

**THE WEST COAST REGIONAL COUNCIL**

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 14 JUNE 2011,  
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,  
COMMENCING AT 11.25 A.M.**

**PRESENT:**

R. Scarlett (Chairman), B. Chinn, A. Robb, D. Davidson, A. Birchfield, I. Cummings

**IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), M. Meehan (Planning and Environmental Manager), C. Dall (Consents & Compliance Manager),  
T. Jellyman & A. Mahuika (Minutes Clerks)

**1. APOLOGIES:**

**Moved** (Robb / Davidson) *that the apology from T. Archer be accepted.*

*Carried*

**2. PUBLIC FORUM**

There was no public forum.

**3. CONFIRMATION OF MINUTES**

**Moved** (Cummings / Birchfield) *that the minutes of the Council Meeting dated 10 May 2011, be confirmed as correct.*

*Carried*

**Matters arising**

Cr Cummings spoke of the recent visit by Dr Nick Smith, Minister for the Environment. Cr Cummings stated that he was interested in Dr Smith's comments regarding vexatious complaints and asked if a way of dealing with vexatious complaints could be put into council's annual plan. Cr Scarlett advised that he was hoping there might have been something contained in the second leg of the RMA review that might have assisted in this. Cr Scarlett stated this is a difficult issue and a blanket cover would not work, as there might be instance when the complainer is right. C. Ingle advised that he has looked into this matter to see how other councils manage this problem. He stated that every council, district councils as well, have complainants that take matters further than what seems sensible. C. Ingle advised that Wellington region have developed a Reduced Response Protocol and he is currently working on a similar protocol for this council which he hopes to bring to the next council meeting. C. Ingle advised that the discretion with managing vexatious complaints sits with the Chief Executive. He noted that sometimes that complainant is right. C. Ingle noted that with the recent complaints it is hard to say if any of these are truly vexatious but in the past there have been actual cases of vexatious complaints. Cr Scarlett stated that staff are very conscious of costs and time involved with these types of complaints.

Cr Davidson commented on the comprehensive information package prepared by C. Ingle for Dr Smith's visit. Cr Davidson stated that Dr Smith had mentioned that this assisted very much with his visit and it gave him something to take away to further understand our issues and concerns.

**3.1.2 CONFIRMATION OF MINUTES OF THE SPECIAL COUNCIL MEETING HELD 31 MAY 2011**

**Moved** (Robb / Birchfield) *that the minutes of the Special Council Meeting dated 31 May 2011, be confirmed as correct.*

*Carried*

## REPORTS:

### 4.1 ENGINEERING OPERATIONS REPORT

M. Meehan spoke to his report advising that there is now rock on the floor in all of council's high use quarries. He advised that there is now 10,000 tonne of rock in Camelback Quarry as the result of engaging a new contractor. M. Meehan advised that work has been done in the Blackball, Kiwi and Inchbonnie quarries and the demand for rock has now been caught up with. M. Meehan reported that the Council quarry truck and drilling rig has now been sold to the highest tender. Cr Cummings commented that the quarry figures are out of date as the report ends at the 30<sup>th</sup> of April. R. Mallinson advised that these figures match up with the monthly financial reporting cycle. M. Meehan offered to pass on the latest figures of rock in each quarry to Cr Cummings. Cr Davidson stated that now that Council no longer owns a drilling rig, he feels that it is important that quantities of rock are built up to keep up with demand. M. Meehan advised that staff are currently working gathering information for minimum totals for rock in each quarry based on how much rock each rating district and its communities need. M. Meehan stated he is pleased with the new contractor that has recently carried out work in the Camelback quarry as he is working quite a lot quicker. Cr Chinn asked if the new contractor has a contract with Council. M. Meehan responded that the new contractor was initially engaged as a trial, this has worked well and council will continue to use him. C. Ingle advised that our quarries are worked as job by job contracts and council tries to develop more than one service provider so that council is not stuck just with one contractor and this keeps the prices down. Discussion took place on the future of the Wanganui Quarry. C. Ingle advised that this quarry is a good source for decorative rock but not river rock as the supply of river rock from this quarry has now been exhausted. C. Ingle advised that the Wanganui rating district is now looking for another source for river rock, as the demand for rock in this area remains high. It was noted that rock is available at Whataroa but the cost of transporting rock from Whataroa makes it expensive.

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

*Carried*

### 5.1 CORPORATE SERVICES MANAGER'S REPORT

R. Mallinson spoke to his report advising that the current total surplus is \$1.768M for the ten month period. He stated that this is due to the VCS and investment portfolio.

R. Mallinson reported there were no public submissions received on council's Review of Representation and that representations arrangements would remain the same for 2013 and 2016 Local Body Elections.

**Moved** (Robb / Cummings) *that this report be received.*

*Carried*

### 5.2.1 DECISIONS ON SUBMISSIONS AND ADOPTION OF THE 2011 / 12 ANNUAL PLAN

C. Ingle spoke to this report advising that only six submissions were received and four submitters appeared at the hearing. C. Ingle reported that council held a workshop following the hearing of submissions and staff input was sought and staff recommendations now require consideration and decisions from Council.

#### **Federated Farmers**

Submission is mostly in support. Requested no increase in dairy inspection charge.

In terms of the request that dairy inspections occur every second year where a farmer has been compliant three years running – this approach can be used within the existing wording of the Annual Plan Target, which requires Council visit a farm at least once every three years.

**Moved** (Birchfield / Robb)

*It is recommended no change is made to the Annual Plan as a result of this submission.*

*Carried*

#### **TB Free West Coast Committee**

Submission is again in support. No requests were made for changes to the Plan.

**Moved** (Birchfield / Robb)

*It is recommended no change is made to the Annual Plan as a result of this submission.*

*Carried*

## **Animal Health Board**

Submission is again in support. No request was made to change the annual plan.

**Moved** (Birchfield / Robb)

*No change is made to the Annual Plan as a result of this submission.*

*Carried*

## **Liz Ewins and Jules Day (and others)**

Submission opposes proposed changes to the Lower Waiho Rating District boundary.

Cr Chinn asked if a rating district, at its annual meeting, may bring extra people into the rating district. C. Ingle advised that this couldn't be done at a Rating District Annual meeting. It would have to be done by Council resolution and a special consultation process. Cr Chinn responded that this issue has split the Lower Waiho community. Cr Chinn drew attention to a paragraph in the report that states rating districts are about a collective of property owners invited to pay for a system of works to give overall benefit to a wider area. Cr Chinn stated that the phone calls he has received have revealed that there is a feeling that some people are not paying and some are paying. He stated that the callers have asked if others can be bought into this small rating area. C. Ingle advised that the annual meeting is a meeting of the rating district's ratepayers and not a council meeting. C. Ingle advised that the council needs to have a formal resolution to change a rating district and is currently going through this process for the Lower Waiho Rating District. C. Ingle advised that if the boundaries were to be changed then the whole process would need to be carried out again. C. Ingle advised that Ms Ewins could write a letter to Council with her request. Cr Scarlett advised that a survey would need to be done. C. Ingle advised that an independent River Engineer expert has been engaged by Council to investigate to see who would be affected by the failure of the stopbanks and he felt that those closer to the road would not be affected. C. Ingle advised that in view of this advice it would be unfair to include these residents in the proposed rating district. R. Mallinson advised that rating district boundaries are based on factual evidence as to who actually benefits and council receives expert advice on these matters in order to make an appropriate decision.

**Moved** (Birchfield / Robb)

*Council agrees to proceed with the proposed change to the boundary of the Lower Waiho Rating District, as detailed in the Draft Annual Plan. Consequential amendments are made to the Plan.*

*Carried*

## **Active West Coast**

Submission supports Consents and Compliance and Planning sections of the annual plan and supports Council's ongoing funding of total mobility;

Submission requests that Council support the development of a Regional Active Transport Forum, and offers assistance in the formation of such a group;

Submission supports Council's monitoring of air quality. Encourages Council to scope practical options for implementing clean air projects within Reefton, including the supporting the EECA programme;

**Moved** (Birchfield / Robb)

*No change be made to the Annual Plan as a result of this submission.*

*Carried*

## **Energy Efficiency and Conservation Authority (EECA)**

EECA suggests that Council amend the Annual Plan to put in place a system to allow a voluntary targeted rate to be applied to landowners who wish to borrow money to improve their home's insulation or heating. Government grants of 33% of the insulation costs apply already, or 60% for community services cardholders. The role Council could play would be to help homeowners to finance the balance of funding needed for warming their home, and recover this amount from rates on each property subscribing, over a ten year period.

The implications for Council should they wish to operate such a scheme is that it would require Council to borrow money to supply loans to assist community members to have warmer homes. The benefits include possibly reduced air pollutants if the subscribers accept the clean heating option. Operating the scheme would also use extra staff resources, and further enquires will be needed of other Council who are operating such schemes to clarify the costs and benefits of the proposal.

**Moved** (Birchfield / Robb)

*No change be made to the 11/12 Annual Plan as a result of this submission.*

*Council investigate the option of running a warm homes funding scheme, as proposed by the submitter. The proposal should be notified at the draft stage of the next Annual Plan (LTP) so that other submitters have an opportunity to comment. Council signals their intent to:*

- 1. Investigate the feasibility of Council running such a scheme, and if feasible,*
- 2. Include the proposal in next year's Draft Long Term Plan 2012 - 22.*

*Carried*

**Moved** (Robb / Birchfield)

*That the Annual Plan for 2011 / 12 be adopted, including any amendments resulting from decisions made above.*

*Carried*

## **5.2.2 LAPP FUND AND RISK MANAGEMENT OF COUNCIL RIVER, DRAINAGE & COASTAL PROTECTION INFRASTRUCTURE**

R. Mallinson spoke to this report advising that this fund has been exhausted by the two Christchurch earthquakes. R. Mallinson advised that he attended a meeting in Wellington on the 17<sup>th</sup> of May with the Lapp Fund Trustees and was advised that the Lapp Fund would continue but levies would be quadrupled. R. Mallinson advised that council currently pays close to \$30,000 per annum and but with the increase in levies our contribution would now be close to \$120,000 per annum. R. Mallinson stated that it was fortunate that council gave notice in June 2010 of its intention to withdraw from the Fund. R. Mallinson advised that he has instructed council's insurance brokers / advisors to investigate the possibility of commercial cover and he will report back on this option in July. R. Mallinson stated that he does not see much future for council by remaining in the LAPP Fund and he would rather see the premiums retained by the council. R. Mallinson recommends that \$500,000 be put aside from Council's investment fund as a Regional Catastrophe Fund and that council looks at growing this fund over the years. He feels council would be better off outside of the Lapp Fund. R. Mallinson clarified several points for Councillors and explained the benefits of setting up a Regional Catastrophe Fund. R. Mallinson confirmed that councillors would become the decision makers regarding access to the Regional Catastrophe Fund. R. Mallinson advised that over the next 12 months council would need to adopt a sound policy regarding access to such a fund. Cr Scarlett commented that the access policy for the fund should only be triggered if central government has agreed to pay their 60% assistance. Cr Robb commented that each rating district could be expected to contribute to the Regional Catastrophe Fund. Cr Scarlett agreed with R. Mallinson and commented that he no longer feels that it is viable for council to belong to the Lapp Fund. Discussion took place on whether other district and regional councils might be interested in a shared services approach to insurance as they are also faced with large increases in insurance premiums along with rate increases. Cr Davidson stated that he feels council is in a very good position with the decisions it has made on this matter.

**Moved** (Robb / Davidson)

- 1. That Council reconfirm to the LAPP Fund Trustees our withdrawal from the LAPP scheme, as at 1 July 2011.*
- 2. That Council arrange commercial cover for 40% of its Infrastructure Assets if this is found to be a cost effective alternative.*
- 3. That Council establishes a Regional Catastrophe Fund of at least \$500,000 to be funded from the Forsyth Barr Ltd Investment portfolio.*

*Carried*

## **6.0 CHIEF EXECUTIVES REPORT**

C. Ingle spoke to his report noting the recent meetings that he attended during the reporting period. C. Ingle commented that the recent visit by Hon Dr Smith, Minister for the Environment was a very good day. He stated that although the weather did not treat everyone well it was good for the Minister to see how wet the West Coast can get in view of the fact that a major focus of Dr Smith's visit was to see wetlands.

C. Ingle reported that he and Cr Scarlett accompanied Dr Smith to a wetland at Rapahoe, which is right next to a coal loading yard and is not considered to be a significant wetland. They then visited the wetland at Saltwater Creek which is one of the more significant wetlands to give Dr Smith an impression of a significant wetland versus a not so significant wetland. Dr Smith and C. Ingle then met with Mr Rod Quin, CEO of Westland Milk Products to discuss recent progress with the Working Together agreement which includes Westland's new Code of Practice which is due to be rolled out shortly. C. Ingle reported that the new Code of Practice could make the job of compliance and enforcement a lot easier for the coming months and years.

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

*Carried*

## **7.0 CHAIRMANS REPORT (VERBAL)**

Cr Scarlett reported that his report mirror's Cr Chinn's report with regard to meetings attended. Cr Scarlett commented that he felt that the meeting with the Minister for the Environment went very well. Cr Scarlett attended that Regional Land Transport Committee on 27<sup>th</sup> of May where the Regional Land Transport Strategy was approved. Cr Scarlett also attended the Annual Plan hearing on the 31<sup>st</sup> of May. Cr Scarlett stated that he also attended to constituents concerns during the reporting period.

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

*Carried*

## **GENERAL BUSINESS**

There was no general business.

The meeting closed at 12.08 p.m.

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Chairman

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Date