

**Minutes of the Ordinary Meeting of the Southland
Regional Council, held in Regional House, corner
North Road and Price Street, Invercargill, on
Wednesday, 1 February 2023, at 10.00 am**



Present: Chairman N Horrell (Chair)
Cr NMG Cook
Cr P C Evans
Cr A K Gibson
Cr R Guyton
Cr L Ludlow
Cr P McDonald
Cr J A McPhail
Cr P Morrison
Cr J Pemberton
Cr M A Rodway
Cr E Roy

In Attendance: Ms W Falconer (Chief Executive)
Ms L Hicks (GM, Policy & Government Reform)
Mr P Hulse (GM, Integrated Catchment Management)
Ms A Kubrycht (GM, People & Customer)
Ms R Millar (GM, Strategy, Science & Engagement)
Mr D Rikiti (GM, Business Services)
Ms K Wilson (Chief Scientist)
Mrs G Jefferies (Manager, Communications)
Ms B Lawrence (Chief Advisor)
Mr S Mapp (Manager, EMS)
Ms A Meade (Manager, Biosecurity & Biodiversity)
Mr M Trent (Principal Advisor, Māori)
Mrs A Henderson (TL – Strategic Communications)
Mr N Perham (Manager, Integration & Implementation)
Ms E Whaley (TL, Catchment Integration)
Mrs E Kini (Personal Assistant)
Mrs J M Brown (Executive Officer)

1 Welcome | Haere mai

The Chairman welcomed members to the first Council meeting for the New Year.

2 Apologies | Nga Pa Pouri

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

3 Declarations of Interest

There were no declarations of interest made at this time.

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

(a) Ordinary Meeting of Council – 14 December 2022

The Chairman noted a typographical correction required to page 4 of the minutes relating to the adoption of the resolutions from the Regional Services Committee meeting of 17 November 2022.

Resolved:

Moved Cr McPhail, seconded Cr Ludlow, that the minutes of the Ordinary Meeting of Council held on 14 December 2022 be taken as read, amended as discussed, and confirmed as a true and correct record.

Carried

6 Adoption of Committee Resolutions

(a) Risk and Assurance Committee – 6 December 2022

Resolved:

Moved Cr Ludlow, seconded Cr Morrison, that Council adopt the resolutions from the Risk and Assurance Committee meeting held on 6 December 2022.

Carried

(b) Climate Change Sub-committee – 13 December 2022

Cr Rodway noted two questions that had arisen from the Climate Change Sub-committee meeting which he sought answers to at this time:

- the status of the Subcommittee – the Chief Executive confirmed that as per the Inaugural meeting appointment process, it was a sub-committee of the Strategy & Policy Committee.
- Cr Morrison was the appointed representative of ES to the Regional Climate Change Interagency Group, and as Council was leading this area of work, he would be Chairing the Interagency Group on Council's behalf.

Resolved:

Moved Cr Rodway, seconded Cr Roy, that Council adopt the resolutions from the Climate Change Sub-committee meeting held on 13 December 2022.

Carried

(c) Finance and Performance Committee – 14 December 2022

Resolved:

Moved Cr Rodway, seconded Cr McPhail, that Council adopt the resolutions from the Finance and Performance Committee meeting held on 14 December 2022.

Carried

(d) Southland Civil Defence Emergency Management Group – 16 December 2022

Cr Cook noted that he had been appointed the Chair of the Southland Civil Defence Emergency Management Group.

Resolved:

Moved Cr Cook, seconded Chairman Horrell, that Council adopt the resolutions from the Southland Civil Defence Emergency Management Group meeting held on 16 December 2022.

Carried

7 Notification of Extraordinary and Urgent Business | He Panui Autaia hei Totoia Pakihi

7.1 Supplementary Reports

There were no supplementary reports presented to the meeting.

7.2 Other

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

8 Questions | Patai

Cr Guyton's question (as posed on the agenda page) was read to the meeting, and staff advised that until recent legislative changes, staff were unable to take the effect of greenhouse gas emissions (GHG) into account during the consenting process – thus the information sought was not readily available. However, going forward that situation would change. In the meantime, from information gathered via a Great South inventory of GHG emissions in 2018, the annual percentage contribution from Fonterra coal burning to Southland's CO₂ was 2.29%. It was noted, however,

that there were seasonal fluctuations that occurred. Cr Guyton noted he was also looking to have information on the tonnage that was put into the atmosphere by that company. He was advised that this information was available, and could be provided.

The meeting was also advised that Council was due to have a site visit to the plant where the matter could be posed to the company. Cr McDonald agreed it would be valuable to learn about the company's intent to reduce those emissions, and the timelines proposed for that to occur.

9 Chairman and Councillors' Reports | Nga Purongo-a-Tumuaki me nga Kaunihera

⇒ Chairman's Report

Chairman Horrell noted that since the outset of the year he had attended a number of meetings, either physically or via digital links. In particular, he noted a number of meetings held to discuss the recently announced decision to reduce the size of the new Dunedin hospital. As a result of the concerns raised, the new Minister for Health had indicated a willingness to meet with a delegation of Otago Southland Mayors, to discuss this further.

The Chairman also congratulated staff on the public gathering held on the Mataura floodbanks. Positive feedback was received at the speed with which Council had responded to these issues – noting the emergency works that were ongoing currently, and the longer-term comprehensive plan to be developed to address issues across the region.

Cr Cook noted the community focus on gravel management in the river, and that Council had some work to do to get information out around these issues. Mr Hulse agreed gravel was one of the important components of flood management; that data was being gathered to assess the movement of gravel through the system, and Council would be kept updated on areas of particular concern and potential solutions. A strategic gravel management approach would be developed and brought to Council.

The meeting noted the discussions at Hokonui Marae, where iwi were very keen to see a total management of the river approach - including wetlands being installed and the need to be able to slow water down. There had also been interesting information on returning braids to the river in places that it was appropriate, and the good environmental outcomes for bird life nesting, and natural character.

Cr Rodway asked if there were potential effects from the freezing works and old paper mill sites on the side of the river contributing to the problems in the area. Mr Hulse agreed this was a narrow point, but the protection scheme was designed to provide for a 2,400 cumecs flow despite that situation, which had occurred in 2020 and the stopbanks held up well. The engineering team were not concerned about that area – but had more of a focus on the railway bridge at Gore, which required a medium to long-term plan to increase channel capacity in that area.

⇒ **Councillors' Reports**

There were no verbal reports presented by Councillors.

10 Staff Report – 23/C/02

⇒ **Item 1 – Chief Executive's Report**

The Chief Executive's report on pan-organisational current matters since the last meeting, was noted at this time, and Ms Falconer spoke to key points, including the focus being given to the current water shortage situation and the learnings of how EMS can support the region in such situations. Matters discussed at length included:

- tree removal on the Waihopai River, which had resulted in concerns being raised in the community. That correspondence is currently being responded to, and greater publicity is being given to the need for those works.
- as a result of the recent tree removal, concerns had been raised by some regarding the storage of car wrecks in the area and potential discharges occurring to the environment. This issue is to be followed-up by staff with ICC.
- positive results from the pest plants programme of work, focused on eradication plants was reported by Ms Meade. Monitoring was showing there had not been a return of plants.
- the threat of Undaria in and around Rakiura was a concern, but work done to date indicates the population has significantly reduced and there has not been further spread at this time. A similar situation was also evident in Preservation Inlet. The focus continues on ensuring boat cleaning is prioritised when visiting those areas.
- In response to questions regarding the impacts of climate change on the marine environment and potential increase in pest plant invasions, staff outlined the monitoring and education that was undertaken in this regard.
- the bird count monitoring results recorded in the report were noted, but it was not known if this was the beginning of a trend or just a "blip".
- the work being undertaken by this Council along with other regional councils and MfE on the Farm Plan development. It was anticipated Council would be briefed on this further by the Ministry, noting that Council was a potential "model region" for the introduction of same.

At this time Ms Falconer introduced Simon Mapp – Manager, Emergency Management Southland, who provided the meeting with an update on the recent flood event impact on the Auckland region. He also outlined proposed changes to the legislation governing this area of work, which had been delayed by other priorities.

Mr Mapp also responded to questions from the meeting relating to the role of EMS in preparedness and identifying hazards/risk areas, and noted there were 26 community hubs run throughout Southland to support the region in the event of an emergency.

Resolved:

Moved Cr McPhail, seconded Cr Cook, that Council note the report and the delegation of the role of Acting Chief Executive to Paul Hulse (General Manager, Integrated Catchment Management) for the period 8.00 am on Monday 9 January 2023 until 8.00 am on Monday, 16 January 2023.

Carried

⇒ **Item 2 – Water Shortage Situation across Southland**

The purpose of this item was to provide Council with an update on the current water situation across the region, including climate conditions and environmental flows and levels. Nick Perham introduced himself to the meeting, and spoke to his report. Questions arising out of the report related to:

- the 15 cumec point in relation to consented takes and the Mataura Water Conservation Order;
- confusion between sprinkler use in the urban areas and irrigation in the rural areas and the need for improved media information around these matters;
- trigger levels and the inability to cut-off town supplies due to human health issues;
- staff advice to industry re business continuity planning around these matters;
- the current focus was on the response to low water levels – a different group and wider conversations in the future would need to occur re water harvesting, etc;
- concerns re toxic algae and the lack of signage – active conversations re these matters were occurring between ES and Southland District Council.

The Chairman noted in the past Council received reports on average rainfalls and river levels in the region, and it was agreed that this information would be provided to Councillors for their information.

Resolved:

Moved Cr McDonald, seconded Cr Gibson, that Council note the report.

Carried

⇒ **Item 3 – Adoption of the 2022 – 2025 Southland Region Triennial Agreement**

This item sought Council's adoption of the 2022-2025 Triennial Agreement – a mandatory requirement under the Local Government Act 2002. It was noted the document had been co-ordinated and reviewed through the Chief Executives' Forum and the Mayoral Forum following last year's triennial election.

Resolved:

Moved Cr Cook, seconded Cr McPhail, that Council having considered the reviewed Southland Region Triennial Agreement, pursuant to Section 15 of the Local Government Act 2002, adopt the 2022-2025 Triennial Agreement and apply the Common Seal.

Carried

⇒ **Item 4 – Bonamia Submission – Environment Southland Response**

This item reported on the fact that Biosecurity New Zealand was currently consulting on changes to the *Bonamia ostreae* Controlled Area Notice and draft policy, and sought approval of a submission compiled on Council's behalf, following a workshop held in December 2022.

The meeting noted that Biosecurity NZ is responsible for setting the rules, and enforcing compliance and monitoring of those rules. However, part of Council's response included the need for strong links with its RPMP, Coastal Plan and Marine Pathways Plan, to ensure there is clarity and consistency in approach.

Resolved:

Moved Cr Roy, seconded Cr McDonald, that Council retrospectively endorse the submission: *Bonamia ostreae* Controlled Area Notice and draft policy submission.

Carried

⇒ **Item 5 – Resource Management Reform Submission**

This item provided Council with key submission points on the resource management reforms which had arisen from a recent workshop on this topic. The meeting noted there was agreement in principle for a joint submission to be provided on behalf of all Councils in the region. This would not preclude individual Councils also making their own submissions, should they wish to.

Following discussion it was agreed the submission needed to provide further emphasis on the need for good communication and liaison across the agencies within the regions including central government agencies.

Resolved:

Moved Cr Rodway, seconded Cr Cook, that Council:

- 1. approve the key points for inclusion in the submission on the Spatial Planning Bill and Natural and Built Environment Bill;**
- 2. delegate authority to the Council's Chief Executive to finalise the submission based on Council feedback for lodging with the Environment Committee by 5 February 2023.**

Carried

⇒ Item 6 – Appointment of Regional Transport Committee 2022

Council is required to form a Southland Regional Transport Committee, under the terms of the Land Transport Management Act 2013 and subsequent amendments. This item provided the required information for that to now occur.

Resolved:

Moved Cr Cook, seconded Cr Ludlow, that Council:

- 1. note the report;**
- 2. confirm the following appointments to the Southland Regional Transport Committee:**
 - **Cr Jeremy McPhail (RTC Chairman);**
 - **Cr Phil Morrison (RTC Deputy Chairman);**
 - **Deputy Mayor Christine Menzies to represent Southland District Council;**
 - **Cr Joe Stringer to represent Gore District Council;**
 - **Cr Ria Bond to represent Invercargill City Council;**
 - **Mr James Caygill, to represent Waka Kotahi the new Zealand Transport Agency;**
- 3. Note the nominated alternates to represent their organisations when the appointed members are unavailable:**
 - **Mayor Rob Scott to represent Southland District Council;**
 - **Cr John Gardyne to represent Gore District Council;**
 - **Cr Allan Arnold to represent Invercargill City Council;**
 - **Mr Peter Brown, to represent the Waka Kotahi the new Zealand Transport Agency**

Carried

⇒ **Item 7 – Update to Staff Delegation Manual**

Council approval to changes required to the Staff Delegations Manual, taking into account role changes and authorisation changes (as set out in the staff report) was sought.

Resolved:

Moved Cr McPhail, seconded Cr Evans, that Council approve the proposed changes to the Staff Delegations Manual as outlined in Schedule 1, and as appropriate in other sections of the manual, effective immediately.

Carried

⇒ **Item 8 – Councillors Meeting Schedule – February 2023**

Council approval of the meeting schedule circulated with the agenda, was required. In addition to the meetings listed on the schedule, the following changes were recorded:

- Cr Gibson to be registered to attend the Hydrogen workshop
- Cr Rodway was now unable to attend the Te Ropu Taiao hui in Dunedin or the Climate Change meeting
- Chairman Horrell meeting with Bobbi Brown on 9 February 2023
- Chairman Horrell attending Whakamana te Waituna preparatory meeting 9 February 2023
- Local Government Panel attendees were Chairman Horrell, Crs Ludlow, McDonald, Evans, Roy and McPhail
- Chairman Horrell and Cr McDonald to attend Whakamana te Waituna agenda meeting on 22 February 2023
- Cr Cook travelling to Blenheim to attend the Project AF8 conference on behalf of Emergency Management Southland
- an informal meeting with representatives of the Mid Dome Wilding Trees Charitable Trust had been arranged for 8 March 2023.
- a climate Change Subcommittee meeting was scheduled for 15 March 2023.
- a Catchment Liaison Committee Chairs meeting with the Regional Services Committee is to be held on 21 March 2023.

Leave of absence requests were lodged as follows:

- Cr Cook – 26 March to 6 April 2023
- Chairman Horrell – 6 to 17 April 2023
- Cr McDonald – 8-18 June 2023

Resolved:

Moved Cr Ludlow, seconded Cr McPhail, that Council note the planned meetings and:

- 1. appoint members to represent the 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;**
- 3. approve leave of absence from Council activities as requested by Crs Cook, Horrell and McDonald.**

Carried

⇒ Item 9 – Reporting of Expenditure above Delegated Authority

This item, which reported on expenditure undertaken by management on behalf of Council above delegated authority, was withdrawn from the agenda, as it had previously been dealt with at the December 2022 meeting of Council.

⇒ Item 10 – Draft 2023 Schedule for Annual Catchment Liaison and Regional Services Committee Meetings

This item reported on the arrangements put in place for the annual round of Catchment Liaison Committee meetings in the region.

Resolved:

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

Carried

11 Extraordinary and Urgent Business

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

12 Public Excluded Business

Resolved:

Moved Cr Cook, seconded Cr Morrison, 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 – Ordinary Meeting of Council – 14 December 2022**
- ⇒ **Adoption of Committee Resolutions - Risk and Assurance Committee – 6 December 2022**
- ⇒ **Item 11 – Great South Letter of Expectation**
- ⇒ **Item 12 Reporting of Actions under Delegated Authority for Emergency Works**
- ⇒ **Item 13 – Selection of Preferred Members for Regional Software Holdings Limited board of Directors**

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:

<i>General Subject Matter</i>	<i>Reason for Passing the Resolution</i>	<i>Grounds under S. 48(1)</i>
⇒ Confirmation of Minutes – Ordinary Meeting of Council – 14 December 2022.	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
⇒ Adoption of Committee resolutions from the Risk and Assurance Committee -6 December 2022	To prevent the disclosure or use of official information for improper gain or advantage.	S.7(2)(j)
⇒ Item 11 – Great South Letter of Expectation	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(j)
⇒ Item 12 – Reporting of Actions under Delegated Authority of Emergency Works	Enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities.	S.7(2)(j)
⇒ Item 13 – Selection of Preferred Members for Regional Software Holdings Limited Board of Directors	To enable any local authority 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)

Carried

Resumed in Open Meeting

Termination

There being no further business, the meeting closed at 12.53 pm.