

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE COUNCIL HELD ON 9 OCTOBER 2012, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 11. 22 A.M.**

#### **PRESENT:**

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

#### **IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), J. Adams (Consents & Compliance Manager), M. Meehan (Planning & Environmental Manager), T. Jellyman (Minutes Clerk)

#### **1. APOLOGIES:**

**Moved** (Davidson / Cummings) *that the apology from Cr Robb be accepted.*

*Carried*

#### **2. PUBLIC FORUM**

There was no public forum.

#### **3. CONFIRMATION OF MINUTES**

**Moved** (Davidson / Birchfield) *that the minutes of the Council Meeting dated 4 September 2012, be confirmed as correct.*

*Carried*

#### **Matters arising**

There were no matters arising.

#### **REPORTS:**

##### **4.1 ENGINEERING OPERATIONS REPORT**

M. Meehan spoke to this report. He advised that very competitive tender prices are currently being received and the rating districts are benefitting from this. M. Meehan reported that the annual rating district meetings are currently taking place over the next few weeks.

M. Meehan reported that staff are working with a contractor to see if a better price for rock can be obtained for the Whataroa rating district. Cr Chinn asked if the Wanganui quarry has been sold. M. Meehan responded that the quarry was sold earlier in the year but the purchaser has been very tardy with the sale documents and the transaction is yet to be completed. M. Meehan stated that Council's lawyer has been putting pressure on the buyer's lawyer to get this matter sorted and finalised.

**Moved** (Birchfield / Archer) *that this report be received.*

*Carried*

##### **4.2 CORPORATE SERVICES MANAGER'S REPORT**

R. Mallinson spoke to this report and advised that this is the two month financial report to the end of August. He stated that the surplus is \$565,000. R. Mallinson advised the budgeted surplus was \$178,000. He reported that the various investment portfolios have continued their strong upward rebound during August with the total return for the two month period being \$387,000.

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

*Carried*

#### **4.2.1 ADOPTION OF AUDITED ANNUAL REPORT FOR THE YEAR TO 30 JUNE 2012**

R. Mallinson tabled the Audit Report, which was received yesterday. He stated that he reported an unaudited surplus of \$186,000 this has now been lifted to \$294,000 for the reasons tabled in the report. Cr Birchfield drew attention to the \$68,000 bond release. R. Mallinson advised that the mining company went under but money has not yet been spent of restoration. R. Mallinson stated that he is keeping an eye on this matter. Cr Birchfield stated that the miner adjacent is back filling the pit. C. Ingle advised that the money that is there would be spent on the slope on the other side of the pit. Cr Scarlett asked if the money is not spent does it have to be returned. Cr Archer stated that if the money is not spent it does have to be returned, as the sole purpose of a bond is to rectify the land and do remedial work. C. Ingle stated that it is surprising that Audit NZ call this revenue and have taken this view.

**Moved** (Davidson / Birchfield)

*That Council receives the audit report from Audit NZ and adopts the audited Annual Report for the year to 30 June 2012.*

*Carried*

#### **4.2.2 MULTI OPTION CREDIT LINE (MOCL) WITH WESTPAC**

R. Mallinson spoke to this report and advised that he has renegotiated our MCOL with Westpac from the existing level of \$3M to \$4M. He stated that the reason for this was to fund the Warm West Coast Loans and to increase our overdraft level to a more realistic amount to give us short term flexibility. R. Mallinson advised that Council is well within our quantified limits on borrowing. Cr Scarlett asked what the interest rate that the bank is charging. R. Mallinson advised that the interest rate would be just under 5%.

**Moved** (Archer / Davidson)

- 1. That Council note the new financing facility entered into with our bankers Westpac.*
- 2. That Councillors note the use of the Council seal.*

*Carried*

#### **4.2.3 REPORT FROM THE ANIMAL HEALTH BOARD JANUARY –0 JUNE 2012**

R. Mallinson spoke to this report. He advised that there are currently 36 infected herds on the West Coast and this is within the AHB's three year plan target of 40.

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

*Carried*

### **5.0 CHIEF EXECUTIVE'S REPORT**

C. Ingle reported that he attended the regular meeting for the "Working Together" agreement with Westland Milk Products on the 5<sup>th</sup> of September. C. Ingle advised that he traveled to Westport on the 7<sup>th</sup> of September to attend a meeting with Minister Joyce to discuss RMA issues relating to the Coast. C. Ingle advised that he hosted a meeting with the Mayors and Chairs Appointments Panel meeting which agreed to reappoint Mr John Sturgeon for another three years to Development West Coast.

C. Ingle drew attention to the Productivity Commission submission that is attached to his report. He stated that the submission says that Council feels it is doing a good job and also that Council feels that the RMA is not a good tool to manage biodiversity.

C. Ingle reported that he has drafted a policy on managing conflicts of interest. This was raised by Audit Director, John Mackey last time he visited council. C. Ingle advised that this policy is very simple and acknowledges the potential conflicts of interest for consents decision makes. C. Ingle stated that this is nothing new but we are now just putting this in writing.

C. Ingle reported that Phil Paterson, an anti 1080 protester, has lodged detailed proceeding against us and others in the Environment Court, which is in the form of a declaration. C. Ingle reported that there are a number of parties that are responding to this. C. Ingle advised that he has instructed Council lawyers as

this matter is against the council as a consenting authority, for not enforcing what Mr Paterson feels are breaches of the RMA around aerial 1080 applications. C. Ingle advised that our lawyers will be seeking a strikeout. Cr Chinn stated that he had a phone call from Nelson Cook regarding this matter. C. Ingle advised that the Animal Health Board is acting for landowners involved in this matter. C. Ingle advised that currently there are three sets of lawyers working on this. Cr Scarlett asked if Mr Paterson has a lawyer involved. C. Ingle responded that he doesn't think Mr Paterson has a lawyer. Cr Chinn stated asked C. Ingle if it is likely that this case could proceed to the High Court. C. Ingle responded that he is unsure of this at this stage but all the other parties are working together on this matter. C. Ingle advised that Mr Paterson is also appealing the Long Term Plan to the Environment Court, which has no jurisdiction over the Long Term Plan as this is prepared under the Local Government Act.

**Moved** (Scarlett / Archer)

1. *That this report be received.*
2. *That the letter to the Productivity Commissioner be received.*
3. *That the policy on avoiding conflicts of interests be noted.*

*Carried*

## **6.0 CHAIRMANS REPORT (VERBAL)**

The Chairman reported that he has attended the recent Regional Sector Group meeting. He stated that the Paul Reynolds, CEO of the Ministry for the Environment gave a briefing on the changes to the RMA. Cr Scarlett stated that Murray Sherwin of the Productivity Commission also spoke at this meeting. Cr Scarlett stated that Mr Sherwin understood the role of regional councils well and he gets the message that government can impose things for regional councils to do but forget to fund them. Cr Scarlett stated that he feels Mr Sherwin is on the case.

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

*Carried*

## **7.0 GENERAL BUSINESS**

Cr Birchfield asked Cr Scarlett if during his conversation with Mr Sherwin was there any progress with the move to have major consents called in. Cr Scarlett stated that this was not discussed with Mr Sherwin but the government is keen to do this with major consents. Cr Scarlett stated that the Mokihinui was a classic example of this. C. Ingle advised that this was discussed at meeting with the Chairman of Solid Energy and Mayor Kokshoorn recently, and also with Minister Joyce.

The meeting closed at 11.22 a.m.

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Chairman  
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Date