

**THE WEST COAST REGIONAL COUNCIL**

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 12 JUNE 2007,  
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD,  
GREYMOUTH, COMMENCING AT 11.44 A.M.**

**PRESENT:**

J. Clayton (Chairman), B. Chinn, D. Shannahan, D. Davidson, P. Ewen, R. Scarlett

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), C. Dall (Consents and Compliance Manager), S. Moran (Planning and Environmental Manager), A. Macalister (Vector Programme Manager), T Jellyman (Minutes Clerk), The Media.

**1. APOLOGIES:**

There were no apologies.

**2. PUBLIC FORUM (if required)**

**APPOINTED TRUSTEE REPORT**

**Moved** (Clayton / Shannahan) that a report regarding The West Coast Development Trust be tabled and received.

*Carried*

Cr Clayton provided a written report concerning The West Coast Development Trust. He reported that it has been a hectic time on The Trust particularly if you have an alternative opinion to the Chairman. He reported a number of other Trustees are concerned also. Cr Clayton and another Trustee sought a legal opinion regarding the confidentially clauses that Trustees are asked to sign. Under the Trust Deed Trustee's are charged with being transparent and accountable to the people. Prior to Cr Clayton tabling this report, the Chair of the Development Trust and told him that if the report were tabled he would make an immediate application in the High Court to have Cr Clayton removed as a Trustee. Cr Davidson stated that he understands that commercial sensitivity regarding the competitiveness of business but he agrees with Cr Clayton on matters relating to transparency. Cr Clayton stated that Trustee's are charged with looking after the fund on behalf of the people. Dr Davidson stated that The Trust is not a private bank. Cr Shannahan queried if Dr Cullen's report on The Trust is any closer. Cr Clayton said this is now getting quite close. Cr Ewen endorsed Cr Clayton's comments regarding transparency.

**3. CONFIRMATION OF MINUTES**

**Moved** (Shannahan / Ewen) that the minutes of the Council Meeting 8 May 2007 be confirmed as correct.

*Carried*

**Matters arising**

There were no matters arising.

**4. REPORTS:**

**4.1 PLANNING AND ENVIRONMENTAL MANAGER'S REPORT ON ENGINEERING OPERATIONS**

S. Moran spoke to his report and offered to answer any questions relation to this report. Cr Clayton asked for a running total of rock supplied for the year. S. Moran offered to supply this figures at a later date. Cr Davidson asked for an update regarding the drilling rig. S. Moran reported that the old rig motor has been returned. There is still some question surrounding the liability of the failure of the back up rig and a full investigation is

still under way. Cr Clayton reminded Council that we are investigating this matter thoroughly and that the responsibility and costs will lie where they should. There was discussion as to when next rating district meetings are due. S. Moran advised that this is in October. Cr Shannahan asked that any issues relating to quarries be flagged prior to these meetings. There was general discussion regarding the management of quarries. Cr Scarlett stated that he is not in favour of one quarry subsidising another. Cr Clayton stated these matters would be discussed prior to the rating district meetings in October.

**Moved** (Scarlett / Davidson) that this report be received.

*Carried*

#### **4.2 MANAGEMENT OF DAMS – CONSENTS & COMPLIANCE MANAGER**

C. Dall spoke to this report and tabled a report relating to legal advice he has sought regarding this matter.

Cr Scarlett queried the costs involved with this. C. Dall reported that costs are largely recoverable as they are passed on to the applicant. C. Ingle confirmed that Otago Regional Council would not be seeking to recover any costs relating to the accreditation process. Cr Scarlett suggested that an 'out' be included in the contract but he was also mindful that he did not want to hold up this process.

Moved (Scarlett / Ewen)

#### **RECOMMENDATION**

*Based on the assumption this is at reasonable cost*

1. *That Council confirms its desire not to seek accreditation and registration as a Building Consent Authority under the Building Act 2004.*
2. *That Council pursues to fully transfer, pursuant to Section 244 Building Act 2004, all of its BCA functions, duties and powers to another regional council seeking Building Consent Authority accreditation subject to that Council's agreement to accept the transfer.*
3. *That Council also pursues to transfer other functions, duties, and powers that do not relate to the exercise of BCA functions in relation to dams to another regional council, where appropriate.*
4. *That staff pursue the above transfer proposals with the Otago Regional Council while preparing documentation for the special consultative procedure process under Section 245 Building Act 2004 and Sections 83 & 88, and Part 6 Local Government Act 2002 for presentation to the July Council meeting.*
5. *That Chief Executive and Consents & Compliance Manager negotiate with the Otago Regional Council a function transfer agreement pursuant to Section 244 & 246 Building Act 2004, acknowledging Part 6 Local Government Act 2002, and the outcomes of special consultative procedure. The Council is prepared to consider contracting back a "post box" role or other minor roles as may be agreed between the Council and the Otago Regional Council. Any such selected functions, duties, and powers that do not require accreditation are to be negotiated as part of a separate document from the transfer agreement. The final negotiated function transfer agreement is to be presented to the Council for adoption under seal before 30 September 2007.*

*Carried*

#### **4.3 VECTOR PROGRAMME MANAGER'S REPORT**

A. Macalister spoke to his report. He stated that we are now in the transition period between the end of the 2006 / 07 programme and the commencement of the 2007 / 08 programme. A new contractor and monitor have been introduced to the market. It was noted that Target Pest failed to win any work in the first contract round. A. Macalister reported that two weeks later Target Pest went into receivership. This has required

Vector Management to make some changes to the programme which are now being worked through. Cr Scarlett asked what are the obligations and legal position now that Target Pest has gone into receivership. A. Macalister advised that VM have an agreement with the receiver regarding withholding of payments.

A. Macalister attended ERMA hearings on behalf of WCRC regarding the Reassessment of 1080. He stated that ERMA are very impressed with the professionalism, Quality Assurance and considerations that Council and aerial pilots put in place. He reported that they were receptive to Council's submission.

There was discussion regarding Target Pest's demise. A. Macalister stated they had lost quite a lot of market share in the last two years. There are some issues to work through but management confirmed VM they have enough capacity to deliver the ground control programme.

**Moved** (Clayton / Shannahan) that this report be received.

*Carried*

**The meeting broke for lunch at 12.21 p.m. and reconvened at 12.55 p.m**

**Cr Shannahan chaired the meeting following lunch.**

#### **4.4 CORPORATE SERVICE MANAGER'S MONTHLY REPORT**

R. Mallinson spoke to his report noting that the financial result for the ten month reporting period is a very satisfactory result and is substantially ahead of budget.

Cr Scarlett asked what the surplus for the year is likely to be? R. Mallinson confirmed the overall surplus is expected to be close to \$800,000 or \$900,000. R. Mallinson advised that Council needs to be mindful of how the surplus is made up and that it is largely due to the Grey floodwall costs being spent in the coming year instead.

**Moved** (Davidson / Chinn) that this report be received.

*Carried*

##### **4.4.1 PERFORMANCE TARGETS TEN MONTH REVIEW 1 JULY 2006 – 30 APRIL 2007**

R. Mallinson spoke to this report stating that this is a review of the 2006 LTCCP Targets. Exceptions and highlights were explained in the report and comments welcomed.

Cr Scarlett stated that the reporting method is somewhat hard to follow. He asked if all reports use the same format such as achieved / not achieved. R. Mallinson explained that this is due to the different reporting format used by individual managers. All targets require an explanation for auditing purposes.

**Moved** (Scarlett / Chinn) that this report be received.

*Carried*

##### **4.4.2 CONSIDERATION OF DRAFT ANNUAL PLAN SUBMISSIONS AND CONFIRMATION OF 2007 /08 ANNUAL PLAN. CONFIRMATION OF MINUTES OF SPECIAL MEETING 25 MAY 2007**

R. Mallinson spoke to this report and indicated that each submission and recommendation should be considered individually.

**Moved** (Ewen / Clayton) that this report be received.

*Carried*

- 1. That the minutes of the Special Meeting to hear the Draft Annual Plan submissions for 2007 / 08, held on 25 May 2007, be confirmed as correct with the addition of the word "mention" in the second paragraph of the response to Mr John Woods submission which was inadvertently left out.*
- 2. That the officer's reports be received.*
- 3. Council considered the Officer's Reports as follows:*

**Submission No. 1 West Coast Commercial Gold Miners Association Inc. (John Wood)**

**Moved** (Clayton / Davidson) that the Officer's Report be adopted, including the proposed changes to the schedule of charges.

*Carried*

**Submission No. 2 Mr Paul Elwell-Sutton**

**Moved** (Ewen / Clayton) that the Officer's Report be adopted.

*Carried*

**Submission No. 3 Mr D & Mrs C Banks**

**Moved** (Clayton / Ewen) that the Officer's Report be adopted.

*Carried*

**Submission No. 4 Guardians of Paroa Taramakau Coastal Area Trust**

Cr Clayton queried whether the recommendation reflected the discussion had at the time of the hearing regarding the appropriateness of a monitoring programme at this time. C. Ingle advised that the recommendation suggests only a preliminary investigation of the catchment be carried out.

**Moved** (Clayton / Davidson) that the Officer's Report be adopted.

4. *That Council confirms the 2007 /08 Annual Plan, including any amendments.*

R. Mallinson took Council through this process and spoke of the amendments made. These amendments are under the Schedule of Deposit Fees table a minor change to the second to last line of the table 1. Amended to "Application for Transfer of a Water Permit to another site within the same catchment under S 136 (2) (ii) RMA". The second amendment is to section C) "Transfer of consents and permits to another person that does not involve changes of consent sit: \$50.

**Moved** (Clayton / Chinn) that the 2007 / 08 Annual Plan be confirmed subject to these amendments.

*Carried*

**4.4.3 2007 WEST COAST REGIONAL COUNCIL ELECTIONS**

R. Mallinson spoke to this report and tabled a letter from Alan O'Connell of Grey District Council, who is the Returning Officer for the West Coast Regional Council election.

1. *That the voting documents for the 2007 elections be processed during the voting period in accordance with section 79 of the Local Electoral Act 2001, the Local Electoral Regulations 2001 and the Society of Local Government Managers' code of best practice.*
2. *The Returning Officer be advised that pursuant to section 31 (1) of the Local Electoral Regulations Councils decision is that candidates names on voting papers be listed in alphabetical order.*

**Moved** (Scarlett / Chinn) that this report be received.

*Carried*

**5. CHIEF EXECUTIVES REPORT**

C. Ingle spoke to his report and spoke of the various meetings he had attended including the Operation Cruickshank Exercise. This was held at Grey Base Hospital, C. Ingle was Acting Civil Defence Group Controller for this exercise.

C. Ingle attended the visit to Oceanagold Globe Progress Mine with Councillors. The in-house Civil Defence Training was also attended. This will be followed with an exercise in September.

C. Ingle visited the Stockton Mine noting this was a very successful day. There were five different presentations by the Solid Energy management team. He was particularly impressed with the rapid progress made with improvements to water quality management.

The NIWA coastal erosion seminar was also attended. There were around 34 attendees including staff from other Councils in the area.

The Mayors and Chairs and Civil Defence Group meeting was attended in Westport. Resolutions were made at the Civil Defence meeting to confirm that C. Ingle and C. Pullen are the new Alternate Controllers. Chris Pullen is the new Recovery Manager and Andrew Macalister is the Alternate Recovery Manager. C. Ingle stated that this gives us more depth at the higher level. Westland District Council has confirmed that they will participate in the September exercise on the Alpine Fault earthquake. Regional disaster recovery was also discussed. C. Ingle was asked to provide a Memorandum of Understanding for all councils; this will be available for the next Mayors and Chairs meeting.

C. Ingle and A. Macalister met with the CEO of the Animal Health Board yesterday. Future arrangements were discussed along with aerial 1080 drops. The demise of Target Pest was also discussed.

**Moved** (Shannahan /Clayton) that this report be received.

*Carried*

**5.1 PROPOSED GRANITY SEA PROTECTION – RESIDENT’S FEEDBACK PERFORMANCE**

C. Ingle spoke to this report noting that due to a lack of support from affected ratepayers, it is recommended that these works should not be pursued. C. Ingle stated that following the recent NIWA presentation by Doug Ramsay he felt encouraged that the Granity event was an unusual event. He stated that the high seas and low pressure happened to coincide with a very high tide.

1. *That Council decline to proceed with the proposed scheme at this time due to Insufficient support from the eight affected ratepayers.*
2. *That the eight landowners be advised of the results of the survey, and the Council decision.*

**Moved** (Scarlett / Davidson) that this report be received.

*Carried*

**6 CHAIRMANS REPORT (VERBAL)**

There was no report this month.

**7 GENERAL BUSINESS**

There was no general business.

The meeting closed at 1.24 p.m.

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Chairman

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Date