54,101
E5	where the land is situated	1	23.10	per \$100,000 land value	795
E6	where the land is situated	1	23.10	per \$100,000 land value	180
E7	where the land is situated	1	23.10	per \$100,000 land value	206
F1	where the land is situated	1	10.27	per \$100,000 land value	239,943
F5	where the land is situated	0.25	2.57	per \$100,000 land value	5,947
Land within Gore District Council					
A3	where the land is situated	2	231.71	per \$100,000 land value	28,450
B2	where the land is situated	25	143.50	per \$100,000 land value	24,951
B3	where the land is situated	10	57.40	per \$100,000 land value	85,400
C1	where the land is situated	5	116.46	per \$100,000 land value	12,314
C2	where the land is situated	3	69.88	per \$100,000 land value	7,868
C3	where the land is situated	2	46.59	per \$100,000 land value	2,698
C4	where the land is situated	1	23.29	per \$100,000 land value	967
E1	where the land is situated	3	71.75	per \$100,000 land value	90,461
E2	where the land is situated	2	47.83	per \$100,000 land value	48,564

Categories of rateable land (Class)	Matters to define categories	Ratio	Rate \$ GST incl	Calculation basis	2020/21 revenue \$ GST incl
E4	where the land is situated	3	71.75	per \$100,000 land value	27,160
F1	where the land is situated	1	10.63	per \$100,000 land value	137,282
F2	where the land is situated	3	31.88	per \$100,000 land value	1,805
F3	where the land is situated	3	31.88	per \$100,000 land value	43,605
F4	where the land is situated	3	31.88	per \$100,000 land value	30,198
					<b>1,310,803</b>

**Scheme 1140 - Aparima Rating District**

A1	where the land is situated	4	52.56	per \$100,000 land value	4,130
A2	where the land is situated	3	39.42	per \$100,000 land value	14,718
A3	where the land is situated	20	262.82	per \$100,000 land value	27,179
B2	where the land is situated	5	116.67	per \$100,000 land value	37,958
B3	where the land is situated	4	93.34	per \$100,000 land value	107,230
B4	where the land is situated	2	46.67	per \$100,000 land value	485
C2	where the land is situated	2	58.84	per \$100,000 land value	19,108
C3	where the land is situated	1	29.42	per \$100,000 land value	9,713
E2	where the land is situated	1	44.29	per \$100,000 land value	41,535
F1	where the land is situated	5	35.60	per \$100,000 land value	1,276
F2	where the land is situated	1	7.12	per \$100,000 land value	91,658
F3	where the land is situated	0.75	5.34	per \$100,000 land value	10,777
F4	where the land is situated	2	14.24	per \$100,000 land value	27,298
					<b>393,064</b>

**Scheme 584 - Waimatuku Rating District**

C1	where the land is situated	3	42.77	per \$100,000 land value	6,823
C2	where the land is situated	2	28.51	per \$100,000 land value	2,247
C4	where the land is situated	1	17.82	per \$100,000 land value	33,830
F1	where the land is situated	1	4.65	per \$100,000 land value	6,811
F2	where the land is situated	1	5.57	per \$100,000 land value	4,903
F3	where the land is situated	1	5.11	per \$100,000 land value	9,733
					<b>64,347</b>

**Scheme 450 – Te Anau Basin Rating District**

B1	where the land is situated	200	48.30	per \$100,000 land value	12,224
D1	where the land is situated	15	24.95	per \$100,000 land value	54,509
D3	where the land is situated	16	26.61	per \$100,000 land value	18,832
E1	where the land is situated	150	218.06	per \$100,000 land value	12,739
E3	where the land is situated	750	1,090.31	per \$100,000 land value	22,569
E4	where the land is situated	300	436.13	per \$100,000 land value	11,732
E5	where the land is situated	750	1,090.31	per \$100,000 land value	1,854
F1	where the land is situated	5	6.26	per \$100,000 land value	46,016
F2	where the land is situated	10	12.51	per \$100,000 land value	44,962
F3	where the land is situated	10	12.51	per \$100,000 land value	6,809
C4	where the land is situated	10	1.67	per hectare	12,224
					<b>244,470</b>



All figures include Goods and Services Tax at 15.0%, as required by the Goods and Services Tax Act 1985.

### **Payment Dates**

As authorised by Section 24 Local Government (Rating) Act 2002 all rates for the year 1 July 2020 to 30 June 2021 shall be payable at the Southland Regional Council in one instalment due on 27 November 2020.

### **Penalties**

As authorised by Section 57 and 58 of the Local Government (Rating) Act 2002 the following penalties for the late payment of rates will apply:

- (a) **Current Rates**  
A penalty of 10% will be added to all rates assessed in respect of the 2020/21 year remaining unpaid after 27 November 2020.
- (b) **Rates in Arrears as at 1 January 2021**  
A penalty of 10% will be applied to all rates (including penalties) from previous financial years remaining unpaid on 1 January 2021 (this penalty excludes current 2020/21 rates).
- (c) **Rates in Arrears as at 1 July 2021**  
A penalty of 10% will be applied to all rates (including penalties) from previous financial years remaining unpaid on 1 July 2021 (this penalty includes 2020/21 rates unpaid at 1 July 2021).

## **Report**

### **Background**

This report is prepared for Council in order to set the rates on properties for the year 1 July 2020 to 30 June 2021.

Section 23 of the Local Government (Rating) Act 2002 states how rates are set. It states:

*“23 Procedure for setting rates*

- (1) Rates must be set by a resolution of the local authority.*
- (2) Rates set by a local authority must –*
  - (a) relate to a financial year, or part of a financial year; and*
  - (b) be set in accordance with the relevant provisions of the local authority’s long-term community plan for that financial year.”*

The section goes on to set out terms and conditions of the ability to set a rate not provided for in the Long-term Plan and to require that Council must, within 20 working days after making this resolution, make the resolution publicly available on our website.

Section 24 requires the resolution to state the financial year to which the rate applies and the date on which the rate must be paid.

### **Views of Affected Parties**

Council considered the views of affected parties during the 2018-2028 Long-term Plan and 2020/21 Annual Plan process.

### **Compliance with Significance and Engagement Policy**

This decision is significant but is consistent with the 2018-2028 Long-term Plan and 2020/21 Annual Plan and requires no further consultation.

### **Consistency with Council's LTP/Annual Plan/Policy/Strategy**

This report is consistent with setting Council's rates in accordance with the third year of the 2018-2028 Long-term Plan.

### **Considerations**

#### ***Rates Equalisation***

Land and capital value rates are calculated on equalised values. The three councils within Southland revalue their properties at different times, one per year on a rotating basis. Each year, Quotable Value provides information to allow Council to determine what the values would be if there were a common valuation date across all the Councils. Council uses this information to adjust the rate so that each rating unit would be paying a similar amount of rates, as if all properties were valued on the same date.

#### ***Financial Implications***

Property rates account for \$21.9 million, or 59% of Council's revenue for 2020/21.

Rates are a property tax and have to be set and assessed using the specific requirements of the Local Government (Rating) Act 2002.

Council has one instalment for rates with the last day of payment being 27 November 2020. A seasonal overdraft is used prior to this to fund operating expenditure until rates are received.

#### ***Legal Implications***

This report is prepared according to the requirements of Local Government (Rating) Act 2002. Individual rates are set and assessed with reference to the following sections of the Act:

- **General rates**  
For providing revenue for the general purposes of the Council in the year commencing 1 July 2020 and ending on 30 June 2021 as authorised by Section 13 of the Local Government (Rating) Act 2002.
- **Uniform Annual General Charge**  
For providing revenue for the general purposes of the Council in the year commencing 1 July 2020 and ending on 30 June 2021, as authorised by Section 15 of the Local Government (Rating) Act 2002.



- **Biosecurity**  
For providing revenue for the general purpose of pest plant and animal control surveillance and administration within the Council’s region in the year commencing 1 July 2020 and ending 30 June 2021, as authorised by Section 16 of the Local Government (Rating) Act 2002.
- **Land Sustainability**  
For providing revenue for the general purpose of encouraging wise land use by promoting best management practices by example and education within the Council’s region in the year commencing 1 July 2020 and ending 30 June 2021, as authorised by Section 16 of the Local Government (Rating) Act 2002.
- **Catchment Rating**  
For the purpose of providing revenue for activities, maintenance, works and services in the various rating districts in the year commencing 1 July 2020 and ending 30 June 2021, as authorised by s16-18 Local Government (Rating) Act 2002;

to set and assess rates using a classification scheme established under s40-41 or s92(1) Rating Powers Act 1988, that is provided for and saved under s146 Local Government (Rating) Act 2002.



**Item 3 Rates Resolution Amendment Confirmation**

<b>MORF ID:</b> A592990	<b>Strategic Direction:</b> Rates Setting
<b>Report by:</b> Tanea Hawkins, Finance Manager	<b>Approved by:</b> Neil Selman, General Manager, Corporate Services
<b>Executive Approval:</b> Neil Selman, General Manager, Corporate Services	

**Purpose**

For Council to amend the 2019/20 rate setting resolution, as set on 30 September 2019.

**Background**

As authorised by Section 57 and 58 of the Local Government (Rating) Act 2002, penalties for the late payment of rates are added to outstanding balances each year, as per the rate setting resolution.

At the Council meeting of 30 September 2019, Council agreed as part of the resolution that:

*“Rates in Arrears as at 1 July 2020 -  
A penalty of 10% will be applied to all rates (including penalties) from previous financial years remaining unpaid on 1 July 2020 (this penalty includes 2019/20 rates unpaid at 1 July 2020).”*

During the period March to June 2020, ratepayers were affected by the COVID-19 pandemic lockdown and subsequent disruption. While rates owing at March were overdue, in more normal circumstances many would have paid before the end of June.

In recognition of the unprecedented situation arising, Council agreed to not add penalties to outstanding rates balances owing at 1 July 2020. This is to be a one-off situation.

The Act is clear that the local authority may choose to apply penalty by way of resolution:

*Sec 57 A local authority may, by resolution, authorise penalties to be added to rates that are not paid by the due date.*

Council wishes to retrospectively amend the 30 September 2019 rate setting resolution to recognise the decision to not add the 1 July 2020 penalty.

**Recommendation**

**It is recommended that Council resolve, pursuant to Section 57, Local Government (Rating) Act 2002, to confirm the 30 September 2019 rate setting resolution amendment, acknowledging that the penalty for rates in arrears at 1 July 2020, not be applied this year.**

**Considerations**

**Financial Implications**

The cost of foregoing the rate penalty for 1 July 2020 is approximately \$110,000. While setting the 2020/21 budget, Council anticipated the addition of lesser penalties and budgeted accordingly.



***Legal Implications***

This report is prepared taking into account the requirements of the Local Government (Rating) Act 2002 and the Local Government Act 2002.



**Item 4 Matura Liaison Committee Funding Applications**

<b>MORF ID:</b> A587761	<b>Strategic Direction:</b> Communities empowered and resilient
<b>Report by:</b> Dave Connor, Team Leader - Catchment	<b>Approved by:</b> Paddy Haynes, Catchment Operations Manager
<b>Executive Approval:</b> Jonathan Streat, General Manager, Operations	

**Purpose**

To review and consider if ratepayer funds to community catchment groups within the Matura catchment should be extended.

**Summary**

In 2019 the Matura Liaison Committee applied to Council to grant five community catchment groups a total of \$5,000 each. It was determined that the funding could come from interest from the Matura rating disaster reserve. The proposal was presented and subsequently approved by Council. It was agreed criteria and a Minor Works Agreement would be implemented to ensure any allocation of public money was properly scrutinised and auditable through a credible process. It was also agreed that a review of the funding criteria would be presented to Council after the trial period of one year.

One application for funding was submitted for consideration, but did not meet the criteria.

The Matura Liaison Committee has proposed that the funding be rolled over into the 2020/21 financial year.

**Recommendations**

**It is recommended that Council resolve to approve/not approve that funding allocated to five community catchment groups within the Matura catchment be rolled over into the 2020/21 financial year.**

**Report**

**Background**

The unused funds set aside in the 2019/20 financial year (\$25,000) for five community catchment groups in the Matura catchment are still available so no budget amendment for the 2020/21 year would be necessary should Council approve a roll-over of the funding.

The Matura district has sustained a lot of damage during the February 2020 floods. Perception could be that this money needs to be used to ensure as much damage as possible is repaired as soon as possible.

There are now more catchment groups within the Matura FMU than at the time the fund was established. If there is higher uptake of the funding this year, some groups may miss out. The funding is consistent with Council’s wider strategic objectives of improving water quality and engaging with community.



**Current situation**

No applications for funding were received within the financial year timeline, although one application was received just after the close-off date. The application was to undertake water quality monitoring at a finer scale than is currently done within the ES monitoring programme. This application was presented to the ES science team for its feedback. The conclusion was that the proposal placed too much emphasis on the development of a conceptual model, without fully clarifying what it was, how it would provide for improved understanding and what benefits it would have for Environment Southland.

The criteria for funding requires that there should be benefit to Environment Southland over and above its current programmes and research partnerships. While there was merit in some of the ideas and goals raised in the application, it was determined that the proposal did not meet the approval criteria. This was a disappointment to the group.

It is difficult to fully ascertain why the overall uptake from the community groups to this funding was not more successful. Some feedback/thoughts are:

- the criteria made it difficult and complex;
- the agreement required that catchment groups need to be able to store funds in a bank account. As most groups are not incorporated societies they do not have a bank account, so this criteria may have inadvertently precluded applicants;
- groups are unfamiliar with how to go about the application process, being the first year and;
- other funding mechanisms have subsequently become available.

At a meeting of the Mataura Liaison Committee (the Committee) on Thursday, 6 August 2020 in Gore there was discussion around the uptake of the catchment group funding. Following this discussion, the Committee felt that the funding should be rolled over into the 2020/21 year. This decision was made in the context and understanding that that there has been a significant flood event in February 2020 and there has also been subsequent tightening of the budgets at Environment Southland, due to COVID-19 impacts.

**Implications/Risks**

No risks have been identified.

**Next steps**

For Council to approve/not approve funding for catchment groups being included in the 2020/21 budget and Thriving Southland to manage the funding on behalf of the groups.

**Fit with strategic framework**

Outcome	Contributes	Detracts	Not applicable
Managed access to quality natural resources			X
Diverse opportunities to make a living	X		
Communities empowered and resilient	X		
Communities expressing their diversity	X		



### **Views of affected parties**

There are no matters in this report which require consideration under this heading.

### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

### **Considerations**

#### **Financial implications**

*Current budget*

Potential to rollover/utilise \$25,000 out of Maitara reserve interest.

#### **Legal implications**

There are no matters within this report which trigger matters under this heading.

### **Attachments**

None





**Item 5 South Port New Zealand Limited Annual Meeting – Appointment of Proxy**

<b>MORF ID:</b> A592934	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Jan Brown, Executive Assistant	<b>Approved by:</b> Neil Selman, Director of Corporate Services
<b>Executive Approval:</b> Rob Phillips, Chief Executive	

**Purpose**

To seek Council appointment of its proxy to attend the South Port New Zealand Limited Annual Meeting.

**Summary**

The Annual Meeting of shareholders of South Port New Zealand Limited is scheduled for Thursday, 29 October 2020 at 11.00 am, to be held both online, and in person in South Port’s Board Room, Island Harbour, in Bluff. Council needs to appoint its proxy to attend and vote on its behalf.

As per past practice, it is proposed that the proxy be provided to the Chairman of the South Port Sub-committee, with the Chairman of Council appointed as his alternate, in the event Cr Stevens is unable to attend the meeting for any reason. The proxy is required to vote in accordance with Council direction at the meeting.

**Recommendation**

It is recommended that Council resolve to:

1. **appoint Cr David Stevens as its proxy to attend the Annual Meeting of South Port New Zealand Limited, to be held on 29 October 2020 and vote, as agreed by Council, on the business of the meeting;**
2. **appoint Chairman Nicol Horrell as alternate proxy to attend the Annual Meeting of South Port New Zealand Limited, to be held on 29 October 2020, in the event that Cr Stevens is unable to attend for any reason.**
3. **instruct the proxy to vote on the matters before the meeting in accordance with the resolutions of Council.**

**Report**

**Background**

Council is required to appoint a proxy to attend and vote on its behalf at the South Port New Zealand Limited Annual Meeting.

In the recent past, Council has appointed the Chairman of the South Port Sub-committee as its proxy, and appointed the Council’s Chairman as his alternate, in the event that Cr Stevens is unable to attend for any reason.



Any other Councillors wishing to attend the meeting are welcome to do so. An indication of intention to attend the annual meeting would be appreciated, to ensure that the required transport arrangements are able to be put in place.

Appended to this report is a copy of the proxy form that will be completed for the meeting. This form will also record how Council intends to vote on the items before the meeting. With the exception of Item 3, the matters requiring a vote have previously been the subject of South Port Subcommittee meeting recommendations, which have been adopted by Council. Council's proxy will therefore be required to vote in accordance with those decisions.

#### **Views of Affected Parties**

There are no matters in this report which require consideration under this heading.

#### **Compliance with Significance and Engagement Policy**

There are no issues within this report which trigger matters in this policy.

#### **Considerations**

##### **Financial and Legal Implications**

There are no financial or legal implications associated with this report.

#### **Attachments**

1. Proxy Form



CSN/Holder Number: R138053



## PROXY FORM / VOTING FORM

SOUTHLAND REGIONAL COUNCIL  
PRIVATE BAG 90116  
INVERCARGILL 9840

## LODGE YOUR PROXY

**Online:** <https://investorcentre.linkmarketservices.co.nz/voting/SPN>

**Scan & Email:** [meetings@linkmarketservices.com](mailto:meetings@linkmarketservices.com)  
(Please use 'SPN Proxy Form' as the subject for easy identification)

**Mail:** Use the enclosed reply paid envelope or address to:  
Link Market Services Limited  
PO Box 91976  
Victoria Street West  
Auckland 1142

**By hand:**  
Link Market Services  
Level 11, Deloitte Centre  
80 Queen Street  
Auckland, New Zealand

**By Fax:** +64 9 375 5990

**General Enquiries:** +64 9 375 5998 | [meetings@linkmarketservices.com](mailto:meetings@linkmarketservices.com)

### SOUTH PORT NEW ZEALAND LIMITED ANNUAL SHAREHOLDERS' MEETING PROXY/VOTING FORM

The 32nd Annual Shareholders' Meeting of South Port New Zealand Limited (NZBN 9429039452528) will be held online at [www.virtualmeeting.co.nz/SPN20](http://www.virtualmeeting.co.nz/SPN20) and in person at South Port Board Room, South Port Administration Building, Island Harbour, Bluff on Thursday, 29 October 2020 commencing at 11:00am (NZST). To attend online via the above link, you will require your Holder Number for verification purposes.

For your postal vote or proxy to be effective it must be lodged with Link Market Services by no later than 11:00am, Tuesday, 27 October 2020 (NZST).

#### Port Security

Please note for those attending the meeting in person, not only will a Driver's Licence ID be required to be presented at the security gate to gain access onto the South Port Island Harbour, but advance notice of the name/s of people wishing to attend is to be relayed by contacting Nicole Hodson either by phone (03) 212 6009 or email [nhodson@southport.co.nz](mailto:nhodson@southport.co.nz). This is a mandatory requirement under the Maritime Security Regulations.

#### Covid-19 Implications

The Company is closely monitoring the situation in New Zealand with regard to Covid-19. In the event of any significant developments, the Company may, in its sole discretion, elect to hold the Annual Shareholders' Meeting as an online only meeting if it considers there are potential risks to the health of meeting attendees or if an in person meeting is prohibited by law. In such circumstances, the Company will provide shareholders with as much notice as reasonably practicable by way of an announcement on the NZX and on the Company's website at [www.southport.co.nz/about-us-and-our-people/investors-centre/media-releases](http://www.southport.co.nz/about-us-and-our-people/investors-centre/media-releases)

## NOTES

### Attending the Meeting

1. If you propose to ATTEND the Annual Shareholders' Meeting in person please bring this Voting Form to the meeting to assist with your registration. All shareholders must register with Link Market Services prior to entering the meeting room. If you wish to vote using your mobile phone, please download the "LinkVote" App prior to the meeting on the Apple Store or Google Play Store. Shareholders who prefer to vote using a voting card will still be able to do so.
2. Shareholders attending and participating in the Annual Meeting virtually via [www.virtualmeeting.co.nz/SPN20](http://www.virtualmeeting.co.nz/SPN20) will be able to vote and ask questions during the Annual Meeting. More information regarding virtual meeting attendance at the Annual Meeting (including how to vote and ask questions virtually during the Meeting) is available in the Virtual Annual Meeting Online Portal Guide available at [www.bcast.linkinvestorservices.co.nz/generic/docs/OnlinePortalGuide.pdf](http://www.bcast.linkinvestorservices.co.nz/generic/docs/OnlinePortalGuide.pdf).
8. A proxy can be any person of your choice and does not have to be a shareholder of South Port New Zealand Limited. If you wish you can appoint the Chair of the Meeting as your proxy. The Chair will vote in accordance with your instructions, or, failing your instructions, in accordance with the terms set out in Note 9 of this Voting Form.
9. If you tick the box "discretion" on any resolution, you are directing your proxy or representative to decide how to vote on that resolution on your behalf. If you tick the "abstain" box on any resolution, you are directing your proxy or representative not to vote on that resolution, or if you tick more than one box in relation to any resolution, the vote on that resolution will be treated as "discretion" and your proxy will exercise his/her discretion as to whether to vote and, if so, how. The Chair intends to vote discretionary proxies in favour of Resolutions. The Chair is not able to vote any discretionary proxies in respect of Resolution 4.

### Postal Vote

3. If you are entitled to attend and vote at the Annual Shareholders' Meeting you are entitled to vote by postal vote. The Company Secretary has been authorised by the Board to receive and count postal votes at the Annual Meeting.
4. You can cast your postal vote by one of the methods listed above in the box headed "Lodge your Proxy". If you return your postal vote without indicating how you wish to vote, or your indication on how to vote is unclear on any resolution, you will be deemed to have abstained from voting on that resolution.
5. If you complete the postal vote section and also appoint a proxy then your postal vote will be cast and your proxy appointment will not be counted.
6. If this Voting Form is returned duly signed by a shareholder with voting instructions completed, but without indicating that it is a postal vote, and a proxy has not been appointed, it will be deemed to be a postal vote.
10. This Voting Form must be signed by you or your attorney, duly authorised in writing. In the case of a joint shareholder, this form must be signed by each of the joint shareholders (or their duly authorised attorney). In the case of a corporate shareholder, this Voting Form must be signed by a director or a duly authorised officer acting under the express or implied authority of the corporate shareholder, or an attorney duly authorised by the corporate shareholder.
11. If this Voting Form is signed under a power of attorney, a certificate of non-revocation must be completed and a copy of the power of attorney certified by a Solicitor, Justice of the Peace or Notary Public provided to Link Market Services Limited, unless it has already been noted by the Company or Link Market Services Limited.
12. The Company will disregard any votes cast in favour of Resolution 4 by any Director and any of his or her associated persons (in each case the term associated persons is as defined in the NZX Listing Rules).
13. The Company need not disregard a vote cast in favour of Resolution 4 by a person referred to in paragraph 12 if that vote is cast by that person as proxy for a person who is entitled to vote, in accordance with an express discretion on the Voting Form.

### Proxy Appointment

7. If you are a shareholder entitled to attend and vote at the Annual Shareholders' Meeting you are entitled to appoint a proxy or, in the case of a corporate shareholder, a representative to attend and vote instead of you. A proxy may be appointed by completing this Voting Form on-line, or the Voting Form may be completed and mailed, delivered, faxed or scanned and emailed in accordance with the instructions above in the box headed "Lodge your Proxy".



SCAN THIS QR CODE WITH YOUR  
SMARTPHONE AND VOTE ONLINE

**SECTION 1**

Choose to vote by postal vote or appoint a proxy to vote on your behalf

**POSTAL VOTING** I wish to vote by postal vote (please tick the box). My voting intention is indicated in the resolution section below.**APPOINT A PROXY TO VOTE ON YOUR BEHALF**I/We being a shareholder(s) of **South Port New Zealand Limited** hereby appoint:\_\_\_\_\_  
(full name of proxy)\_\_\_\_\_  
(email)

Or failing that person:

\_\_\_\_\_  
(full name of proxy)\_\_\_\_\_  
(email)

as my/our proxy to vote for me/us on my/our behalf as directed below, and on any other matters put to the Annual Shareholders' Meeting of South Port New Zealand Limited to be held at 11:00am on Thursday, 29 October 2020 (NZST), or at any adjournment of that meeting. Unless otherwise instructed as below, my/our proxy may vote as he/she thinks fit.

**SECTION 2****Voting Instructions**

This form is to be used to vote as follows on the following resolutions:

Tick (✓) in box to record your vote

BUSINESS	For	Against	Abstain	Discretion
1. That Mr Rex Thomas Chapman be re-elected as a Director of the Company.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. That Mr Jeremy James McClean be re-elected as a Director of the Company.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. That the Directors be authorised to fix the fees and expenses of Crowe as Agent for the Controller and Auditor General.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. To consider and if thought fit, resolve to increase the maximum aggregate sum available for payment to non-Executive Directors for each financial year commencing 1 July from \$278,100 to \$289,500 (4.1% increase), such sum to be divided between the non-Executive Directors as they determine.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please refer to the Notice of Annual Shareholders' Meeting 2020 for the explanatory notes accompany the resolutions above.

**SECTION 3****Shareholder Questions**Shareholders present at the Annual Shareholders' Meeting will have the opportunity to ask questions during the meeting. If you cannot attend the Annual Meeting but would like to ask a question you can submit a question online by going to <https://investorcentre.linkmarketservices.co.nz/voting/SPN> and completing the online validation process OR complete the question section below and return to Link Market Services in the reply paid envelope enclosed. Questions will need to be submitted by 11:00am Tuesday, 27 October 2020 (NZST). The Board will also address and answer questions at the Annual Shareholders' Meeting.**QUESTION:****AUTHORISATION****Signature of Security Holder(s).** This section must be completed.**Contact details**\_\_\_\_\_  
(Daytime phone number)**Signed on this**\_\_\_\_\_  
(Day)**day of**\_\_\_\_\_  
(Month)**2020****Signature/s**\_\_\_\_\_  
(All shareholders must sign) Please tick here if you would like to receive communications electronically – please provide your email address or email **operations@linkmarketservices.co.nz** to receive shareholder communications electronically.

Email



**Item 6 Update to Staff Delegations Manual**

<b>MORF ID:</b> A590269	<b>Strategic Direction:</b> Council Policy
<b>Report by:</b> Stephen West, Principal Consents Officer	<b>Approved by:</b> Aurora Grant, Consents Manager
<b>Executive Approval:</b> Vin Smith, General Manager, Policy, Planning and Regulatory Services	

**Purpose**

To seek Council approval to amend the Staff Delegations Manual.

**Summary**

The Delegations Manual requires updating to reflect recent amendments to the Resource Management Act (RMA), relating to the processing of resource consent applications and the administration of resource consents.

**Recommendation**

**It is recommended that Council resolve to approve the proposed changes to the Staff Delegations Manual as outlined in Table 1.**

**Report**

**Background**

The existing delegations for resource consent processing need to be revised to address changes to the RMA. In addition, the delegation to hearing commissioners needs to be updated.

**Amendments**

A number of amendments to the RMA come into force on 30 September 2020. These include:

- when the Council is waiting for fixed charges to be paid, the period may be excluded from the consent processing timeframe;
- provision for processing of non-notified applications to be suspended at the request of the applicant;
- provision to allow multiple resource consents to be reviewed together in response to a regional rule concerning water quantity or quality or air quality.

These changes give rise to decisions by the Consents staff:

- whether or not to exclude the timeframe while awaiting the fixed charge to be paid;
- whether to return an application at the end of the suspension period, or to recommence processing of the application;
- whether it is appropriate to review multiple resource consents together.

Although the amendments to the RMA allow some discretion, the timeframe while awaiting payment of a fixed charge is almost certain to be excluded. In practice, the Consents and Compliance Administrators already hold applications that are lodged without the prescribed deposit, and it is most



likely that they will apply the timeframe exclusion. However, the Consents Officer responsible for processing of the application, and for complying with timeframes, should also hold delegation on this decision.

With regard to the delegations around the end of the suspension period, most applicants ask to continue with processing. But, if there is no response from the applicant, the delegation will allow a Principal Consents Officer or above to determine that the application should be sent back to avoid accumulating further costs. Applicants have a right of objection to this decision under s357. Drafting of the resulting letter or email will be done by the Consents Officer for the application. The delegation requires the correspondence to be approved by a Senior Consents Officer to ensure that it meets the statutory requirements and has appropriate format and tone.

The proposed change concerning review of resource consents is within the general scope of the existing delegation, but will make sure that staff clearly have the specific authority.

### ***Hearing commissioners***

In order for hearing commissioners to have the authority to consider and hear resource consent applications they must be delegated authority by the Council. Due to the restrictions on delegation under s34A of the Resource Management Act, and the periods between Council meetings, it is impractical for the Council to delegate authority on a case-by-case basis. Therefore, it is suggested that all commissioners with certification under the Ministry for the Environment’s Making Good Decisions Programme hold delegation, but that they can only exercise the delegation upon appointment to a specific hearing. The power of appointment will be delegated to the Consents Manager.

The difficulty is, with changes to the list of certified commissioners, if the delegation only applies to the specific commissioners certified on the date of the delegation decision. That would require the delegation to be refreshed periodically, and we would need to maintain lists of the commissioners that held certification on each date. The change proposed below is that a rolling delegation to the commissioners with certification be applied, and that the delegation for any particular commissioner will lapse with the expiry of their certification. In effect, if a commissioner gains certification then they will also hold delegation for the certification period.

**Table 1: Proposed Update to Sections 5.3.1, 5.3.6 and 5.3.10 of the Staff Delegation Manual**  
*Additions are underlined, removal has strikethrough*

### **Section 5.3.1 Application for resource consent**

<b>Section</b>	<b>Function</b>	<b>Delegated to</b>
<u>88H</u>	<u>Decision to exclude time period while waiting for a fixed charge when an application is lodged or when an application is to be notified.</u>	<u>Consents &amp; Compliance Administrator;</u> <u>or</u> <u>Consents Officer</u>
91C(2) <u>91F(2)</u>	Following a period of suspended processing, decide whether to return the application to the applicant with a written explanation as to why it is being returned or continue to process the application.	<u>Principal Consents Officer</u>
91C(3) <u>91F(3)</u>	If a decision is made under section 91C(2) <u>or 91F(2)</u> to return an application, return the application with a written explanation as to why it is being returned.	<u>Senior Consents Officer</u>



### Section 5.3.6 Hearings

Section	Function	Delegated to:
<del>34A(1)</del>	<del>Appoint a hearing commissioner(s) to hear and decide resource consent applications and delegate to that person or persons all the necessary powers, functions, and duties in the RMA.</del>	<del>Manager (Consents)</del>
34A(1)	<u>The authority, upon appointment, to hear and make decisions on any application for resource consent in accordance with s34A(1). This includes the ability to decide procedural matters, control hearings, and to make directions.</u>	<u>Commissioners that are certified or accredited under the Ministry for the Environment’s Making Good Decisions Programme.</u>  <u>This is a rolling delegation that applies to commissioners that hold certification or accreditation. The delegation to any particular commissioner commences upon certification and lapses if they lose certification.</u>
	Appoint a hearing commissioner(s) <u>with current certification or accreditation</u> to hear and decide resource consent applications.	Manager (Consents)
<u>S39AA</u>	<u>Direction that a hearing or part of a hearing may be conducted using one or more remote access facilities.</u>	<u>Appointed Hearing Commissioner(s); or Team Leader - Consents</u>

### Section 5.3.10 Review of conditions by consent authority

Section	Function	Delegated to
128 129	Determine whether to review the conditions of a resource consent, <u>decide to review multiple resource consents together</u> , serve notice on a consent holder of the intention to review the conditions, and propose new conditions.	Manager (Consents)

### Views of Affected Parties

The exercise of delegation comes from the Council through the Chief Executive to staff, with the various job descriptions for each role stipulating the scope and nature of the delegated authorities that the role is expected to deliver on. Those staff take on the role expecting that delegations will be in place and available in order that they can carry out their roles. In this case the draft changes were developed in conjunction with the Senior Consents Officers, Principal Consents Officers, Team Leaders (Consents) and Manager (Consents).

### Compliance with Significance and Engagement Policy

None of the proposed amendments come into conflict with the provisions of the Significance and Engagement Policy.

### Legal Compliance

The amendments being made are to ensure delegated decisions have legal integrity and have legitimate status.



### **Consistency with Council's LTP/Annual Plan/Policy/Strategy**

The changes being proposed are consistent with the Strategic Plan directions and with the levels of service set out in the Long-term Plan for delivery of programmes and projects.

### **Financial and Resource Implications**

None of the adjustments have any significant financial or resourcing implications.

The changes relate to RMA processes, and are not financial delegations.

Delegation of authority has a degree of risk, but retaining authority at a high level, particularly for complex systems, also creates a number of problems, including bottlenecks in the process. In this instance any risks associated with delegation of authority are not significantly increased by the proposed changes and, if there is uncertainty, the Council's delegation structure allows the exercise of delegations by staff at higher levels of responsibility within the division. For example, delegation held by the Consents Officers are also held by the Senior and Principal Consents Officers, the Team Leaders (Consents) and the Consents Manager, so a difficult decision can be referred to someone with more responsibility, skills or experience as needed.

### **Attachments**

None





**Item 7 Local Government NZ Zone 5 and 6 Meeting - Attendance**

<b>MORF ID:</b> A590166	<b>Strategic Direction:</b> Governance
<b>Report by:</b> Jan Brown, Executive Assistant	<b>Approved by:</b> Neil Selman, General Manager, Corporate Services
<b>Executive Approval:</b> Rob Phillips, Chief Executive	

**Purpose**

This item seeks Council approval for the attendance of Council representatives at the Local Government NZ Zone 5 and 6 meeting, scheduled to be held in Ashburton on 15-16 October 2020.

**Summary**

Council has been advised that the next LGNZ Zone 5 and 6 meeting will be held in Ashburton, hosted by Zone 5, from 15 to 16 October 2020. An outline of topics to be discussed includes:

- LGNZ priorities;
- South Island Destination Management;
- Central and Local Government Partnerships;
- the RMA review;
- the Government Policy Statement 2021 on Land Transport;
- wider sector transport issues.

Council needs to consider whether or not it wishes to be represented at this meeting, noting that there is a diary clash with its own arrangements locally.

**Recommendation**

It is recommended that Council resolve to:

1. **(not) appoint xxxxx as its delegate to attend the Combined Zone 5/6 meeting to be held in Ashburton on 15 and 16 October 2020;**
2. **meet the associated costs of travel, accommodation and meals for any delegate/s appointed.**

**Report**

**Background**

Local Government New Zealand holds quarterly combined Zone meetings, which are open to attendance by each of the councils within the relevant zones. These combined meetings are shared between the zones, and on this occasion, Zone 5 is the hosting region, and Ashburton has been selected as the meeting venue.



### Current situation

Councillors may recall that earlier this year Ashburton was to have hosted a combined meeting in March, to which Cr Cook was appointed as its delegate. However, that meeting was not held due to the emerging COVID-19 situation at the time.

Coincidentally, Council has arranged a meeting of its own, in Te Anau, for Friday 16 and Saturday 17 October 2020, during which time it will be looking at local matters of concern. Those arrangements are now well advanced.

However, in the event that Council wishes to have representation at the Zone meeting in Ashburton, this report provides an opportunity for that to occur.

An outline of the topics to be discussed has been given above, and a draft agenda is appended. However, it is not anticipated that a finalised agenda for this meeting will be available until approximately a week before the meeting. In addition, confirmation has been received that two senior economists from Infometrics will be in attendance at the meeting to present their views on both the New Zealand and South Island economic situation at that time.

Advice has also been received that the conference will proceed if the South Island remains at COVID Level 2, and any presenters from Level 3 restricted areas (not currently in place), would be via Zoom. In the event that the country moved to a Level 3 situation, the conference will proceed via Zoom.

### Views of affected parties

There are no parties affected by the recommendations in this report.

### Compliance with Significance and Engagement Policy

There are no issues within this report which trigger matters in this policy.

### Considerations

#### *Financial implications*

Attendance at Zone meetings are budgeted for on an annual basis.

### Attachments

1. Draft Agenda

## Appendix A - Zone 5 & 6 Conference Agenda

Wednesday 14 October 2020		
6.00 pm	Pre-dinner refreshments House Bar	Self-funded
6.30 – 9.00	2 Course set menu (Main & Desert) Hotel Ashburton Restaurant	
Thursday 15 October 2020		
From 6.30	Breakfast (At Hotel Ashburton for delegates, mention to hotel staff that you are with the meeting for room charge-back facility, including for those staying at Quality Suites)	
Session 1 8:30 – 10:45	Welcome and opening comments	8.30 – 8.40
	Confirmation of previous minutes	8.40 - 8.45
	<b>Presentation from LGNZ</b> President Stuart Crosby and/or Chief Executive Susan Freeman-Greene ( <i>Attendance TBC</i> ). Q&A.	8.45 – 9.30
	National Council reporting: <ul style="list-style-type: none"> <li>• Zone 6: Mayor Gary Kircher</li> <li>• Zone 5: Mayor Sam Broughton</li> </ul>	9.30 – 9.45
	<b>Te Wai Pounamu</b> – South Island Destination Management Plan 2020 – 2030. <ul style="list-style-type: none"> <li>• MBIE / DOC (<i>representative TBC</i>)</li> <li>• Lauren Heapy ChristchurchNZ</li> </ul>	9.45 – 10.45
Morning Tea		10.45 – 11.00
Session 2 11:00 – 12:30	<b>Central and local government partnerships - Department of Internal Affairs</b> <ul style="list-style-type: none"> <li>• Warren Ulusele, Director, Central / Local Government Partnerships team</li> <li>• Sarah Polaschek, Director, Central / Local Government Partnerships team</li> <li>• Allan Prangnell, Executive Director, Three Waters</li> </ul>	11.00 – 11.45
	<b>RMA review</b> Resource Management Review Panel. Presentation and discussion. ( <i>Panel name TBC</i> ) Q&A	11.45 – 12.30
Lunch		12:30 – 1:30
Session 3 1:30 – 2:45	<b>Zone 5 &amp; 6 Mayors</b> (or representative) successes and challenges. 5 minutes each. Discussion if time.	1.30 – 2.45
Afternoon Tea		2.45 – 3.00
Session 4 3:00 – 5:00	<b>Site visit</b> – Depart from Hotel Ashburton to Managed Aquifer Recharge (MAR) ( <i>sturdy closed-in shoes and outside jacket required</i> )	3:00 – 5:00
Free Time		5.00 – 6.00
Evening	Buses depart Hotel Ashburton for dinner venue.	6.00
	The Lake House - Three course dinner	6.00 - 9.00
	Buses depart The Lake House to Hotel Ashburton	9.00 & 9.30

Friday 16 October 2020		
Session 5 6.30 – 8.30	<b>Breakfast – Gardenside Room</b> Stay in Gardenside room for next presentation	6.30 – 7.30
	<b>Economic update - Gardenside Room</b> Brad Olsen & Nick Brunsdon Infometrics. Joint session with South Island Economic Development Managers. Q&A.	7.45 – 8.30
Session 6 9.15 – 10.15	<b>Government Policy Statement 2021 on Land Transport</b> Bryn Gandy, Deputy CE System Strategy & Investment, Ministry of Transport. Q&A.	8.30 – 9.15
	<b>Transport Discussion</b> Presentation and discussion: (20 mins each) <ul style="list-style-type: none"> <li>• Rhys Boswell, General Manager Strategy and Sustainability, Christchurch Airport</li> <li>• Roger Gray, CEO Lyttelton Port Company Limited</li> <li>• Mark Heissenbuttel, General Manager South Island Operations (acting); General Manager Continuous Improvement – KiwiRail Limited</li> </ul>	9.15 -10.15
Morning Tea		10.15 – 10.30
Session 7 10.30 – 12.45	<ul style="list-style-type: none"> <li>• Jim Harland - New Zealand Transport Agency</li> <li>• Q&amp;A for all presenters</li> </ul>	10.30 - 1100
	<b>Zone 5 &amp; 6 Mayors</b> (or representatives) priorities for LGNZ. 5 minutes each	1100 – 1230
	Closing comments - Chair	12.30 – 12.45
Lunch – Conference concludes		1.00



**Item 8 Councillors' Meeting Schedule – September-October 2020**

<b>MORF ID:</b>	<b>Strategic Direction:</b> Council Policy
<b>Report by:</b> Jan Brown, Executive Assistant	<b>Approved by:</b> Neil Selman, General Manager, Corporate Services
<b>Executive Approval:</b> Rob Phillips, Chief Executive	

**Purpose**

For Council to approve the meeting schedule, as shown on the following pages.

*The schedule has been prepared in accordance with current Council policy under the Remuneration provisions contained in Schedule 7 of the Local Government Act 2002.*

**Recommendation**

It is recommended that Council note the planned meetings and resolve to:

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



### Councillors Meeting Schedule - September-October 2020

Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
<b>Retrospective</b>							
By-law meeting with Staff	@ ES	Tuesday 18 August 2020	2.00 pm	Chairman Horrell Cr McCallum	-	✓	
Joint Shareholders Committee meeting	By Zoom	Wednesday 19 August 2020	8.30 am	Chairman Horrell	-	-	
Waituna Liaison Committee meeting	@ ES	Friday 21 August 2020	11.00 am	Cr McCallum	-	✓	
Otago and Southland Mayoral Forum meeting	By Zoom	Friday 21 August 2020	2.00 pm	Chairman Horrell	-	-	
Community Trust of Southland meeting	@ ES	Wednesday 26 August 2020	10.00 am	Chairman Horrell	-	-	
Mayoral Forum meeting re NZAS	Via Zoom	Thursday 27 August 2020	9.30 am	Chairman Horrell	-	-	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Annual General meeting – COIN	@ 42 Don Street, Invercargill	Monday 31 August 2020	10.30 am	Chairman Horrell	-	-	
Council Strategy Sessions	Via Zoom	Monday 31 August 2020	11.00 am	Crs Mager, Stevens, Cook, Guyton	-	-	
Council Strategy Sessions	Via Zoom	Monday 31 August 2020	12.00 noon	Crs Baird, McPhail, Ludlow and Horrell	-	-	
Council Strategy Sessions	Via Zoom	Monday 31 August 2020	1.00 pm	Crs Roy, Esler, McCallum, McDonald	-	-	
Council Strategy Workshop	@ ES	Tuesday 1 September 2020	10.00 am	All Councillors	-	-	
Heritage Discussions re SHBPT	@ ES	Monday 7 September 2020	9.00 am	Cr Ludlow	-	-	
Meeting with Ministers Parker & O'Connor	@ ES	Monday 7 September 2020	12.00 noon	Chairman Horrell, Crs McCallum, Roy, Cook, McPhail, Ludlow	-	✓	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Meeting with Ministers and Farmers Groups reps	@ ES	Monday 7 September 2020	12.40 pm	Chairman Horrell, Cr McCallum	-	-	-
Minister O'Connor visit to Mid Dome	@ Five Rivers	Tuesday 8 September 2020	9.30 am	Chairman Horrell Cr McPhail	-	✓	
Winter Grazing Strategy meeting	By Zoom	Tuesday 8 September 2020	1.00 pm	Chairman Horrell	-	-	
Mayoral Forum meeting re Tiwai	By Zoom	Wednesday 9 September 2020	5.30 pm	Chairman Horrell	-	-	
Southland heritage Building & Preservation Trust	@ ES	Thursday 10 September 2020	1.00 pm	Cr Ludlow	-	✓	
Mayoral Forum – Three Waters	Via Zoom	Friday 21 September 2020	2.00 pm	Chairman Horrell Cr McCallum	-	-	





Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Property Working Party meeting	@ ES	Friday 18 September 2020	9.00 am	Crs McPhail, Horrell, Stevens, McCallum & McDonald	-	-	
Industry hui – Essential Freshwater	@ ES And by Zoom	Friday 18 September 2020	1.00 pm	Chairman Horrell  Cr McCallum	-	✓	
Council workshop – Leadership & Financial Matters Followed by Rates Penalties matters	@ ES	Tuesday 22 September 2020	9.00 am to 3.30 pm  3.45 pm	All Councillors	-	✓	
Jobs for Nature Hui	@ Bluff	Wednesday 23 September 2020	All day	Chairman Horrell  Cr McCallum	-	✓	
Bluff Maritime Museum Trust Board Meeting	@ Bluff	Thursday 24 September 2020	9.00 am	Cr Cook	-	✓	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Council Strategy Session	@ ES	28 and 29 September 2020	9.00 am	All Councillors	-	✓	
Alliance Group Ltd Pre-hearing meeting	@ ES	Wednesday 30 September 2020	1.00 pm	Cr Roy	✓	✓	
<b>October 2020</b>							
Council Session with Judge Skelton	@ ES	Thursday 8 October 2020	TBA	All Councillors	-	✓	
Mid Oreti Catchment Group Field Day	@ AB Lime Dairy Farm Milking Shed	Thursday 8 October 2020	3.00 pm	Crs McCallum and McDonald	-	✓	
Environment Canterbury Chair and Deputy Chair meet with ES Chair and Deputy Chair	@ ES	Monday 12 October 2020	9.00 am To 10.30 am	Chairman Horrell Cr McCallum	-	✓	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Council/TAMI Joint Workshop – People Water and Land programme	@ ES	Tuesday 13 October 2020	1.30 pm	All Councillors And TAMI Board	-	✓	
Strategy & Policy Committee Organisational Performance & Audit Committee	@ ES	Wednesday 14 October 2020	9.00 am 1.00 pm	All Councillors	-	✓	
Waka Kotahi NZTA Partnership Meeting	@ Venue TBA	Wednesday 14 October 2020	1.00 pm To 2.00 pm	ES Reps – apology	-	✓	T.
LGNZ Zone 5/6 Combined Meeting	@ Ashburton	Thursday 15 October 2020	All day	TBA	-	✓	
Council visit – Manapouri	@ Manapouri	Friday 16 October 2020	As advised	All Councillors	-	✓	Meals
Waimumu Downs Project Day	@ 110 Waimumu Road, Gore	Thursday 22 October 2020	10.00 am to 2.00 pm	Cr Ludlow	-	✓	
Chairman Horrell meets with M Stenhouse Chief Executive’s Review Subcommittee	@ ES	Tuesday 20 October 2020	12.00 noon 1.00 pm	Crs Roy, Cook, McPhail, Ludlow, McCallum & Chairman Horrell	-	✓	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Making Good Decisions Recertification and Chair's Certification	@ Wellington	Tuesday 20 October 2020	As advised	Cr Ludlow	-	✓	
Council Workshop LTP Development #5	@ ES	Wednesday 21 October 2020	1.00 pm	All councillors	-	✓	
Council Workshop LTP Development #6	@ ES	Tuesday 27 October 2020	9.00 am	All Councillors	-	✓	
Potential Thriving Southland and Council meeting	@ ES	Wednesday 28 October 2020	9.00 am	All Councillors	-	✓	
Council Workshop – LTP Development	@ ES	Wednesday 28 October 2020	1.00 pm	All Councillors	-	✓	
Regional Transport Committee Workshop	By Zoom	Thursday 29 October 2020	10.00 am	Crs McCallum and Baird	-	✓	
Southland Community Broadcasters Trust	@ Findex	Thursday 29 October 2020	3.15 pm	Cr Mager	-	✓	



Leave of Absence Requests (dates inclusive):							
Meeting	Venue	Date	Time	Council Representation	Fees/ Allowances		
					Meeting Fee	Mileage Allowance	Other
Council caucus opportunity		Friday	9.00 am				
Executive meet with Council – briefing	@ ES	30 October 2020	9.30 am	All Councillors	-	✓	
Ordinary meeting of Council			10.30 am				

**Please note, those items with shading** or with ~~strikethrough text~~ – indicate changes that have occurred since the last meeting schedule was approved by Council  
 \*T = Transport (mileage/air fares/etc) \*A = Accommodation costs \*R = Course/Conference registration costs E = Expenses incurred in association with visit



**Item 9 Common Seal**

<b>MORF ID:</b> N/A	<b>Strategic Direction:</b> Council Policy
<b>Report by:</b> Jan Brown, Executive Assistant	<b>Approved by:</b> Neil Selman, General Manager, Corporate Services
<b>Executive Approval:</b> Neil Selman, General Manager, Corporate Services	

**Purpose**

For Council to note the Common Seal has been applied to the following documents under approved authorisation:

**28 July 2020**

- ⇒ Warrant to Act as Enforcement Officer - Dewald Leonard Villoen

**30 July 2020**

- ⇒ Warrants of Enforcement – Re-issued -
  - R A Phillips
  - J R Streat
  - V M Smith
  - S N Mapp
  - CHP Thayer
  - C J McKenzie
  - JTH Boer
  - L C Hunter
  - M G Washbourne
  - R V Riedel
  - R J Williamson
  - MPB Trent
  - S M McLean
  - R G Bird
  - G C McMurdo
  - J W Bootsma
  - L J Cleaver
  - I W Coard
  - P E Haynes
  - R V Wilson
  - C A King
  - J A Veint
  - C J Cartwright
  - C S Young
  - W P Pollard

**12 August 2020**

- ⇒ Deed of Lease of Farm Land - Russell Herbert Jack and Southland Regional Council

**26 August 2020**

- ⇒ Public Corporate Client Authority and Instruction for an Electronic Transaction - Covenant Instrument to note land covenant – Moffat Road, Invercargill
- ⇒ Southland Region Agreement for the position of River Mouths



**26 August 2020**

- ⇒ Warrant to Act as Enforcement Officer -  
Oliver James Prescott

**27 August 2020**

- ⇒ Deed of Lease of Farm Land -  
Colin Roger Devery and Phillip Andrew Devery and Southland Regional Council

**28 August 2020**

- ⇒ Warrant to Act as Enforcement Officer -  
Harrison James Chapman
- ⇒ Warrant to Act as Enforcement Officer -  
Ian David Connor

**11 September 2020**

- ⇒ Warrant to Act as Enforcement Officer -  
Wilma Margaret Falconer

**16 September 2020**

- ⇒ Deed of Lease of Farm Land –  
Beni Arthur Penniall and Rebecca Anne Gorton and Southland Regional Council
- ⇒ Funds Management Deed of Tracking Form – Deed of Variation  
Ministry for the Environment and Southland Regional Council

**18 September 2020**

- ⇒ Lease of Farm Land –  
Paul James Ridley and Judith Anne Ridley and Southland Regional Council

**Recommendation**

**It is recommended that Council resolve to note the list of documents to which the Common Seal has been affixed under approved authorisation.**



**Item 10 Essential Freshwater Package**

<b>MORF ID:</b> A592549	<b>Strategic Direction:</b> Refer to outcomes in table shown in body of this template.
<b>Report by:</b> Lucy Hicks, Policy, Planning and Regulatory Services Manager	<b>Approved by:</b> Vin Smith, General Manager, Policy, Planning and Regulatory Services
<b>Executive Approval:</b> Rob Phillips, Chief Executive	

**Purpose**

For Council to note the Essential Freshwater policy and regulatory package released by the Government on 5 August 2020.

**Summary**

On 5 August 2020, Government released the Essential Freshwater policy and regulatory package. This package includes five mechanisms:

1. **National Policy Statement for Freshwater Management 2020 (NPSFM)**, which comes in to force on 3 September 2020;
2. **National Environmental Standards for Freshwater 2020 (NESF)**, which comes into force on 3 September 2020, except:
  - (a) subpart 3 of part 2 (intensive winter grazing), which comes into force on 1 May 2021;
  - (b) Regulations 12 to 14 (stockholding areas other than feedlots), and subpart 4 of Part 2 (application of synthetic nitrogen fertiliser to pastoral land), which comes into force on 1 July 2021;
3. **Resource Management (Stock Exclusion) Regulations 2020;**
4. **Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020**, making real time reporting of water takes greater than 5 l/s mandatory (over time);
5. **Amendments to the Resource Management Act** – introduce a streamlined, faster freshwater planning process for freshwater related regional policy statement and regional plan changes was enacted in June 2020. This amendment sets the 31 December 2024 deadline for notifying changes to give effect to the NPSFM 2020.

**Recommendation**

**It is recommended that Council resolve to note the report.**

**Report**

**Background**

Environment Southland staff have actively participated in all opportunities to advise on the package, as it has been developed and have briefed Councillors through this process.

The policy package increases the scope and complexity of policy and regulation that must be implemented by regional councils – this will require **significant** resourcing. Costs for landowners and



resource users will phase in through time and various regulations and subsequent plan changes come into effect.

Government has indicated more freshwater policy reforms may follow in its next term, including:

- considering a proposal to establish a Freshwater Commission;
- considering a bottom line for dissolved inorganic nitrogen in 12 months' time;
- reviewing the cap on the use of synthetic nitrogen fertiliser by 2023;
- addressing fair allocation and Māori rights and interests in freshwater;
- developing greater central oversight of the performance of the freshwater management system and councils;
- making improvements to Overseer; and
- phasing in mandatory Freshwater Farm Plans (FW-FP) regulations over time.

Added to this is the potential reform of the Resource Management Act. These changes will have significant implications for the rapid plan change development processes that regional councils must progress in response to the current policy package.

### ***Farm Plans***

The RMA change in June 2020 provides for an altered regulatory mechanism for mandatory **Freshwater Farm Plans (FW-FP)**. The change enables the Minister for the Environment to prioritise areas/regions and roll out requirements over time via regulations.

Therefore, **FW-FPs are not required immediately** – the Ministry for the Environment has stated that detailed requirements, formats, processes and procedures, guidance documents, and timeframes will be developed over the next 12 months, in conjunction with the primary sector and local government.

Depending on if/when the Minister initiates FW-FP requirements for Southland, all pastoral, arable and mixed farms over 20 ha, and all horticulture over 5 ha will require a FW-FP.

This delay is necessary given that FW-FP modules and systems have not been developed.

### **Next steps**

Staff are working through the detail of the documents and Figure 1 below outlines the process underway. Initial commentary on the package is provided in the following table.

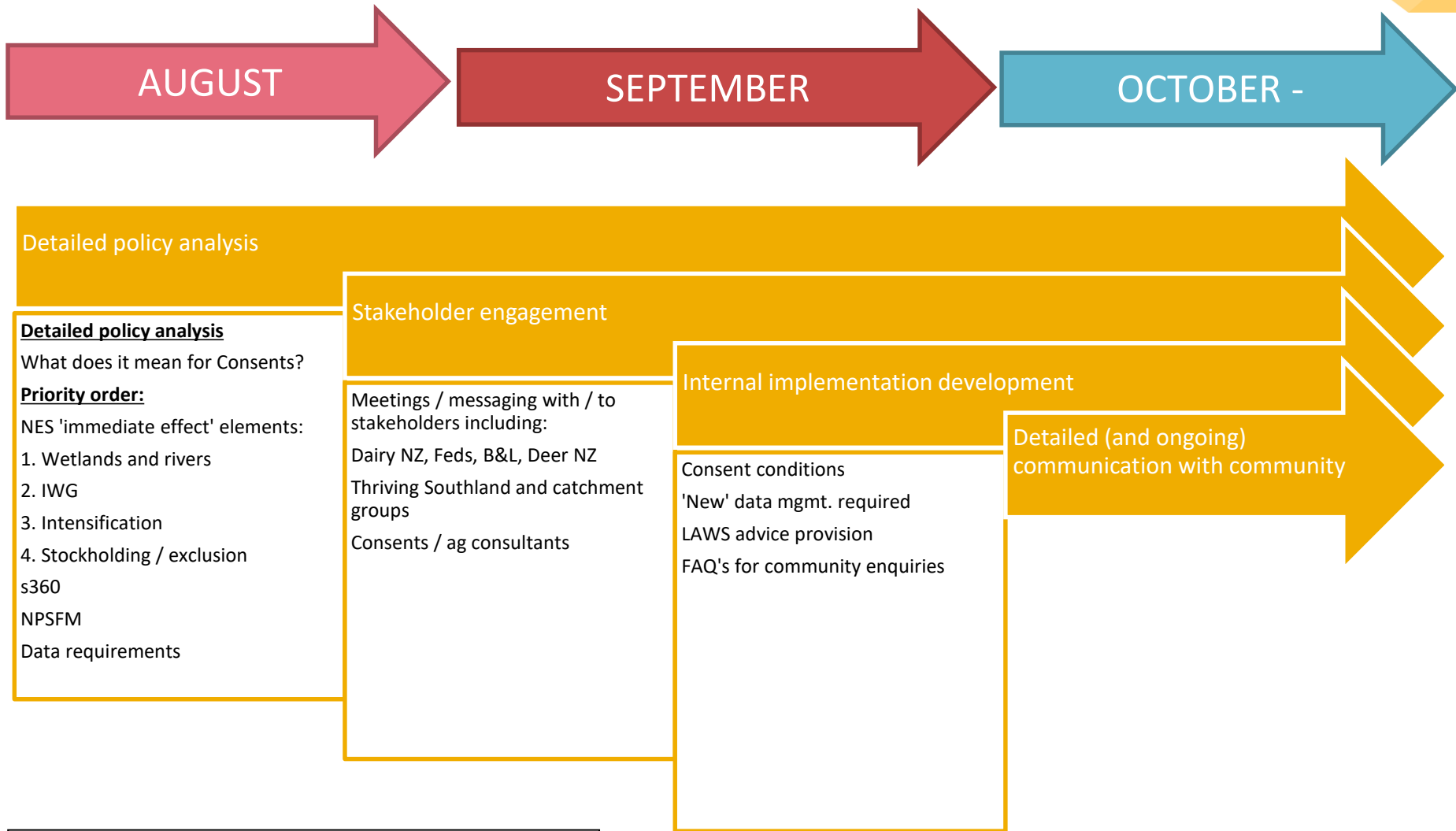
Two detailed work programmes are being developed to outline the implications and process for delivering these new requirements:

1. The Freshwater Regulations Implementation Programme, including a communications plan, focussing immediately on regulations that came into force on 3 September 2020; and
2. NPSFM Implementation Programme including RPS Review.



In addition, Environment Southland is participating closely in a national (and South Island) implementation group and will continue to seek efficiencies by collaborating with other councils and central government.

The implementation programmes will be will be tabled and discussed at a Council workshop in October 2020 and then presented at a Strategy and Policy Committee meeting later in the year.



**Figure 1: EFW initial implementation roadmap**



Topic	Initial Commentary
<b>NPSFM</b>	
<p><b>Timeframe for full implementation:</b> 31 December 2024. The NPSFM must be fully implemented <b>everywhere</b> by this time.</p> <p>This deadline is set in the RMA (s80A).</p>	<p>There is a large amount of complex work to be completed and the different regional councils are at different stages. The Regional Forum (supported by the Policy &amp; Planning team and the wider People, Water and Land Programme) are working towards our previously agreed timeframe: notification of the 'limit-setting' Plan Change to the pSWLP by the end of 2023. This will still be a challenge to achieve, particularly given the increased scope and content of the NPSFM. How the changes to the NPSFM will affect our implementation programme still needs to be established. Any revision to our intended approach will be discussed further with Council.</p>
<p>Strengthened the <b>Te Mana o te Wai framework</b>: hierarchy now prioritises the health and wellbeing of water bodies and freshwater ecosystems first.</p>	<p>Second in the hierarchy is the health needs of people, then the ability of people and communities to provide for their social, economic, and cultural wellbeing, now and in the future.</p> <p>There is a new requirement to set a vision in the RPS. This has been extended to require multiple long-term visions (at FMU, part of an FMU, or catchment level) to be set as objectives in the RPS.</p>
<p><b>Māori involvement:</b> Council must work collaboratively with, and enable tangata whenua to identify Māori freshwater values, and be actively involved in decision-making relating to those values when implementing National Objectives Framework.</p>	<p>This policy direction aligns well with the approach Council has taken in the People, Water and Land Programme for NPSFM implementation and work that has been undertaken to determine iwi and the wider community values.</p> <p>In addition, regional councils must work with tangata whenua to investigate the use of mechanisms available under the Act. The implications of this needs to be reviewed and incorporated into work programmes and resourcing discussions. The Council must make decisions, record matters considered and reasons for decision, and publish this as soon as practicable.</p>
<p>Policies require the health and wellbeing of water bodies and freshwater ecosystems to be <b>maintained or improved</b>.</p>	<p>This is well aligned with the foundation work that has been done within the pSWLP. Targets must be set for each attribute, and this must be at or above a baseline state at a specified time.</p>
<p><b>New compulsory values</b> include; threatened species habitat, mahinga kai, and 5 elements of ecosystem health have been added - water quality and quantity, habitat, aquatic life and ecological processes.</p>	<p>Human contact is also still a compulsory value.</p> <p>These will all involve new work and reporting. As mentioned above Council will need to ensure that it continues to actively involve tangata whenua in identification of any further mahinga kai values and development of appropriate plan provisions and monitoring.</p>



Topic	Initial Commentary
<p>Attributes which trigger new <b>action planning requirements</b> (rather than limit setting) include: fish species, macroinvertebrates, dissolved oxygen in lakes, DRP, deposited fine sediment, E. coli (primary contact).</p>	<p>The implications of the new distinction between action planning and limit setting attributes is still to be worked through and clarification needs to be gathered about how and when action planning would occur.</p> <p>Staff are reviewing the implications of these attributes and the implications for science and monitoring need to be established. In particular, the policies appear to require Council to monitor fish presence and abundance, which may be a new and possible substantial obligation.</p>
<p><b>Strengthens existing national bottom lines for nitrate and ammonia toxicity</b> attributes in order to protect 95% of species from toxic effects (i.e. 2.4 mg/L for Nitrate).</p>	<p>Specific impacts for Southland could be substantial, but the specific implications of these changes are yet to be assessed.</p>
<p><b>Requires regional councils to manage nitrogen and phosphorus</b> to achieve desired outcomes for other ecosystem health attributes, such as macroinvertebrates. No attributes table has been included for DIN. Government will review nutrient management requirements in a year.</p>	<p>This was a welcome change from the drafts last year and as sought by the Regional Sector and LGNZ.</p> <p>These implications of these technical changes are yet to be assessed.</p> <p>The proposed review in 12 months creates further uncertainty about national policy changes for regional councils during their intensive plan development processes.</p>
<p><b>Limits must be set</b> for most attributes that in the NPSFM 2017, and for a new <i>suspended fine sediment attribute</i>.</p>	<p>A substantial amount of new monitoring, analysis and reporting will be required to respond to all of the new attributes, and to develop limits within the timeframe.</p>
<p>New <b>deposited sediment attribute</b> will not apply in naturally soft-bottomed streams.</p>	<p>Freshwater habitat monitoring will be required.</p> <p>The impact of these technical changes are yet to be assessed.</p>
<p><b>Mapping, monitoring and managing wetlands and obstacles to fish passage.</b> Council must map, monitor and maintain an inventory for wetlands &gt;500 m<sup>2</sup>, and</p>	<p>Council must identify instream structures in the region that pose a risk to fish passage, and establish a work programme to prioritise remediation.</p>



Topic	Initial Commentary
<p>must have methods in place to respond if loss of wetland extent or values is detected.</p>	<p>Council does have some of the records required, but will need to establish a work plan and programme to fully deliver on these new requirements.</p>
<p><b>NESFM</b></p>	
<p><b>Wetland protection, stream loss and fish passage.</b> There are comprehensive requirements for activities in or near wetlands and in the beds of streams to protect them from any further degradation.</p> <p>Policies in the NPSFM support consenting requirements. Consent requirements with stringent conditions will apply to activities such as infilling and diversion that lead to the loss of wetlands and streams. Policies will direct consenting decisions and require regional plans to avoid further loss of these habitats and to maintain condition into the future.</p> <p>Structures that create barriers to fish passage must be identified across the region and new structures must ensure connectivity.</p> <p>Customary weirs have been made exempt from requirements.</p>	<p>Some wording improvements have been made compared to earlier drafts, however the new requirements are complex and may in some cases be more onerous than our current plan requirements for both wetland protection and fish passage.</p> <p>There are specific provisions for activities in wetlands (or in close proximity) for restoration, scientific research, construction of utility services, maintenance of those services, construction of specified infrastructure, maintenance and operation of infrastructure, sphagnum moss harvesting, arable and horticultural land use, natural hazard works and drainage.</p> <p>Fish passage provisions focus on structures that create a barrier to fish migration. Council needs to accumulate data for the region and structures existing at 2 September 2020 are exempt from the requirement to provide information.</p> <p>BUT all new culverts, weirs, flap gates, dams, fords and structures (aprons and ramps) must provide information to Council and meet specified conditions or seek resource consents.</p> <p>These regulations took effect on 3 September 2020, and so Council has a very limited time to develop and roll out implementation plans (e.g. understanding the new provisions and their interface with the NPSFM, RPS and proposed and operative regional plans, developing consent application information, and roll-out public information).</p> <p>The aggregation of the large amount of information that will be coming into Council for compilation, storage (and presumably reporting) needs to be scoped and confirmed.</p> <p>Staff anticipate that our early engagement will be via advice and support to the community.</p> <p>In addition to the complexity of the provisions the offset mitigation requirement sets a fairly high bar i.e. action must replace <i>in full</i> the values and condition of a natural wetland or river ecosystem being lost.</p>
<p>Significant change to the regulatory mechanism for mandatory <b>Freshwater Farm Plans (FW-FP)</b>.</p>	<p>FW-FPs are not required immediately – detailed requirements, formats, processes and procedures, guidance documents, and timeframes will be developed over the next 12 months.</p>



Topic	Initial Commentary
<p>A change to the RMA enables the Minister for the Environment to prioritise and roll out requirements over time via regulations.</p>	<p>Depending on when the Minister initiates FW-FP requirements for Southland, all pastoral, arable and mixed farms over 20 ha, and all horticulture over 5 ha will require a FW-FP. This delay is necessary given that FW-FP modules and systems haven't been developed.</p> <p>Nitrogen impacted catchments are likely to be the first/highest priority for FW-FPs. At this stage it is unclear whether there will be further opportunity to discuss which catchments should be included.</p> <p>Many of the new requirements around synthetic nitrogen limits, agricultural intensification limitations, stock holding area requirements, intensive winter grazing limitations and stock exclusion requirements, can be managed via a properly developed and managed FW-FP.</p>
<p>A <b>national synthetic nitrogen-fertiliser cap</b> of 190kg N/ha/year has been set for all pastoral farms in New Zealand by:</p> <ul style="list-style-type: none"> <li>• application of &gt;190kg N/ha/year as synthetic nitrogen fertiliser = non-complying activity for dairy, dairy-support, sheep, beef, and deer farms, and</li> <li>• requiring dairy farmers to report annually the weight of nitrogen applied per hectare as synthetic nitrogen fertiliser to enable compliance monitoring.</li> </ul>	<p><b>Regulations will apply from 1 July 2021</b></p> <p>This is a new provision that will be reviewed in 2023 to see if further interventions are necessary. The cap and reduction requirements in nitrogen impacted catchments (which was proposed in September 2019) has not been included in the package.</p> <p>It is unclear at this point how many farms will be captured by this regulation, but the Cabinet paper noted that “officials estimate that roughly 2,000 of the 11,000 current dairy farms may need to reductions synthetic fertiliser applications, with the vast majority of these being in the South Island, especially in Canterbury and Southland.”</p> <p>Regional councils will need to set up systems to receive and monitor levels of synthetic nitrogen fertiliser use reported by dairy farms, and to assess consent applications for fertiliser use above a new cap of 190 kg N/ha/year.</p>
<p><b>High risk land use, intensive winter grazing on forage crops, and land use intensification restrictions</b> are similar to earlier draft with some changes to conditions and consent thresholds.</p> <p>Standards for feedlots will apply from 3 September 2020.</p>	<p>There are some complexities regarding the definitions of some of these elements (e.g. feedlots) and staff are currently determining the implications of these.</p> <p>The standards required of stock holding areas such as loafing pads, stand-off pads, and feed pads differ depending on the age and size of the cattle. They include substrate permeability, separation from water sources and contaminant collection and disposal.</p> <p>Agricultural intensification applies to farm land used for arable, pastoral or horticultural purposes above certain area thresholds. Notably, increase in irrigated area for horticulture will not be captured by the intensification regulations.</p>



Topic	Initial Commentary
<p>Agricultural intensification requirements come into force on 3 September 2020.</p> <p>Standards for Stock-holding Areas and for Intensive Winter Grazing of Fodder Crops, will apply from 1 July 2021 and 1 May 2021 respectively.</p>	<p>Intensive winter grazing has numerous conditions including: area (&lt;50 ha or 10% of property – whichever is greater), land slope (average of 10 degrees or less), setback distance from the bed of streams or lake (5 metre), and soil disturbance by pugging.</p> <p>Detailed factsheets have been compiled to assist consent team and the community which outline when a consent would be required from Council.</p> <p>There are requirements on farmers in terms of providing “reasonable” information requirements by Council.</p> <p>Regional councils have the ability to recover costs via s.36 charges.</p>
<p><b>Resource Management (Stock Exclusion) Regulations 2020</b></p>	
<p><b>Dairy and beef cattle, pigs and deer must be excluded from wetlands, lakes and rivers</b> with a bed greater than or equal to one metre wide by specified dates. Applies to grazing dairy cattle and pigs on all terrain, intensive stock activities on all terrain, and beef cattle and deer on low slope land only (intensive stock activities are land anywhere used for fodder-cropping, break-feeding, or grazing on irrigated pasture of dairy and beef cattle and deer).</p>	<p>The regulations have been relaxed somewhat from those proposed in September 2019.</p> <p>ES and LGNZ sought an exception to the requirement for a 3 metre setback for existing fencing, and this change has been made, provided stock are effectively excluded by some means from the river or lake. Exclusion is defined as being any effective means of preventing access.</p> <p>Regulations apply from September 2020 for any new operations, and in 2023 or 2025, depending on the type of stock, land slope, or presence of a natural wetland.</p> <p>This is an extension of time for activities, compared to the September 2019 draft proposals.</p> <p>Exemptions are identified for stock crossing of waterways to recognise the impracticability of putting in structures in some circumstances</p> <p>Regional plans can contain more stringent rules, as can FW-FPs (when they come into being).</p>





Topic	Initial Commentary
<b>Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020</b>	
<p>The existing provisions have been strengthened by including the requirement to provide telemetered data to Council for takes of 5 l/s by specified dates. This adds to existing requirements to meter these flows and provide records.</p>	<p>Councils supported the proposed amendments which require more frequent measurement of flows (each 15 minute period) and require them to be provided regularly (for each day) directly to the Council unless it is otherwise agreed by the parties.</p>



**Fit with strategic framework**

Outcome	Contributes	Detracts	Not applicable
Managed access to quality natural resources	X		
Diverse opportunities to make a living			X
Communities empowered and resilient			X
Communities expressing their diversity			X

**Compliance with Significance and Engagement Policy**

Matters that may trigger this policy will be considered via the future Implementation planning conversations.

**Considerations**

***Financial implications***

There are no financial implications at this time, however, there will be future financial implications and these will be traversed and estimated in future discussions.

***Legal implications***

There are no legal implications associated with this report.

**Attachments**

None