

3.1

THE WEST COAST REGIONAL COUNCIL

MINUTES OF THE MEETING OF THE COUNCIL HELD ON 11 AUGUST 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 11.14 A.M.

PRESENT:

A. Birchfield (Chairman), S. Challenger, P. Ewen, D. Magner, B. Cummings, J. Hill, L. Coll McLaughlin

IN ATTENDANCE:

R. Mallinson (Acting Chief Executive), H. McKay (Consents & Compliance Manager), H. Mills (Planning, Science & Innovation Manager), N. Costley (Strategy & Communications Manager), T. Jellyman (Minutes Clerk), M. Schumacher (IT Support), The Media

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

There was no public forum.

LATE ITEM

PROPOSED DELEGATION OF INDEPENDENT COMMISSIONER FOR RC -2020-0042

H. McKay spoke to this matter and requested that Council considers delegating an independent commissioner to consider a resource consent application in which Council is the applicant. She stated that the resource consent is for works relating to the raising and construction of stopbanks in the Waiho River.

H. McKay advised that the urgency is because a decision may be required before the next Council meeting.

MOVED (Birchfield / Challenger) *That the late item be accepted.*

Carried

3.1 CONFIRMATION OF MINUTES

The Chairman asked the meeting if there were any changes to the minutes of the previous meeting.

Cr Coll McLaughlin requested that a correction is made to item 4.1.2, she had stated that co-funding requirements are not required for flood warning telemetry work.

Moved (Ewen / Challenger) *that the minutes of the Council meeting dated 9 June 2020, be confirmed as correct, with the correction above made.*

Carried

Matters arising

Cr Ewen expressed concern with the lack of confirmation on when the funding from the Crown Infrastructure Projects is likely to be allocated and received. Cr Ewen stated that he is very concerned that expectations have been built up for flood protection schemes that communities are counting on. Cr Ewen stated that this has been seen as a once in a lifetime opportunity to get some projects completed. The Chairman stated that he is also yet to hear of any funding confirmation.

Cr Ewen is concerned that if National come into power, they are going to pull the plug on this funding. Cr Coll McLaughlin asked if other regions are also waiting on final announcements. R. Mallinson stated he does not have any further information. He agreed to follow up on this matter.

N. Costley advised that Council is supposed to be finding out this week, she stated that R. Beal has been liaising with Provincial Development Unit staff who are based on the West Coast.

3.1.1 CONFIRMATION OF MINUTES OF A SPECIAL COUNCIL MEETING HELD 20 JULY 2020

The Chairman asked the meeting if there were any changes to the minutes. There were no changes requested.

Cr Challenger drew attention to the second page of the minutes relating to the Hokitika Racecourse. He advised that it is his understanding that the intention is to maybe make this a public area.

Moved (Magner / Challenger) that *the minutes of the Special Meeting dated 20 July 2020, be confirmed as correct, with the correction requested by Cr Challenger made.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 OPERATIONS REPORT

R. Mallinson spoke to this report in R. Beal's absence, the report was taken as read.

Cr Ewen drew attention to the quarry tally which is incorrect. R. Mallinson stated it is likely this error is related to rock volumes in the Whataroa Quarry, which was sold as at 30 June.

Moved (Magner / Ewen) *That the report is received.*

Carried

4.2. CORPORATE SERVICES MANAGERS MONTHLY REPORT

R. Mallinson spoke to his report and stated he was unable to finalise the interim end of year financials due to technical issues. R. Mallinson advised that he will circulate the information as soon as it is available.

R. Mallinson advised that the surplus for nine months to 31 March is \$1.38M. He reported that the investment portfolio increased to \$954,000. R. Mallinson advised that the closing balance of the investment portfolio was \$10.191M, with total income amounting to just under \$445,000 which is a good return under the circumstances.

Moved (Cummings / Magner) *That the report be received.*

Carried

4.2.1 TWELVE MONTH REVIEW – 1 JULY 2019 – JUNE 2020

R. Mallinson spoke to this report and stated that it is important for Councillors to understand whether or not performance targets are being met as this is as important as financial reporting. He offered to answer questions. Discussion took place on water quality performance targets in areas that are not achieving the performance target. J. Horrox advised that results are fairly consistent and there is nothing drastically new over the past few years. H. Mills advised that work that is being done with FMU groups will help to alleviate problems in certain areas. He advised that the new freshwater package will potentially go a long way to improve some areas but a wait and see approach is required. H. Mills stated that if specific work is requested then this could be put into the LTP.

Cr Challenger stated that sufficient stockpiles of rock are a performance target and with this in mind should there be an increase in demand for rock, is there going to be sufficient supply. The Chairman stated that once the funding comes through from government there will be a huge demand for rock.

Moved (Magner / Challenger) *That the report be received.*

Carried

4.2.2 SETTING OF RATES FOR 2020 / 21

R. Mallinson spoke to this report and drew attention to some minor corrections in his report. R. Mallinson answered questions from Cr Coll McLaughlin regarding differentials and rateable land.

R. Mallinson advised that penalties for late payments of rates have not been charged due to the impact of Covid 19. He stated that if the impact of Covid-19 continues, penalties may be waived again in the future and Council will use discretion if required.

Further discussion took place on rating differentials. R. Mallinson advised that these work well and are well understood in rural areas, but not so well understood in the urban situation.

Moved (Magner / Cummings)

That Council adopt the attached proposed rates strike and penalty setting resolutions numbered

- 1. Setting of various rates as per 1 (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (u), (v), (w), (x), (y), (z), (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), (ii) pursuant to section 23 (1) and (2) of the Local Government (Rating) Act 2002.*
- 2. Adopting due dates for payment of 20 October 2020 and 20 April 2021 as per 2 and pursuant to section 24 of the Local Government (Rating) Act 2002.*
- 3. Setting Penalties as per 3 pursuant to section 57 of the Local Government (Rating) Act 2002.*

Carried

4.2.3 IT SECURITY BREACH

H. Mills spoke to this report. He introduced M. Schumacher (IT Team Leader) to the meeting. H. Mills detailed the incident and confirmed that there is no ongoing threat to Council as IT took decisive action on the day of the breach. H. Mills advised that a targeted campaign of education for phishing schemes is to be carried out. H. Mills offered to answer questions from Councillors.

Moved (Coll McLaughlin / Cummings) *That the report is received.*

Carried

4.3 BUILDING ACT FUNCTIONS IN RELATION TO DAMS

H. McKay spoke to this report and provided extensive background information for the benefit of the newer Councillors. She advised that a special consultative procedure may be required, along with a hearing, and a subcommittee would then be required.

H. McKay explained the size of dams in relation to the Building Act and stated that the final recommendation will come back to Council for approval in either October or November. Discussion took place and it was agreed that Crs Ewen, Challenger and Cummings offered to be on the subcommittee. H. McKay advised that the final recommendation will still come back to the full council for approval. H. McKay answered questions relating to what constitutes a dam from Councillors. Cr Challenger provided information on dams. H. McKay advised that staff are currently working on a definitive list of dams on the West Coast as the majority are for mining and hydroelectric purposes. Following discussion, it was agreed that H. McKay would amend the Statement of Proposal to include reference to where people can look at the Building Act should they require additional information relating to dams, as suggested by Cr Magner.

Moved (Coll McLaughlin / Cummings)

- 1. That Council receives this report; and*
- 2. That Council approves the Statement of Proposal and directs staff to enter into the Special Consultative Procedure as outlined in this report; and*
- 3. That Council appoint three Councillors (Crs Ewen, Challenger and Cummings) to form a subcommittee to hear submissions at a hearing on 29 September 2020 (if a hearing is required); and*

4. *That Council endorses the letter to the Minister as attached to this report and directs it to be sent as per this report.*

Carried

5.0 CHAIRMANS REPORT

The Chairman advised that he attended the TTPPC meeting and attended a Zoom meeting with Audit NZ. He offered to answer questions from Councillors.

Moved (Challenger / Ewen) *That this report is received.*

Carried

6.0 ACTING CHIEF EXECUTIVE'S UPDATE

R. Mallinson advised that he attended the West Coast CEO's meeting, and the TTPC Committee meeting. R. Mallinson stated that the meeting he attending with Audit NZ, which was routine and is standard practice.

R. Mallinson attended a meeting at the Arahura Marae which was hosted by MSD. He stated that the proposed West Coast Alliance was discussed at this meeting. R. Mallinson stated that Council's leadership team is keen to see that the Alliance works well.

R. Mallinson answered questions on staffing requirements. He agreed to set up a meeting to progress the setting up of the Audit and Risk Committee before the new Chief Executive starts.

Moved (Ewen / Cummings) *that this report is received.*

Carried

LATE ITEM

PROPOSED DELEGATION OF INDEPENDENT COMMISSIONER FOR RC -2020-0042

H. McKay spoke to this report and stated that WCRC is the applicant and consenting authority. H. McKay advised that a hearing may not be required but it is appropriate for Council to appoint an Independent Commissioner due to the application being a limited notified consent application. She advised that she is recommending Dr Brent Cowie be appointed as Independent Commissioner due to his experience and the recommendation from several other regional councils who have used Dr Cowie in the past.

Cr Ewen asked if it would be possible for Councillors to be part of this process for experience, in view of all Councillors recently taking part in the Making Good Decision course. H. McKay responded that this is possible as Council can appoint a panel should they wish to. She advised that if this option is taken it could potentially increase costs if Dr Cowie is training a Councillor, as this may take more time. H. McKay advised that Councillors are able to sit in on future hearings. Cr Coll McLaughlin stated she would be very keen to sit in on any hearings. It was agreed that the Delegations Manual would be reviewed in the future as there could be further cases similar to this that could arise.

Moved (Challenger / Cummings)

1. *That the report is received.*
2. *That Council delegate under Section 34A(1) for the Resource Management Act 1001 to Dr Brent Cowie as hearings commissioner all the powers, functions and duties of a local authority and / or consent authority under the Resource Management Act to hear and decide the application RC-2020-0042 made by West Coast Regional Council, and authorise the Council Chairperson to sign the letter of delegation as attached.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 12.02 p.m.

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Chairman

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Date