



NOTICE OF MEETING

**Notice is hereby given of the Meeting of the
Invercargill City Council to be held in the Council
Chamber, First Floor, Civic Administration Building,
101 Esk Street, Invercargill on Tuesday 23 August
2022 at 3.00 pm**

His Worship the Mayor, Sir T R Shadbolt
Cr R L Abbott
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Cr P W Kett
Cr G D Lewis
Cr D J Ludlow
Cr M Lush
Cr I R Pottinger
Cr N D Skelt
Cr L F Soper

CLARE HADLEY
CHIEF EXECUTIVE

A G E N D A

1. **Apologies**

2. **Public Forum**

3. **Declaration of Interest**

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

4. **Minutes of the Meeting of Council Held on 26 July 2022** (A3965619)

To be moved:

That the minutes of Council held on 26 July 2022 be confirmed.

5. **Minutes of the Bluff Community Board Meeting Held on 1 August 2022** (A3991495)

To be moved:

That the minutes of the Bluff Community Board meeting held on 1 August 2022 be received, and the recommendation to Council be confirmed.

Recommendation to Council:

8. **Chairperson's Report**

Bluff 2024 Boards Funding Request

- 2) That Council approves the spending up to \$15,000 on the completion of the Bluff 2024 information boards.

6. **Minutes of the Infrastructural Services Committee Meeting Held on 2 August 2022** (A3991497)

To be moved:

That the minutes of the Infrastructural Services Committee meeting held on 2 August 2022 be received

7. **Minutes of the Performance, Policy and Partnerships Committee Meeting Held on 9 August 2022** (A3991500)

To be moved:

That the minutes of the Performance, Policy and Partnerships Committee meeting held on 9 August 2022 be received, and the recommendations to Council be confirmed.

Recommendations to Council:

8. **Hearings and Deliberations on the Dog Control Policy and Dog Control Bylaw** (A3997247)

6. To adopt the revised Dog Control Policy (A3988107) which incorporates the following changes post-consultation:

Definitions – updated definition of disability assist dog.

- b. General Health and Welfare – addition of a note stating "Fixed tethering is currently permitted, however this is not considered best practice. If dogs are tethered, it should

not be done for extended periods of time.”

- c. Barking Dogs – additional wording stating that it must be “persistent and loud barking or howling” before it can be considered a nuisance.
 - d. Menacing by breed – rewording from “must require written permission” to “may require written permission from Council”.
 - e. Appendix 2 – addition of text to clarify dog owners’ responsibilities in multi-use parks and reserves areas where off-leash exercise is permitted.
 - f. Dog off leash maps – amendments to the maps in the Policy which have clearer layering and updated leased areas.
7. To adopt the revised Dog Control Bylaw (A4001302) which incorporates the following changes following consultation:
- a. Section 4 - adding references to the Animal Welfare Act 1999, Ministry of Primary Industries Code of Welfare: Dogs and Animal Welfare (care and Procedures Regulations) 2018.
 - b. Section 5 - updated definition of disability assist dog.
 - c. Section 9.1 – adding wording that dog owners are not permitted to leave their dog in a stationary vehicle in a manner that causes shade-seeking behaviour, excessive panting, excessive drooling or hyperventilation.
 - d. Section 15.1 – adding that wording “persistent and loud barking or howling” before it can be considered a nuisance.
 - e. Section 17.7.3 – rewording from “must require written permission” to “may require written permission from Council”.
 - f. Appendix 1 – addition of text in Appendix 2 to clarify dog owners responsibilities in multi-use parks and reserves areas where off-leash exercise is permitted.
 - g. Dog off leash maps – amendments to the maps in the Policy which have clearer layering and updated leased areas.

9. **Deliberations on the Keeping of Animals, Poultry and Bees Bylaw** (A3998154)

- 3. To adopt the Keeping of Animals, Poultry and Bees Bylaw (A3991763).

8. **Submission to Environment Southland on the Draft Freshwater Visions** (A4015834)

To be moved that Council:

- 1. Receive the report “Submission to Environment Southland on the Draft Freshwater Visions”.
- 2. Confirm the submission noting it was submitted to Environment Southland by the closing date of 19 August 2022 (A4008085).

8.1 *Appendix 1 – Submission on the Freshwater Visions* (A4008085)

9. **Submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill** (A4016465)

To be moved that Council:

- 1. Receive the report “Submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill”.
- 2. Confirm the draft submission (A4016903).

9.1 *Appendix 1 - Draft submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Bill* (A4016903)

10. **Mayoral Report** (A3992717)

To be moved:

- 1. That the report ‘Mayoral Report’ be received.

A3978453

11. Urgent Business

12. Public Excluded Session

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting; namely,

- (a) *Confirmation of minutes of the Public Excluded Session of Council held on 26 July 2022*
- (b) *Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 2 August 2022*
- (c) *Receiving of minutes of the Public Excluded Session of Performance, Policy and Partnerships Committee held on 9 August 2022*
- (d) *Chief Executive's KPI's 2022 - 2023*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
(a) Confirmation of minutes of the Public Excluded Session of Council held on 26 July 2022	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(b) Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 2 August 2022	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(c) Receiving of minutes of the Public Excluded Session of Performance, Policy and Partnerships Committee held on 9 August 2022	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
(d) Chief Executive's KPI's 2022 - 2023	Section 7(2)(a) Protect privacy of natural persons, including that of	Section 48(1)(a) That the public conduct of this item would be likely to

deceased natural persons result in the disclosure of information for which good reason for withholding would exist under Section 7

MINUTES OF THE MEETING OF THE INVERCARGILL CITY COUNCIL HELD IN THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL, ON TUESDAY 26 JULY 2022 AT 3.00 PM

PRESENT: His Worship the Mayor, Sir T R Shadbolt
Cr R L Abbott (via zoom)
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark
Cr A H Crackett
Cr P W Kett
Cr G D Lewis
Cr D J Ludlow
Cr M Lush
Cr I R Pottinger
Cr N D Skelt
Cr L F Soper
Ms E Cook – Māngai – Waihōpai
Mrs P Coote – Kaikaunihera Māori – Awarua (via zoom)

IN ATTENDANCE: Mr N Peterson – Bluff Community Board Member
Mrs C Hadley – Chief Executive
Ms T Hurst – Group Manager – Customer and Environment
Mr M Day – Group Manager – Finance and Assurance
Mr S Gibling – Group Manager – Infrastructure Operations
Mr R McWha – Assistant Group Manager – Leisure and Recreation
Mrs P Christie – Assistant Group Manager – Finance and Assurance
Mr M Morris – Manager – Governance and Legal
Mr J Rees – Manager – Engineering Services
Ms L Knight – Manager – Strategic Communications
Mr G Caron – Communications Advisor
Ms K Braithwaite – Digital and Visual Communications Advisor
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Nil.

2. **DECLARATION OF INTEREST**

Nil.

3. **PUBLIC FORUM**

Nil.

4. **MINUTES OF THE MEETING OF COUNCIL HELD ON 28 JUNE 2022**
A3945594

Moved Cr Abbott, seconded Cr Lewis and **RESOLVED** that the minutes of the Council Meeting held on 28 June 2022 be confirmed.

5. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD ON 5 JULY 2022**
A3965588

Moved Cr Pottinger, seconded Cr Lewis and **RESOLVED** that the minutes of the Infrastructural Services Committee meeting held on 5 July 2022 be received.

6. **MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 12 JULY 2022**
A3965616

Moved Cr Ludlow, seconded Cr Amundsen and **RESOLVED** that the minutes of the Performance, Policy and Partnerships Committee meeting held on 12 July 2022 be received.

7. **IMPOUNDING FEES**
A3984562

Mr Michael Morris spoke to the report.

Moved Cr Ludlow, seconded Cr Soper:

1. The report "Fees and Charges - Impounding Act 1955 Fees 2022-2023" be received.
2. The Fees and Charges under "Stock Impounding Charges" 2022-2023 be adopted.

The motion, now put, was **RESOLVED**.

8. **GREAT SOUTH STATEMENT OF INTENT**
A3984562

Discussion took place around whether shareholders would provide funding to Great South should they require additional funding. Council was advised any funding shortfall would have to be managed by Great South and would be not funded by the shareholders.

Moved Cr Clark, seconded Cr Soper and **RESOLVED** that Council:

1. Receive the report "Great South 2022 – 2025 Statement of Intent and 2020/2021 Annual Report".
2. Receive the Great South 2022 - 2025 Statement of Intent (A3967470).
3. Receive the Great South 2020/2021 Annual Report (A3967586).
4. Note the Great South 2021/2022 KPIs which will be included in the ICC Annual Report (A3980794).
5. Request annual confidential detailed financial and management updates for shareholders on CCOs and other investments owned by Great South.

6. Request Joint Shareholders Committee refine process for SOI for 2023/24 and continue discussion on data ownership, refinement of KPIs and priority areas for Great South, noting the Great South Board's introduction of the new priority area of "Support environment and climate action".
7. That the Chief Executive be requested to write to the Chair of Great South instructing no capital be raised by Space operations New Zealand until after Council has undertaken a risk workshop and engaged with the Space Operations New Zealand Board.

Note: His Worship the Mayor declared a conflict of interest for the item below to be discussed and left the Chamber. Cr Ludlow assumed the position of Chair.

9. **MAYOR'S TRAVEL**
A3989193

Mr Michael Morris spoke to the report.

Moved Cr Soper, seconded Cr Kett and **RESOLVED**:

1. That the report titled "Mayors Travel" be received.

Moved Cr Ludlow, Cr Abbott:

2. That Council approve the reimbursement of costs of the Mayor for up to \$500, subject to provision of appropriate receipts.

The motion, now put, was **RESOLVED**.

10. **URGENT BUSINESS**

Nil

11. **COUNCIL IN PUBLIC EXCLUDED SESSION**

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, namely:

- (a) *Confirmation of minutes of the Public Excluded Session of Council held on 28 June 2022*
- (b) *Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 5 July 2022*
- (c) *Receiving of minutes of the Public Excluded Session of the Performance, Policy and Partnerships Committee held on 12 July 2022*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
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- | | | |
|--|--|--|
| (a) Confirmation of minutes of the Public Excluded Session of Council held on 28 June 2022 | Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | Section 48(1)(a)
That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7 |
| (b) Receiving of minutes of the Public Excluded Session of the Infrastructural Services Committee held on 5 July 2022 | Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | Section 48(1)(a)
That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7 |
| (c) Receiving of minutes of the Public Excluded Session of the Performance, Policy and Partnerships Committee held on 12 July 2022 | Section 7(2)(i)
Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) | Section 48(1)(a)
That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7 |

There being no further business, the meeting finished at 4.08 pm.

MINUTES OF THE BLUFF COMMUNITY BOARD MEETING HELD IN THE BLUFF MUNICIPAL CHAMBERS, GORE STREET, BLUFF ON MONDAY 1 AUGUST 2022 AT 7.00 PM

PRESENT: Mr R Fife (Chair)
Mrs G Henderson (Deputy Chair)
Mr G Laidlaw
Mr N Peterson
Miss T Topi
Cr A J Arnold

IN ATTENDANCE: Mrs P Christie – Assistant Group Manager – Finance and Assurance
Mr R Pearson – Manager – Asset Management
Mr P Nolan – Manager – Infrastructure Operations
Ms C Rain – Manager – Parks and Recreation
Mrs N Allan – Service Centre Manager
Mr L Beer – Bluff Publicity/Promotions Officer
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Mrs Pania Coote, Mr Graham Laidlaw for lateness.

Moved Mrs Henderson, seconded Mr Peterson and **RESOLVED** that the apologies be accepted.

2. **DECLARATION OF INTEREST**

Nil.

3. **PUBLIC FORUM**

3.1 **Update from South Port**

Mr Nigel Gear, Mr Frank O' Boyle and Mr Geoff Finnerty were in attendance. They noted that they had applied for a capital consent to deepen the channel. They noted that work on dredging of the channel to clean up debris would start between mid to late August 2022 and would take approximately five weeks to complete. They also spoke about their health and safety programme and noted that WorkSite had completed their health and safety assessment of South Port's sites. They also spoke about the new tug boat and noted that staff were being trained up to use the tug boat.

The chair thanked Mr Gear, Mr O'Boyle and Mr Cornwell for taking the time to attend the meeting.

3.2 **Update from Bluff Motupōhue Environment Trust**

Mr David Swann and Ms Estelle Leask were in attendance. They noted that around 20,000 native plants were planned to be planted during conservation week and that volunteers would be needed. They also spoke about application of

pesticide for rodents as part of their predator control programme and reaffirmed that the 1080 pesticide would not be used.

The chair thanked Mr Swann and Ms Leask for taking the time to attend the meeting.

4. **MINOR LATE ITEM**

4.1. **Bluff Financial Statement**

Moved Mr Peterson, seconded Ms Topi and **RESOLVED** that the Minor Late Item 'Bluff Financial Statement' be accepted.

5. **MINUTES OF THE BLUFF COMMUNITY BOARD MEETING HELD ON 20 JUNE 2022**

A3945578

Moved Mrs Henderson, seconded Mr Laidlaw that the minutes of the Bluff Community Board held on 20 June 2022 be confirmed.

A query was raised around a solution for the clean-up of graffiti, and the Community Board was advised that a community driven initiative would be the best and the appropriate approach.

The motion, now put, was **RESOLVED**.

6. **REPORT OF THE BLUFF PUBLICITY / PROMOTIONS OFFICER**

A3993690

Moved Ms Topi, seconded Mr Peterson:

1. That the Bluff Community Board receive the report "Report of the Bluff Publicity / Promotions Officer".

Mr Lindsay Beer was in attendance and provided a summary of the report. He noted that the Lion foundation had donated \$18,000 towards the information kiosk, and provided an update on the Burt Munro Challenge for next year.

In response to a query about the shortfall required to fund the Information Kiosk, it was noted that the shortfall had been \$40,000 and that the Lion Foundation had donated \$18,000. It was further noted that the gap for the balance of the shortfall had yet to be bridged.

The motion, now put, was **RESOLVED**.

7. **BLUFF ACTION SHEET**

A3961422

Moved Mr Laidlaw, seconded Mrs Henderson that the Bluff Community Board:

1. That the Report Bluff Action Sheet be received.

Mr Peter Nolan was in attendance and provided an update of the report. He suggested that the current action sheet be closed off and that, going forward, new items based on a periodic update be discussed. He noted that a plan would be put in place with regard to visits to Bluff and for tour inspections as well.

Discussion took place around closing the current action sheet and the outstanding actions in the sheet. Outstanding actions included footpath around the Maritime Museum, replacement of tyres at Stirling Point, Resource Consent Approval process for the Bluff Foreshore subdivision, Bluff Hill carpark tidy up, and access restriction to the beach from Stirling Point Pilot Station Esplanade Reserve.

Mr Russell Pearson and Ms Caroline Rain were invited to speak to the outstanding items. They noted that some of the actions could be completed except for those which require further funding, and that proposals and workshops would be arranged with the Community Board around the other outstanding actions.

With regard to a query about the yellow lines around Stirling Point which Waka Kotahi was to have completed, they noted that it would be followed up and reported back to the Community Board.

Ms Rain provided an update on the Bluff Hill Active Recreation precinct and noted that the funds to work on the carpark and toilet area had been received. She noted that the scope had to be drawn up and work would commence. She further noted that it would take a total of 18 months to complete the projects.

Queries were raised around the building which lost its roofing and another building which has a verandah jutting out to the footpath. It was noted that the building owner would have to get the roofing fixed but that it may take time for work to be completed. It was also noted that the verandah provided structural support to the building and that it was not a significant issue.

Mr Pearson provided an update on the bund work and said that Waka Kotahi had provided a response. He noted that there was an arrangement between Waka Kotahi and Environment Southland, and that as an interim measure Environment Southland would close the flood gates more frequently. He also spoke about Closed Circuit Television (CCTV) cameras for Bluff and noted that the CCTV project was still being developed, that cameras would first be first installed in the city centre and that other areas including Bluff had been included in the project plan for CCTV cameras.

In response to a query whether a maintenance schedule for the Invercargill to Bluff walkway could be shared with the Community Board, it was noted that there wasn't a schedule at present and maintenance was being conducted on a reactionary basis.

The motion, now put, was **RESOLVED**.

8. **CHAIRPERSON'S REPORT – VERBAL**

Moved Mr Peterson, seconded Cr Arnold and **RESOLVED** that the Bluff Community Board:

1. Receives the report 'Chairperson's Verbal Report'.

The Chair noted that a funding request had been received from Bluff Promotion towards completion of the Bluff Information Kiosk and Bluff 2024 information boards.

Moved Mr Fife, seconded Mr Peterson that the Bluff Community Board resolves:

- 1) To review the report 'Bluff 2024 Boards funding request'.
- 2) To recommend to Council that Council approves the spending up to \$15,000 on the completion of the Bluff 2024 information boards.
- 3) Confirm to Council that the funding for the Bluff 2024 information boards will come from the Bluff Community Board Net Debt account.

The motion, now put, was **RESOLVED**.

9. **BLUFF FINANCIAL STATEMENT**

Moved Mr Peterson, seconded Mrs Henderson that the Bluff Community Board:

1. Receives the report 'Bluff Financial Statement'.

The motion, now put, was **RESOLVED**.

10. **URGENT BUSINESS**

Nil.

There being no further business, the meeting finished at 8.22 pm.

**MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD IN
THE COUNCIL CHAMBER, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING,
101 ESK STREET, INVERCARGILL ON TUESDAY 2 AUGUST 2022 AT 3.00 PM**

PRESENT: Cr A H Crackett (Deputy Chair)
Cr R L Abbott (via zoom)
Cr R R Amundsen
Cr A J Arnold
Cr W S Clark (via zoom)
Cr G D Lewis (via zoom)
Cr M Lush
Cr D J Ludlow
Cr N D Skelt
Cr L F Soper
Ms E Cook – Māngai – Waihōpai
Mrs P Coote – Kaikaunihera Māori – Awarua (via zoom)

IN ATTENDANCE: Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Ms T Hurst – Group Manager – Customer and Environment
Mr S Gibling – Group Manager – Infrastructure Operations
Mr R McWha – Assistant Group Manager – Leisure and Recreation
Mrs P Christie – Assistant Group Manager – Finance and Assurance
Mr M Morris – Manager – Governance and Legal
Ms C Rain – Manager – Parks and Recreation
Mr P Nolan – Manager – Infrastructure Operations
Ms C Horton – Secondment Manager – Parks Planning
Ms L Knight – Manager – Strategic Communications
Ms K Braithwaite – Digital and Visual Communications Advisor
Mr G Caron – Digital and Visual Communications Advisor
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

His Worship the Mayor and Cr Pottinger.

Moved Cr Abbott, seconded Cr Soper and **RESOLVED** that the apologies be accepted.

2. **DECLARATION OF INTEREST**

Nil.

3. **PUBLIC FORUM**

Nil.

4. **MINUTES OF THE INFRASTRUCTURAL SERVICES COMMITTEE MEETING HELD ON 5 JULY 2022**
A3965588

Moved Cr Ludlow, seconded Cr Soper and **RESOLVED** that the minutes of the Infrastructural Services Committee meeting held on 5 July 2022 be confirmed.

5. **GENERAL POLICIES RESERVE MANAGEMENT PLAN**
A3987915

Ms Cassandra Horton and Ms Caroline Rain spoke to the report.

A query was raised about how resolution would be managed if there were conflicts between findings from the current ongoing Sandy Point Management Plan consultation and the underlying principles of the General policy. It was noted that if there were any conflicts between the findings from the Sandy Point consultation and the General policy, then the Sandy Point Management Plan would trump since the policies in it would be specific to Sandy Point.

Moved Cr Soper, seconded Ms Cook and **RESOLVED** that the Infrastructural Services Committee:

1. Receive the report "General Policies Reserve Management Plan".
2. Endorse proceeding to advertise for submissions over the months of August and September 2022 on the production of a new General Policies Reserve Management Plan pursuant to Section 41(5) of the Reserves Act 1977.

6. **ACTIVITIES REPORT**
A3978423

Mr Richard McWha spoke to the report. He provided an update of revenue from Splash Palace for the month of June and noted \$237,000 excluding GST in revenue had been achieved which was 17% of the 2021/2022 revenue target. He noted that the figure included \$28,000 from the café and \$14,000 from retail. He further stated that 866 new members had joined Splash Palace. He also noted that the refurbishment of the bulkhead would be delayed due to shipping delays.

Note: Cr Skelt joined the meeting at 3.07 pm.

Mr Steve Gibling provided an update on the funding received from Tourism Infrastructure Fund (TIF) to develop the Bluff Motupōhue Active Recreation Precinct. He noted that work continued on the design and construction phase for Airport Avenue on the Stead Street upgrades.

Mr Michael Day noted that roading repair works had started and that crack seal repair was taking place.

In response to a query about the funding amount from TIF and whether there would be a shortfall to complete the project, it was noted that the funding application had been for \$1.1 million and TIF had granted \$981,380. It was

further noted that core elements could be delivered however the base funding would not be able to cover additional enhancements.

In response to a query about why participation rates had dropped at Splash Palace in the current financial year, it was noted that a combination of a four week lockdown in August 2021 and restrictions in operations due to social distancing protocols impacted the participation rates.

In response to a query whether the next pool should be delayed since there were lower number of participants to Splash Palace, it was noted that the next pool was aimed to attract and open a new market hence current lower participation numbers would not impact having another pool.

In response to a query about the cost and placement of the Stead Street Cultural Narrative artwork, it was noted that the team was awaiting an update and confirmation of costs from a quantity surveyor. It was further noted that the artwork and narrative worked with their placement.

Moved Cr Soper, seconded Ms Cook and **RESOLVED**:

1. That the Infrastructural Services Committee receives the report "Activities Report".

7. **URGENT BUSINESS**

Nil.

8. **PUBLIC EXCLUDED SESSION**

Moved Cr Lewis, seconded Cr Skelt and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, namely:

- (a) *Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services Committee held on 5 July 2022*
- (b) *Solid Waste Update*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
a) Confirmation of Minutes of the Public Excluded Session of the Infrastructural Services	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Committee held on 5 July 2022	commercial and industrial negotiations)	which good reason for withholding would exist under Section 7
b) Solid Waste Update	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 3.41 pm.

**MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE
MEETING HELD IN THE COUNCIL CHAMBER, FIRST FLOOR,
CIVIC ADMINISTRATION BUILDING, 101 ESK STREET, INVERCARGILL
ON TUESDAY 9 AUGUST 2022 AT 3.00 PM**

PRESENT: Cr D J Ludlow (Chair)
Cr R R Amundsen (Deputy Chair)
His Worship the Mayor, Sir T R Shadbolt
Cr R L Abbott (via zoom)
Cr A J Arnold (via zoom)
Cr W S Clark (via zoom)
Cr P W Kett
Cr G D Lewis (via zoom)
Cr N D Skelt
Cr L F Soper
Ms E Cook – Māngai – Waihōpai

IN ATTENDANCE: Mr Noel Peterson – Bluff Community Board Member
Mrs C Hadley – Chief Executive
Mr M Day – Group Manager – Finance and Assurance
Mr S Gibling – Group Manager – Infrastructure Operations
Mr R McWha – Assistant Group Manager – Leisure and Recreation
Mrs P Christie – Assistant Group Manager – Finance and Assurance
Mr M Morris – Manager – Governance and Legal
Mr J Shaw – Manager – Building and Planning Services
Ms R Suter – Manager – Strategy and Policy
Ms L Knight – Manager – Strategic Communications
Mr H Powell – Policy Advisor – Strategy and Policy
Ms G Cavanagh – Manager – Environmental Services
Ms G Crawford – Engagement and Partnerships Officer
Ms A Schuberth – Engagement Coordinator
Ms A Brown – Corporate Analyst – Strategy and Policy
Mr G Caron – Digital and Visual Communications Advisor
Ms K Braithwaite – Digital and Visual Communications Advisor
Ms M Cassiere – Executive Governance Officer

1. **APOLOGIES**

Cr Crackett, Cr Lush, Cr Pottinger. Mrs Coote and Ms Cook for lateness.

Moved Cr Skelt, seconded Cr Lewis and **RESOLVED** that the apologies be accepted.

2. **DECLARATION OF INTEREST**

Nil.

3. **PUBLIC FORUM**

Nil.

4. **YOUTH COUNCIL REPORT**
A3998082

Liam Calder was in attendance to speak to the meeting. He noted that the Youth Council planned on an election event with a candidates' forum for candidates running for Council, and said that the event was planned for the evening of 14 September.

It was noted that the Chamber of Commerce had also scheduled a similar event on the same date and time, and it was suggested that the Youth Council could look at changing their event date.

Liam provided an update on the activities in which the Youth Council had participated along with upcoming activities in their calendar. He noted that the Youth Council had discussed the Smokefree Bill and noted that they agreed with the harmful effects of smoking as well as the need for tighter regulations across all stores that sell vape products the number of vape stores.

Moved Cr Soper, seconded Cr Kett and **RESOLVED**:

1. That the Performance, Policy and Partnerships Committee receive the "Youth Council Report".

The Chair thanked Liam Calder for taking the time to attend the meeting.

5. **HEARINGS ON THE DOG CONTROL POLICY AND DOG CONTROL BYLAW**

5.1 **SUBMISSIONS TO BE HEARD**

5.1.1 **Wendy Joy Baker**

In addition to her written submission, Ms Wendy Joy Baker took the meeting through the main points in her submission. Ms Baker presented her submission via phone and said that things such as larger signage for dogs to be on leash should be reinstated in parks, that rewards be offered for good and responsible dog owners, that all playgrounds should have signage stating no dogs allowed, that Section 5 of the Dog Control Act needed to part of the Council Bylaw, and that managing dog complaints could be improved.

The Chair thanked Ms Baker for taking the time to present to Council.

5.1.2 **Ron**

In addition to his written submission, Ron took the meeting through the main points in his submission. He said that he could not find submission forms or copies of the Bylaw, and asked that such items be made available. He spoke about increase of registration and late fees in 2021 and asked if there was evidence of submitters being in support of increasing the fees. He also asked it be possible for dog registration payments to be paid in instalments.

The Chair thanked Ron for taking the time to present to Council.

6. **MINUTES OF THE COMMUNITY WELLBEING FUND COMMITTEE MEETING HELD ON 16 JUNE 2022**
A3952493

Moved Cr Lewis, seconded Cr Soper and **RESOLVED** that the minutes of the Community Wellbeing Fund Committee meeting held on 16 June 2022 be received.

7. **MINUTES OF THE PERFORMANCE, POLICY AND PARTNERSHIPS COMMITTEE MEETING HELD ON 12 JULY 2022**
A3965616

Moved Ms Cook, seconded Cr Skelt and **RESOLVED** that the minutes of the Performance, Policy and Partnerships Committee held on 12 July 2022 be confirmed.

8. **HEARINGS AND DELIBERATIONS ON THE DOG CONTROL POLICY AND DOG CONTROL BYLAW**
A3997247

Mr Hayden Powell and Ms Gillian Cavanagh spoke to the report. Mr Powell provided a summary of the consultation process and Ms Cavanagh noted that the classification of menacing dogs would undergo a minor change.

In response to queries around adding Section 5 to Council's Bylaw, it was noted that it would create a level of duplication, and instead steps to educate owners on Section 5 through social media and dog manuals could be considered, and that a hyperlink to Section 5 could be included in Council's Bylaw.

In response to a query whether there was a mechanism for owners in financial dire straits to approach Council for deferment of payments, it was noted that Council had an arrangement with Jubilee Budget Advisory Services, and the owners could work with Jubilee who would pay the registration on behalf of the owners fee and work with them on the reimbursement.

Moved Cr Soper, seconded Cr Skelt that the Performance, Policy and Partnerships Committee:

1. Receive the report, "Hearings and Deliberations on the Dog Control Policy and Dog Control Bylaw".
2. Receive the submissions made on the consultation (Agenda item 5.4) and note the summary of submissions (A4003097).
3. Agree to receive late submission from Ainslee Wilson received after 5.00pm on Friday 29 July 2022.
4. Agree to receive the late submission from the SPCA received after 5:00pm on Friday 29 July 2022.
5. Note submitters who presented to Council;
 - a. 3.15 – 3.25pm – Wendy Joy Baker
 - b. 3.25 – 3.35pm – Anonymous
6. **Recommend to Council** to adopt the revised Dog Control Policy (A3988107) which incorporates the following changes post-consultation:
 - a. Definitions – updated definition of disability assist dog.

- b. General Health and Welfare – addition of a note stating “Fixed tethering is currently permitted, however this is not considered best practice. If dogs are tethered, it should not be done for extended periods of time.”
 - c. Barking Dogs – additional wording stating that it must be “persistent and loud barking or howling” before it can be considered a nuisance.
 - d. Menacing by breed – rewording from “must require written permission” to “may require written permission from Council”.
 - e. Appendix 2 – addition of text to clarify dog owners’ responsibilities in multi-use parks and reserves areas where off-leash exercise is permitted.
 - f. Dog off leash maps – amendments to the maps in the Policy which have clearer layering and updated leased areas.
7. **Recommend to Council** to adopt the revised Dog Control Bylaw (A4001302) which incorporates the following changes following consultation:
- a. Section 4 - adding references to the Animal Welfare Act 1999, Ministry of Primary Industries Code of Welfare: Dogs and Animal Welfare (care and Procedures Regulations) 2018.
 - b. Section 5 - updated definition of disability assist dog.
 - c. Section 9.1 – adding wording that dog owners are not permitted to leave their dog in a stationary vehicle in a manner that causes shade-seeking behaviour, excessive panting, excessive drooling or hyperventilation.
 - d. Section 15.1 – adding that wording “persistent and loud barking or howling” before it can be considered a nuisance.
 - e. Section 17.7.3 – rewording from “must require written permission” to “may require written permission from Council”.
 - f. Appendix 1 – addition of text in Appendix 2 to clarify dog owners responsibilities in multi-use parks and reserves areas where off-leash exercise is permitted.
 - g. Dog off leash maps – amendments to the maps in the Policy which have clearer layering and updated leased areas.

The motion, now put, was **RESOLVED**.

9. **DELIBERATIONS ON THE KEEPING OF ANIMALS, POULTRY AND BEES BYLAW**
A3998154

Mr Hayden Powell and Ms Gillian Cavanagh spoke to the report.

Moved Cr Skelt, seconded Cr Soper that the Performance, Policy and Partnerships Committee:

- 1. Receive the report, “Deliberations on the Keeping of Animals, Poultry and Bees Bylaw” (A3998154).
- 2. Receive the submissions made on the consultation (Agenda item 8.2) and note the summary of submissions (A4001368).
- 3. **Recommend to Council** to adopt the Keeping of Animals, Poultry and Bees Bylaw (A3991763).

The motion, now put, was **RESOLVED**.

10. **2021 – 2022 DOG CONTROL ANNUAL REPORT**
A3988077

Ms Gillian Cavanagh spoke to the report.

Moved Cr Skelt, seconded Cr Soper that the Performance, Policy and Partnerships Committee:

1. That the report titled “2021-2022 Dog Control Annual Report” be received.
2. That the Committee adopts the 2021-2022 Dog Control Annual Report.

The motion, now put, was **RESOLVED**.

11. **FEES AND CHARGES – DOG CONTROL ACT 1996 FEES 2022 – 2023**
A3997533

Mr Michael Morris spoke to the report.

Moved Cr Soper, seconded Cr Abbott that the Performance, Policy and Partnerships Committee:

1. That the report “Fees and Charges – Dog Control Act 1996 Fees 2022-2023” be received.
2. That the Fees and Charges under “Dog Control Act 1996” 2022-2023 be adopted.

The motion, now put, was **RESOLVED**.

12. **PERFORMANCE REPORT FOR THE YEAR ENDED 30 JUNE 2022**
A4003123

Ms Patricia Christie and Ms Rhiannon Suter spoke to the report.

Moved Cr Skelt, seconded Ms Cook that the Performance, Policy and Partnerships Committee:

1. Receive the report “Performance Report for the year ended 30 June 2022”.
2. Note 66 of 99 measures (67%) of the level of service performance were achieved for the year ended 30 June 2022.
3. Note the draft net operating surplus for the year ended 30 June 2022 is \$7.9 million, \$2.3 million higher than forecast. Of this surplus, \$8.3 million is revenue from government subsidies for capital projects.
4. Note the capital programme to 30 June 2022 has delivered \$49.9 million. This represents 96% of forecast and 68% of the planned programme in the Long-term plan.
5. Note the performance report contains provisional results for the year and is not the draft annual report. Year-end review and adjustments including asset revaluations are still to be reflected.

Queries were raised around the net operating surplus of \$7.9 million and the \$8.3 million government subsidy. It was noted that the government subsidies were for capital expenditure and that the Annual Report would have the true

operating deficit or surplus figures. It was also noted that there were two types of government subsidies, operational and capital works, and that the Annual Report would clearly show the split as well as highlight the net position. It was also highlighted that without the government subsidy, Council would be in a net deficit position.

In response to a query about when change revaluations were to take place, it was noted that Audit New Zealand had been advised that revaluations would be done by 30 June 2022.

In response to a query about restarting bin inspections, it was noted that negotiations were ongoing and that there were health and safety aspects which would need to be considered.

In response to a query about the balance in the reserves for animal services and animal control, it was noted that \$471,000 was budgeted in the Long Term Plan and \$236,000 was spent and that work to complete the numbers on the animal control fund was ongoing.

Queries were raised around whether buildings within the priority area were deemed as earthquake prone and the reason for the museum being categorised as category two, it was noted that buildings in the priority area were assessed and building owners had been advised to obtain an engineering report. With regard to the museum, it was noted that categories had been decided by Council and that officers would be unable to provide comments on the topic.

Queries were raised around the \$895,000 operating surplus for Don Street, how much were the interest costs per year and what was being done to reduce the borrowing or debt capital in relation to the project. It was noted that allocation of interest was a separate process and was being worked on to be included in the Annual Report. It was expected that the interest cost would not be anywhere near \$800,000 and that the surplus would reduce the net debt which would effectively reduce the borrowing attached to Don Street.

In response to a query as to why Te Ao Marama had an underspend of \$44,000 given the significant amount of funding attached to it, it was noted that this was simply due to the timing of invoicing coming in and that it would be completed by the time of the Annual Report.

The motion, now put, was **RESOLVED**.

13. **KUMAGAYA VISIT 2023**
A3989893

Mr Michael Morris spoke to the report.

Moved Cr Ludlow, seconded Cr Soper that the Performance, Policy and Partnerships Committee:

1. Receive the report "Kumagaya Visit 2023".
2. Endorse the visit taking place in January 2023, and approve unbudgeted expenditure of up to \$30,000 to support activities in civic hosting.

3. Note the request from the City of Kumagaya for Council to travel to Kumagaya in July 2023, to commemorate the 30th Anniversary of the Sister City agreement and refer this to the incoming Council for its consideration.

The motion, now put, was **RESOLVED**.

Note: Crs Abbott and Clark voted against the motion.

14. **ACTIVITIES REPORT**
A3978437

Mr Richard McWha spoke to the report.

Moved Cr Abbott, seconded Cr Lewis and **RESOLVED**:

1. That the Performance, Policy and Partnerships Committee receives the report "Activities Report".

15. **URGENT BUSINESS**

Nil.

16. **PUBLIC EXCLUDED SESSION**

Moved Cr Ludlow, seconded Cr Skelt and **RESOLVED** that the public be excluded from the following parts of the proceedings of this meeting, namely:

- (a) *Receiving of Minutes of the Public Excluded Session of the Community Wellbeing Fund Committee Held on 16 June 2022*
- (b) *Confirmation of Minutes of the Public Excluded Session of the Performance, Policy and Partnerships Committee Held on 12 July 2022*

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
a) Receiving of Minutes of the Public Excluded Session of the Community Wellbeing Fund Committee Held on 16 June 2022	Section 7(2)(i) Enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	Section 48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7
b) Confirmation of Minutes of the	Section 7(2)(i) Enable any local authority	Section 48(1)(a) That the public

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
Public Excluded Session of the Performance, Policy and Partnerships Committee Held on 12 July 2022	holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7

There being no further business, the meeting finished at 4.34 pm.

SUMISSION TO ENVIRONMENT SOUTHLAND ON THE DRAFT FRESHWATER VISIONS

To: Council

Meeting Date: Tuesday 23 August 2022

From: Rhiannon Suter, Manager – Strategy and Policy

Approved: Michael Day - Group Manager - Finance and Assurance

Approved Date: Tuesday 16 August 2022

Open Agenda: Yes

Purpose and Summary

Environment Southland is consulting on the Freshwater visions which have been developed as part of their freshwater policy package. Council's submission is provided for confirmation.

Recommendations

That Council:

1. Receive the report "Submission to Environment Southland on the Draft Freshwater Visions".
2. Confirm the submission noting it was submitted to Environment Southland by the closing date of 19 August 2022 (A4008085).

Background

Environment Southland and Te Ao Marama Inc. have worked in partnership to develop the Freshwater visions for the region as part of the People, Water and Land Programme, which is working to give effect to the National Policy Statement on Freshwater Management. This work builds on the community engagement which took place through "Share your Wai". Environment Southland is now seeking feedback on these visions.

The Freshwater Visions are high level statements about what the community want for the future of freshwater in the region. They align with more detailed technical work, some of which is complete and some of which is still ongoing. This work describes what is meant by healthy water bodies, what attributes should be seen and when different states of health within water bodies should be achieved. The Regional Forum has just provided its advice to Environment Southland and Te Ao Marama on actions which will help improve the health of the water bodies. Environment Southland is considering this advice and will in due course publish a plan outlining key actions and requirements on different parties which have effect on the waterbodies.

Waterbodies for the purposes of this work includes: springs, rivers and streams, groundwater, wetlands, estuaries, lakes and open coast, where this interacts with freshwater bodies.

Invercargill District incorporates part of the Ōreti Freshwater Management Unit (FMU).

The most notable waterbodies within the Invercargill District are:

- New River Estuary
- Oreti and Waihōpai rivers, Waikiwi stream
- Awarua Wetlands
- Lake Murihiku

The freshwater visions focus on returning waterbodies to a state of hauora. Hauora is a state of health, which includes the environment, water and health of the people, and is defined in different ways depending on the type of waterbody which is being discussed. Environment Southland and Te Ao Marama through the People, Water and Land Programme, have been working together to determine how the concept of hauora will align with attributes including nitrogen, phosphorus, e-coli and sediment. For example, Environment Southland's report on draft freshwater objectives in 2020 outlined that an estimated 70% reduction in nitrogen would be needed across the region.

Council has responsibility for impacts from its activities, including those of other parties within the city which use its services such as stormwater, sewerage and roading (runoff). It is important to note that many activities can have an impact on the hauora of waterbodies. Some of the key issues for Council include:

- **Water take** - Water quality issues upstream in the Ōreti catchment affect Council's single water take from the Ōreti river. Council and city based activities can impact the Ōreti through indirect discharges from the sewerage system and through water takes in dry periods having a potential impact on water flow. Risks to the potable water supply are mitigated through suitable water treatment.
- **Wastewater disposal** - Invercargill currently discharges treated effluent to the New River Estuary at High Tide, each tidal cycle, which contributes nitrogen and phosphorus to the estuary at the time when the risk of them remaining within the estuary is as low as possible. Other options for disposal to land are being explored but a very large amount of land would be required and there are no immediate options at this point.
- **Solid waste** - At present the Southland Regional Landfill is in the Ōreti Freshwater Management Unit (within Southland District). Although constructed in line with best practice, it may be subject to leachate intrusion to groundwater. Leachate from the Regional Landfill, Alliance and other industrial plants is disposed to ICC Waste water treatment Plant and from there to the estuary.
- **Invercargill closed landfill** – The old landfill on New River Estuary was not constructed to modern standards and the impact of leachate from the landfill is not yet fully understood.
- **Stormwater** – Stormwater discharges from the City and Otatara to the Estuary and its tributaries. Council's new Stormwater Bylaw is designed to support improvements in this area.

To achieve a state of hauora in the Ōreti catchment by 2045 is an ambitious target and the vision statement references the challenges achieving this in relation to the New River Estuary particularly.

The Visions

It is important to note that Environment Southland is consulting only on these visions and not how they relate to the scientific, technical and community work which has been undertaken examining how they could be achieved.

Te Mana o te Wai Objective

To protect and restore, where degraded, the mauri of the waterbodies in the Southland Region, by:

- (1) Recognising the interconnectedness of land, fresh water and coastal waters and applying a ki uta ki tai, integrated management approach.
- (2) Working in partnership with Ngāi Tahu ki Murihiku and engaging with communities and other stakeholders.
- (3) Recognising and reflecting the principles of mātauranga, mana whakahaere, kaitiakitanga, manaakitanga, governance, stewardship, care and respect; and
- (4) Applying the hierarchy of obligations that gives effect to Te Mana o te Wai as follows:
 - A. Prioritising first the health and well-being of water bodies and freshwater ecosystems, te hauora o te wai and te hauora o te taiao;
 - B. Affording second priority to the health and well-being needs of people, te hauora o te tangata, interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing); and
 - C. Thirdly prioritising the ability of people and communities to provide for their social, economic, and cultural well-being, now and into the future.

Freshwater Vision for Southland

Every freshwater management unit, including all lakes, rivers and streams, groundwater, springs and wetlands, nohoanga and mātaimai will achieve healthy resilience and a state of hauora within a generation (by 2045), and all waterbodies currently in a state of hauora shall be maintained for the benefit of current and future generations

Ōreti FMU

The waters of Ōreti catchment, its eastern tributaries, New River Estuary and coastal waters, will be restored to a state of hauora and healthy resilience by 2045, to the fullest extent possible for the benefit of current and future generations, whilst recognising the existing scale of degradation within the New River Estuary.

The waters of Awarua, including Awarua wetland complex, Awarua Bay and Bluff Harbour, estuaries and coastal waters, will be restored to a state of hauora and healthy resilience by 2045, for the benefit of current and future generations.

The Submission

The attached submission has been drafted following discussions with Council to reflect Council's support for the aspirations of the Freshwater Visions, while reflecting that the work required to identify what actions would be needed to achieve them, the technical feasibility of and investment required to complete those actions has not yet been undertaken.

Next Steps

Following discussions with Council the attached submission was made on the Freshwater Visions. The submission noted that in the circumstance Council has any changes they wish to make, that an updated submission will be provided to Environment Southland.

Attachments

Attachment 1 - Submission on the Freshwater Visions (A4008085)

Invercargill City Council submission to Environment Southland on the Draft Freshwater Visions

Invercargill City Council supports the need to improve freshwater standards across the Ōreti catchment. The activities of all the residents and industries, as well as Council itself, have an impact on the quality of freshwater and it is important we all work together to reduce and mitigate those impacts.

The Proposed Southland Water and Land Plan recognises the need for and assigns priority to the provision of water for community water supply. Invercargill's water supply and community health is intrinsically linked to the Ōreti River, te hauora o te wai and te hauora o te taiao. Council continues to invest in regionally significant and critical infrastructure to provide for te hauora o te tangata. This includes the continued renewal of potable water piped network based on risk assessment, renewal of a significant section of the potable water transmission pipeline from the Branxholme water treatment plant to Invercargill and work to identify and secure a safe healthy alternative water supply for the city residents. The stormwater network in Invercargill is constantly being improved with significant investment in renewals and where practical, the installation of stormwater treatment devices. A recently introduced Stormwater Bylaw will provide an education and enforcement framework to improve the quality of stormwater discharged to freshwater and marine environments. Council are aware of, and will be challenged going forward, with regard to wastewater treatment facilities that currently discharge to water.

We support the draft freshwater visions but note the difficulty of submitting in a substantive manner when all the information on what this will mean in practice for the community is not immediately available in an integrated form as part of the consultation.

Returning the Ōreti catchment to a state of hauora, as defined by the Draft Murihiku Southland Freshwater Objectives (Environment Southland and Te Ao Marama, June 2020), will require significant changes to practice by the new water entity or the Council, as well as the farming sector, industry and others. For example, the 2020 report estimates a 70% reduction in nitrogen across the region will be required, which has significant implications for Council's wastewater treatment plant, for the management of solid waste, composting of green waste and management of stormwater, as well as a range of other activities within the region. While the Regional Forum has provided their advice, priority actions have not yet been confirmed and actions have not yet been defined, scoped or costed. It is not yet understood by the community what the implications of these far-reaching changes will be.

Until this work is undertaken it is not possible to know if it is technically feasible to return the Ōreti catchment to a state of hauora by 2045 or what the investment required to do so would be. The freshwater visions recognise the complexity of the issue in relation to the New River Estuary and it is the view of Council that more time is needed for all stakeholders and the community to understand the scope of action required.

It is also important to note that under the three waters reforms responsibility for investment decisions in new three waters infrastructure will lie with the new water services entity, which will have to balance investment requirements across the majority of the South Island.

As a result, Council recommends confirming the freshwater visions, with the exception of the timeframe, which should be determined at the next stage of the work on regional water planning, allowing more detailed planning work to be undertaken by all affected parties, including the new water entity.

SUBMISSION ON THE SMOKEFREE ENVIRONMENTS AND REGULATED PRODUCTS (SMOKED TOBACCO) AMENDMENT BILL

To:	Council
Meeting Date:	Tuesday 23 August 2022
From:	Rhiannon Suter, Manager – Strategy and Policy
Approved:	Michael Day - Group Manager - Finance and Assurance
Approved Date:	Wednesday 17 August 2022
Open Agenda:	Yes

Purpose and Summary

The Government is consulting on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill. A submission from Council is provided for confirmation.

Recommendations

That Council

1. Receive the report "Submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill".
2. Confirm the attached draft submission (A4016903)

Background

The Government is consulting on the Smokefree Environments and Regulated Products (Smoked Tobacco) Amendment Bill.

This Bill is intended to support the Smokefree 2025 goal.

This Bill amends the Smokefree Environments and Regulated Products Act 1990 and the Customs and Excise Act 2018 as follows:

- **Reducing retail availability:** new provisions restrict the sale of smoked tobacco products to retailers approved by the Director-General of Health, sets out the application process and criteria to be an approved retailer, and provides for the Director-General of Health to set a maximum number of retail premises allowed in a certain area. The intent of these

provisions is to significantly limit the number of retailers able to sell smoked tobacco products

- **Amending the age limits for sale of smoked tobacco products:** new provisions allow for the introduction of a smokefree generation policy by prohibiting the sale of smoked tobacco products to anyone born on or after 1 January 2009. The intent of the policy is to prevent young people, and successive generations, from ever taking up smoking
- **Reducing the appeal and addictiveness of smoked tobacco products:** new provisions require that only smoked tobacco products that meet requirements for constituents will be able to be manufactured, imported, or offered for sale or supply, and provide that it will be an offence for any smoked tobacco product to contain constituents exceeding any limits prescribed in, or prohibited by, regulations. A specific provision provides for a regulation-making power to set limits on the quantity of nicotine levels and other constituents of smoked tobacco products. The intent of these provisions is to increase the number of people who successfully stop smoking, and support tamariki/young people to remain smokefree, by making smoked tobacco products less appealing and addictive.

Submissions are due on 24 August 2022.

Issues

Levels of smoking in Invercargill

Invercargill has a higher smoking rate than average. 17.9% of people smoke, compared to 13.2% of people in the rest of New Zealand. The smoking rate has fallen from 25.5% in 2006.

Council has implemented smokefree locations within the city centre and parks in support of the goal of reducing the attractiveness of smoking and improving the environment for everyone.

Availability of tobacco products in Invercargill

The map below has been produced by the NZ Cancer Society and shows the availability of smoking outlets in Invercargill and their location in relation to schools.

The proposed Bill will reduce the availability of smoked tobacco products by significantly limiting the types and number of retail outlets which can sell tobacco.

The NZ Association of Convenience Stores has noted both the commercial impacts on their members in the nationwide reduction of tobacco outlets from 6500 to 500 and the consequent risk of increase in the illegal tobacco sales raised by NZ Customs.¹

Nevertheless the need to limit the attractiveness of tobacco products is recognised.

¹ <https://nzacs.com/governments-tunnel-vision-on-smokefree-2025-comes-with-obvious-negative-consequences/>

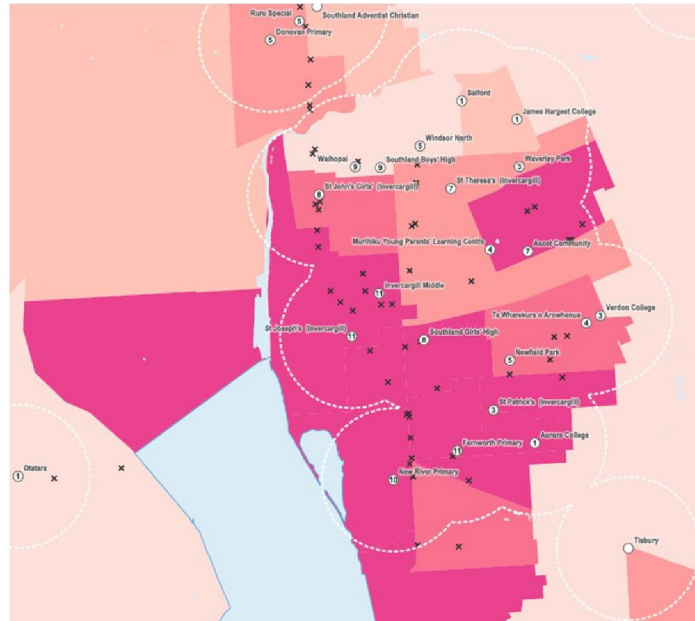
There are 59 known tobacco outlets in on this map, of which 55 are within 1km of a school

Overlaid by NZ Deprivation Index

Deprivation index (2018)

- 1 - 2 Lowest deprivation
- 3 - 4
- 5 - 6
- 7 - 8
- 9 - 10 Highest deprivation

× Tobacco retailers
○ Schools



Vaping

Vaping is an increasing issue for people in the city including young people.

Council has limited the use of not only smoked tobacco products but vaped products within the city centre and parks.

The proposed Bill has only limited impact on the use of vaping products which many, including Cancer Society have identified as a significant gap. Youth Council in their discussion on this matter felt vaping was one of the most pressing issues related to smoking which impacted on young people and should be addressed through this bill.

To support the goal of reducing harm from tobacco products, the health impacts of vaping alongside smoked tobacco products are considerable factors.

Youth Freedom of Choice

The most radical element of the proposed bill is the change in legislation to make tobacco products illegal to ever purchase for young people born on or after 1 January 2009. This will be the first time this policy has been introduced anywhere in the world and is a significant departure from traditional approaches to individual rights for freedom of choice.

The views of the Youth Council were sought on this matter. They noted that while they were all educated on the risks of smoking, do not smoke and support the Smokefree goals, the majority of the Youth Council did not support this change, as young people should have the same rights to make their own choices as people of other ages.

Next Steps

The draft submission has been provided for Council confirmation ahead of submission to the Government on 24 August 2022.

Attachments

Draft submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Bill (A4016903).

Draft Council Submission on the Smokefree Environments and Regulated Products (Smoked Tobacco) Bill

Invercargill City Council supports the goals of the Smokefree 2025 Strategy. Council has had Smokefree policies in place for the city centre, parks and other leisure and recreation areas for a number of years. This policy aims to improve the quality of the environment for everyone and limit the harm caused to the people of Invercargill from smoking by reducing its attractiveness. Council has aligned with and supported the work of Public Health South and Cancer Society NZ at a regional level.

Invercargill continues to have a higher than average rate of smoking and it is important that the community is continued to be supported to stop smoking and using tobacco products. Reducing the availability of retail options and reducing the nicotine content of cigarettes is supported by Council.

In 2020 the Council Smokefree policy was extended to limit use of vaping within these locations in recognition of the growing understanding of the health harms of vaping.

The significant absence of vaping from the majority of the proposed Bill is the primary concern of Council in making this submission. Scientific evidence and community experience is increasingly revealing the harm caused by vaping. There is also concern about the fact this is a fairly new technology for which the harms are not yet fully understood. Community feedback, including through our Youth Council, shows that vaping is increasingly taken up as a new habit by young people, rather than just used by existing smokers as a transitional method to reduce or quit smoking.

Council supports the focus of this Bill on supporting young people to never start smoking. However, this should not be achieved through replacing smoked tobacco use with vaping or through the creation of new risks, through increasing the market for illegal tobacco.

It is important we listen to the voice of young people in determining the most effective method for limiting their use of tobacco. Council, after hearing the views of our Youth Council, recommends that the Bill focus on taking much stronger measures to reduce widespread access to and harm from vaping, rather than introducing age-related limits for use of tobacco which removes freedom of choice from young people for the rest of their lives.

MAYORAL REPORT

To:	Council
Meeting Date:	Tuesday 23 August 2022
From:	His Worship the Mayor, Sir Tim Shadbolt
Approved:	Clare Hadley - Chief Executive
Approved Date:	
Open Agenda:	Yes
Public Excluded Agenda:	No

Purpose and Summary

List of engagements and current issues.

Recommendations

1. That the report 'Mayoral Report' be received.

List of Mayoral Engagements

22 March 2022 – 26 April 2022

Zone 5 & 6 Zoom- 3 Waters 23/3/22
Opening Bluff Cycle Track 31/3/22
Opening Umbrella 1/4/22
Opening Awarua Kaumatua Units 4/4/22
Meet Ministers O'Connor and Whaitiri 7/4/22
Meet with Penny Simmonds/Chris Luxon 9/4/22
Anzac Day Service, Invercargill/Bluff 25/4/22

26 April 2022 – 28 June 2022

Clustering for Business Growth Presentation- Just transitions 23/5/22
Everest Day Celebrations 28/5/22
Attend Southern Steel Netball Game 29/5/22
Attend Funeral for T Laker 30/5/22
Record Voice Over Role for Local Student 1/6/22
Meet and Greet with Anthony Jones (HWR) and Chris Blenkiron (NZAS) 1/6/22

28 June 2022 – 26 July 2022

Attend Mamma Mia Production at James Hargest College 29/6/22
Meeting with Japanese Ambassador Mr Ito and Mr Fujitani, First Secretary 1/7/22
Attend ILT Southland Sports Awards 8/7/22
Attend Southland Multicultural Food Festival 9/7/22
Attend Invercargill Rotary Meeting 12/7/22
Opening of ILT Kidzone 13/7/22
Opening of Stage One – Invercargill Central 14/7/22

26 July 2022 – 23 August 2022

Hospice Fundraiser – Guest Auctioneer
EID AL-ADHA cultural celebration 30/7/22
SMAG function - retirement of board members.
Pakistan Independence Day 14/8/22
Indian Independence Day 15/8/22
Indonesian National's Celebration 17/8/22

List of Council Commitments

22 March 2022 – 26 April 2022

Extraordinary Infrastructural Services Meeting 22/3/22
Chairs Meeting 22/3/22
Council Meeting 22/3/22
Extraordinary PPP Meeting 22/3/22
Meet with Review Panel- Future for Local Government 23/3/22
Risk and Assurance Meeting 24/3/23
Workshop Community Capacity Building - Just Transitions 25/3/22
Chairs Meeting 29/3/22
Regional meeting to discuss drought 1/4/22
Just Transitions Workshop 4/4/22
Chairs Meeting 5/4/22
Extraordinary Infrastructural Services Meeting- Speed Review 5/4/22
Infrastructural Services Meeting 5/4/22
Extraordinary Infrastructural Services Meeting – Storm water bylaw 5/4/22
Policy, Performance and Partnership Meeting 6/4/22
Bluff Maritime Museum Meeting 11/4/22
Meet with Hon Kiri Allen 11/4/22
Meeting CDEM group 11/4/22
Chairs Meeting 12/4/22
Policy, Performance and Partnership Meeting 12/4/22
Infrastructural Services Workshop 12/4/22
Reforms Update 12/4/22

26 April 2022 – 24 May 2022

Chairs Meeting 29/3/22
Council Meeting 26/4/22
Southland RLG Meeting 28/4/22

Reforms Update Meeting 28/4/22
Invercargill Charitable Trust Meeting 29/4/22
Chairs Meeting 3/5/22
Infrastructural Services Committee Meeting 3/5/22
Project Governance Group Meeting 4/5/22
Zone 5 & 6 Meeting 9/5/22
Bluff Community Board Meeting 9/5/22
Extraordinary Performance, Policy and Partnerships Committee (Annual Plan Consultation Hearings) 10/5/22
Performance, Policy and Partnerships Committee Meeting 10/5/22
EO Council- Legacy Report from PGG 10/5/22
3 Waters Update with Minister Mahuta 11/5/22
Reforms Update 12/5/22
Meeting with Simon Watts and Penny Simmonds – National MP's 13/5/22

24 May 2022 – 28 June 2022

Council Meeting 24/5/22
Extraordinary Performance, Policy and Partnerships Committee 24/5/22
Invercargill City Charitable Trust Meeting 30/5/22
Chairs Meeting 31/5/22
Extraordinary Performance and Policy and Partnership Meeting 31/5/22
3 Waters – Rural Supplies Working Group Meeting 1/6/22
Risk and Assurance Meeting 14/6/22
Workshop – Elected Members Protocols 14/6/22
Performance, Policy and Partnerships Committee 14/6/22
Briefing on City Centre Upgrade 14/6/22
Rural and Provincial Sector Meeting 16-17/6/22
Chairs Meeting 21/6/22
CE Performance Review 21/6/22
Meeting of the Trustees for the Church of England Dunedin 22/6/22
Invercargill Charitable Trust Meeting 27/6/22
Risk Workshop 27/6/22

28 June 2022 – 26 July 2022

Chairs Meeting 28/6/22
Council Meeting 28/6/22
Southland Mayoral Forum 1/7/22
Regional Strategic Partnership Fund Announcement 11/7/22
Meeting with Associate Minister- Hon Kieran McAnulty 12/7/22
Chairs Meeting 12/7/22
PPP Meeting 12/7/22
LGNZ Remit Workshop 12/7/22
Great South AGM 14/7/22
Southland Murihiku Regional Workforce Plan 14/7/22
Extraordinary RLG Meeting 18/7/22
LGNZ Conference – Palmerston North 20-22/7/22
Resource Management Reform Meeting 25/7/22

26 July 2022 – 23 August 2022

Council Meeting 26/7/22

LGNZ AGM 28/7/22

Chairs Meeting 9/8/22

PPP Meeting 9/9/22

Workshop – Proposed Building Act Changes 9/9/22

Murihiku Regeneration Social Procurement Symposium 11/8/22

Mayoral Forum 12/8/22

Chairs Meeting 16/8/22

Entity D Meeting 19/8/22

Conclusion

Judging from the large number of candidates I would like to thank all those who have contributed to our proud little democracy. By running for public office you subject yourself to scrutiny and criticism, which takes a higher degree of courage and loss of privacy so best wishes to each and every one of you.