

**Minutes of the Ordinary Meeting of the Southland
Regional Council, held in Regional House, corner
North Road and Price Street, Invercargill, on
Wednesday, 3 May 2023, at 10.30 am**



Present: Chairman N Horrell (Chair)
Cr N Cook
Cr P Evans
Cr A Gibson – via Zoom Digital link
Cr R Guyton
Cr L Ludlow
Cr P McDonald
Cr J McPhail
Cr P Morrison
Cr J Pemberton – 10.55 am
Cr M Rodway – via Zoom Digital link
Cr E Roy

In Attendance: Mrs W Falconer (Chief Executive)
Ms L Hicks (GM, Policy & Government Reform)
Ms R Millar (GM, Science, Strategy & Engagement)
Ms A Kubrycht (GM, People & Customer)
Mr P Hulse (GM, Integrated Catchment Management)
Mr D Rikiti (Chief Transformation Officer)
Ms G Jefferies (Communications & Engagement Manager)
Ms T Hawkins (Chief Financial Officer)
Mr B Halligan (Consents Manager)
Ms F Young (Integrated Catchment Manager)
Mr L Cleaver (Harbourmaster/Maritime Manager)
Mr D Storey (Corporate Affairs Advisor)
Mrs J M Brown (Executive Officer)

1 Welcome | Haere mai

The Chairman welcomed members to the May meeting of Council.

2 Apologies | Nga Pa Pouri

Resolved:

Moved Cr McPhail, seconded Cr Evans, that an apology for lateness be accepted on behalf of Cr Pemberton.

Carried

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 and Deputations.

5 Confirmation of Minutes | Whakau korero

(a) Ordinary Meeting of Council – 8 March 2023

Resolved:

Moved Cr McPhail, seconded Cr Ludlow, that the minutes of the Ordinary Meeting of Council held on 8 March 2023 be taken as read and confirmed as a true and correct record.

Carried

6 Adoption of Committee Resolutions

(a) Otago Southland Regional Transport Committees – 3 March 2023

Cr McPhail reported on the first meeting of the Committee, which had focused on inducting new members, the Terms of Reference of the committee, and the mid-year review of the 10 year plan.

In responding to questions arising from Item 1 and climate considerations for future transport matters, Cr Morrison noted that it was clear there was a need to take into account climate change and associated adaptation and mitigation responses when dealing with intra and inter-regional transport matters. It was noted that the matter of coastal shipping potentially playing a part in climate change mitigations for impacts on a vulnerable roading network had been discussed at the South Island Regional Transport Chairs' meeting. It was evident that issues of critical transport links were not only South Island concerns but national concerns, and all are wanting to learn from other regions.

Questions were also posed regarding whether the Committee took into account the issue of security of movement of food and matters of localisation of food production. It was noted that this had largely been an induction meeting, but Cr McPhail undertook to raise the issue at the next meeting.

Resolved:

Moved Cr McPhail, seconded Cr Ludlow, that the resolutions from the Otago Southland Regional Transport Committee meeting held on 3 March 2023 be adopted.

Carried

(b) Strategy and Policy Committee – 29 March 2023

Cr Ludlow highlighted the adoption of the net zero greenhouse gas emission target by 2050, set by the meeting, and that staff were working hard to ensure baseline data was available internally to assist with setting the interim steps to achieve that target.

Resolved:

Moved Cr Ludlow, seconded Cr McPhail, that the resolutions from the Strategy and Policy Committee meeting held on 29 March 2023 be adopted.

Carried

(c) Risk and Assurance Committee – 29 March 2023

Cr Ludlow highlighted the Auditor General’s article that had been circulated to all Councillors, which provided an overview of how important having a Risk and Assurance Committee of Council was. Further, she noted the quarterly risk report, which highlighted the four key focus areas for Council going forward. The committee would be getting a “deep dive” on this as a priority at its next meeting.

Resolved:

Moved Cr Ludlow, seconded Cr Morrison, that the resolutions from the Risk and Assurance Committee meeting held on 29 March 2023 be adopted.

Carried

(d) Southland Civil Defence Emergency Management Group – 17 April 2023

Cr Cook reported on the work undertaken by this Committee, and responded to questions, including the fact that Council staff had been seconded to work in affected areas following the recent Cyclone Gabrielle weather event in the North Island. As a result there had been debriefings held to allow learnings from those situations to be applied in Southland.

Cr Ludlow commended the group on the approach of appointing a Mana Whenua Emergency Facilitator, noting that local Marae were key support networks for small local communities in the event of an emergency.

The meeting noted the loss of all communications during the recent weather events in the North Island, and highlighted the value of satellite communications in such situations and the need to plan for situations where this might be a possibility. Locally, EMS had also provided radios for use in community hubs around the province to assist in those situations as well. The Ministry of Civil Defence Emergency management was also developing a programme so address the failure of mobile phone systems.

Resolved:

Moved Cr Cook, seconded Cr Roy, that the resolutions from the Southland Civil Defence Emergency Management Group meeting held on 17 April 2023 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 tabled for inclusion in the agenda.

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 raised at the meeting.

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

⇒ **Chairman's Report**

A report outlining the activities the Chairman had been involved in on behalf of the Council since the last meeting had been circulated with the agenda.

⇒ **Councillors' Reports**

Cr McDonald reported on his involvement with the Dipton Greenhouse Gas project run through Thriving Southland. He also noted that Cr Pemberton and he had attended the Otago Federated Farmers Annual Meeting, and reported it was pleasing to see they have many young farming leaders (especially young female farming leaders) progressing through their Executive.

Cr Ludlow noted that she had attended the LGNZ Zone 5/6 meeting with the Chairman and other councillors, and would be circulating her report under separate cover.

Cr McPhail reported on the successful removal of trees along the stop bank areas in Gore, and thanked Paul Hulse and the catchment management team for their work in this regard, which had been received positively by the community.

[Cr Pemberton attended the meeting at this time.]

Cr Roy reported on his attendance at a Livestrands meeting, where an international spokesperson had discussed artificial intelligence – both the potential and the pitfalls.

Cr Evans reported on his meeting with catchment staff and the Liaison Committee Chair and agency reps at Mararoa, to look at gravel extraction matters. Of particular note was the 50% reduction in flow underneath the Mararoa River bridge on SH1, due to the build-up of gravel. He noted it had been a good meeting, which was likely to lead to action being taken.

Cr Pemberton advised he had spoken to the Dairy Women’s conference this morning, and was involved in a panel discussion focused on positive action on the ground. It had been a positive session, but noted the need to recognise the role women are playing in the rural sector, as they have more involvement in the direction businesses are operating.

10 Staff Report – 23/C/23

⇒ Item 1 – Chief Executive’s Report

The Chief Executive’s report was distributed with the agenda, which provided an overview of pan organisational current matters. The Chief Executive briefly highlighted key matters in her report, and then responded to questions, a summary of which follows:

- it was hoped to have the report on monitoring in the coastal marine area (CMA) undertaken at Tiwai released shortly.
- the need to publicise to the farming community that ES will be looking at winter grazing matters – particularly if there are adverse effects from that activity. Initially the focus is on advice and support; aerial flights and roadside assessments, followed by inspections where issues have been raised. This is a high risk activity and there will be consequences if there is a significant adverse environmental effect from same. Noted there have been news articles, radio publicity and direct communication with consent holders on these matters.
- Outdoor burning issues – noting this is prohibited within the city boundaries. Advice/education is provided, and information from Mr Graves presentation to the Climate Change Subcommittee is to be forwarded to the compliance team for their follow-up.
- Information on the number of sea level monitoring sites in Southland is to be provided to Councillors following the meeting.

Resolved:

Moved Cr Cook, seconded Cr Morrison, that Council note the report and the delegation of the role of Acting Chief Executive to Amy Kubrycht (General Manager, People & Customer) for the period from midnight on Wednesday, 5 April 2023 to midnight on Thursday,

6 April 2023, and then from midnight on Tuesday, 11 April 2023 through until midnight on Sunday, 16 April 2023.

Carried

⇒ **Item 2 – 2023/24 Annual Plan Update**

This item provided an update on the 2023/24 Annual Plan and sought approval of the proposed allocation for the marine fee, average rate increase and consultation process for the 2023/24 year. It was noted the report summarised the discussions of Council through the various workshops held to progress this matter to date.

Staff noted that Council was in the third year of its LTP, and that there had been no significant or material changes proposed from the LTP that had set the direction of the organisation. The focus was on building resilience to impacts of climate change, addressing freshwater challenges, and transformation programmes. The recommendation of staff was for an average rate increase of 6.9%. The Chief Executive assured Council that, at that level, the organisation could deliver on the commitments within the Annual Plan. Councillors discussed the report at length, and the following is a summary of the points made:

- Cr McPhail noted Councillors had asked questions and challenged matters put to them; the reality was that life was significantly different to what had been forecast at the outset of the LTP, and inflationary costs were very real. He supported a 6.9% rate increase.
- Cr Roy appreciated the work done to achieve savings that had been proposed. Inflation is a significant issue now, and whilst he was aware of the pressures within the community, it was also important that the organisation was on a secure financial footing to deliver its work. The Chief Executive confirmed it was, but that going forward, there was a need to balance deficit, the repayment of debt, and focus on climate resilience projects. She stated that both Councillors and the community would be involved in discussions as to how that would occur. Mrs Hawkins confirmed that the Annual Plan as proposed would allow for Council to pay for its everyday costs out of its income and was well placed to prepare/investigate future climate resilience projects within the region.
- Cr Rodway asked if 6.9% was agreed to by Council today, would that result in higher increases going forward. The Chairman noted that the LTP would focus on inter-generational borrowing to repay climate resilience projects, but that was different to paying for the everyday work programmes. Staff confirmed that if a higher rate increase was agreed to this year, it would reduce the impact of rate increases next year.
- Cr McDonald supported a 6.9% increase. He noted that the levels of service and long-term discussions required by the organisation to meet the future needs of ratepayers would occur during the LTP development.
- Cr Ludlow advised her concern had been to ensure the decisions made this year did not impact negatively on the organisation going forward. She noted the need to ensure the organisation operated prudently, and was comfortable with there it was sitting, and that levels of service would not be reduced with a 6.9% increase.

- Cr Gibson was concerned to ensure that the rate increase did not negatively impact on future years. He felt the rating system needed change, and that the organisation should be charging more, or getting more funding from central government for the work it was imposing on the organisation. He had favoured an increase at least at the rate of inflation, but recognised the welfare of constituents was important.
- Cr Pemberton supported 6.9% increase, and wanted to ensure that the communication to the community was clear around the impacts of valuation changes on rate accounts.
- Chairman Horrell noted the concerns within the community; that the organisation had faced a significant loss of income; that it had statutory responsibility to complete its functions, and that Council needed to ensure that the team was achieving that. He noted it was a lean team that performed incredibly well compared to its counterparts with larger staff and more resources. He welcomed the return of the marine fee, which had allowed Council to keep the increase at the proposed level. However he noted there would be some difficult conversations ahead, given the need to commence repayment of the climate resilience borrowing. He thanked staff for the work done to keep the budgets down.
- Cr Evans advised he was still undecided as to the size of rate increase required, but was aware of the concerns of those on fixed incomes, and the squeeze that occurred to disposable income for many.

Resolved:

Moved Cr McPhail, seconded Cr Morrison, that Council:

- (1) note the report;**
- (2) approve the allocation of the projected \$2.8 million of marine fee income for the 2023/24 year as follows:**

Marine Fee Allocations	2023/24 yr
Transfer to Marine Fee Reserve	\$0.22 million ¹
Contribution to core coastal programmes previously funded by the marine fee (notably Harbour Management and the Regional Coastal Plan).	\$1.8 million
Coastal science programme	\$0.25 million
Fiordland <i>Undaria</i> control programme	\$0.5 million
Community activity allocations	\$0.03 million

- (3) agree the average rates increase for the 2023/24 year be 6.9%;**
- (4) direct the draft Annual Plan to be prepared on the above basis for Council adoption in June 2023;**

¹ Any marine fees received in excess of that budgeted will also be transferred to the marine fee reserve.

- (5) pursuant to Section 95(2A) Local Government Act 2002, not undertake formal consultation on the 2023/24 Annual Plan but instead seek informal feedback.

Carried
Cr Gibson voted against

⇒ **Item 3 – Fees and Charges Schedule 2023/24**

This item sought Council approval of the 2023/24 Fees and Charges Schedule for consultation.

Staff responded to questions of clarification from Councillors before consideration of the recommendations. Cr McPhail stressed the need for the community to provide feedback on these fees and charges. It was noted that the release of this consultation would occur via the Council's website, a consultation portal, and a variety of media as well as emailing directly to consent-holders.

Resolved:

Moved Cr McPhail, seconded Cr Cook, that pursuant to Sections 36 and 36AAA Resource Management Act 1991 and Sections 83 and 87 Local Government Act 202, Council adopt the 2023/24 Fees and Charges Schedule and Statement of Proposal for consultation.

Carried

⇒ **Item 4 – Local Government New Zealand Annual General Conference and Regional Sector Group Pre-conference Tour**

This item sought the appointment of delegates to attend the Local Government NZ Annual Conference and associated Regional Sector Group pre-conference tour, scheduled for July 2023.

Resolved:

Moved Cr Cook, seconded Cr Ludlow, that Council:

- (1) note that the Local Government New Zealand Annual Conference is to be held in Otautahi Christchurch from 26-28 July 2023,;
- (2) appoint Chairman Nicol Horrell and Crs Jeremy McPhail and Phil Morrison as its delegates to attend the LGNZ Annual Conference;
- (3) approve payment of conference registration, travel, accommodation and associated expenses for those Councillors attending;

- (4) approve attendance at, and payment of travel, accommodation and associated expenses for Chairman Horrell, Crs McPhail and Morrison, participating in the Environment Canterbury hosted pre-conference tour from 24-26 July 2023.

Carried

⇒ **Item 5 – Local Government New Zealand – Nominations for President and Vice President**

This item noted that nominations for the roles of President and Vice President of Local Government New Zealand were now open, and provided an opportunity for Council to propose a process to make nominations if it wished.

The Chairman advised he was aware of candidates who were making their interest in standing known to Council, but it was agreed there was not a need for Council to make any nominations at this time.

Resolved:

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

Carried

⇒ **Item 6 – Local Government New Zealand Annual General Meeting and Remit Process**

This item recorded the remit process for lodging remits to the Annual General meeting of Local Government New Zealand for 2023, and sought advice of any remits Council may wish to have lodged.

Cr Ludlow referred to the recent survey undertaken on the hours of work undertaken by Councillors in their role, and further the clear disparities between remuneration for different regional councils, when they all had essentially the same responsibilities. She wondered if the LGNZ Conference remit process was an appropriate avenue for discussion of those matters. However, it was felt that the Remuneration Authority's processes around those matters should be used. No other matters were raised by Council.

Resolved:

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

Carried

⇒ **Item 7 – Councillors' Meeting Schedule – May 2023**

Council approval of the meeting schedule, which accompanied the agenda item, and the requested leave of absence set out in the report, was sought. In addition, staff updated the meeting schedule with the following items, and requests:

- Cr Pemberton – leave of absence requests for 8-10, 26 and 29 May and 3-7 July 2023;
- Cr Roy – leave of absence request for 17 May 2023
- Cr Evans – leave of absence request for 7-8 June 2023
- Tuesday, 2 May 2023 – Cr Evans site visit – Mararoa River
- Thursday 4 May 2023 – Project 1225 Museum Presentation @ ICC – Chairman Horrell and Cr Ludlow
- Saturday, 6 May 2023 – Kings Coronation Tree Planting and Official Opening of Kapow Exhibition (both in Invercargill) – Cr Ludlow
- Wednesday 17 May 2023 – Entity J meeting of Councils and Rūnaka @ Dunedin – Chairman Horrell
- The consequent change of time for the Council workshop scheduled for 17 May 2023 to 9.00 am.

Resolved:

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

- (1) **appoint members to represent Council at the meetings marked on the schedule;**
- (2) **approve Crs Gibson, Pemberton, Roy and Evans leave of absence requests;**
- (3) **pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule.**

Carried

⇒ **Item 8 – Moth Plant Biocontrol Submission**

This item reported on the Waikato Regional Council's application to release the moth plant biocontrol agent *Anastrepha australis*. To help northern councils control moth plant and thereby reduce the risk of an incursion into Southland, biosecurity staff has drafted a submission that supported the release of a moth plant biocontrol agent, and Council approval to note this submission was sought.

Resolved:

Moved Cr Cook, seconded Cr Evans, that Council note the submission to the Environmental protection Agency (EPA) in support of Waikato Regional Council's application.

Carried

⇒ **Item 9 – Common Seal**

This item asked Council to note the application of the Common Seal to documents under approved authorisation.

Resolved:

Moved Cr Roy, seconded Cr Ludlow that Council note the list of documents to which the Common Seal has been affixed under approved authorisation.

Carried

11 Extraordinary and Urgent Business

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

12 Public Excluded Business

Resolved:

Moved Cr Evans, 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 – Ordinary meeting of Council – 8 March 2023
- Adoption of Committee Resolutions – Strategy & Policy Committee – 29 March 2023; Risk and Assurance Committee – 29 March 2023
- Item 10 – Appointment of Hearing Panel for the Regional Coastal Plan for Southland – Proposed Plan change 5
- Item 11 – Appointment of Independent Chair to Risk and Assurance Committee

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 – 8 March 2023	The matters under discussion are before the Environment Court and therefore Council is authorised to deliberate in private.	S.48(1)(d) as qualified by S.48(2)(a)(i)
➤ Adoption of Committee Resolutions – Strategy &	To prevent the disclosure or use of official information for	S.7(2)(j)

<p>Policy Committee – 29 March 2023</p> <p>➤ Adoption of Committee Resolutions – Risk and Assurance Committee – 29 March 2023</p> <p>➤ Item 10 – Appointment of Hearing Panel for the Regional Coastal Plan for Southland – Proposed Plan Change 5</p> <p>➤ Item 11 – Appointment of Independent Chair to Risk and Assurance Committee</p>	<p>improper gain or advantage.</p> <p>To protect the privacy of natural persons, including that of deceased natural persons.</p> <p>To prevent the disclosure or use of official information for improper gain or advantage.</p> <p>To allow Council to carry on negotiations (including commercial and industrial) without prejudice or disadvantage.</p> <p>To protect the privacy of natural persons, including that of deceased natural persons.</p> <p>To protect the privacy of natural persons, including that of deceased natural persons.</p> <p>To allow Council to carry on negotiations (including commercial and industrial) without prejudice or disadvantage.</p>	<p>S.7(2)(a)</p> <p>S.7(2)(j)</p> <p>S.7(2)(i)</p> <p>S.7(2)(a)</p> <p>S.7(2)(a)</p> <p>S.7(2)(i)</p>
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Carried

Resumed in Open Meeting

Termination

There being no further business, the meeting closed at 12.52 pm.