

**Minutes of the Ordinary Meeting of the Southland  
Regional Council, held in Regional House, corner  
North Road and Price Street, Invercargill, on  
Wednesday, 31 May 2023, at 10.30 am**

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<b>Present:</b>	Chairman N Horrell (Chair)	
	Cr N Cook	
	Cr P Evans	
	Cr A Gibson	
	Cr R Guyton	
	Cr L Ludlow	
	Cr P McDonald	
	Cr J McPhail	
	Cr P Morrison	
	Cr J Pemberton	
	Cr M Rodway	
	Cr E Roy	
<b>In Attendance:</b>	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	(GM, Business Services)
	Ms K Wilson	(Chief Scientist)
	Ms G Jefferies	(Communications & Engagement Manager)
	Mr B Halligan	(Consents Manager)
	Ms D Ferguson	(Resource Management Manager)
	Ms F Young	(Integrated Catchment Manager)
	Mr D Storey	(Principal Democracy Services Advisor)
	Mr N Talbot	(Team Leader, Air & Terrestrial Science)
	Ms K McLachlan	(Acting Biosecurity & Biodiversity Manager)
	Mr A Douglas	(Independent Chair – Audit & Risk Committee)
	Mr N Perham	(Partnerships Manager, ICM) by Zoom – Item 2
	Mrs J M Brown	(Executive Officer)

**1 Welcome | Haere mai**

The Chairman welcomed members to the ordinary meeting of Council.

At this time Councillors were introduced to Andrew Douglas, the recently appointed Independent Chair of the Risk & Assurance committee, who was attending the meeting today in an observer role.

The meeting was also introduced to Damian Storey in his new role as Principal Democracy Services Advisor.

**2 Apologies | Nga Pa Pouri**

There were no apologies 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 and Deputations.

**5 Confirmation of Minutes | Whakau korero**

**(a) Ordinary Meeting of Council – 3 May 2023**

*Resolved:*

**Moved Cr McPhail, seconded Cr Morrison, that the minutes of the Ordinary Meeting of Council held on 3 May 2023 be taken as read and confirmed as a true and correct record.**

**Carried**

**6 Adoption of Committee Resolutions**

**(a) Strategy & Policy Committee – 10 May 2023**

Cr Ludlow introduced this item, noting that arising from the meeting, both she and Cr Guyton would be meeting to see how a workshop session may be able to be progressed, ensuring the right parties were involved. They would report back to Council on progress as it is made.

*Resolved:*

**Moved Cr Ludlow, seconded Cr Evans, that the resolutions from the Strategy & Policy Committee meeting held on 10 May 2023 be adopted.**

**Carried**

**(b) Regional Services Committee – 10 May 2023**

*Resolved:*

**Moved Cr Roy, seconded Cr Evans, that the resolutions from the Regional Services Committee meeting held on 10 May 2023 be adopted.**

**Carried**

**(c) Regulatory Committee - 11 May 2023**

*Resolved:*

**Moved Cr Cook, seconded Chairman Horrell, that the resolutions from the Regulatory Committee meeting held on 11 May 2023 be adopted.**

**Carried**

**(d) Otago Southland Regional Transport Committees – 12 May 2023**

Cr McPhail noted the focus of the meeting was on the mid-term review of the Regional Transport Plan, and the committee was awaiting the Government Policy Statement's release. He had also raised Cr Guyton's question regarding food security, and it was acknowledged that this was an important issue in relation to transport links in the region.

*Resolved:*

**Moved Cr McPhail, seconded Cr Morrison, that the resolutions from the Otago Southland Regional Transport Committees meeting held on 12 May 2023 be adopted.**

**Carried**

**(3) Finance and Performance Committee – 24 May 2023**

Cr Rodway noted a significant focus of the meeting had been on the forthcoming audit and the significant increase in costs associated with this.

*Resolved:*

**Moved Cr Rodway, seconded Cr Gibson, that the resolutions from the Finance and Performance Committee meeting, held on 24 May 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

**Cr Guyton** asked how many trees has Council/Councillors planted in the past month, given the importance of trees and the potential for Council to lead on planting the right kind of trees in the region.

Paul Hulse and Fiona Young of the Integrated Catchment Management team advised for the current financial year just over 14,000 trees/plants have been planted, and provided a breakdown of where these plantings had occurred.

The meeting agreed that, at the next meeting there should be a breakdown in plantings between trees and “plants”. Noted that there can be a number of failures of plantings, and that in Southland having plant protectors was critical to success in the early years, and planting larger sized plants was also important. It was also agreed that a “running total” of plantings was to be maintained for council’s information, given the commitment that has been made that for every tree removed, three others will be planted.

The Chairman advised he had personally planted three English Oak trees recently, and had staff coming to advise him on further plantings and how to look after them.

It was noted that in the year end report for the group, the focus would be on the successful plantings, and what had been learned throughout the year. It was also noted that this information was relevant to the climate change accounting occurring within the organisation.

## 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.

The Chairman expanded on his and the Chief Executive’s attendance at the LGNZ Combined Sector meeting in Wellington recently, which had updated them on a range of issues, including the Local Government Commission’s report to be issued later in June. There had also been an emphasis on refocusing the LGNZ work programme to ensure it works for all councils.

Other matters reported on included:

- Attendance at the NZ Farm Environment Trust National Sustainability Showcase, which had involved showcasing positive and innovative environmental approaches, and meetings with industry sector leaders;
- Federated Farmers meeting regarding Government’s proposed intensive winter grazing regulations coming into force – frustrations being expressed at the lag time between regulation and farm plans coming into effect.
- Meeting with the Parliamentary Commissioner for the Environment, who had commissioned a report on physiographic work, which is due for release shortly.

## ⇒ Councillors' Reports

**Cr Gibson** reported on his attendance at a field day in Balfour, and the findings with regard to the Topoclimate soils work and further work required to be done to help drive improvements in water quality.

**Cr Morrison** reported on his speaking to a Maximising Farm Profit Discussion Group recently, and the request for ES to remain as transparent as possible with regards to Plan change Tuatahi and changes coming in respect to freshwater management.

**Cr Rodway** reported on his attendance at the Energy Innovation Wānanga, where there had been a focus on hydrogen and its potential in Southland. He noted the report he had circulated separately to Councillors in this regard.

The meeting briefly discussed the Wānanga, and Council's role in the proposals that were being discussed. It was noted that Council is not only an enabler, but also a regulator, and the whole area was moving rapidly.

**Cr McPhail** reported on his attendance at a Waikaka catchment group event focused on the installation of a wetland on a dairy farm. He encouraged ES getting access to the data from this group, and having a potential briefing on same at a future date.

**Cr McDonald** reported on his participation in a Mid Dome Wilding Pines field day in Northern Southland, and highlighted the funding issues being faced by the project. The Chairman noted he had recently co-signed a letter with Otago, Canterbury and Southland regional councils requesting an urgent meeting with Ministers to discuss this further.

**Cr Evans** recorded the recent passing of Owen Buckingham (Catchment Liaison Committee member for some years). Noted a sympathy card had been sent on behalf of Council.

## 10 Staff Report – 41/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:

- refuse sites beside rivers – noted ES has a contaminated sites programme, and it was agreed that an update should be provided to Council on this work in the near future. A contaminated land scientist was to start with Council in the near future, and would be looking at testing going forward. Heavy metal monitoring was to be undertaken next month, during wet weather, to see what it identifies.

Noted there was good understanding of sites on the Aparima, as part of the work programme, which could be shared with Council, and staff are currently working with ICC, Iwi and DOC on the Ocean Beach site, and in Milford Sound with DOC

regarding issues there. The landowner is the responsible person for progressing these works in each instance.

- with the return of cruise ship visits to Fiordland Cr Evans noted the growing disdain of same within some sectors of the community, and encouraged publicly inclusive workshops on this matter to come up with a plan to limit numbers. Lucy Hicks (GM, Policy & Government Reform), noted the Deed of Agreement sets limits on visits already. However, she advised there would be public meetings on the Regional Coastal Plan encompassing these matters, commencing from August. In the meantime, data was being gathered, from both NZ and international visitors, on these matters, to inform future policy development. Staff outlined the requirements and controls that were in place, and the monitoring undertaken, and noted that the cruise ship season was from October to March only. A copy of the current Deed of Agreement is to be circulated to Councillors for their information.
- Cr Rodway sought to have monitoring of the estuaries broadened to more than just algae species, as a way of measuring the health of an estuary overall.
- discussion on gravel extractions of wet gravel and discolouration of water;
- gravel removal proposed underneath the Mataura Bridge, for use in the climate resilience work, but noted that this particular area will always be somewhere that naturally captures gravel;
- sought a report on the projects that were allocated funding via the Environmental Enhancement Fund, including information on whether or not there is a need to increase the funds being made available in this regard to meet demand.

**Resolved:**

**Moved Cr Cook, seconded Cr Rodway, that Council note the report.**

**Carried**

⇒ **Item 2 – Whakamana te Waituna – The Next Phase**

The purpose of this item was for Council to determine Environment Southland's future commitment to the Whakamana te Waituna project.

Nick Perham and Fiona Young were in support to respond to questions of clarification around this matter. Cr Pemberton was concerned that there was not intended to be a member of the Waituna catchment directly involved in the Trust going forward, and it was likely the community would feel a need to be represented. Ms Young noted active conversations were being held about how to ensure the community was brought in and involved in the activities of the Trust,

The Chairman supported the approach being taken by the Trust, and Cr McDonald felt it was important it was made clear to the community that Council was not walking away from Waituna.

Cr Ludlow felt it was important that the risk aspects of Council's involvement in the Trust were considered, and that this could be the subject of a report to a future Risk & Assurance Committee meeting. Staff undertook to discuss this further.

The Chairman noted there were still issues to be worked through, including the perception that the Waituna catchment was just around the lagoon, when it was a much larger area involved. He also indicated a wish to be considered as the ES Trustee on the new slimmed down Trust.

**Resolved:**

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

- (1) continue to have representation on the Whakamana te Waituna Trust for the purpose of developing and delivering Whakamana te Waituna Phase 2 work stream opportunities;**
- (2) support the Whakamana te Waituna Trust's recommendation to restructure its membership prior to commencing Phase 2 work streams so that:**
  - (a) appointers to the Trust appoint one appointee;**
  - (b) two Co-Chairs are retained and appointed by Awarua Rūnanga and Environment Southland as their respective appointees;**
  - (c) one independent trustee is appointed by the Co-Chairs; and**
  - (d) co-patrons are appointed by the Co-Chairs;**
- (3) instruct staff to formally advise the Whakamana te Waituna Trust of Environment Southland's support of these recommendations;**
- (4) instruct staff to recommend to the Whakamana te Waituna Trust that a review of the Waituna Strategy and Action Plan be undertaken**
- (5) support the next steps for the Waituna catchment and work programme, which included:**
  - (a) scoping out the approach to work with landowners, community, iwi and agencies for the Waituna aspects of Plan Change Tuatahi;**
  - (b) working on the Waituna Creek Erosion Plan.**

**Carried**

**Resolved:**

**Moved Cr Evans, seconded Cr Morrison, that Chairman Horrell be the ES representative on the Trust, proposing that this nomination be reviewed on an annual basis.**

**Carried**

⇒ **Item 3 – Environment Southland Community Awards – Appointment of Judges**

At this stage in the meeting, Gail Jefferies (Communications & Engagement Manager) introduced Jane Brown, who had recently been appointed as the Team Leader Digital & Channel.

This item asked Council to consider appointing judges for the 2023/24 Environment Southland Community Awards.

**Resolved:**

**Moved Cr Cook, seconded Cr Evans, that Council appoint Crs Lyndal Ludlow and Alastair Gibson as judges for the 2023 Environment Southland Community Awards, and appoint Cr Peter McDonald as an alternate, in the event that either of the appointed judges is unable to carry out the role.**

**Carried**

⇒ **Item 4 – Councillor Attendance at the Sustainability Challenge Wānanga**

This item sought direction from Council on the provision of support for Cr Guyton to attend the Sustainability Challenge Wānanga in Christchurch, on 21-22 June 2023.

**Resolved:**

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

- (1) note the report;**
- (2) approve Cr Guyton attending the Sustainability Challenge Wānanga in Christchurch on 21 and 22 June 2023 on behalf of Council;**
- (3) approve the cost of travel and accommodation in support of Cr Guyton's attendance at the Wānanga.**

**Carried**



⇒ **Item 5 – Update to Staff Delegations Manual**

This item sought Council approval to make amendments to the Staff Delegations Manual, to ensure the General Manager appointees hold appropriate delegations to undertake their roles.

**Resolved:**

**Moved Cr Roy, seconded Cr McPhail, that Council approve the delegations previously held by the General Manager, Strategy and Engagement now be held by the General Manager, Policy and Government Reform, as discussed in the report presented, effective immediately.**

**Carried**

⇒ **Item 6 – Councillors' Meeting Schedule – May-June 2023**

Council approval of the meeting schedule, which accompanied the agenda item was sought. In addition, staff updated the meeting schedule with the following items:

- Cr Ludlow had attended the meeting with the Mayor of Waimakariri District Council on 29 May 2023;
- Crs Ludlow and Morrison attended the Grace Street Project Opening, in Invercargill on 1 June 2023;
- Chairman Horrell and Crs McPhail and Gibson attended a meeting with Irrigation NZ at Gore on 7 June 2023;
- Councillor attendance at the ACE Events in Riverton and Otautau on 16 June 2023 (at different times);
- Crs Ludlow and Morrison's attendance at the Halfmoon Bay School in support of their Green Gold Reflection on 30 June 2023;
- Chairman Horrell and Cr McDonald's attendance at the Whakamana te Waituna Trust meeting at Bluff on 30 June 2023;
- Retrospective approval of Cr Ludlow's attendance at the Southland Heritage & Building Preservation Trust meeting held on 19 May 2023;
- Chief Executive's Review Committee meeting on 5 July 2023 at 3.00 pm for appointed Councillors;
- Reimagining Matura Wānanga, at Gore on 14 and 15 June 2023.

Additionally, Cr Pemberton sought a leave of absence from Council activities from 12-16 June 2023.

**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 Cr Pemberton's leave of absence request;**

- (3) **pay meeting fees and/or allowances in accordance with its policy and detailed on the schedule.**

Carried

⇒ **Item 7 – Hydrological Effects of Wilding Pines**

This item had been provided in response to a query raised at the 8 March 2023 Council meeting on the hydrological effects of wilding pines.

Matters raised in discussion arising from the report included:

- what percentage is the region at in relation to catchments reaching the 20% threshold at which changes in water retention due to forestry can be identified? Noted a response to this will be provided to a Strategy & Policy Committee meeting;
- to identify and report back on at what point in the Mid Dome programme the hand-over back to landowners would occur;
- the suggestion that pine trees increase the acidity of the soil had been disproven by a Scion report. The focus needs to be on the right tree in the right place.

**Resolved:**

**Moved Cr Cook, seconded Cr Rodway, that Council note the report.**

Carried

⇒ **Item 8 – Reporting of Commitments entered into above Delegated Authority**

This item advised Council of payments authorised by staff above the delegated authority, as provided within the Delegation's Manual.

**Resolved:**

**Moved Cr Roy, seconded Cr Cook, that Council note the payment of an account amounting to \$301,185.25, for the completion of recent spraying/control work as part of the Mid Dome Wilding Trees Charitable Trust programmed work.**

Carried

⇒ **Item 9 – Common Seal**

This item reported on documents to which the Common Seal had been applied, under approved authorisation, as provided by Council's Delegations Manual.

**Resolved:**

Moved Cr McPhail, 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 McPhail, seconded Cr Pemberton, 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 – 3 May 2023	To protect the privacy of natural persons, including that of deceased natural persons.	S.7(2)(a)
	To allow council to	S.7(2)(i)

<p>➤ <b>Adoption of Committee Resolutions – Strategy &amp; Policy Committee – 10 May 2023</b></p>	<p><b>carry on negotiations (including commercial and industrial) without prejudice or disadvantage.</b></p> <p>The matters under discussion are before the Environment Court and therefore Council is authorised to deliberate in private.</p> <p>To prevent the disclosure or use of official information for improper gain or advantage.</p>	<p>S.48(1)(d) as qualified by S.48(2)(a)(i)</p> <p>S.7(2)(j)</p>
<p>➤ <b>Adoption of Committee Resolutions – Regional Services Committee – 10 May 2023</b></p>	<p>To protect the privacy of natural persons, including that of deceased natural persons.</p>	<p>S.7(2)(a)</p>
<p>➤ <b>Adoption of Committee Resolutions – Finance &amp; Performance Committee – 24 May 2023</b></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>S.7(2)(a)</p> <p>S.7(2)(j)</p>
<p>➤ <b>Item 10 – Freshwater Farm Planning Update</b></p>	<p>To prevent the disclosure or use of official information for improper gain or advantage.</p>	<p>S.7(2)(j)</p>

**Carried**

**Resumed in Open Meeting**

**Termination**

There being no further business, the meeting closed at 12.40 pm.