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## **AGENDA AND SUPPORTING PAPERS FOR SPECIAL MEETING**

**28 JUNE 2019**

- DATE:** 28 June 2019
- TIME:** 10.30 a.m.
- VENUE:** Council Chambers  
West Coast Regional Council Offices  
388 Main South Road  
Paroa
- AGENDA:**
1. Consideration of Annual Plan Submissions and Decisions Relating to those Submissions.
  2. Confirmation of Annual Plan 2019 / 20 (subject to decisions taken in 1)
- NOTE:** Following the conclusion of the Special Meeting, there will be a workshop to discuss Engineering Matters

## THE WEST COAST REGIONAL COUNCIL

Prepared for: Special Council Meeting 28 June 2019  
 Prepared by: Robert Mallinson – Corporate Services Manager  
 Date: 28 June 2019

**Subject: Staff Report on 2019/20 Annual Plan Submissions.**

### Background

The 2019/20 Annual Plan consultative document was released for public consultation on 15 May, with submissions closing on 17 June.

173 submissions were received (including 8 late submissions which were accepted at the meeting). Public hearings took place on 21 June 2019 at a Special Council meeting.

Matters submitted on included:

- One District Plan
- Rapaheo protection proposal
- Carters Beach protection proposal
- Punakaiki rating differential proposal
- Karamea stopbank upgrade proposal
- Dairy inspection charge proposal
- Navigation safety transfer proposal.

Other issues submitted on included:

- Funding request by Westport 2100 Group
- Submissions from Community & Public Health West Coast + Active West Coast covering air shed monitoring, protection of sources of public drinking water supplies, walking & cycling, impacts of climate change, insulation scheme.

Submission analysis was as follows:

ISSUES																		
DDP 3 year timeframe proposal		DDP Budget to complete project		Issue Rapaheo proposal		Issue Carters Beach proposal		Issue Punakaiki proposal			Issue Karamea proposal		Issue Dairy inspection charge proposal		Issue Navigation safety Powers proposal			
Support	Oppose	Support	Oppose	Support	Oppose	Support	Oppose	Option 1	Option 2	Option 3	Support	Oppose	Support	Oppose	Support	Oppose		
44	67	36	77	3	0	23	11	57	11	3	9	17	19	34	25	33	11	
				One Class Two Class				Status quo Merge B & C No differentials										

86 signature slips attached to B Walsh submission in support of "Oppose"

### One District Plan

There was evidence of significant opposition to the Regional Council rating for, and implementing, the One District Plan as per the Order in Council.

An Order in Council is a type of legislation in the United Kingdom and Commonwealth realms. In New Zealand these Orders in Council are formally made in the name of the Governor General (or in her absence, the Administrator of New Zealand, the Chief Justice).

Although the Orders are officially made by the Governor General, in practice, the Assent of the Governor General is a formality only, made on the advice of her Government.

At the time of writing this report, advice from the Local Government Commission of funding of \$200,000 for 2019/20 was about 99.9% certain. If this funding is confirmed (as I am sure it will be), then the targeted rate to fund the One District Plan can be reduced from \$650,000 + GST to \$450,000 + GST

Given the wording of the first Order in Council the Regional Council has little option but to proceed with the project, and the proper funding of it. If it does not, Council will be in serious breach of the Local Government Act and Order in Council.

The existing Order in Council did not provide for any input from the Transition Committee into the 2019/20 budget.

Discussion with the Local Government Commission has confirmed that Council was under no legal obligation to consult with the Transition Committee on budget or rating matters, as these were not within the defined responsibilities of the Transition Committee.

Matters raised by Buller District Council and Mayor Howard are properly directed to the Local Government Commission.

Matters raised by Buller District Council and Mayor Howard, regarding just how advanced the BDC District Plan review, are more properly considered by the West Coast District Plan Committee at its first meeting on 19 July 2019, not the Regional Council.

In light of the above, the proposed budget of \$900,000 and targeted rate of \$650,000 + GST should stand.

### **Rapahoe Proposal**

There was evidence of substantial opposition to this proposal and it should not proceed. There are no rating implications for 2019/20 as any rating would not have commenced until the 2020/21 rating year.

### **Carters Beach Proposal**

There was evidence of substantial opposition to this proposal and it should not proceed. There are no rating implications for 2019/20 as any rating would not have commenced until the 2020/21 rating year.

A number of submitters urged Council to continue a dialogue with the Carters Beach community, the Domain Board and Buller District Council to identify a solution acceptable to all parties.

Some submitters suggested that the Regional Council should bring a larger population than just Carter's Beach into the targeted rate funding mix.

This would be contrary to existing Council policy that communities benefiting from the asset fund their own protection. A departure from this policy would have implications for who funds the maintenance and loan repayments of the other 26 Rating Districts throughout the region.

The Domain Board property at Carters Beach is not rateable in terms of the Local Government (Rating) Act 2002. The Buller District Council could be asked to make a lump sum contribution to any protection works to take into account the protection of this significant asset.

Council should provide Buller District Council with copies of submissions from both the March survey and Annual Plan submissions and provide support and advice to Buller District Council on the preferred community option, which is a community led sand based bund as a wave overtopping protection option. Council did not include this option within the 19/20 Annual Plan Consultation Document as there was no requirement for West coast regional Council to establish a Rating District to fund the work.

### **Punakaiki Rating Differentials**

We consulted on:

- Status Quo (existing rating differentials)
- Combine B & C
- No rating differentials.

The results of the consultation responses do not give Council any mandate to make change therefore the status quo should remain.

### **Karamea Stop-bank upgrade proposals**

Consultation responses showed 17 in favour and 19 opposed. Total properties in the rating district total 620. The Rating District Consultative Committee actually supports this proposed upgrade.

In the interests of good governance I believe that the proposed stopbank upgrade and loan should proceed.

#### **Dairy Inspection Charge**

Consultation responses support proceeding with a standard inspection charge and the increase to the fee.

#### **Navigation Safety Powers Transfer to GDC**

Consultation responses support this transfer in powers. Note that this has already occurred and consultation is a formalization of this process.

#### **Other Matters not included in the Consultation Document**

- Air shed monitoring
- Protection of sources of public drinking water supplies
- Walking & cycling
- Impacts of climate change
- Insulation scheme

These submitters should be advised that Council has considered their submissions but will make no changes to the Long Term Plan.

#### **Westport 2100**

The submitter made an unquantified request for funding from Council. The purpose of the Westport 2100 Group is to engage with the Westport community and work together, with Council staff, to identify a pathway forward for the town for the benefit of future generations. The Group is yet to complete their review of the hazardscape, identify the risks and vulnerabilities of the area or the risk appetite of the wider community for living with hazards. There is likely to be some funding required, outside of the staff support already provided, to assist with working through options for the future. Actual works, as a result of any recommendation, would need to be considered as part of future Annual, or Long Term, Planning processes. No new funding will be established but will instead be repurposed in existing budgets where appropriate.

#### **Other Submitters (Climate Change)**

Submitter should be advised that Council does take into account Climate Change when preparing Regional Policies and plans. Council is required under section 7 of the Resource Management Act 1991 to have particular regard to the effects of climate change. When Council prepares its Regional Policy Statement and relevant plans, the effects of climate change are given regard to in these documents as appropriate.

#### **Other Comment**

The formal rates setting resolution will go to the August meeting.

### **RECOMMENDATIONS**

1. *That all submitters be thanked for their submissions.*
2. *That the One District Plan budget of \$900,000 and targeted rate of \$650,000 + GST be confirmed for 2019/20.*  
*Any funding agreed to by the Local Government Commission will reduce the 2019/20 targeted rate requirement of \$650,000 + GST.*
3. *That the Rapahoe proposal not proceed.*
4. *That the Carters Beach proposal not proceed.*  
*Council to continue a dialogue with the Carters Beach community, Domain Board & Buller District Council in an attempt to achieve a mutually acceptable solution.*

*Council to provide Buller District Council with copies of submissions from both the March survey and Annual plan submissions and to provide support and advice to Buller District Council on the community preferred option, which is a community led sand based bund as a wave overtopping protection option.*

- 5. That Council reaffirm its commitment to the principle that the communities that benefit from river or coastal protection works are the ones that should pay for those works through an appropriate targeted rate.*
- 6. That there be no change to the Punakaiki Special Rating Area differentials.*
- 7. That Council proceed with the Karamea stopbank upgrade proposal as outlined in the Consultation Document.*
- 8. That Council proceed with the increase in the Dairy inspection charge as outlined in the Consultation Document.*
- 9. That Council proceed with the transfer of navigation safety powers to Grey District Council as outlined in the Consultation Document.*
- 10. That submitters seeking outcomes in regards to air shed monitoring, protection of sources of public drinking water supplies, walking & cycling strategies, be advised that Council considered their submissions but did not make any change to the Annual Plan for 2019/20.*
- 11. That submitters with concerns regarding climate change be advised that Council does take this into account when preparing Regional Policies and Plans.*
- 12. That Council formally adopts the information that it relied on for inclusion in the Consultation Document pursuant to section 95 (4) of the Local Government Act 2002.*
- 13. That Council confirms the Annual Plan for 2019/20 pursuant to section 95 of the Local Government Act 2002.*

Robert Mallinson  
**Corporate Services Manager**