

THE WEST COAST REGIONAL COUNCIL

Notice is hereby given that an **ORDINARY MEETING** of the West Coast Regional Council will be held in the Offices of the West Coast Regional Council, 388 Main South Road, Greymouth on **Tuesday, 11 February 2020** commencing on completion of the Resource Management Committee Meeting

A.J. BIRCHFIELD
CHAIRPERSON

M. MEEHAN
CHIEF EXECUTIVE OFFICER

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THE WEST COAST REGIONAL COUNCIL**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 10 DECEMBER 2019,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 11.16 A.M.****PRESENT:**

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

IN ATTENDANCE:

M. Meehan (Chief Executive Officer), R. Mallinson (Corporate Services Manager), H. McKay (Consents & Compliance Manager), N. Costley (Strategy & Communications Manager), H. Mills (Planning, Science & Innovation Manager), R. Beal (Operations Director), T. Jellyman (Minutes Clerk).

1. APOLOGY:

There were no apologies.

2. PUBLIC FORUM

Prior to Ms Inta addressing the meeting, Cr Cummings asked if there is a resource consent in place for the cleaning of out the drain. H. McKay responded that there is a resource consent application for the culvert structure at the mouth of the drain, which is on hold for further information, but there is no resource consent for the cleaning out of the drain because it is operated under the permitted activity rule. Cr Coll McLaughlin advised that Buller District Council is obligated to do this.

The Chairman welcomed Frida Inta to the meeting via telephone. M. Meehan advised Ms Inta that all councillors are present, as well as both iwi representatives. Ms Inta stated that the main thrust of her submission is the dredging out of a creek colloquially known as Swannies Creek. She stated that she is not aware of any permitted rule which allows the dredging out of this creek. Ms Inta stated that the dredging material has been taken out of the CMA, and put above the CMA, it has destroyed the vegetation in this area, and has introduced weeds. Ms Inta stated she would like a reply to her submission. She stated that Swannies was a natural inlet and there was an outlet there at one time which has been diverted several times. Ms Inta would like to know what are the permitted rules for this area and what is Council going to do to address this issue. The Chairman thanks Ms Inta and advised that Council staff will be in contact with her.

3.1 CONFIRMATION OF MINUTES

The Chairman asked the meeting if there were any changes to the minutes of the previous meeting. There were no changes requested. It was noted that there were only three of the current councillors present at this meeting.

Moved (Challenger / Ewen) that *the minutes of the Council meeting dated 8 October 2019, be confirmed as correct.*

Carried

Matters arising

Cr Ewen advised that in response to his question regarding Kiwi Quarry, he stated that there is no such thing as a Notice of Direction, there is a verbal directive. Cr Ewen stated that there is a Prohibition Notice given to the site on 11 May 2018, and this is still in force. He stated that there is no rock on the floor. Cr Ewen stated that should Council wish to work on this site in the future, a Geotech assessment would be required and an extraction plan would need to be provided. R. Beal confirmed that Council has no plans to reopen Kiwi Quarry.

3.1.1 CONFIRMATION OF MINUTES OF TRIENNIAL MEETING HELD 25 OCTOBER 2019

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

Moved (Ewen / Challenger) that *the minutes of the Triennial Council meeting dated 25 October 2019, be confirmed as correct.*

Carried

Matters arising

There were no matters arising.

REPORTS:

4.1 OPERATIONS REPORT

R. Beal spoke to his report and took it as read. He stated that due to heavy rain over the past week there has been work done in the Wanganui rating district with 5,000 tonne of rock placed on the stopbanks of the Wanganui River.

R. Beal advised that the final costs of the rebuild for the Milton & Others stopbank are not yet to hand. He stated that the Lower Waiho rating district is very motivated to upgrade the stopbank from Canavans Knob to Rata Knoll. They also wish to extend the Milton & Others Stopbank downstream but this is substantially more expensive. R. Beal advised that should this work go ahead the existing loan can be refinanced by taking out a further \$400,000 without having to increase the repayments but the term would be 25 years. R. Beal advised that for the rebuild, 40% of the declared value will be paid out, and 60% of the costs of the rebuild will be covered by MCDEM.

The Chairman asked R. Beal if more rock will be placed in the Hokitika rating district as there has been more erosion in this area. R. Beal advised that erosion has been quite aggressive in this area over the past four months. He stated that work has been started and further rock work will be done once the erosion slows. R. Beal answered questions from Councillors and confirmed that currently there is no Council owned rock pile in the Inchbonnie quarry. He stated that at the end of the existing royalty agreement, Council will have a 5000 tonne stockpile.

Discussion took place on rating districts and the importance getting classifications right when a rating district is set up. M. Meehan advised that the classifications for the Hokitika rating district may be looked at during the annual plan process. He provided in depth advice on rating districts in general.

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

Carried

4.1.2 WESTPORT 2100 – RECOMMENDATIONS OF THE WORKING GROUP

M. Meehan introduced Mr. Chris Coll to the meeting. M. Meehan acknowledged the work done by the Westport 2100 Working Group and stated that a lot of the members are volunteers who have put a lot of time into producing this report for Council. He stated that the Working Group had wanted to get this report before the previous Council but as there are matters in the report that will need to be brought to the Annual Plan, it is better that the report comes before the current Council. Mr. Coll addressed the meeting and advised that the group has been together for 8 / 9 months and working towards some monumental decisions. He stated that the group is getting focused on identifying the risk and hazards involved which include flooding by the Buller River, earthquake in the Buller region and West Coast in general, cyclone such as Fehi or similar, Tsunami from the Tasman Sea, localised earthquake fault such as the Cape Foulwind fault, or from the Pacific east coast side South America area. Mr. Coll stated that the overarching effect of climate change which can magnify and complicate all of these events. Mr. Coll stated the working group is left with three options, number one – do nothing in the mistaken belief that it will cost nothing until the event or disaster strikes, this is considered not an option as insurance companies may increase premiums or make insurance unaffordable. Option number 2 is to put an evacuation plan in place for Westport, Carters Beach. Mr. Coll spoke of the risk that the Buller Bridge may not be safe to cross and this is the only escape route. Option three is to upgrade existing hard structures that still remain, and build stopbanks and rock protection around Westport by initiating a rating district proposal as a matter of urgency. Mr. Coll stated this has become urgent, the working group is concerned about justified criticism if an action plan is continued to be postponed. Mr. Coll spoke of the planned new hospital which is located in the Westport township and this could be of concern. Mr. Coll spoke of potential effects of gravel build up in the Buller River. He displayed aerial photographs of this area, and the areas of concern. Mr. Coll advised that Matt

Gardner from Land River Sea Consulting Ltd has been asked to prepare a response and a study. Mr. Coll spoke extensively of the history of this area. He advised that the next meeting of the working group will be held next January 2020.

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N. Costley advised that she has been working with and assisting the working group. She spoke of the 32 recommendations in the report which are all parts of planning for both civil defence, the Regional Council, Buller District Council and other stakeholders including NZTA. N. Costley stated that the recommendations focus on short, medium and long term actions and have been phased into phase 1 and phase 2 process with phase 1 being things that can get underway now or in the new financial year. Phase 2 covers projects that would be undertaken following initial investigative work.

M. Meehan advised that a letter has been received from Buller District Council confirming that Crs Sharon Roche and Grant Weston have been appointed to the Westport 2100 Working Group, and that former Crs Phil Rutherford and Shayne Barry continue to be included in the Westport 2100 Working Group.

Mr. Coll answered questions from Councillors. Extensive discussion took place on the formation of rating districts, rating classifications, insurance issues and the importance of progressing this project. Cr Coll McLaughlin spoke of the risk Westport people may encounter by not being able to get insurance cover if there is not suitable protection in place. She stated that the feedback from Buller is just get on with it, and that the community must be consulted with. Cr Hill stated that there may be a reluctance to establish a rating district but it is important that this work is started. M. Meehan advised that this requires a lot of work, he advised that properties who are at the most risk pay more. He stated that there are no hard and fast rules around the establishment of rating districts and it is not a perfect science. Extensive discussion took place and it was agreed that one rating classification is the fairest. Cr Coll McLaughlin suggested that a workshop is held for Councillors so that they can be well informed. She stated that it is important that the most palatable option for the community is found.

Moved (Challenger / Hill)

1. *That Council receives this report.*
2. *That Council adopts the phase 1 recommendations as identified in Table 1: Recommendations of the Westport 2100 Group, for inclusion in the next Annual Plan and the Long Term Plan 2020-2023 and subsequent Annual Plans, unless they can be prioritised earlier in current business as usual budgets;*
3. *That Council investigates the formation of a rating district for the wider Westport area to accelerate recommendations to improve the resilience of the Westport community and to undertake the further investigative work required to inform the phase 2 work, with some urgency.*

Carried

4.2 CORPORATE SERVICES MANAGERS MONTHLY REPORT

R. Mallinson spoke to his report and advised that this is the four month report up to 31 October 2019. He advised that total revenue was \$5.798M, and includes \$960,000 from MCDEM in payouts for the Milton & Others stopbank rebuild and other damage to infrastructure as a result of the 26 March weather event. R. Mallinson advised that investment income is less than budgeted. He stated that VCS revenue and expenditure reflects the number of quantum of contracts that have been carried out during the reporting period.

R. Mallinson reported that total expenditure for the period is \$4.79M and total operating surplus is just over \$1M. R. Mallinson explained the rest of his report in detail for the benefit of the new Councillors, and answered questions from Councillors. He advised that VCS and investment income is running below budget.

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

Carried

4.2.1 ELECTED MEMBER REMUNERATION

R. Mallinson spoke to this report. He advised that Councillor remuneration is set by the Remuneration Authority, and they inform Councillors how much they will be paying their Chair as well as informing each Council of the pool they need to pay to all other Councillors except the Chair. R. Mallinson advised that the Chair's salary has been set at \$85,300, with the sum of \$317,737 needing to be paid to the other six Councillors. R. Mallinson explained the four different scenarios for the deputy chair's relativities for salary. R. Mallinson advised that the Remuneration Authority advise how many cents per km Council is allowed to pay but Council does its own budgets separate to this pool for mileage reimbursements. R. Mallinson stated that Council has no option but to pay the full pool otherwise Council would be in breach of the law, and the regulations. R. Mallinson reiterated that Councillors are not voting themselves a pay rise, as this is a directive from the Remuneration Authority. R. Mallinson answered questions from Councillors and

acknowledged the extra work the deputy chairman is required to carry out. The Chairman stated that as his salary is set, he suggested that 75% relativity. Discussion took place and all present agreed with the 75% scenario.

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Moved (Cummings / Magner)

That Councillors adopt the 75% relativity for the Deputy Chair / Resource Management Committee Chair position.

Carried

4.2.2 SCHEDULE OF MEETING DATES FOR 2020

R. Mallinson spoke to his report. The Chairman noted that traditionally the Council meeting has been held on the second Tuesday of each month. M. Meehan advised that over the next six months there will be quite a lot of work with the Annual Plan requiring additional workshops. Cr Ewen suggested that a workshop could be held during the third week of January. M. Meehan advised that Council will need to meet to approve the submission on the Crown Minerals Amendment Act which is due on 27 January.

Moved (Coll McLaughlin / Ewen) *That Councillors adopts the 2020 Schedule of Meeting Dates.*

Carried

4.2.3 TRIENNIAL AGREEMENT

N. Costley spoke to this report and took it as read. She stated that this agreement is a requirement of the Local Government Act requiring the four West Coast Councils to prepare a triennial agreement. R. Mallinson provided background information on the history of triennial agreements.

Moved (Challenger / Cummings)

That Council endorses the Triennial Agreement for Councillor Birchfield to sign on behalf of the West Coast Regional Council.

Carried

5.0 CHAIRMANS REPORT

The Chairman spoke to his report and asked Councillors if there were any questions relating to meetings he has attended during the reporting period. Cr Ewen asked The Chairman if there has been any signal from other parties about the disbanding of the Conservation Board. Cr Birchfield responded that he has not heard this matter mentioned at any meeting he has attended as yet. Cr Ewen stated that Council could lend its voice to this matter as he is not in favour of this move. Cr Ewen stated that Conservation Board does not represent the region as elected members, as Council does. Cr Ewen stated that in the last term it has been more ministerial appointment as opposed to those people who were removed. The Chairman stated that the Board has been stacked. Cr Cummings agreed. F. Tumahai also agreed. Cr Ewen stated he would like the Board to be disbanded. M. Meehan advised that Council has no power over the Board. Cr Coll McLaughlin stated that she is not in favour of disbandment but would like to see the community better represented. Cr Hill agreed with Cr Coll McLaughlin. F. Tumahai advised that the whole weight of the Board has now shifted to what it used to be with it shifting to a lobby group. F. Tumahai stated that he feels that Board does not need to be disbanded but does need to be refocused and changed. Cr Magner stated that she would be stepping aside from the conversation. M. Meehan suggested that a joint letter is penned, and sent to the Minister highlighting Council's concerns. Cr Cummings asked how the appointments to the Board are made. The Chairman advised that they are ministerial appointments. F. Tumahai advised that both iwi appointments are appointed by Ngai Tahu.

M. Meehan stated that the letter can be worked on via the Mayors, Chairs and Iwi Forum and circulated to Councillors and iwi representatives.

Moved (Ewen / Coll McLaughlin)

1. *That M. Meehan drafts a letter to the Minister of Conservation expressing concern regarding the recent changes to members of the Conservation Board.*
2. *That this report is received.*

Carried

6.1 CHIEF EXECUTIVE’S REPORT

M. Meehan spoke to his report and spoke of the meetings he attended prior to the new council being formed. He advised that the meetings with the sphagnum moss industry and the field trip hosted by Council with regard to the changes for the freshwater NPS and to support Council’s submission. M. Meehan advised that positive feedback has been received.

M. Meehan advised that civil defence has been very active over the last month or so.

M. Meehan reported that he and the Chairman attended the Regional Sector meeting in Wellington on 7 November.

M. Meehan stated that the meeting with Minister Parker was focused on the Freshwater package and he seems willing to look at different alternatives and is aware of the concerns that have been raised to date.

M. Meehan stated that the Minister for Civil Defence has now been hosted twice in the last month. Both M. Meehan and the Minister flew to Franz Josef yesterday to attend a public meeting with approximately 400 tourists that were stuck in Franz Josef following the recent heavy rainfall event. M. Meehan advised that the Director of NEMA (National Emergency Management Agency) also attended this meeting. M. Meehan advised that there are a lot of council staff involved in the civil defence response as this is a very important part of staff roles.

M. Meehan advised that the meeting with Minister Sage was an opportunity to highlight Council’s concerns with the biodiversity NPS which is being led by Minister Mahuta, Minister of Local Government and is not being led by Conservation. M. Meehan stated that this was also an opportunity to put the costs in front of the Minister of what costs to implement and the concerns from landowners regarding this NPS.

M. Meehan advised that focus on what is coming through from central government and working out how to deal and support staff with this is continuing. M. Meehan stated that there are a lot of unknowns in this area which makes it harder when trying to set up the Annual Plan process.

M. Meehan answered questions from Councillors and provided additional information on the new civil defence agency, and matters relating to Westport 2100, Franz Josef weather event and cost recoveries for this event.

Moved (Coll McLaughlin / Challenger) *that this report is received.*

Carried

GENERAL BUSINESS

There was no general business.

The meeting closed at 12.41 p.m.

.....
Chairman

.....
Date

3.1.1

THE WEST COAST REGIONAL COUNCIL

MINUTES OF A SPECIAL MEETING OF THE WEST COAST REGIONAL COUNCIL HELD ON 27 JANUARY 2020, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

M. Meehan (Chief Executive Officer), R. Mallinson (Corporate Services Manager), N. Costley (Strategy & Communications), R. Beal (Operations Director), H. McKay (Consents & Compliance Manager), T. Jellyman (Minutes Clerk)

1. APOLOGIES:

There were no apologies.

Due to an administrative oversight, this meeting was not advertised in the local papers, but as per Section 46, parts 5 &6, the meeting will still be valid even though it was not publicly notified. A retrospective advert will be placed in the local newspapers, stating the general nature of the business.

M. Meehan advised that there are two agenda items to be discussed with a Councillor Workshop to follow.

2. SUBMISSION – TRANSFORMING THE RESOURCE MANAGEMENT SYSTEM: OPPORTUNITIES FOR CHANGE, ISSUES AND OPTIONS PAPER

L. Sadler spoke to this report and advised that feedback on this submission is due on 3 February. She advised that there are 14 issues have been identified and a number of options for each issue. L. Sadler advised that Council has not had time to go through this in detail but staff have picked out the key issues affecting this Council. L. Sadler spoke to all 14 issues and stated that Council has requested that whatever changes are made to the Resource Management System, they need to keep in mind that not all regions are the same, and they need to provide for the variations. L. Sadler spoke to her draft submission and answered questions from Councillors. She asked Councillors to provide their feedback to M. Meehan or H. Mills prior to 3 February. M. Meehan agreed to circulate the link for this report to Councillors.

Discussion took place on prosecution processes, centralising of functions and compliance issues that could undergo change, and agencies that could be involved in potential changes, along with cost recovery options.

3. SUBMISSION ON THE REVIEW OF CROWN MINERALS ACT

N. Costley spoke to this report and advised there are two small changes to this version of the submission. N. Costley displayed the latest version of the submission to the meeting. She spoke of the changes to Chapter four with the first three paragraphs being slightly different to the hard copy given to Councillors. N. Costley read sections of the submission to the meeting. M. Meehan advised that this relates to work done for the previous Growth Study which looked at simplifying the system. He stated that it has been very difficult to make progress with NZP&M and DoC as there is a lot of duplication in the system. Cr Ewen drew attention to several minor typographical errors. M. Meehan advised that the most concerning areas are introducing the four well-beings into the process and the duplication through this, and then through to the RMA. M. Meehan stated that NZPMN is a regulatory body that is issuing minerals permits based on the ability for the applicant to actually extract the mineral. He stated that there are technical matters that are looked at based on maximising the return to the Crown, including the environmental, the RMA issues which are dealt with through consenting, and the RMA plans, introducing the duplication which will create a more complex system than it already is.

Cr Coll McLaughlin stated that she has viewed Bathurst Mining Ltd's draft submission and suggested that it is circulated to Councillors as they might better understand how the Crown Minerals Act sits in relation to

the RMA. It was agreed that the Bathurst Mining Ltd and Minerals West Coast's submissions would be circulated to Councillors. Discussion took place on the underlying philosophy behind the reform. M. Meehan stated that he is concerned about bringing in more duplication to an industry that is already highly regulated. Cr Coll McLaughlin stated that the Bathurst submission lays out quite clearly how efficient it is to view the Crown Minerals Act as an economic allocation piece of legislation that fits in with others. Discussion took place, all present agreed with the changes to the submission.

Moved (Birchfield / Ewen)

That Council supports the changes to the key points for the Review of the Crown Minerals Act 1991.

Carried

The meeting closed at 10.52 a.m.

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Chairman

.....
Date

3.1.2

THE WEST COAST REGIONAL COUNCIL

MINUTES OF A SPECIAL MEETING OF THE WEST COAST REGIONAL COUNCIL HELD ON 31 OCTOBER 2019, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 10.30 A.M.

PRESENT:

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

IN ATTENDANCE:

M. Meehan (Chief Executive Officer), R. Mallinson (Corporate Services Manager), H. Mills (Planning
Science & Innovation Manager), H. McKay (Consents & Compliance Manager),
T. Jellyman (Minutes Clerk)

1. APOLOGIES:

There were no apologies.

2. ADOPTION OF 2019 AUDITED ANNUAL REPORT

R. Mallinson stated that the Statement of Compliance and Responsibility was signed this morning by
Chairman Birchfield and the Chief Executive. R. Mallinson provided considerable detail and
answered a variety of questions from Councillors.

MOVED (Cummings / Ewen)

*That Council formally adopts the 2019 audited Annual Report pursuant to Section 98 (1) of the Local
Government Act 2002.*

Carried

3. APPROVAL OF COUNCIL'S SUBMISSION ON THE GOVERNMENT'S FRESHWATER PACKAGE

H. Mills spoke to this report and took it as read. H. Mills outlined the minor changes to the
document since Councillors first saw it. M. Meehan advised that over the past six weeks Council has
been working alongside DWC, the three district Council, Federated Farmers, iwi and Westland Milk
Products, and the sphagnum moss industry to come up with this submission. They have been out
on site to a sphagnum moss operation and dairy farms. M. Meehan advised that each agency
involved has provided information on the impact to their respective industries. M. Meehan advised
that 12,000 submissions have been received so far. H. Mills went through the minor changes that
have been made to the submission and answered questions from Councillors. Discussion took place
and all changes were agreed to.

MOVED (Magner / Coll McLaughlin)

1. *That the report is received.*
2. *That the Council approves the submission on the Government's Freshwater Package.*

Carried

4. APPOINTMENT OF COUNCIL MEMBERS TO THE TE TAI O POUTINI PLAN COMMITTEE

M. Meehan spoke to this report and drew attention to the Local Government Order of Council made on 5 November 2018 which is attached to this report. M. Meehan drew attention to Section 8 of the Order which requires the Chairperson of the West Coast Regional Council and one other elected member from and appointed by the West Coast Regional Council to be on this joint committee. M. Meehan outlined what is required and what is entailed with this appointment, and stated that it is likely that this appointment will be for the term of this Council. Cr Challenger advised that currently he is elected to this position, but stated that he would like to nominate Cr Coll McLaughlin for this role. Cr Challenger stated that Cr Coll McLaughlin has a suitable background for the role, but he would be interested in having input into the natural hazards area for this committee. Cr Ewen endorsed Cr Challenger's comments. Cr Coll McLaughlin confirmed that she is happy with this decision.

MOVED (Challenger / Birchfield)

That the Chairman and Cr Coll McLaughlin are appointed to the Te Tai O Poutini Committee.

Carried

The meeting closed at 11.28 a.m.

.....
Chairman

.....
Date

4.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 February 2020
Prepared by: Paulette Birchfield and Brendon Russ - Engineers
Date: 30 January 2020
Subject: **ENGINEERING OPERATIONS REPORT**

WORKS COMPLETED AND WORKS TENDERED FOR

Punakaiki Seawall Crest Repair (Rosco Contractors Ltd)
Greymouth Floodwall Joint Repair (Liddells Contracting Ltd)
Karamea Stopbank Reconstruction (Rosco Contractors Ltd)

Works Completed

Inchbonnie Rating District

Work involving the placement of 1,800 tonne of rock and associated earthworks was awarded to GH Foster Contracting at a cost of \$85,000 (GST Exclusive).

The work involved construction of 8 new rock groynes and stopbank earthworks. Rock for this project was sourced from the WCRC Inchbonnie Quarry.



Taramakau Rating District

Work involving the placement of approximately 1600 tonne is currently being undertaken by Henry Adams Contracting under current maintenance contract for this rating district at a cost of \$28,000 (GST Exclusive).

Rock for this project is currently being sourced from local farmland.



Wanganui Rating District

Emergency works were carried out in December 2019 on the true left bank of Wanganui River where the river has cut into a location where the stopbank had no rock armoring.

Approximately 5000t of rock was needed to urgently repair erosion into the stopbank. This work is capital work and the property owners who benefit from this work will pay all costs.

Due to Contractors being currently very busy with other rock work projects throughout the West Coast a team of the following Contractors was put together to complete the Emergency works:

- Arnold Contracting
- Henry Adams Contracting
- McKenzie Contracting.

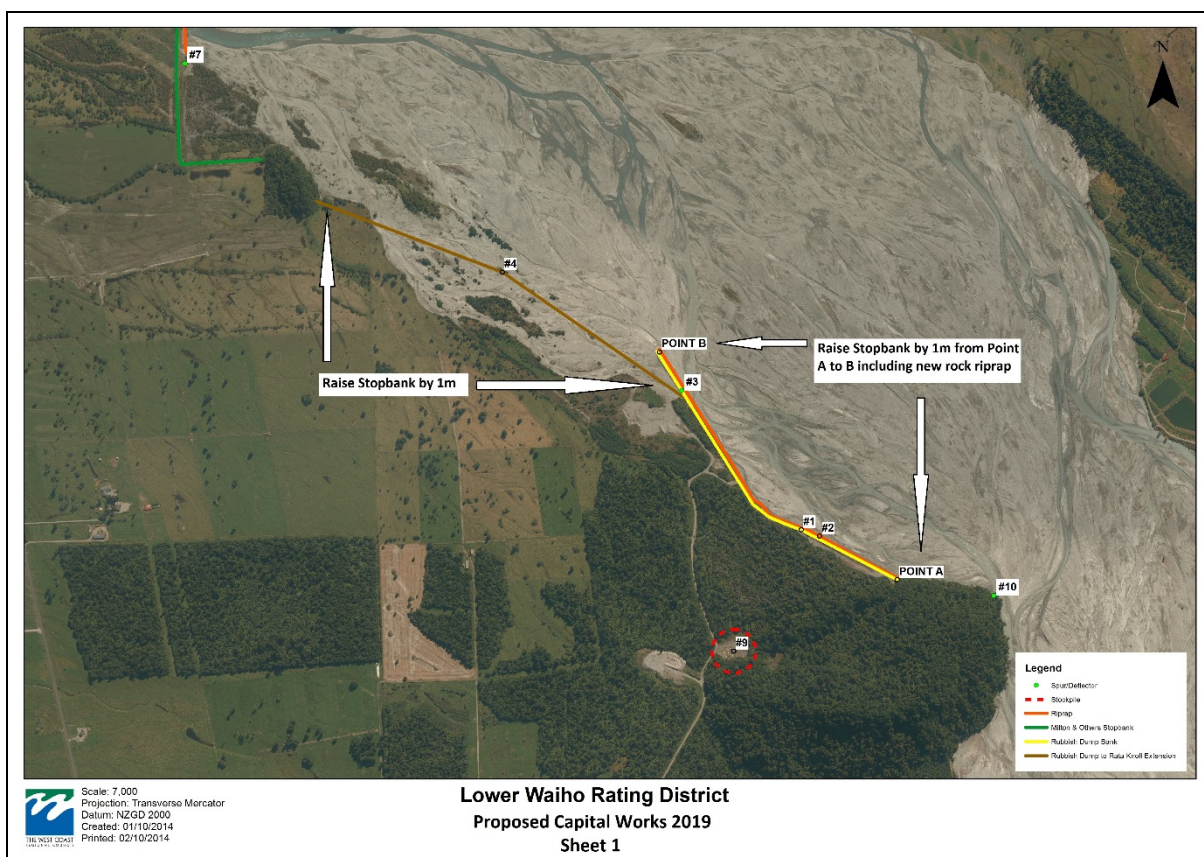




Tenders for the raising of sections of stopbank on the Wanganui River were received in December 2019. Because of the emergency rock works that was needed this project has been put on hold until rating district members can confirm funding.

Lower Waiho Rating District

Work involving the raising of stopbanks as shown on the below aerial was awarded to Graeme Condon Contracting at a cost of \$208,000 (GST Exclusive). This work was urgent and the works started onsite at the end of December 2019. The Contractor worked through the Christmas break to ensure the stopbank was well protected.



Karamea Rating District

Little Wanganui riverbank repair works were undertaken by SM Lowe Contracting Ltd during December 2019. Erosion of the true right bank upstream of spurs #81 and #82 had progressed to where the integrity of the spurs could be compromised.

River gravel was used to reform and rebuild the eroded bank, and two small spurs were placed at either end of the works to protect the bank. The adjacent rock stockpile was also cleared of vegetation that had obscured the stockpile site.

Note: The relevant section of the Karamea Rating District Asset Management Plan for Little Wanganui River works is: To maintain existing protection works with the aim to reduce bank erosion and flooding.



Looking downstream from the top of the rebuilt bank.



Looking upstream towards the road bridge.



Rock stockpile site cleared of vegetation.

Quarry Rock Movements for the period 1 July 2019 to 31 October 2019 (excluding Royalty Arrangements)

Quarry	Rock Size	Opening Stockpile Balance	Rock Sold	Rock Produced	Closing Stockpile Balance
Camelback	Large	2,000	6823	4823	0
Whataroa	Small/medium	9,056	0	0	9,056
	Large	1,500	0	0	1,500
Blackball		670	0	0	670
Inchbonnie		0	0	0	0
Kiwi		0	0	0	0
Miedema		0	0	0	0
Okuru		1,000	0	0	1,000
Whitehorse		1,334	0	0	1,334
Totals		15,560	0	0	13,560

Rock Requested

Quarry	Contractor	Amount	Permit Start	Permit Finish
Camelback	Rosco Contractors	4823	Produced	July 2019
Camelback	Henry Adams	1899	09.07.19	31.07.19
Camelback	Henry Adams	2558	19.08.19	06.09.19
Camelback	Henry Adams	1182	17.10.19	31.10.19
Camelback	Henry Adams	1184	01.09.19	25.10.19

RECOMMENDATION

That the report is received

Randal Beal
Operations Manager

4.1.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 February 2020
Prepared by: Randal Beal – Operations Manager
Date: 3 February 2020
Subject: **Rating District Liaison Meetings Report**

Purpose

The purpose of this report is to provide the minutes from the annual round of Rating District Liaison meetings.

Meetings

12 meetings were held in 2019, the minutes from these meetings are attached to this report.

RECOMMENDATIONS

- 1. That the report is received.*
- 2. That the rate strikes recommended be placed in the next Annual Plan.*

Randal Beal
Operations Manager

THE WEST COAST REGIONAL COUNCIL
MINUTES OF THE ANNUAL MEETING OF
THE MOKIHINUI RATING DISTRICT
HELD AT THE MOKIHINUI COMMUNITY HALL
ON 24 SEPTEMBER 2019, COMMENCING AT 10.00 AM

PRESENT

G. Moseley, C. Hahn, R. Bennett, P. Batchelor, C. Woodward, J. Woodward, B. Hanham, T. McNabb, P. McNabb, J. Climo, F. Spillane

IN ATTENDANCE

West Coast Regional Council
 Cr Archer, Cr Clementson (Councillors)
 R. Beal, P. Birchfield, J. Curry, T. Jellyman (Staff)

APOLOGIES

B. Climo. P. Clarkson, N. Moseley

BUSINESS

Cr Archer opened the meeting and welcomed those present. He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 18 October 2012, be adopted as a true and correct record of that meeting, with the amendment made to the rock price as noted below."*

R. Bennett / P. Batchelor – Carried

MATTERS ARISING

It was noted that there is an extra zero in the minutes from 2012 relating to rock price, the correct price is \$26.00 per tonne.

P. Birchfield advised that the resource consent is for the rock spurs and is valid for 35 years. It was agreed that P. Birchfield would check expiry date of the resource consent.

FINANCIAL REPORT

R. Beal spoke to this report. He advised that the opening balance at the beginning of July 2018 was \$64,563.89. R. Beal advised that total expenses were \$45,080.00 of which \$43,345.00 was contractor's costs. He reported that the closing balance to 30 June 2019 is \$32,019.45.

WORKS REPORT

P. Birchfield spoke to this report. She advised that \$43,345 worth of works was carried out during the 2018 / 2019 financial year.

P. Birchfield spoke of work carried out during the reporting period, which included a top up of the rock groyne and an additional spur near the Morgan's was installed. She advised that repair work to the front wall and primary wall was carried out in August.

P. Birchfield advised that reported that an inspection was carried out in August 2019. She advised work has been carried out to deflect waves from depositing material in front of the culvert. It is proposed to include the new structure in the rating district asset management plan. It was agreed that P. Birchfield would inspect this area prior to inclusion in the asset management plan. It was noted that the culvert has not blocked since installation and is working well. A speaker is concerned about taking over the maintenance of this culvert. R. Beal

advised that Council has not yet received a formal request from anybody regarding maintenance of the culvert. He stated that the culvert is a Buller District Council (BDC) asset. It was noted that BDC has been clearing the culvert as necessary, and they also pay for this. Discussion took place regarding what would be required to have the culvert included in the rating districts assets, it was agreed that the status quo would remain and that maintenance of the culvert would continue to be done by BDC.

Moved: *"That the proposal to include the newly completed structure in the Mokihinui rating district asset management plan is rejected".*

G. Moseley / J. Climo - Carried

RATES 2020 / 2021

P. Birchfield advised that with the proposed works of \$13,725 and the rate of \$11,200 previously struck for the 2018 / 2019 year the balance in the rating district account at the beginning of the 2020 / 2021 year is likely to be \$35,000. It is recommended that the same rate be struck as last year. It was noted that all financial figures in the reports are exclusive of GST.

RECOMMENDATION

Moved: *"That the rate strike for the 2020 / 2021 financial Year is \$12,880.14 (ie. 42 units @ \$306.67 GST Incl)".*

J. Woodward / G. Moseley – Carried

ELECTION OF OFFICERS

Cr Archer asked for nominations for the committee. It was agreed that the same people that are members of the ratepayer's association would be the rating district committee.

Moved: *"That the committee consists of P. Clarkson, B. Morgan, J. Woodward, F. Spillane, and J. Climo and for the 2019 / 2020 financial year."*

J. Woodward / G. Moseley - Carried

Moved: *"That Brian Morgan and Paul Clarkson be elected as Co - Spokespersons for the rating district committee for the 2019 / 2020 financial year."*

J. Woodward / G. Moseley - Carried

GENERAL BUSINESS

G. Moseley asked if the insurance claim lodged in 2010 was successful or not. R. Beal confirmed an insurance payout was received by MCDEM in 2012 following the severe weather event which affected the entire West Coast in 2010. This rating district did not receive a payment. Cr Archer advised that Council withdrew from the LAPP Fund as it was almost impossible to get money out of this fund. He advised that Council now has a Catastrophe Fund in place and is self-insured. Cr Clementson gave the example of the insurance claim for the Milton & Others stopbank, in Franz Josef, which was washed away in the March 2019 weather event.

Gorse

A speaker asked who is responsible for removing the gorse around the estuary area as there is now more growing than there was in 2012. J. Curry advised that gorse is registered in the Pest Plant Management Strategy. J. Curry advised that a work programme is put out each year by LINZ. Discussion took place and it was noted that this area is a fire risk. J. Climo stated that Mr Batchelor used to keep an eye on this and would arrange for DoC volunteer groups to deal with the gorse. Discussion took place on who is the landowner of this area and it was agreed that Council would follow up on this. Cr Archer suggested this could perhaps be a community project, should the community decide to do something about the gorse.

J. Climo asked how well the groyne is working. P. Birchfield advised this is working well, with a gravel building up against the base which is a good thing. She stated that more time is required for the build up to continue. Cr Archer passed on information gathered from NIWA staff following their recent visit to the Hector – Granity area. P. Birchfield advised that the spurs are designed to offer a little more protection to the bank.

Cr Archer thanked the meeting for their attendance. He passed on his and Cr Clementson's best wishes for the future to those present, in view of both himself and Cr Clementson standing down from Local Government this election.

There being no further business, the meeting closed at 10.42 a.m.

Action Point

- P. Birchfield to check expiry date of resource consent. (Expires 2047)
- Check insurance if assets are covered by WCRC.
- Find out who owns the gorse infested area. (30.9.19 – this area is owned by LINZ).

**MINUTES OF THE ANNUAL MEETING OF THE
KONGAHU RATING DISTRICT
HELD AT THE LITTLE WANGANUI HOTEL
ON 24 SEPTEMBER 2019, COMMENCING AT 11.30 AM**

PRESENT

B & C. Jones, K. Kees, G & F. Volckman, L. Kees, R. Anderson, G. Kees, B. Bjerring,
R. Hedgman,

IN ATTENDANCE

West Coast Regional Council
T. Archer, N. Clementson (Councillor)
R. Beal, P. Birchfield, J. Curry, T. Jellyman (Staff)

APOLOGIES

C. Hellyar, K. Gavigan, S. MacGregor, F. Bjerring

Moved: *"That the apologies be accepted".*

R. Anderson / G. Volckman – Carried

BUSINESS

Cr Clementson opened the meeting and welcomed those present. He introduced himself and the Council staff.

MINUTES OF PREVIOUS ANNUAL GENERAL MEETING

Moved: *"That the minutes of the previous Annual Meeting held on 23 October 2018, be adopted as a true and correct record of that meeting.*

B. Jones / F. Volckman - Carried

MATTERS ARISING

B. Jones asked where things are at with the Land and Water Plan hearing. Cr Archer advised that hopefully, the final hearing was held last week, and it is likely to be 3 – 4 weeks before final decision is to hand. Cr Archer stated it is likely this will be signed off by the new council.

L. Kees stated that he is waiting for P. Birchfield to inspect a drain on his property. It was agreed that P. Birchfield would carry out this inspection on Monday.

Resource consents for the drain cleanout, Otamahana estuary (this is expired but can still be used), Granite Creek, and the resource consents for rock work were discussed. P. Birchfield advised that the existing structures can be maintained under the permitted activity rules. She stated that at the moment all three resource consents are on hold due to the Coastal Plan, Land and Water Plan or affected party approval which is awaited.

Discussion took place on the opening estuary. B. Jones stated that this has become a case of too bigger a job. He stated it took too long to get anywhere with and there is a huge amount of sand to be moved and this is not realistic. It was noted that the Otamahana estuary is now running into the Karamea River.

Discussion took place on the effectiveness of Garlon and the supply of Garlon. B. Jones stated that he has applied three doses of Garlon, evenly spaced, and has now nearly wiped out Parrots Feather on his property. He stated he is pleased with how clean the drains are at the moment. It was noted that there is still a problem on the MacGregor's place as it was

only sprayed once last season. It was agreed that Parrots Feather control would be discussed later in the meeting.

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FINANCIAL REPORT 2018 / 2019

R. Beal spoke to this report. He advised that the opening balance was \$15,252.55, total revenue was \$10,398.08, total expenses were \$24,004.80 and the closing balance as of 30 June 2019 was \$1,645.83. P. Birchfield answered questions relating to the report. It was agreed that a further breakdown of the financial report would be sent out to the rating district.

Moved: *"That the financial report is received".*

G. Volckman / F. Volckman – Carried

WORKS REPORT

P. Birchfield spoke to this report advising that \$2,599.15 worth of works were done during the reporting period. This included the clean outlet of Blackwater Creek channel, and spraying for Parrots Feather.

P. Birchfield advised that \$17,000 has been allowed for future works, this includes \$7,000 for maintenance of existing works and spraying and \$10,000 for swamp drain cleaning and maintenance.

Parrots Feather Control

G. Volckman asked if Parrots Feather work is to continue. J. Curry advised that an Envirolink application was submitted and a grant received to carry out a feasibility study on the eradication of Parrots Feather. She advised that part of the grant was to investigate different chemicals that could be used, to reduce costs and to hopefully be able to do two sprays per season. J. Curry advised that Metsulfuron spray will be trialled on the MacGregor's property, this is much cheaper, than what has been used in the past. J. Curry advised that once the trial is completed there will then be an indication as to which chemical will be used going forward. She stated that two sprays per year have worked well. It was noted that last year the rate strike was increased so that two sprays each year could be done in the hope that this would make a dent in Parrots Feather. One spray was done in December last year, and one in April. The two sprays have worked well in Blackwater Creek and those farmers who sprayed twice have received a good result. MacGregor's did not spray in April and this is the worst area now. J. Curry advised that Niwa is involved with the trial and are pleased with how things are looking after two sprays per season. J. Curry advised that the timing of the sprays is one in spring and again in March/ April. J. Curry stated that results of trials are due in February then recommendations on future management will follow. J. Curry advised that the suggested timing for the next spray is October / November. J. Curry advised that there is still a lot of Parrots Feather in side creeks and on farm that could reinfest the main drain. She stated that the Niwa work will involve looking for a cheaper spray so that more applications can be done. Drones may be used for application, but only over small areas. It was noted that the main drain will need to be kept clear and spray will need to be applied via helicopter, it was noted that this area is now looking pretty clear. J. Curry advised that to move towards eradication, every bit of Parrots Feather needs to be sprayed with two sprays per year and everyone doing their own on farm spraying, with follow up spray as required. Discussion took place and it was noted that the amount of chemical required and flying time could be reduced this year. G. Volckman stated that if the rating district wants to get rid of Parrots Feather they need to keep at it but he feels that \$17,000 is not enough to do something similar to last year. It was noted that the floodgates are starting to age, and will sooner or later something will need to be done about them. It was agreed that some money needs to be kept in reserve. R. Hedgman stated that each flood spreads the Parrots Feather further. It was noted that Garlon is a good spray but is expensive at \$600 per 20 litres. It was agreed that a spray would be done before Christmas and possibly another one after Christmas. It was also agreed that the same programme would continue next year with two aerial sprays of Garlon.

Moved: *"That the same spraying programme as last year, with two aerial sprays is approved for 2019 / 2020."* 23

B. Jones / R. Hedgman – Carried

Moved: *"That the works report for 2019 / 2020 is approved."*

B. Jones / B. Bjerring – Carried

2020 / 2021 RATE STRIKE

The recommended rate strike is \$20,000 for the coming financial year. The balance in the rating district account at the beginning of the financial year is likely to be \$9,800.

Moved: *"That the rate strike for the Kongahu Rating District is \$20,000 for the 2020 / 2021 financial year."*

B. Jones / B. Bjerring – Carried
Against L. Kees

L. Kees stated that he is not receiving any work on his property and he feels that money is being pumped in to the scheme but he is not getting any benefit. He stated that he is paying K. Kees to clean out his drains. B. Jones advised L. Kees that the rating district will pay for work on his property as he is part of this scheme, and is paying into it.

R. Anderson spoke of a drain that is causing concern, it was agreed that P. Birchfield would investigate this area next week when she visits L. Kees property.

ELECTION OF COMMITTEE AND SPOKESPERSON

It was noted that all ratepayers in the rating district are members of the committee. B. Jones raised the matter of all members of the rating district being on the committee. He stated that It was agreed that the status quo would remain for this financial year.

Moved: *"That the entire rating district are on the rating district committee for the 2019 / 2020 financial year."*

G. Volckman / R. Anderson - Carried

Moved: *"That B. Jones re- elected as the spokesperson for the 2019 / 2020 financial year."*

B. Bjerring / R. Hedgman – Carried

Cr Clementson thanked B. Jones for the work he does on behalf of the rating district.

GENERAL BUSINESS

B. Jones thanked Crs Archer and Clementson for their service to the rating district over the years. It was noted that Cr Archer has been on Council for 12 years and Cr Clementson has served six years. All present agreed with B. Jones's and endorsed his comments.

Cr Clementson thanked the meeting and stated that he would like to see the rating district get on top of the issue with Parrots Feather.

It was agreed that the meeting papers would be emailed out to the rating district in future.

There being no further business, the meeting closed at 12.26 pm.

Action Points:

- R. Beal to email a financial breakdown for the \$11,000 to rating district.

- Email reports out to rating district.

THE WEST COAST REGIONAL COUNCIL
MINUTES OF THE ANNUAL MEETING OF THE
KARAMEA RATING DISTRICT
HELD AT THE RSA AND COMMUNITY CENTRE
ON 24 SEPTEMBER 2019, COMMENCING AT 1.00 PM.

PRESENT

B & C. Jones, A. Bruning, D. Simkin, G. Volckman, M. Watt, B. Langford, R. Sampson, P. Langford, R. Anderson, P. Gibson,

IN ATTENDANCE

West Coast Regional Council
 T. Archer, N. Clementson (Councillors)
 R. Beal, P. Birchfield, J. Curry, T. Jellyman (Staff)

APOLOGIES

G. Johnstone.

P. Langford / D. Simkin - Carried

BUSINESS

Cr Archer opened the meeting and welcomed those present. He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 23 October 2018, be adopted as a true and correct record of that meeting.*

B. Jones / B. Langford - Carried

MATTERS ARISING

Actions points were updated.

B. Jones asked if there has been any progress with the rating classifications. R. Beal advised that if the rating district wishes a consultant could be brought in to progress this. It was noted that the private works at Oparara and Blue Duck Creek would need to be included. P. Birchfield advised that any structures would need to be assessed to ensure that they are up to a suitable standard if they are to be included in the rating district's asset management plan. R. Beal advised this could be done via the annual plan process. Discussion took place and it was agreed that this matter would be progressed, and a price for this work would be obtained.

FINANCIAL REPORT

R. Beal spoke to this report. The opening balance was \$150,900.77 and the closing balance is \$185,079.91.

Moved: *"That the financial report be received."*

P. Langford / D. Simkin – Carried

WORKS REPORT

P. Birchfield spoke to this report. She advised that a total of \$15,970.50 worth of work was carried out during the reporting period. P. Birchfield advised that further costs for work on the Karamea and Arapito Rivers are to come as the rock as not yet been billed for.

P. Birchfield advised that there are no urgent maintenance works identified for the 2019 /20 year. She suggested that \$10,000 is allowed for unforeseen maintenance.

P. Birchfield advised that the upgrade of the stopbank from the Last Resort Bank to the Bridge (1287m) is likely to be undertaken during summer. The tender for this work is almost complete and it is likely the tender will be let in October 2019. Details on the scheduling of this work is yet to be finalised.

P. Birchfield advised that some mowing was done on the stopbank at a cost of a couple of hundred dollars. It was noted that this looks very nice and took around three hours. Discussion took place on when this work should be done each year. It was agreed that this would be done every few months, or when the machine is in the area.

B. Langford was thanked for repairing the floodgate.

R. Beal advised that a loan will be taken out to fund the stopbank upgrade and will come into place in 2020. Cr Archer advised that the loan will have a very low interest rate at around 2% which is from the Local Government Funding Agency.

Moved: *"That the works report be received."*

B. Langford / B. Jones – Carried

RATES 2020 / 2021

Cr Archer advised that the proposed rate strike is \$50,000. It was noted that the balance in the rating district account at the beginning of the 2020 / 2021 financial year is likely to be \$233,280.

Moved: *"That the rate strike for the Karamea Rating District remains at \$50,000 for the 2020 / 2021 financial year."*

R. Sampson / P. Langford – Carried

ELECTION OF OFFICERS

Cr Archer read out the names of the current committee and asked if anyone would like to come off or go on to the committee. It was agreed that the status quo would remain.

Moved: *"That the present committee: Paul McClintock, Peter Langford, Darryl Simkin, Brian Jones, Andrew Bruning, and Bevan Langford be the committee for the 2019 / 2020 financial year."*

R. Sampson / M. Watt - Carried

Cr Archer Thanked B. Langford for his work on behalf of the rating district. He asked B. Langford if he is happy to continue as spokesperson on behalf of the rating district. It was agreed that the status quo would remain.

Moved: *"That B. Langford is appointed as the spokesperson for the 2019 / 2020 financial year."*

R. Sampson / M. Watt - Carried

GENERAL BUSINESS

B. Jones thanked Crs Archer and Clementson for their contributions over the years.

R. Beal thanked the committee for their support, and the support from the community for the recent work that has been carried out in the rating district.

Cr Archer is retiring and Cr Clementson is not seeking re-election this term due to the ill health of a family member. Cr Clementson stated that he has enjoyed his six years on Council. It was noted that Cr Archer has served 12 years on council.

R. Anderson spoke of the overflow of water on the terraces. P. Birchfield stated that the advice Council has received is that uncontrolled water not ideal, and it is not a good idea to take the willows out. B. Langford stated the floodgate worked well the other day and there were no issues with the recent flood where the level got to five metres. R. Sampson asked if river levels have been taken lately. P. Birchfield responded that cross sections surveys are due to be done next year, and LiDAR will be flown later this year.

R. Anderson asked if the rock wall by the camp is included in the scheme. P. Birchfield confirmed that it is. R. Anderson asked if this is going to have more rock placed on it, she advised that this would be up to the rating district if they wish to fund this. M. Watt stated that in the past DoC has opposed this. P. Birchfield advised there is still a resource consent in place to clean out around the confluence between Blackwater and Granite Creek.

P. Birchfield advised that the resource consent for rock work in the Mokihinui, Oparara, Granite Creek and Karamea River is due to expire. She stated that the existing works can be maintained under the permitted activity rule. If further work is required, the resource consent would need to be renewed. It was agreed that the consent should be renewed as it is only \$55 to renew.

B. Jones stated that on the stopbank on south side of river, near the bridge, there is a power pole that stock rub on, and the stopbank is worn in this area. P. Birchfield agreed to check this area.

R. Anderson stated that the river has cut in near the Little Wanganui bridge. P. Birchfield agreed to inspect this area.

Cr Archer thanked the meeting for their attendance.

There being no further business, the meeting closed at 1.33 p.m.

Action Points

- P. Birchfield to follow up on the private works at Oparara and Blue Duck Creek and to ascertain if these should be included in the rating district's asset management plan.
- P. Birchfield to inspect rock wall around the camping ground area.
- P. Birchfield to renew resource consents.
- P. Birchfield to inspect stopbank near the bridge on the Karamea River.
- P. Birchfield to inspect Little Wanganui River near the bridge.

**MINUTES OF THE ANNUAL MEETING OF THE PUNAKAIKI RATING DISTRICT
HELD AT THE KEATING RESIDENCE
ON 24 SEPTEMBER 2019, COMMENCING AT 7.03 PM.**

PRESENT

M & F. Keating, C. King, C. Findlay, S. Casey, D. Bartlett, S. Lyle, T & M. Wilkins, G. & H. O'Dea, S. Gasson, J. Gerard

IN ATTENDANCE

West Coast Regional Council
T. Archer, N. Clementson (Councillors)
R. Beal, P. Birchfield, T Jellyman (Staff)

Cr Clementson called for a moment of silence in memory of the late Mr John Lightfoot. Mr Lightfoot was a member of the rating district for a long time and made a significant contribution on behalf of the community.

D. Bartlett stated that Mr Lightfoot was a former international gymnastics coach and made a huge contribution to sport over the years.

APOLOGIES

D & G. Freeman, C. King, G and A. Beynon

Moved: *"That the apologies be accepted.*

D. Bartlett / H. O'Dea - Carried

BUSINESS

Cr Clementson opened the meeting and welcomed those present to the meeting. He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 17 October 2018, be adopted as a true and correct record of that meeting."*

C. Findlay / D. Bartlett – Carried

Cr Archer drew attention to the section of the minutes relating to the rates, he clarified that he had stated that historically Council had required 70% of submission received would need to be in support of a change, but there was no statutory requirement to achieve this as this is just a target.

MATTERS ARISING

There were no matters arising.

FINANCIAL REPORT

R. Beal presented the financial statements for the financial period ending 30 June 2019. He reported that the opening balance in the maintenance account was \$44,937.29 in deficit, and the closing balance as at 30 June 2019 is \$35,610.

The opening balance in the loan repayment account was \$9,379.20 and the closing balance is \$10,135.48. He reported that the balance of the loan outstanding as at 30 June 2019 is \$235,000. R. Beal advised that the interest rate on the loan is 2.25%.

WORKS REPORT

P. Birchfield presented the 2018 / 2019 works report and advised that \$9,875.33 worth of works were completed during the reporting period.

P. Birchfield carried out an inspection in May 2019 and advised that a top up of the seawall crest is required. A survey was carried out and this identified a loss of height along several areas where the crest requires reformation. The cost of this work is approximately \$30,000. Council recommends the seawall crest height is raised to R.L.10.6m. P. Birchfield answered questions relating to rock costs, concrete and cartage.

P. Birchfield advised that she has allowed \$10,000 for unforeseen maintenance over the 2019 / 2020 period.

P. Birchfield invited those present to view the annual cross section report.

Discussion took place on a proposed memorial for John Lightfoot. P. Birchfield suggested planting of trees or a seat. D. Bartlett stated that he has a constructed and placed a memorial with a plaque in the vicinity of where Mr. Lightfoot used to whitebait. Extensive discussion took place and it was agreed that a garden seat would be placed in this area, and a plaque would be placed on the seat. D. Bartlett advised that tree planting has already been done.

Moved: *"That the rating district purchases a garden seat with a plaque with Mr Lightfoot's name and RIP, written on it.*

D. Bartlett / C. Findlay – Carried

RATES 2020 / 2021

It was noted that the balance in the rating district account at the beginning of the 2020 / 2021 financial year is likely to be \$88,655.

The recommended maintenance rate is set at \$95,000 excluding GST for the coming financial year. Discussion took place on the rate strike. F. Keating suggested lowering the rate strike to \$55,000 as this would give a little relief to ratepayers. It was noted that should there be a major event the rating district would be covered by Council's insurance. R. Beal stated that he understands the desire for rates relief, but noted that the rating district has only just come out of overdraft in the maintenance account. He stated that Council encourages rating districts to build up a prudent reserve in their account to fund emergency works if required.

R. Beal clarified insurance details and stated that Council has 40% cover on declared values of assets, and under a State of Emergency, the Ministry of Civil Defence (MCDEM) will pay 60% for reinstatement of structures. R. Beal explained how insurance worked out for Franz Josef following the March severe weather event.

Extensive discussion took place on Provincial Growth Fund applications, and central government funding.

P. Birchfield advised that she attended a River Managers meeting recently where it was confirmed that the 60 / 40 funding from MCDEM and Department of Internal Affairs is under threat, and eligibility may also be changing.

S. Lyle agreed with F. Keating and stated that she cannot afford the rates at her property. S. Lyle stated that some people are benefitting from the changes to the classifications, and some are huge losers.

P. Birchfield advised that there could be an opportunity to use material from a slip at Fox River if required.

Extensive discussion took place on the rate strike and it was agreed that the \$10,000 would not be paid off the loan as the interest rate on the loan is very low anyway.

R. Beal advised the meeting that NIWA have advised that weather and storm patterns are changing and it is likely that weather events similar to those experienced in the 1980's are expected over the coming decade. Cr Archer advised that Council is very aware of the high rates this district has had over the past few years.

Further discussion took place regarding F. Keating's suggestion of cutting the maintenance rate strike and it was agreed that the rate strike would be \$75,000 for the coming year. It is likely that the balance in the rating district account would be approximately \$150,000. All present were in agreement. The \$10,135.48 credit in the loan account was discussed and it was agreed that it would be transferred to the maintenance account.

Moved: *"That the maintenance rate strike for the Punakaiki rating district is reduced to \$75,000 Excl GST for the 2020 / 2021 financial year, and the \$10,135.48 credit in the loan account is transferred to the maintenance account."*

D. Bartlett / F. Keating – Carried

Moved: *"That the works report is received."*

M. Keating / S. Casey – Carried

D. Bartlett stated that he lives in Christchurch, and he would like to thank F. Keating for keeping in touch with everything that goes on in the rating district. D. Bartlett stated that F. Keating is a great asset to the community.

ELECTION OF OFFICERS

Cr Clementson read out the names of those on the committee. He asked if anyone wishes to either come off or stand down from the committee or if anyone present would like to be elected onto the committee. S. Lyle stated that she would like to join the committee.

Moved: *"That the existing members, G. Beynon, T. Wilkins, S. Casey, M. Keating, A. Beynon, I. Ryder, L. Totzauer, T. Sullivan, C. Findlay and S. Lyle are on the committee for 2019 / 2020 financial year"*

F. Keating / D. Bartlett – Carried

Cr Clementson asked the meeting if they were happy for C. Findlay and G. Beynon to continue in their positions as Spokesperson and deputy spokesperson. It was agreed that this would continue.

Moved: *"That the C. Findlay be elected as the Spokesperson for the 2019 / 2020 financial year and G. Beynon be the deputy Spokesperson"*

D. Bartlett / M. Keating – Carried

GENERAL BUSINESS

D. Bartlett stated that he would like to know what the boundaries are for the Punakaiki rating district. It was agreed that this information would be sent to F. Keating for distribution to the rating district.

D. Bartlett spoke of a group of people who have formed a group to build a town hall. He expressed anger about this matter. Cr Archer advised Mr Bartlett to contact Buller District Council's Mayor and Councillors regarding this matter.

Cr Archer spoke of the work he had done relating to a possible managed retreat from Punakaiki as discussed at last year's meeting. He stated that there was no support to seek other land options. Cr Archer advised that since the last meeting he has obtained aerial photos of all landowners in this area, he meet with the DoC Manager in Westport and was given an assurance that whenever Crown land comes up for disposal it must be first offered to iwi. Cr Archer advised this has been discussed with iwi and there have expressed a desire to purchase the cattle reserve. Cr Archer stated that at this stage there is no other options, should this ever be required.

D. Bartlett stated that currently there is no helipad or cell phone coverage, and first aid station with a defibrillator is also required. He stated with the new track coming in, Buller District Council and DoC need to look at this. R. Beal confirmed that he has had no luck in progressing cell phone coverage for the area.

P. Birchfield advised that Mike Allis from NIWA will be doing two short reports, one will be on coastal erosion 50 years from now and the other will be an assessment on the NZTA wall to assess if there are any potential detrimental effects on the rating district's seawall. She advised that Mr Allis will be on site in January, and funding was provided by Envirolink.

Cr Archer stated that he is retiring from Council this election. He thanked the meeting for the warm welcome he has received over the past 12 years, and for the open dialogue and solution finding over this time. The meeting thanked Cr Archer.

Cr Clementson advised that he is not seeking re-election this time around but may come back in the future. He stated that it is good to have a positive community group, who have robust discussions, and know what they want.

R. Beal thanked C. Findlay for his work with the rating district.

Moved: *"That Crs Archer and Clementson are thanked for their efforts over the years."*

M. Keating / F. Keating – Carried

C. Findlay stated that his children are keen surfers and they have noticed that sand is building up near the seawall and he feels that early indications could be that the NZTA wall is helping to build up sand.

Cr Clementson thanked the meeting for their attendance and he thanked Mr and Mrs Keating for hosting the meeting.

There being no further business the meeting closed at 8.10 p.m.

Action Point:

- R. Beal to follow up on cell phone coverage for Punakaiki, once again.

**MINUTES OF THE ANNUAL MEETING OF THE
INCHBONNIE RATING DISTRICT
HELD AT WARWICK GAULT'S RESIDENCE
ON 3 OCTOBER 2019, COMMENCING AT 10.06 AM.**

PRESENT

W & M. Gault, J. Keeney, D. Shaffrey, R. Adams, M. McPhail, S. Winter, D. & J. Winter, M. Adams, J. Arnold, P. Norris, D. Watts, R. Shaffrey (arrived 10.15), G. Rooney (arrived 10.21),

IN ATTENDANCE

West Coast Regional Council
A. Birchfield, A. Robb (Councillors)
B. Russ, T Jellyman, J. Ellis (Staff)

APOLOGIES

N. & V. Johnston

W. Gault / J. Keeney - Carried

BUSINESS

Cr Robb opened the meeting and welcomed those present.
He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 15 October 2018, be adopted as a true and correct record of that meeting."*

J. Keeney / M. Adams - Carried

MATTERS ARISING

There were no matters arising.

FINANCIAL REPORT

B. Russ presented the financial statements for the financial period ending 30 June 2019. He advised that the rating district account had an opening balance of \$148,929.55 and a closing balance of \$64,005.21. B. Russ reported that there was \$143,375.48 worth of expenses during the year.

B. Russ advised the meeting that following the March weather event, the rating district's infrastructure was affected and emergency works were required. He advised that that Council's insurance will pay for 40% of physical work and the Ministry of Civil Defence pay the remaining 60% with the excess of the claim paid by Council's Catastrophe Fund. B. Russ advised that once the claim is accepted approximately \$57,000 will be paid into the rating district account. Cr Robb advised that a similar situation occurred in 2010 and Council was able to claim on this event as it was a region wide event. B. Russ answered questions relating to the insurance claim, resource consents, and fees, and gravel extraction.

Moved: *"That the financial report for the 2018 / 2019 year be adopted".*

D. Watts / J. Keeney - Carried

WORKS REPORT

B. Russ presented the detailed works report, which covered the 12-month period; 1 July 2018 to 30 June 2019 and advised that \$140,000.50 worth of works were carried out during the reporting period. B. Russ advised that two lots of work was carried out in July 2018 and further work was done in March 2019 following the March flood event. He distributed maps displaying groynes to the meeting.

Extensive discussion took place on groynes and areas of areas of concern. B. Russ explained the purpose and function of groynes to the meeting. He stated that this area is a high maintenance area. B. Russ provided detailed information on the works carried out and stated that all of the work carried out in May 2019 for Stage 2 of the contract was not eligible for insurance as this was new work. He advised that Grey District Council contributed \$35,000 toward the work carried out during the reporting period.

B. Russ reported that \$9,352 worth of work was carried out this financial year.

Discussion took place on the pipes and flap valves in the downstream area. It was agreed that B. Russ would inspect this area.

B. Russ advised that following a discussion with the spokesman, no maintenance works were identified. B. Russ recommended that \$40,000 is allowed for unforeseen maintenance. It was noted that just under \$10,000 has been spent this year. He advised that rating district pays for 50% of work, with Grey District Council paying 50%, up to \$35,000 per year. W. Gault noted that spraying has been done along the beech forest part of the riverbed. B. Russ advised that he is putting together a tender for spraying for other rating districts and can include this rating district. Thanks were passed onto to members of the rating district who have carried out their own spraying work.

Moved: *"That the works report for the 2018 / 2019 year be adopted".*

J. Keeney / D. Shaffrey – Carried

RATES 2020 / 2021

B. Russ advised that the balance in the rating district account at the beginning of the 2020 / 2021 financial year is likely to be \$125,000. He is proposing that the rate strike is \$20,000 for the 2020 / 2021 financial year. It was noted that the prudent reserve for the rating district is \$120,000. B. Russ stated that this amount is fairly light. He advised that the prudent reserve is immediately available for urgent emergency works that may be required following a major flood event. The predicted damage exposure to the schemes assets is estimated at \$200,000 - \$400,000 depending on the size of the flood (see Asset Management Plan). It is therefore likely this prudent reserve will only cover a portion of the actual costs of the potential damage that could occur, noting that Grey District Council will contribute.

Moved: *"That the recommended rate strike for the 2020 / 2021 financial year is \$20,000 GST Excl."*

D. Winter / D. Shaffrey - Carried

ELECTION OF OFFICERS

For this rating district all members of the rating district are on the committee. It was agreed that the status quo would remain. W. Gault was thanked for his work for the rating district.

Moved: *"That W. Gault be re-elected as the spokesperson for the Inchbonnie Rating District for the 2019 / 2020 financial year and the committee consists of all members present."*

J. Keeney / J. Arnold - Carried

GENERAL BUSINESS

M. Adams expressed concern with the lake level rising and the amount of debris following down and building up with a natural dam starting to form. She stated that there is also a lot more debris near the waterfall and this is narrowing the outlet. M. Adams stated that she was told that the resource consent to clear this area was revoked. B. Russ advised that the consent holder has been in contact with Council to get a variation to the resource consent so that the creek can be cleared from the lake towards the north. B. Russ has suggested that the side creeks are included as the lake is high due to the amount of gravel. Extensive discussion took place and it was noted that this area is not part of the

rating district and the land is road reserve, and Grey District Council is responsible for this. B. Russ advised that the consent holder is going to clean this area out.

J. Keeney asked why is rock going out of the rating district to other areas including Kaikoura. He is concerned with rock leaving the rating district and is worried that when the rating district needs rock there might not be any left. Cr Robb advised that the quarry is a regional council asset and that the regional council maintains and charges a royalty on the rock. Cr Robb stated that the Inchbonnie Quarry is one of the few quarries still operating especially with the issues around health & safety and the cost associated with retrieving rock. Cr Robb stated that had the rating district had to pay for the costs associated with the quarry, this would increase the price of rock to the rating district. Cr Robb advised that Council's CEO has suggested that an assessment is carried out to ascertain how much rock is available for future needs, and ensure that enough reserve rock is left for the rating district for the next 50 years or so. J. Ellis advised that he would like to see the make safe work done and completed. He stated that the cost of the make safe work is being covered by the rock sales. J. Ellis advised that he has spoken with the contractor this morning, who advised that he is coming to the end of the rock that he wants out of the quarry and is about to finish. J. Ellis stated that it will end up with a very safe and easy to work quarry. He stated that he would like to see a good part of the rubble go up to the stopbank and put on the riverside. J. Ellis advised that between 80,000 – 100,000 tonne of rock will have been taken by the time the contractor finishes. He stated that there is hundreds of thousands of tonnes of rock still available. J. Ellis spoke extensively about how this work is being done. He answered questions relating to rock recovery, costs involved, quality of rock, quarry contracts and operational matters relating to the Inchbonnie quarry.

Further discussion took place and it was agreed that an assessment of the quarry would be done as soon as possible, in order to work out what rock is available in the licence and make decisions based on this information. It was noted that Council will pay for the assessment and will arrange this as soon as possible. B. Russ explained the contract arrangements to the meeting. Cr Robb advised that all the financial information is publicly available and this will be included in the assessment information. J. Keeney stated that he would like to see rock sales outside of the rating district stopped altogether. Cr Robb stated that the quarry is owned by the Regional Council and is maintained and payed for by the Regional Council.

J. Ellis advised that the Inchbonnie Quarry was gazetted by Parliament in 1953 and the gazette notice defines it as a quarry for the production of armour protection rock, and does not specify which area the rock is for.

Cr Robb stated that staff will allay the rating district's concerns regarding rock takes to the new Council in the coming weeks. He stated that the new Council will need to get up to speed on this as rock is a big issue for the whole region. Cr Robb stated that Council has considered selling all of their quarries but has now decided to keep a few in order to supply rock to the community. Discussion took place on liability, risk and health and safety issues faced by those who run quarries.

Extensive discussion took place on road prices and the possibility of increasing rock prices when it is sold outside of the region.

Those present expressed their concerns with the amount of rock being supplied to contractors from outside of the region. J. Keeney stated that he feels there should be two prices, one for the rating district and one of buyers from outside of the rating district. W. Gault stated that NZTA roads are protected as highways and if there is a higher price for Inchbonnie rock supplied to these areas, the message might get back to government. It was noted that Inchbonnie rock is some of the best quality rock in New Zealand as it is hard and heavy.

There being no further business, the meeting closed at 11.35 a.m.

Action Points:

- B. Russ to arrange for an assessment of the quarry.
- Provide figures on how much rock has been sold over the past couple of years.

**MINUTES OF THE ANNUAL MEETING OF THE
TARAMAKAU RATING DISTRICT
HELD AT ANDREW STEWART'S RESIDENCE
ON MONDAY 3 OCTOBER 2019, COMMENCING AT 12.42 PM.**

PRESENT

M & A. Stewart, D. Groot, S. & R. Langridge, P. Stevenson

IN ATTENDANCE

West Coast Regional Council
A. Birchfield, A. Robb (Councillors)
B. Russ, T Jellyman (Staff),

APOLOGY

J. Stewart, A. Stevenson

Moved: *"That the apologies be accepted."*

D. Groot / M. Stewart – Carried

BUSINESS

Cr Robb opened the meeting and welcomed those present. He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 15 October 2018, be adopted as a true and correct record of that meeting."*

A. Stewart / D. Groot – Carried

MATTERS ARISING

Willow trees will be addressed in the works report.

Council infrastructure insurance details will be discussed in general business.

B. Russ advised that Coll's will be doing the cross sections shortly but he is not yet aware of the date for this work. He advised that LiDAR will be flown in the coming six months or so and this will be funded through the Provincial Growth Fund. B. Russ advised that LiDAR does not travel through water, therefore cross sections will still be required.

FINANCIAL REPORT

B. Russ spoke to the financial report. He advised that opening balance was \$88,027.02, total expenses were \$109,539.48 and the closing balance is \$40,341.74. B. Russ advised that the costs of the last contract (\$16,80) is still to come out of the account but this will go into the next financial year.

Moved: *"That the financial report be received."*

P. Stevenson / S. Langridge – Carried

WORKS REPORT

B. Russ presented the works report, which covered the 12-month period from 1 July 2018 to 30 June 2019. He advised that there was one major job carried out in December following the

November flood. He reported that 1.8 kms of the stopbank was raised by approximately 0.6m⁶ and this was all new capital works at a cost of \$106,979.50. This was the only work done during the reporting period. B. Russ advised that since July, 960 tonnes of rock has been placed at a total cost of \$16,800.

B. Russ advised that as a result of a recent inspection with members of the rating district, the \$16,800 worth of works were identified for the 2019 / 2020 year. He recommended that \$30,000 is allowed for unforeseen maintenance. The total estimated works for the 2019 / 2020 financial year is \$46,800 which includes the \$30,000 for unforeseen maintenance. B. Russ answered questions relating to capital works.

Moved: *"That the works report be received."*

M. Stewart / P. Stevenson – Carried

RATES 2020 / 2021

Discussion took place on the rate strike. The recommended rate strike is \$60,000 with the balance in the rating district account of \$53,000 at the beginning of the 2020 / 2021 financial year. It was agreed that the rate strike would remain at \$60,000.

Moved: *"That the rate strike for the 2020 / 2021 financial year is \$60,000 (GST Excl)."*

A. Stewart / D. Groot – Carried

ELECTION OF OFFICERS

T. Jellyman stated that traditionally all ratepayers in the rating district are members of the committee. A. Stewart is the current spokesperson and R. Langridge is the current deputy spokesperson. It was agreed that the status quo would remain for all three recommendations.

Moved: *"That the committee will comprise of all current ratepayers."*

M. Stewart / P. Stevenson – Carried

Moved: *"That A. Stewart is elected as Spokesperson for the 2019 / 2020 financial year".*

M. Stewart / P. Stevenson – Carried

Moved: *"That R. Langridge is appointed as Deputy Spokesman for the 2019 / 2020 financial year."*

M. Stewart / P. Stevenson – Carried

GENERAL BUSINESS

Willows: Discussion took place on the willows as there has been conflicting advice about keeping vegetation back from the bank and whether or not to spray willows. It was noted that willows close to the bank have been sprayed. B. Russ advised that funding is being progressed via the Shane Jones billion Dollar Tree fund. B. Russ advised that small scraggy trees should be gotten rid of but the ones that are likely to grow well should be left. Cr Robb stated that it is best not to have trees on the riverbanks as the roots are likely to open up the surface. B. Russ advised that trees on the flat surface are fine to be left in place.

Catastrophe Fund: B. Russ explained that Council's insurance kicks in once the \$250,000 excess has been paid. It was noted that there is often a delay between when bills are needing to be paid and the insurance pay out being received. It was noted that there is around \$1M in the catastrophe fund at the moment. Cr Robb stated that the Catastrophe Fund is working well. B. Russ stated that Council has its own insurance which will pay out 40% of what the affected asset is worth, and the Ministry of Civil Defence will pay the remaining 60%.

S. Langridge asked what is likely to happen should the William Stewart Bridge be inaccessible.³⁷ He stated they were informed about a year ago, that the bridge has a five year lifespan. Discussion took place and it was agreed that a new bridge is required but this would cost millions of dollars.

There being no further rating district business to be discussed, the meeting closed at 1.12 p.m.
p.m.

Action Points:

There were no action points.

**MINUTES OF THE MEETING OF
THE GREYMOUTH JOINT FLOODWALL COMMITTEE
HELD ON 8 OCTOBER 2019,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL,
388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 3.00 P.M.**

PRESENT:

A. Robb (Chairman), T. Kokshoorn, A. Birchfield, P. Ewen, C. Sandrey, M. Hay (arrived 3.05 p.m.)

IN ATTENDANCE:

M. Meehan (Chief Executive WCRC), P. Pretorius (Chief Executive GDC), R. Mallinson (WCRC Corporate Services Manager), P. Birchfield (WCRC Engineer), M. Sutherland (GDC Assets Manager), T. Jellyman (Minutes Clerk), The Media

APOLOGIES:

There were no apologies.

BUSINESS

T. Kokshoorn welcomed all present to the meeting and introductions were made.

MINUTES

The Chairman asked if there were any changes requested to the minutes.

CONFIRMATION OF MINUTES

Moved: That the minutes of the Joint Floodwall Committee meeting held 9 October 2019, as circulated, be confirmed as correct.

A. Robb / C. Sandrey - Carried

MATTERS ARISING:

There were no matters arising.

PUBLIC FORUM

There was no public forum.

FINANCIAL REPORT

R. Mallinson reported that the balance in the loan account was \$145,336.52 as of the end of 30 June 2019. He stated council had rated as they were going to be borrowing \$600,000 to fund the upgrade and joint fix. R. Mallinson advised that this work did not eventuate therefore there is a credit balance and a loan repayment rate of \$180,000 will need to be raised this year.

R. Mallinson reported that the balance of the maintenance account as at 30 June 2019 is \$140,502.89 in deficit. He advised that Council has over rated in the loan account for a number of years and once the full costs of the fix are in, consideration to transferring a portion to maintenance account is given.

FINANCIAL REPORT – SALTWATER CREEK / NEW RIVER

R. Mallinson reported that the opening balance as of 1 July 2018 was \$10,575.34 and the closing balance as of 30 June 2019 is \$13,574.22. R. Mallinson advised that the closing balance is³in excess of the prudent reserve and therefore he advised that there is no need to rate for the 2020 /21 year. There were no expenses during the financial year.

Moved: *That the financial reports are received.*

A. Robb / C. Sandrey - Carried

WORKS REPORT – GREYMOUTH RATING DISTRICT

P. Birchfield reported that a total of \$291,487.54 worth of works were carried out during the reporting period. She advised that Equip Engineering installed the culvert plate over the end of the Cobden Cut culvert. Paul Steegh Contracted Ltd lifted it in.

P. Birchfield advised that cross section work was done in June 2019. She advised that the bed level has stayed relatively stable for the past few years but rock did start sliding in near the Blaketown clubrooms. P. Birchfield advised that 475 tonne was used for a start and a further 969 tonnes was used further along the floodwall. She advised that the price was quite high for this work due to the restriction on traffic and difficulties with trucks turning therefore tubs were used rather than truck and trailer units.

P. Birchfield advised that Westroads did work on the Cobden side to improve drainage.

P. Birchfield reported that as a result of an inspection carried out in August 2019, \$425,000 worth of works were identified. This includes \$5,000 worth of spraying and removal of vegetation from the floodwall, \$400,000 floodwall repairs and \$20,000 has been allowed for unforeseen maintenance. P. Birchfield advised that she now has the Progress and Next Steps Report relating to the upgrade of Range Creek floodgate. She circulated copies of the report to those present and advised that should would pass on any queries relating to the report on to John Strange. P. Birchfield advised that the gate itself does not need to be replaced as the unit can be retrofitted.

Floodwall repairs: P. Birchfield advised that the tender is going out late October and will close late November with a potential start in late January. She advised that work will continue through until April. P. Birchfield advised that Stantec have prepared the tender documents for the report of the joints, they will manage the tender process and will monitor this work. She stated that each individual joint has been assessed to ascertain exactly what is required for each joint. P. Birchfield advised that five or six joints have already been done for viewing platform, these are being monitored and were inspected this morning and the joints are looking very good. P. Birchfield advised that Liddell's are doing this work and they are happy with the way the grout is holding in, and the joints are looking tidy. She stated that final costs for the tendered work will be known by the end of the year.

T. Kokshoorn asked P. Birchfield for an update on the seepage through the floodwall. She responded that Riley's have done an initial assessment, work on the viewing platform, a literature review and have been provided with information as requested but recommendations from them are still awaited.

Moved: *That the works report is received.*

T. Kokshoorn / C. Sandrey - Carried

WORKS REPORT SALTWATER CREEK / NEW RIVER

P. Birchfield advised that no works were carried out during the reporting period.

RATE STRIKE – NEW RIVER / SALTWATER CREEK

Cr Birchfield asked if they are sure there is enough money in the rating district account to suspend the rate strike. R. Mallinson advised that the prudent reserve of \$10,000 has been reached and there is it is now \$13,574.22 in the account.

Moved: *That the rate strike for the 2020 / 2021 financial year be suspended.*

T. Kokshoorn / C. Sandrey - Carried

RATE STRIKE – GREYMOUTH FLOODWALL

R. Mallinson advised that the proposed maintenance rate strike for the 2020 / 2021 financial year is \$100,000 excluding GST. 40

The proposed rate strike for the loan repayment for the 2020 / 2021 financial year is \$180,000 excluding GST.

P. Pretorius asked the meeting a transfer of funding from once account to the other should be included in the decision. R. Mallinson advised that his recommendation would be to wait and see what the final cost of the tendered work is.

Moved: That the maintenance rate strike for the 2020 / 2021 financial year is \$100,000 excluding GST, and the rate strike for the loan repayment for the 2020 / 2021 financial year is \$180,000 excluding GST.

T. Kokshoorn / A. Robb - Carried

GENERAL BUSINESS

There was no general business.

There being no further business, the meeting closed at 3.16 pm.

.....
Chairman

.....
Date

**MINUTES OF THE MEETING OF
THE HOKITIKA JOINT SEA WALL COMMITTEE
HELD ON 10 OCTOBER 2019,
AT WESTLAND DISTRICT COUNCIL CHAMBERS,
WELD STREET, HOKITIKA, COMMENCING AT 09.07 A.M.**

PRESENT:

S. Challenger (Chairman), D. Carruthers, G. Eatwell, P. Ewen, A. Robb

IN ATTENDANCE:

M. Meehan (WCRC CEO), S. Bastion (WDC CEO), T. Cook (Regulatory Services Manager WDC), E. Bencich (Operations Manager WDC), R. Mallinson (Corporate Services Manager WCRC), B. Russ (WCRC Engineer), T. Jellyman (Minutes Clerk).

APOLOGIES:

Cr Routhan, Cr Neal, P. McDonnell

Moved: *"That the apologies be accepted."*

D. Carruthers / A. Robb – Carried

WELCOME

S. Challenger welcomed all present to the meeting and introductions were made.

PRESENTATION

There was no presentation.

Moved: *"That the minutes of the previous Annual Meeting held on 18 October 2018, be adopted as a true and correct record of that meeting."*

S. Challenger / G. Eatwell – Carried

MATTERS ARISING

There were no matters arising. Action points were updated.

PUBLIC FORUM

Cr Challenger invited Mr Les Mason to address the meeting. Mr Mason stated that he owns 27 Beach Street and is concerned about the costs of recent work and the need for the work to be re-done following damage after a storm event. Cr Challenger advised that the work carried out was for the ramps on the seawall and they are a particularly vulnerable part of the seawall. He stated that they have never been designed to be a permanent feature, the design is an over steeping face on the downward side and this leaves them vulnerable in high seas. Cr Challenger stated that to resolve this problem a huge amount of money could be spent and it may not work. Mr Mason expressed concern that when the ramps were placed a few years ago they lasted for 4 – 5 years. Mr Mason feels that the regional council should be paying for this work and not the ratepayer. B. Russ advised that the reason why the ramps lasted so long when they were first built was because the beach was a lot higher. He advised that not long after the seawall was built the sand / gravel on the beach nearly went to the top of the rock wall. B. Russ advised that over the last 18 months or so the beach has cut down a lot and the original ramps were lost. He advised that when the seawall was topped up the ramps were repaired and it was hoped that they would last like they did originally but because the beach had dropped the waves were hitting the ramps very hard. One more attempt was made to repair the ramps, and to make them structurally even sounder than the original design but again they did not last very long. B. Russ stated that at that point it was agreed that the access ways would not be maintained until the beach rises by at least another three metres. S. Bastion asked for costs to do this permanently. B. Russ advised that a permanent structure would involve concrete and handrails and the handrails would probably be destroyed by

the sea. M. Meehan advised that this committee has made the decision not to maintain the access ramps until the sea conditions settle. Cr Challenger stated that advice from BECA has been followed, further engineering advice is being investigated. He stated that this is a very dynamic environment.

Peter Mason addressed the meeting and stated the seawall has done a superb job and is a fantastic engineering job. He expressed concern with the increase in his rates and the costs associated with maintaining the seawall. R. Mallinson advised that the maintenance rate was not in place when the seawall was first built, but has now been in place for a few years now. R. Mallinson invited Mr Mason to contact him to discuss his rates.

Further discussion took place on access to the seawall, M. Meehan stated that the most cost effective thing the committee has done is to put access ramps ways to the seawall on hold until the area settles down. Cr Challenger advised that gravel and sand could be put in place as a sacrificial access way but it would not last very long.

Peter Cuff addressed the meeting on behalf of commercial ratepayers. He stated that the area needing work is moving further south but the rating formula is the same with majority of those paying rates belonging to the commercial area. He asked if this should be reassessed. Discussion took place and it was agreed that a long term strategy is required for both the Hokitika River and the sea.

Diane Sharp addressed the meeting and expressed her concern regarding her rates as she is paying three times as much as people across the road from her house. R. Mallinson explained the rating system and stated that it is based on capital value with differentials over Classes A (paying 100%), Class B (75%), Class C (60%) and Class D (10%), which means those in Class D are paying 10% of what those in Class A are paying. Cr Challenger advised that WCRC looked at the fairest way of setting the classifications when the rating district was first set up. Cr Robb advised that with the new council coming on board shortly, this will be a good opportunity to readdress matters prior to the next annual plan process. Cr Robb encouraged the meeting to make submissions on the West Coast Regional Council's annual plan process. D. Sharp suggested a similar system to the Greymouth rating district classifications could be used. M. Meehan explained how the apportionments are set out when a new rating district is set up. He confirmed that the new Council would address this matter.

Mr Max Dowell addressed the meeting and gave a history of his time living near the Hokitika River and the sea. He spoke of his background in marine rescues, flows of the river and the sea in this area. Mr Dowell stated that he has over 80 years' experience in this area. Cr Challenger advised that Mr Ian Goss (Coastal Engineer with BECCA) will be inspecting this area at his next visit.

FINANCIAL REPORT

R. Mallinson spoke to this report and advised that the opening balance in the maintenance account is \$73,453.09 and the closing balance in the maintenance account is \$55,813.61.

The opening balance in the loan account is \$85,547.10 in deficit and the closing balance in the loan account is \$74,629.20 in deficit. The loan account balance represents the unused balance of the rate raised to repay the loan with. The actual loan balance as of 30 June 2019 was \$1,093,750.00.

WORKS REPORT

B. Russ spoke to this report and advised that \$43,995.49 worth of works were carried out during the financial year. He stated this was top up work which was done by Henry Adams Contracting Ltd. B. Russ advised that the access ramps were washed away and then reinstated to their original design, again they were washed away by the sea and this is why it was decided to stop maintaining the ramps until the beach level rises. B. Russ advised that two concrete pipes underneath the seawall were replaced.

B. Russ recently inspected the seawall and \$500,000 worth of possible maintenance works were identified, this includes the northern end of the seawall to Richards Drive. He stated that some of this work has already been carried out between Tudor Street and Hampden Street. B. Russ advised that around \$160,000 has been spent in this area, and this work is temporary. B. Russ advised that Ian Goss (Coastal Engineer) provided the design for this work, and is looking at the whole Hokitika foreshore and the mouth of the Hokitika River. He will be asked for recommendations on where to from here. B. Russ advised that following the March flood event, LiDAR has now been flown for Hokitika and Mr Goss will use this information. B. Russ advised that over the past few days' serious erosion has occurred just north of Richards Drive groyne, temporary rock work in this area is due to finish today.

B. Russ advised that no further maintenance of the seawall is required at the moment, but he has allowed \$10,000 for unforeseen maintenance. It was noted that the seawall has survived two large cyclones over the past year or so.

S. Bastion asked if the area between the beachfront and Tudor Street is scheduled work to be done in the near future. B. Russ advised that this area is still being monitored but was surveyed last week. B. Russ advised that the BECCA report is due within the next couple of weeks.

RATE STRIKE

Discussion took place on the rate strike, Council recommends a maintenance rate strike of \$50,000. The balance in the rating district account at the beginning of the financial year is likely to be close to \$75,000. A \$30,000 maintenance rate was established across the existing A –D classes. Cr Challenger advised that the prudent reserve, for maintenance only is approximately \$380,000. M. Meehan advised that it is highly likely that the new Council may consider a re-classification of the rating district. It was noted that the possibility of the need for a loan is dependent on how much work is required.

Moved: *"That the rate strike for the 2020 / 2021 financial year is \$50,000."*

S. Challenger / A. Robb – Carried

GENERAL BUSINESS

Cr Challenger stated that he feels this committee needs to look at more than just the seawall and that the Hokitika River and community needs to be considered. He suggested that the name of the committee could be changed to the Hokitika Coastline Committee. Cr Challenger stated this is all part of the future consultation that needs to be done and he will be pushing for if re-elected. Extensive discussion took place. R. Mallinson advised that any money raised for the seawall protection is a targeted rate and can only be used to repay the loan raised to build the seawall, or for the maintenance of the seawall.

Cr Challenger expressed concern with Sunset Point being in a vulnerable area, as it points to the south. Cr Challenger stated that he is concerned that the district council is putting assets on Sunset Point and he is unsure if Ian Goss has included this area in his assessment. Cr Challenger stated that to preserve the assets, this area would need to be protected. He is aware that there is a rubbish dump in this area, and the cost of removing the rubbish dump could be over \$500,000. S. Bastion stated that is a very conservative estimate.

Discussion took place regarding freehold properties on Beach Street, Revell Street areas, coastal erosion and the unformed legal road in this vicinity. A speaker expressed concern with assets being put in this area as he considers it to be an erosion zone. Cr Challenger stated that short, medium and long term options need to be considered.

Mr Alastair Campbell stated that there are no minimum floor levels in the district plan, he stated that river levels are hardly above street level in some places. Mr Campbell stated that there are new properties and new commercial developments in this area. He spoke of older buildings that have been raised and he is concerned that these new properties could be at risk as they don't have minimum floor levels.

There being no further business, the meeting closed at 10.11 a.m.

Action Points:

T. Jellyman to arrange a meeting to discuss rating classifications.

.....
Chairman

.....
Date

**MINUTES OF THE ANNUAL MEETING OF THE
WANGANUI RATING DISTRICT
HELD AT THE HARI HARI RESTROOMS
ON 22 NOVEMBER 2019, COMMENCING AT 9.34 AM.**

PRESENT

A. Campbell, J. Stewart, R. McKenzie, M. Lawn, B. Walkington, M. Molloy (arrived 10.06 a.m), G. & K. Robertson (arrived 10.11 a.m)

IN ATTENDANCE

West Coast Regional Council
D. Magner (Councillor), S. Challenger (Councillor)
R. Beal, B. Russ, R. Mallinson, T. Jellyman (Staff)

APOLOGIES

There were no apologies.

BUSINESS

Cr Challenger opened the meeting and welcomed those present. He introduced himself, Cr Magner and Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 29 October 2018, be adopted as a true and correct record of that meeting."*

J. Stewart / S. Challenger - Carried

MATTERS ARISING

There were no matters arising.

FINANCIAL REPORT

R. Beal presented the financial statements for the financial period ending 30 June 2019. R. Beal advised that the opening balance was \$319,053.31, total expenses were \$86,050 and the closing as at 30 June 2019 was \$465,129.67.

WORKS REPORT

B. Russ presented the detailed works report, which covered the 12-month period: 1 July 2018 to 30 June 2019. He advised that a total of \$21,611 worth of maintenance works were carried out during the reporting period along with \$62,569 worth of capital works which were done in January, all rock used came from Bede McGrath's land. B. Russ stated that the rock was obtained at a very good price. B. Russ advised that at the time of writing this report no extra work had been done since 30 June but in last few weeks some capital works which was done last year has required topping up. He advised that there is further work required in this area, and work is currently being carried out on the north side of the river. B. Russ advised that it was a struggle to find a contractor to do this work but he was able to find three contractors who were able to work together to get the work done.

B. Russ advised that he carried out an inspection with the spokesperson on 21 September 2019 and advised that \$84,000 worth of works were identified, which he is hopeful will be 100% covered by Council's and MCDEM's insurers. B. Russ suggested that \$40,000 is allowed for unforeseen maintenance.

RATES 2020 / 2021

B. Russ advised that the recommended rate strike is \$100,000 GST exclusive. The prudent reserve⁴⁶ for this rating district is \$500,000. The balance in the rating district account at the beginning of the 2020 / 2021 financial year is likely to be \$525,000. It was agreed that the rate strike would remain at \$100,000.

A. Campbell asked if the rating district is covered by insurance should there be a major weather event. R. Mallinson advised that the excess on any claim is \$250,000 cover which is 40% of the risk and the Crown covers the other 60% with Council picking up the excess. R. Mallinson stated that in a major event it is likely that other rating districts across the region would also be affected. R. Beal advised there is not always 100% cover in every situation as declared values are based on when rating district assets were built, as prices changed. B. Russ advised that if there is widespread damage on the West Coast, contractors will be in short supply and their prices will then go up.

J. Stewart stated that there is a shortage of good rock on the West Coast. R. Beal updated the meeting on the current advice from NIWA with regard to weather patterns and stated that their advice is that the West Coast is moving into a similar pattern experienced during the floods in the 1980's, and this pattern started around 2014. He stated that it is likely there will be more weather events similar to the March one, and with this in mind it would be prudent to assess the rating districts need for rock in a large weather event. It was noted that there is a good rock supply at the gold claim and Lake Ianthe. B. Russ advised that the royalty on this rock is \$10 per tonne. B. Russ encouraged the meeting to look for rock sources locally if possible.

Discussion took place regarding the rate strike and it was agreed that the status quo would remain.

Moved: *"That rate strike for the Wanganui rating district is \$100,000 Excl GST for the 2020 / 2021 financial year."*

J. Stewart / A. Campbell - Carried

ELECTION OF OFFICERS

T. Jellyman read out the names of last year's committee members. She asked if anyone wishes to either stand down or join the committee. Discussion took place and it was agreed that the status quo would remain.

A. Campbell

R. Hodgkinson

G. Robertson

M. Aynsley (represents ratepayers in the township)

J. Arnold

J. Stewart

N. Blackburn is elected as the committee for the 2019 / 2020 financial year."

Moved: *"That A. Campbell is re-elected as Spokesperson for the 2019 / 2020 financial year."*

M. Lawn / R. McKenzie - Carried

GENERAL BUSINESS

J. Stewart requested that the property owners name as well as the structure number is include in the works report for clarity.

J. Stewart raised the matter of the retard near the deer gate as the retard has been pulled right back to the back. He is concerned that he could be faced with paying for capital works for this. It was noted that there is a stockpile of rock in this area. It was agreed that A. Campbell and B. Russ would inspect this area.

B. Russ displayed a plan of the river where the stopbank needs to be raised and stated that there is a 1.1 km length that needs to be raised to 0.6m at a cost of \$128,000. He advised that the 1.7km stopbank that needs to be raised will cost approximately \$133,000. B. Russ advised that the whole 1.1km area currently has no rock protection on it and the bush that was in the riverbed is slowly

getting eroded into. B. Russ displayed photographs of the area to the meeting. He stated that the vegetation in this area was providing quite a lot of protection to the stopbank, and this will need to be rock lined in the future. B. Russ confirmed that this work is capital work. B. Russ stated he would like to go higher but this would increase the costs. Extensive discussion took place on who pays, how this would be funded, the possibility of a loan to pay for the work, and changing the rating district to a complete capital scheme. It was agreed that this would be unaffordable to a lot of people. B. Russ advised that everyone benefits from the 1.1 km section of work required, as well as the 1.7 km section. Discussion took place on the funding of this capital work. R. Mallinson advised that if the rules are changed then consultation would need to be done with the whole rating district. B. Russ advised that the same situation is going to come up in slightly different area over the coming years. J. Stewart stated that the costing needs to be done so that people know how much they are going to be up for. B. Russ stated that it is important that this work is done as soon as possible. R. Mallinson explained how the rating system and capital contributions work for this rating district. It was agreed that all landowners affected would meet middle to late next week, view the site and discuss pricing. B. Russ advised that gravel from the closest island would be used, but care would be taken to ensure this doesn't affect the river in another area. B. Russ advised that once the work is agreed to he will then prepare the tender.

R. McKenzie expressed concern with rock that was placed recently as there is now no toe and he feels this area could be vulnerable. B. Russ advised that repair in this area would be capital works and he needs to get agreement from those who would pay for this work. It was agreed that big rock is needed for this area. B. Russ advised that this whole section of the stopbank needs to be looked at as it is very silty, and will need to be rocked. It was noted that Westroads have been dumping slip material in this area. It was agreed that B. Russ would request that this is stopped.

B. Russ advised that the two sections of work which are yet to be done will not become part of the rating district until it has been in place for two years.

Discussion about insurance took place, Cr Challenger reminded those present that it is book value that is insured not replacement value. It was also clarified that any assets need to be included in Council's asset management register in order to be covered by insurance.

Extensive discussion took place on a section of the stopbank called the Garland stopbank. It was stated that there has not yet been a big flood in this area. B. Russ advised if the rating district would like to build to a higher standard, use more rock and have a deeper toe, this can be done but it will cost money. B. Russ stated this work was signed off in 2015, it is included in the asset management register, and there is little that can be done about this now. Discussion took place on whether or not all design work should be changed from now on. Cr Challenger advised that a survey could be sent out to the rating district to see if they wish to change the design of any future work.

Discussion took place on the stockpiling of rock. It was agreed that stockpiled rock could be used for emergencies, but it must be replaced. B. Russ stated that he is currently getting prices to replace this rock.

Discussion took place on the La Fontaine area.

It was agreed that a meeting will be held next year if required, and that B. Russ and A. Campbell will liaise regarding this.

R. Beal thanked A. Campbell for the work he does on behalf of the rating district.

Cr Challenger thanked the meeting for their attendance.

There being no further business, the meeting closed at 10.45 a.m.

Action Points for follow up

- B. Russ and A. Campbell to inspect the area near the deer gate.
- Arrange a meeting with affected parties to discuss the works required.
- B. Russ to contact Westroads and ask them to stop dumping slip material on the stopbank.

- Send out survey to ascertain whether design of future work should be upgraded.
- B. Russ and A. Campbell to inspect area at La Fontaine Creek.

THE WEST COAST REGIONAL COUNCIL
MINUTES OF THE ANNUAL MEETING OF
THE WHATAROA RATING DISTRICT
HELD AT THE WHATAROA COMMUNITY HALL
ON 22 NOVEMBER 2019, COMMENCING AT 11.36 AM

PRESENT

B. Graham, C. Hassall, G. Styger, D. Friend, J. Spencer

IN ATTENDANCE

West Coast Regional Council

D. Magner, S. Challenger (Councillors)

R. Beal, B. Russ, R. Mallinson, T. Jellyman (Staff)

APOLOGIES

K. Kelly, P. Kennedy

BUSINESS

Cr Magner opened the meeting and welcomed those present. She introduced herself and the Council staff.

Moved: *"That the minutes of the Whataroa Rating District Meeting held on 30 October 2018, be adopted as a true and correct record of that meeting."*

D. Friend / C. Hassall - Carried

MATTERS ARISING

C. Hassall asked why the works that were supposed to be tendered last year were not carried out. B. Russ advised that he has kept an eye on this area each time he has passes when on route to Franz Josef. B. Russ advised that the rock in place is doing a good job and if more rock was placed it would not bind in and would probably be lost in the next flood. He stated that this work still does not yet need to be done. D. Friend stated that K. Kelly has had a look at this area and he agrees with this approach as he feels more damage could be done to the spurs by adding 1800 tonne of rock. D. Friend advised that both K. Kelly and D. Routhan are happy with B. Russ's approach. B. Russ stated that this is the second time he has put this work off but if the rating district does want it done, he can arrange this. B. Russ stated there is little to be gained by doing this work as it will not improve service levels. Cr Magner asked the meeting if they wished to have a meeting on site to decide on this. It was agreed that B. Russ would keep an eye on this area.

FINANCIAL REPORT

R. Beal spoke to this report. He advised that the opening balance was \$170,929.15, and the closing balance was \$220,613.92.

WORKS REPORT

B. Russ spoke to the works report. He stated that no works were carried out during the 2018 / 2019 financial year.

B. Russ advised that as a result of a discussion with the Spokesperson \$42,770 worth of maintenance works were identified, these are the same works which have been put off for the

past two years. It was agreed that Spur #8 would be discussed at a site visit. B. Russ advised that he has allowed \$20,000 for unforeseen maintenance.

B. Russ advised that rock prices are expected to increase again shortly, therefore he has been looking at other sources of rock. He stated that rock from Whataroa Quarry is around \$40 per tonne. B. Russ stated that big rock is required and he is hoping to find rock closer to Harihari. He stated that health and safety regulations have changed a lot of the last few years.

RATES 2019 / 2020

Cr Magner advised that with the proposed works and the rate strike of \$42,000 (G.S.T. Exclusive) the balance in the rating district account at the beginning of the 2020 / 2021 financial year is likely to be \$220,000. B. Russ advised that the prudent reserve for the rating district is approximately \$200,000. He suggested that the rate strike remains the same as over the past few years there have been some large flood events due to the change in weather patterns. B. Russ advised that there are indications that a new weather pattern is being entered with similar weather events to those experienced in the 80's expected. It was agreed that the rate strike would remain at \$42,000.

Moved: *"That rate strike for the Whataroa rating district is \$42,000 Excl GST for the 2020 / 2021 financial year."*

D. Friend / B. Graham - Carried

ELECTION OF OFFICERS

Cr Magner read out the names of the current committee, and asked the meeting if they wished to make any changes. D. Friend advised that K. Kelly is prepared to be the spokesperson again. It was noted the Phonse Carroll no longer lives in the area but still owns land. It was suggested the K. Kelly might contact P. Carroll and ask him if he wishes to remain on the committee. It was agreed that the status quo remains.

Moved: *"That G. Styger, P. Carroll, K. Kelly, D. Bowater, T. McBride, D. Friend and D. Routhan be the committee for the 2020 / 2021 financial year."*

D. Friend / C. Hassall – Carried

Moved: *"That K. Kelly is elected as the Spokesperson for the 2020 / 2021 financial year."*

D. Friend / C. Hassall - Carried

GENERAL BUSINESS

D. Friend advised that K. Kelly would like to scope the option of putting more gravel on the road. B. Russ advised that this was previously discussed and it was agreed that gravel would be placed when the rock work is done. Discussion took place and it was agreed that the gravel would be placed both on the road and on the turnaround area.

The loss of the Waiho Bridge was discussed along with the state of bridges around Whataroa and the impact the river has on bridges. B. Russ advised that NZTA are inspecting areas via drone. He agreed to follow up on this matter with NZTA.

B. Russ advised that an extension has been proposed downstream of the Whataroa deviation but a design is still awaited. B. Russ advised that a resource consent would be required for this work, along with affected party sign off.

G. Styger stated that he is losing land to the river. He asked if could have his rates reduced if he is losing land. R. Mallinson advised that Council rates on capital value as determined by Quotable

Value Ltd who are under contract from the district council. He advised that valuations can be appealed at any time, and queries should be directed to QV.

B. Russ answered questions relating to the work being carried out in Franz Josef following on from the March weather event. He advised that the Waiho River is aggrading 180 mms per year and this is a very difficult river to manage. B. Russ explained the function of river training to the meeting.

It was agreed that a meeting would be held next year.

There being no further business, the meeting closed at 12.05 p.m.

Action points for follow up

- B. Russ to follow up bridge inspections with NZTA.

**MINUTES OF THE ANNUAL MEETING OF THE
LOWER WAIHO RATING DISTRICT
HELD AT THE ST JOHN'S ROOMS, FRANZ JOSEF
ON 22 NOVEMBER 2019, COMMENCING AT 1.12 PM.**

PRESENT

K. Frendrup, G. Gibb, P. Cumming, I. Hartshorne, P. Halford, T. Howard, B. Richards, J. & J. Williams, R. Molloy, L. Skinner.

G. Gibb, I. Hartshorne and P. Cumming attended on behalf of Future Franz

IN ATTENDANCE

West Coast Regional Council

D. Magner, (WCRC Councillor), S. Challenger (WCRC Councillor)

R. Beal, B. Russ, T. Jellyman, R. Mallinson (Staff)

APOLOGIES

N. & L. Frendrup, P. Dennehy, G. Molloy

J. Williams / I. Hartshorne - Carried

BUSINESS

Cr Challenger opened the meeting and welcomed those present. He introduced himself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 29 October 2018, be adopted as a true and correct record of that meeting."*

S. Challenger / R. Beal - Carried

MATTERS ARISING

R. Molloy stated that he has sold his farm to his daughter K. Molloy, he asked if he could ask questions. Cr Challenger agreed.

R. Molloy offered to inspect the rating district after each flood event should P. Dennehy be unable to do this. R. Beal advised that Audit NZ have requested that post event inspections are made for any future weather events.

FINANCIAL REPORT

R. Beal presented the financial statements for the financial period ending 30 June 2019. He advised that the opening balance was \$98,521.75, total revenue was \$727,513.12 (this includes \$546,330.37 which is the first claim from MCDEM following the March flood event). Total expenses for the year were \$1,118,670.15 and the closing balance is \$391,157.03 in deficit.

R. Beal advised that loan balance is \$128,920 and the loan maturity date is February 2024.

R. Beal provided an update on the insurance claim following the March flood event. He advised that the rebuild is likely to cost between \$2.5 - \$2.6M, with \$300,000 on top of this for the temporary works which was the civil defence wall, the diversionary work, and works required immediately after the flood.

WORKS REPORT

B. Russ presented the works report, which covered the 12-month period; 1 July 2018 to 30 June 2019. B. Russ advised that there were two pieces of work carried out at the start of the year under the maintenance part of the scheme. This included placed rock and a groyne about the Milton & Others Stopbank, work was carried out below this stopbank as well. B. Russ advised that the rock used was

from the stockpile onsite. He reported that river training work was done with the D11 dozer in⁵³ March downstream from the Milton & Others stopbank with both lots of maintenance work costing \$26,660.

B. Russ advised that future works include the raising of the stopbank from Canavans Knob to Rata Knoll. B. Russ stated that work is urgent with the most crucial section being the old Rubbish Dump Stopbank. He is proposing that this section is raised by 1 metre, and is rock lined. He advised that the costs of this work would be \$215,000, and would require rock from the Whataroa Quarry. B. Russ stated that rock could also be sourced from around Rata Knoll and this would bring the costs down by quite a lot. Gravel for this section is worth \$66,000 and the rock is worth \$150,000 but he is hopeful of being able to source rock from the site to save money.

B. Russ is also proposing to raise the next section down to Rata Knoll, this is mainly a gravel stopbank and he is proposing to raise this by 1 metre, additional rock is not required and would cost approximately \$53,000. B. Russ advised that the total spend if all work is agreed to would be about \$270,000. He stated that the second section does not have to be done but he would like to see the first section (Rubbish Dump Stopbank) go ahead as there have been a few floods this year and water has got quite high in this area. B. Russ advised that the Milton & Others Stopbank has a 90 metre lower section, and to build this up to the same height as the existing sections, with rock from Whataroa quarry, would cost around \$290,000. He advised that for every other 100 metres to extend, the cost would be around \$440,000, using rock from the Whataroa quarry. B. Russ advised that the price of rock is getting more expensive and this is due to the health and safety requirements in quarries. B. Russ stated that this work will be put out to tender but the rock supply will be negotiated with the supplier. B. Russ advised that the total price from Canavans Knob to Rata Knoll, including the raised 90 metres at Milton & Others, costs would be around \$730,000. Funding options were discussed along with loan options. J. Williams suggested that work is started at the top. He stated that a flood at Christmas time needs to be avoided. Extensive discussion on rock prices, quotes and rock sources took place and it was agreed that B. Russ would prepare a tender which will include possible rock requirements, he will also liaise with consents and compliance staff regarding rock requirements and whether or not a mining licence is required. Discussion took place on the possibility of getting permission from DoC to retrieve rock around the Docherty's Creek area.

B. Russ advised that a further \$10,000 is allowed for unforeseen maintenance.

RATES 2020 / 2021

R. Mallinson advised that the maintenance section for rates is \$50,000 and the loan repayment portion is \$34,000, therefore the recommended rate strike is \$84,000. This is the same as previous years. It was noted that the prudent reserve for this rating district is \$120,000.

Moved: *"That rate strike for the Lower Waiho rating district is \$84,000 Excl GST for the 2020 / 2021 financial year."*

J. Williams / K. Frendrup – Carried

Those present acknowledged the huge amount of work the late Mr Robin Richards did on behalf of the rating district. B. Russ also mentioned the significant amount of help, support and information Mr Richards had given to Council over the years.

ELECTION OF OFFICERS

Cr Challenger read out the names of those currently on the committee and asked those present if they would like to remain on the committee and if anyone else present would like to join. Basil Richards and Jeremy Williams agreed to become members of the committee. J. Williams was nominated as deputy spokesperson.

Moved: *"That the present committee is all those present namely:*

Lee Frendrup

Neil Frendrup

Jeremy Williams

Chris Brooks

Peter Halford

Basil Richards

Peter Dennehy

*Dean Frendrup
Kay Frendrup for the 2019 / 2020 financial year."*

Moved: *"That Peter Dennehy is elected as the spokesperson for the 2019 / 2020 financial year."*

J. Williams / B. Richards – Carried

Moved: *"That Jeremy Williams be elected as the deputy spokesperson for the 2019 / 2020 financial year."*

Jen Williams / B. Richards - Carried

GENERAL BUSINESS

J. Williams stated that there has been some discussion as to whether or not the Milton & Others Stopbank should be fenced, and where the fence should be. R. Beal advised that this can be discussed with the Frendrup's. R. Molloy spoke of the importance in keeping vegetation off the new stopbank.

J. Williams expressed concern regarding the spurs at the top of the Milton & Others Stopbank. He stated that the area where the spurs are butted on to does not have any rock behind this area and he is concerned should the spurs fail. B. Russ suggested that this area is looked at when the next piece of work is done in this area and a return could be put in.

B. Russ displayed the LiDAR survey to the meeting. He explained LiDAR to the meeting and advised that a LiDAR survey was done in 2016 and again after the March flood event. This will reveal how much the riverbed has changed over the past three years. B. Russ explained the survey work in detail to the meeting and stated that there is huge aggradation near the glacier as well as severe scouring in some areas. He stated that there is approximately 3.3 million m³ of sediment has entered the river system over the past three years. B. Russ answered questions relating to the LiDAR survey work, and spoke of likely weather phase changes.

Cr Challenger thanked the meeting for their attendance.

There being no further business, the meeting closed at 2.23 p.m.

ACTION POINTS:

- B. Russ to prepare tender for proposed works.
- B. Russ to liaise with Consents and Compliance staff and to ascertain whether or not a mining licence will be required.

**MINUTES OF THE ANNUAL MEETING OF THE
FRANZ JOSEF RATING DISTRICT
HELD AT THE ST JOHN'S ROOMS, FRANZ JOSEF
ON 22 NOVEMBER 2019, COMMENCING AT 2.30 PM.**

PRESENT

L. Skinner, P. Cumming, G. Gibb, I. Hartshorne, D. Ferguson, P. York, C. Roy, B. McGlynn,
J. Williams

IN ATTENDANCE

West Coast Regional Council
D. Magner (WCRC Councillor), S. Challenger (WCRC Councillor)
R. Beal, B. Russ, T. Jellyman, R. Mallinson (Staff)

APOLOGIES

V. Whittington, T. Skinner, A. Tschampel (Scenic Circle Hotel), T. Gibb, P. Wilson

BUSINESS

Cr Magner opened the meeting and welcomed those present. She introduced herself and the Council staff.

Moved: *"That the minutes of the previous Annual Meeting held on 29 October 2018, be adopted as a true and correct record of that meeting.*

G. Gibb / P. Cumming - Carried

Minutes

L. Skinner stated that he would like some corrections made to the minutes. He stated that the 4th paragraph of general business should read *"the rating district would like stockpiled rock moved to the north side of river in case the bridge is out"*.

It was agreed that the words "significant value" would be added to the section of the minutes where the stockpile of rock was discussed.

MATTERS ARISING

L. Skinner asked for an update regarding the relocation of the occupier on the south side of the river. B. Russ advised that this has been mentioned to NZTA but there is no update. It was noted the occupier is no longer a member of the rating district.

L. Skinner asked if NZTA have changed their approach with regard to continuing to use rock spurs on the Waiho River. B. Russ advised that spurs have been used for the work that has recently been done, which is above the bridge on the true right.

R. Beal advised that the global consent which OPUS has been working on over the past year is still 90% complete. He stated that this has been very slow but this is being done by OPUS, not council. It was noted that other consents have been applied for and granted during this time. R. Beal agreed to follow up on the global consent and report back to the Spokesperson.

Extensive debate took place on the purpose of the rating district. B. Russ advised that a few years ago Council had wanted to extend the stopbank which would offer protection to the town, but the rating district turned this down. B. Russ stated that the costs were correct at this time. R. Mallinson advised that the reason rating districts are established is contained in the River & Soil Conservation Act 1941 which empowered regional councils as the successors to Catchment Boards to carry out measures to help mitigate soil erosion and flooding. R. Mallinson advised that the way to do that is by using various assets such as building stopbanks and other protection structures. R. Mallinson advised that the rating district members have a very important consultative device for Council to hear the voice of the community as to how this is gone about. Cr Magner advised that

the statement in last year's minutes is correct, but how the rating district wishes to drive this is why they are consulted. It was agreed that the purpose of the rating district is to talk about protection in accordance with the Soil & River Conservation Act 1941.

Action Points from last year's meeting

B. Russ confirmed that when he sought prices for emergency works for the Milton & Others Stopbank rates would be held for this year. He agreed to renew this in April 2021.

L. Skinner asked for an update on whether or not an asset management plan would become the holistic management plan for the Waiho River. R. Beal responded that the asset management plan is simply a plan to manage the assets in the particular rating district, if a holistic plan was designed this would sit outside of the asset management plan.

R. Beal advised that modelling for the Waiho Loop (cut) was circulated earlier this year. L. Skinner stated that the cut was in the wrong place. B. Russ advised that this work was going to cost \$3M, he stated this would work for a while but gravel would soon get stuck behind it. R. Beal advised that modelling has been done, estimates of costs have also been done and reviewed, and came out at \$10 per cubic metre to move the material.

B. Russ advised that all resource consents are current but they will all be null and void once the holistic consent comes into effect.

FINANCIAL REPORT

R. Beal presented the financial statements for the financial period ending 30 June 2019. He reported that the opening balance was \$391,694.69, total expenses were \$33,997.39 and the closing balance is \$420,902.06. L. Skinner asked what are the resource consents costs made up of. B. Russ responded that the costs for the resource consent for river training, and annual fees for resource consents. B. Russ answered questions relating to individual and historic resource consents and agreed to follow up on questions asked of him.

WORKS REPORT

B. Russ spoke to this report and confirmed that \$39,325 worth of works was carried out during the financial year to the end of June 2019. He advised that the work carried out in April is insurance claim work and will be paid by Council's insurer, and MCDEM. B. Russ advised that there is some work that was carried out in October with the D11 which has not yet be paid for, as well as some work from November 2018. This work will be paid for and will be included in next year's financial report.

B. Russ reported that following discussion with the spokesperson no maintenance work has been identified but \$120,000 has been allowed for to strengthen the stopbank at the Heliport. This work has now been completed. He recommended that \$30,000 is allowed for unforeseen maintenance. B. Russ answered questions. It was agreed that the Heliport stopbank would now be referred to as the rating district's heliport, or RD Heliport Stopbank.

Discussion took place on rock prices, and rock sources. R. Beal advised that Council has no control over rock prices, and it is likely that rock prices will increase to around mid 20's per tonne. Extensive discussion on rock recovery took place. It was noted that currently there is 5000 tonne of rock stockpiled.

RATES 2020 / 2021

Cr Magner advised that the recommended rate strike for the 2020 / 2021 financial year is \$50,000 GST Exclusive. She advised that the balance in the rating district account at the beginning of the 2020 / 21 financial year is likely to be \$310,000 GST exclusive.

It was noted that the prudent reserve for this rating district is \$550,000. Extensive discussion took place and it was agreed with the rate strike of \$50,000.

Moved: *"That the rate strike for the 2020 / 2021 financial year is \$50,000 GST Excl."*

L. Skinner / P. Cumming - Carried

ELECTION OF OFFICERS

Cr Magner read out the names of the current members of the rating district committee. She asked if those currently on the committee are happy to remain on it. L. Skinner advised that V. Whittington would like to be on the committee. Ian Hartshorne advised that he does not wish to be the co-spokesperson any longer. Discussion took place on possible co-spokesperson. Both P. Cumming and G. Gibb declined the position. L. Skinner advised the meeting that he has no engineering experience and is not qualified to inspect stopbanks.

Moved: *"That the present committee, namely:*

Chris Brooks

Chris Roy

Grant Gibb

Tim Gibb

Ian Hartshorne

Peter York

Logan Skinner

Paul Cumming

Vicki Whittington

be appointed as the committee for the 2019 / 2020 financial year."

G. Gibb / I. Hartshorne - Carried

Moved: *"That L. Skinner be elected as spokesperson for the 2019/ 2020 financial year."*

I. Hartshorne / C. Roy - Carried

GENERAL BUSINESS

R. Beal and B. Russ answered questions relating to rock recovery from the river. It was agreed that staff would follow up on this with NZTA.

D. Ferguson spoke of the holistic rating district concept. She asked if a plan could be put to the rating district on this matter. R. Beal stated that there needs to be willingness from the community before work is commenced. L. Skinner stated that they are desperate for a river management plan but they do not want a combined rating district.

Extensive discussion took place on the development of a river management plan. R. Beal advised that OPUS think a height increase of eight metres will be required over the next 40 years on the south side stopbanks. R. Beal advised that OPUS also think that over the next 100 years a 17 metre rise may be required. R. Beal advised that this information is yet to be peer reviewed. Options were discussed. R. Beal suggested that other agencies are asked for their five year plans. L. Skinner stated that a plan has been sought for a long time and has not been forthcoming. Cr Challenger stated that maybe this is too hard. He stated that the Waiho River has been investigated for years, and it is very difficult to come up with a plan for a river such as the Waiho. Cr Challenger stated that even if the river was to be released to the south, it will still rise, and would only buy time. Cr Challenger stated that other options for the town might need to be looked at as is stated in the Tonkin & Taylor report. He acknowledged that investments need to be considered with zoning and district plans needing to be taken into consideration. It was agreed that in the short term a plan is needed for the next five years. L. Skinner spoke of the uncertainty faced by the community. Cr Challenger stated that one of the main issues is money, and the limited funding that is available via rates as the rating base is very small. He advised that buying out the south side would be very expensive. It was agreed that all parties, including both councils would need to be involved with a long term plan for the Waiho River. R. Beal asked the meeting if the rating district would be prepared to fund a river management plan. It was agreed that the rating district would make a financial contribution. B. Russ suggested that staff from WCRC, WDC, DoC and NZTA all get together to progress a plan. L. Skinner stated that pushing the Waiho River in the Tartare River might be the cheapest option and might buy ten years. L. Skinner stated that this should not be a big job as there has been so much work done previously. B. Russ stated that options that are not going to work have previously been ruled out. He stated that current options are raising stopbanks, flood the south side, or moving the town. D. Ferguson asked if there is a possibility of taking a plan, or options, to government because at the moment all that is being done is the topping up of stopbanks. Cr Magner asked R. Beal if it realistic to try to progress a long term plan for the Waiho River. R. Beal responded that funding agreements from other

stakeholders would be required to co-fund development as council could not do this by itself, as council does not have the internal resources to do this. R. Beal advised he would ask NZTA to give him their 5 – 10 year infrastructure plan. L. Skinner suggested a plan is put together to compensate neighbouring properties on the south side. L. Skinner read out a statement to the meeting and offered to email it to Council. L. Skinner stated that economic development is at the heart of this, not the river. Cr Magner suggested getting Development West Coast on board to help develop the long term plan for the Waiho River as economic development is their role in the region.

C. Roy stated that the Waiho River is a risk as far as any newcomer coming into the area, along with the consequence of an earthquake or landslide. A. Tschampel stated that Scenic Circle Hotel is noticing a downturn in tourism, he stated that China is very unsure of the West Coast, with tours having been lost already, after the loss of the Waiho Bridge in March. A. Tschampel stated that tourism is impacted by road closures and slips as well. L. Skinner agreed and stated that there were three road closures last summer.

Discussion took place on whether or not stopbanks need to be raised. It was noted that NZTA has recently raised the stopbank on the glacier side. L. Skinner stated that in the past NZTA has offered to help fund the raising of rating district stopbanks, should NZTA raise the height of their stopbanks.

Discussion took place on the co-designed extension to the Heliport wall, the design was rejected by the rating district committee.

Cr Magner thanked those present for their attendance.

There being no further business, the meeting closed at 4.42 p.m.

Action Points:

- R. Beal to follow up with OPUS on the global consent and report back to the rating district spokesperson.
- B. Russ to renew the rate card for rock recovery in April 2021.
- B. Russ to provide an update of current resource consents, and which ones the rating district is being charged for, along with which resource consents the rating district can use.
- B. Russ to update the asset register.
- The Heliport Stopbank is to now be known as the RD Heliport Stopbank.
- B. Russ and R. Beal to follow up with NZTA regarding rock recovery from the Waiho River.
- B. Russ to check with NZTA regarding the possibility of NZTA helping to fund the raising of rating district stopbanks, should NZTA raise the height of their stopbanks.
- R. Beal to approach all agencies involved to provide him with their five year long term plans for the Waiho River, and a funding agreement from stakeholders to progress a short and long term plan. Along with an infrastructure plan.

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 11 February 2020
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 4 February 2020
Subject: Financial Report 1 July 2019 to 31 December 2019

SUMMARY OF COUNCIL ACTIVITIES

FOR THE SIX MONTHS ENDED 31 DECEMBER 2019

	ACTUAL Year to Date	BUDGET	BUDGET Annual	% ACTUAL vs BUDGET
REVENUES				
General Rates and Penalties	1,752,639	1,740,000	3,480,000	50%
Investment Income	419,628	748,490	1,496,980	28%
Resource Management	711,859	917,969	1,835,938	39%
Hydrology	17,000			
Regional Land Transport	42,063	41,500	83,000	51%
Emergency Management	604,753	587,500	1,175,000	51%
River, Drainage, Coastal Protection	1,998,935	810,949	1,621,898	123%
Warm West Coast	37,568	7,440	14,879	252%
VCS Business Unit	5,545,273	2,013,000	4,026,000	138%
	11,129,718	6,866,848	13,733,695	
EXPENDITURE				
Governance	255,770	296,988	593,976	43%
Resource Management	2,162,257	2,155,104	4,310,207	50%
Regional Land Transport	95,576	95,395	190,790	50%
Hydrology & Floodwarning Services	429,739	456,323	912,645	47%
Emergency Management	669,378	611,221	1,222,442	55%
River, Drainage, Coastal Protection	1,555,444	1,243,916	2,487,831	63%
VCS Business Unit	4,124,171	1,763,000	3,526,000	117%
Other	44,429	18,270	36,540	122%
Warm West Coast	2,962	4,135	8,270	
	9,339,726	6,644,351	13,288,701	
OPERATING SURPLUS/(DEFICIT)	1,789,992	222,497	444,994	

	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
BREAKDOWN OF SURPLUS / (DEFICIT)				
Rating Districts	838,738	999,501	160,764	321,527
Quarries	- 44,983	- 68,779	- 23,796	- 47,592
Investment Income	- 328,862	419,628	748,490	1,496,980
VCS Business Unit	1,171,102	1,421,102	250,000	500,000
General Rates Funded Activities	- 90,642	- 988,637	- 897,995	- 1,795,990
Warm West Coast	31,301	34,606	3,305	6,609
Revaluation Investment Property	-	-	-	-
Other	- 26,159	- 44,429	- 18,270	- 36,540
TOTAL	1,550,495	1,772,992	222,497	444,994

Net Contributors to General Rates Funded Surplus /(Deficit)	Net Variance ACTUAL vs BUDGETED Year to Date	ACTUAL	BUDGET Year to Date	ANNUAL BUDGET
Rates	12,639	1,752,639	1,740,000	3,480,000
Representation	41,218	255,770	296,988	593,976
Resource Management	- 213,263	- 1,450,398	- 1,237,135	- 2,474,269
Transport Activity	382	53,513	53,895	107,790
River, Drainage, Coastal Protection	82,703	487,231	569,934	1,139,868
Hydrology & Floodwarning	26,584	429,739	456,323	912,645
Emergency Management	- 40,904	- 64,625	- 23,721	- 47,442
TOTAL	- 90,642	- 988,637	- 897,995	- 1,795,990

STATEMENT OF FINANCIAL POSITION AS AT 31 DECEMBER 2019

CURRENT ASSETS

Cash	-	1,003,323
Deposit - Westpac		1,788
Accounts Receivable - General		3,718,578
Accounts Receivable - Rates		3,016,569
Prepayments		309,627
GST Refund Due		
Stock		409,512
Accrued Income		2,384,456
		<hr/>
		8,837,206

NON CURRENT ASSETS

Investments		10,860,221
Strategic Investments		943,174
Strategic Investments		207,947
Strategic Investments		89,600
Term Deposit - PRCC Bond		50,000
MBIE & DOC Bonds		23,866
Investments-Catastrophes Fund		-
Warm West Coast Loans		259,566
Commerical Property Investment		1,600,000
Fixed Assets		4,670,409
Infrastructural Assets		73,572,817
		<hr/>
		92,277,601

<u>TOTAL ASSETS</u>		<u>101,114,807</u>
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CURRENT LIABILITIES

Bank Short Term Loan	-	2,000,000
Accounts Payable	-	1,518,217
GST	-	565,649
Deposits & Bonds	-	1,673,399
Sundry Payables	-	44,523
Revenue in Advance	-	4,095,337
Accrued Annual Leave, Payroll	-	375,502
	-	<hr/>
		10,272,626

NON CURRENT LIABILITIES

Future Quarry Restoration	-	404,000
Interest Rate Hedge Position	-	-
	-	<hr/>
		7,582,993
	-	<hr/>
		7,986,993

<u>TOTAL LIABILITIES</u>	-	<u>18,259,619</u>
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EQUITY

Ratepayers Equity	-	20,454,195
Surplus Transferred	-	1,789,992
Rating District Equity	-	883,850
Revaluation	-	49,912,171
Catastrophe Fund	-	233,981
Investment Growth Reserve	-	9,581,000
TOTAL EQUITY	-	<hr/>
		82,855,188

<u>LIABILITIES & EQUITY</u>	-	<u>101,114,807</u>
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Commentary

Operating surplus for the six months amounted to \$1.790 million. Even though this includes \$1.193⁶¹ million in Crown payments (received or accrued) with regard to the 26 March 2019 floods, this is still a very good result for Council.

Revenue

\$11.130 million actual compared to budgeted \$6.867 million.

Main differences are in:

- (i) River, Drainage & Coastal income which includes the \$1.193 million of Crown contributions referred to above.
- (ii) VCS revenue year to date of \$5.545 million completed large DOC aerial contracts.

Expenditure

\$9.340 million actual compared to \$6.644 million budgeted.

This is due to;

- (i) River, Drainage, Coastal protection activity expenditure year to date \$1.555 million includes Rating District expenditure Kaniere, Waitangitona, Kowhitirangi on operating account but relating to the 26 March 2019 event.
- (ii) VCS expenditure year to date \$4.124 million includes completed large DOC aerial contracts.

Governance costs year to date don't yet include our share of October 2019 Territorial Authority election costs.

Other Comments

Investment income is below budget because we haven't included any earnings from PCR LP for their 19/20 year. We will include share of earnings when their financials for their year to 31 March 2020 are available.

Financial Reporting

I seek an exemption from Councilors from preparing a financial report for the 7 month period to 31 January 2020. This is to enable myself and the Management Accountant to give undivided attention to Annual Plan 20/21 matters.

JBWere Fund Manager presentation

The Fund Managers for our Investment Portfolio will make an informal workshop presentation to Councillors following the completion of the March Council meeting.

RECOMMENDATION

That the report be received.

Robert Mallinson

Corporate Services Manager

4.2.1

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting 11 February 2020
 Prepared by: Robert Mallinson – Corporate Services Manager
 Date: 4 February 2020
 Subject: **Audit and Risk Committees**

Background

Audit NZ recommends to Council that they consider establishing an Audit & Risk Committee, as indeed they do to all Councils.

The following numbers were obtained from the OAG website;

- Of the 78 local authorities in NZ, 79% have an Audit and Risk Committee (or however named).
- 64% were considered “effective.”
- 28% were considered “moderately effective.”
- 8% were considered “not very effective”.
- 34% had an independent member.

Why have an Audit & Risk Committee?

An audit committee can be a very useful group to help the Council manage its risks.

Ultimately, an audit committee must be fit for purpose. If it exists only for compliance purposes, rather than because it adds value to the organisation’s assurance picture, then it should not exist.

Audit committees have a valuable contribution to make in improving the governance, and so the performance and accountability, of public entities. They can play an important role in examining an organisation’s policies, processes, systems, and controls.

An audit committee does not displace or change proper accountability arrangements. Accountability for good governance still rests with the public entity’s governing body.

Effective audit committees can provide objective advice and insights into the public entity’s strategic and organisational risk management framework. In doing so, they can identify potential improvements to governance, risk management, and control practices.

What might be included in the brief for an Audit & Risk Committee?

Right now various matters are referred to the full Council that might otherwise be put to an Audit & Risk Committee.

These include;

- Audit NZ management reports following audit of the Annual Report.
- Audit NZ management reports regarding Long Term Plan Consultation Document.
- Audit NZ audit certificates regarding Annual Report.
- Audit NZ audit certificate regarding Long Term Plan consultation document.
- Audit NZ audit certificate regarding final Long Term Plan document.
- Real and potential liability claims against Council.
- Details of Insurance covers held by Council, and the annual renewals of those covers.
- Periodic review of Council Risk Register (this is overdue for review).
- Compliance with Treasury Policies.

In addition to the above, an Audit & Risk Committee brief should also include the following;

- Ensuring that appropriate internal controls are in place to ensure proper controls exist over revenues, expenditure and assets.
- Ensuring that appropriate fraud avoidance / mitigation measures are in place.

- Ensuring that there are proper controls in place with regard to the valuation and declared insurance values of Council's major assets, its various Rating District Infrastructure assets (Value > \$71 million @ 30 June 2019).
- Other matters that will contribute to improved governance, performance and accountability of the Council. (These could be referred to the Committee by the full Council, or the Chief Executive).
- Periodic review of the appropriateness of various Council accounting policies.

Other Matters

It is my strong view that if Council decides to set up a separate Audit & Risk committee, that the maximum benefits from having such a committee will only accrue if there is an independent suitable qualified external person appointed to the Committee, with full voting rights.

Benefits & Costs

The benefits outlined above are obvious.

There are also costs involved.

1. Cost of a suitable qualified independent external membership.
This could be by way of an annual salary, or perhaps an attendance fee per meeting.
These payments would need to be at a realistic level to attract suitably qualified persons.
2. Staff time involved in servicing another Committee.
This will include minute taking, preparation of agendas, etc.
This will be another responsibility for the Corporate Services manager and Chief Executive to take on.
3. Additional workload on other Corporate services Group Finance staff (Management Accountant).

Membership

Given the small size of the elected membership (7 elected members), Councillors could consider;

1. A Committee of all 7 elected members, plus a suitably qualified external appointee.
2. Or say 3 Councillors, including the Chair, plus a suitably qualified external appointee.

Frequency of meetings

I believe that 3 to 4 meeting per year would be all that was necessary.

1. Prior to annual audit by Audit NZ to consider amongst other things the Audit arrangements letter.
2. Post annual audit to consider recommendations included in the audit arrangements letter.
3. Annual review of Risk Register.
4. Other meetings as required.

The Committee would function very much like the existing Resource Management Committee, with the Committee meeting taking place following the conclusion of the Council meeting.

There is quite a lot of useful information accessible on the Office of the Auditor General website:

www.oag.govt.nz/good-practice/audit-committees

RECOMMENDATION

That Council consider whether they wish to establish a separate Audit & Risk Committee, and the Committee scope and membership of any such committee.

Robert Mallinson
Corporate Services Manager

4.2.2

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 February 2020
Prepared by: Robert Mallinson – Corporate Services Manager
Date: 21 January 2020
Subject: Council Code of Conduct

Background

The Local Government Act 2002, Schedule 7, clause 15 requires a Council to have in place a Code of Conduct for Members of the Local Authority.

The existing Code was adopted several years ago and clause 15(6) requires a vote of not less than 75% of members present to amend or replace.

Local Government NZ has worked on an updated Code of Conduct that Council may consider adopting.

Because the existing Code remains in place until replaced by a 75% vote, I attach copies of both;

1. Existing Code of Conduct.
2. LGNZ Model Code of Conduct.

The LGNZ Model Code of Conduct has the following advantages

1. Better introduces what a Code of Conduct is all about.
2. Better identifies scope.
3. Takes out a lot of the Roles and Responsibilities stuff in the existing Code which is better included in the Governance Statement.
4. Updated to include social media references.
5. Reference to a Register of interests.
6. Updated processes with regard to how complaints under the code are dealt with.
7. Useful appendixes.

RECOMMENDATION

That Council consider adopting the Local Government NZ Model Code of Conduct.

Robert Mallinson
Corporate Services Manager

West Coast Regional Council

Deleted: (Name of City, District, Regional Council

Deleted:)

Code of Conduct

Adopted on the

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1. Introduction

The Code of Conduct (the Code) sets out the standards of behavior expected from elected members in the exercise of their duties. Its purpose is to:

- Enhance the effectiveness of the local authority and the provision of good local government of the region;
- Promote effective decision-making and community engagement;
- Enhance the credibility and accountability of the local authority to its communities; and
- Develop a culture of mutual trust, respect and tolerance between the members of the local authority and between the members and management.

Deleted: community, city, district or

This purpose is given effect through the values, roles, responsibilities and specific behaviors agreed in the code.

2. Scope

The Code has been adopted in accordance with clause 15(1) of Schedule 7 of the Local Government Act 2002 (LGA 2002) and applies to all members, including the members of any local boards as well as the members of any community boards that have agreed to adopt it. The Code is designed to deal with the behaviour of members towards:

- Each other;
- The Chief Executive and staff;
- The media; and
- The general public.

It is also concerned with the disclosure of information that members receive in their capacity as elected members and information which impacts on the ability of the local authority to give effect to its statutory responsibilities.

The Code can only be amended (or substituted by a replacement Code) by a vote of at least 75 per cent of members present at a meeting when amendment to the Code is being considered. The Code should be read in conjunction with the Council's Standing Orders.

3. Values

The Code is designed to give effect to the following values:

1. **Public interest:** members will serve the best interests of the people within their community, district or region and discharge their duties conscientiously, to the best of their ability.
2. **Public trust:** members, in order to foster community confidence and trust in their Council, will work together constructively in an accountable and transparent manner;
3. **Ethical behaviour:** members will act with honesty and integrity at all times and respect the impartiality and integrity of officials;
4. **Objectivity:** members will make decisions on merit; including appointments, awarding contracts, and recommending individuals for rewards or benefits.
5. **Respect for others:** will treat people, including other members, with respect and courtesy, regardless of their race, age, religion, gender, sexual orientation, or disability.
6. **Duty to uphold the law:** members will comply with all legislative requirements applying to their role, abide by the Code of Conduct and act in accordance with the trust placed in them by the public.
7. **Equitable contribution:** members will take all reasonable steps to fulfil the duties and responsibilities of office, including attending meetings and workshops, preparing for meetings, attending civic events, and participating in relevant training seminars.
8. **Leadership:** members will actively promote and support these principles and ensure they are reflected in the way in which the Council operates, including a regular review and assessment of the Council's collective performance.¹

These values complement, and work in conjunction with, the principles of s14 of the LGA 2002 and the governance principles of s39 of the LGA 2002.

4. Role and responsibilities

The Code of Conduct is designed to strengthen the good governance of your city, district or region. Good governance requires that the complementary roles of the governing body and the administration are understood and respected. These roles involve:

4.1 Members

The role of the governing body includes:

- Representing the interests of the people of the city, district or region;
- Developing and adopting plans, policies and budgets;

¹ See Code of Conduct Guide for examples.

- Monitoring the performance of the Council against stated goals and objectives set out in its long term plan;
- Providing prudent stewardship of the Council's resources;
- Employing and monitoring the performance of the Chief Executive; and
- Ensuring the Council fulfils its responsibilities to be a 'good employer' and meets the requirements of the Health and Safety at Work Act 2015.

4.2 Chief Executive

The role of the Chief Executive includes:

- Implementing the decisions of the Council;
- Ensuring that all responsibilities delegated to the Chief Executive are properly performed or exercised;
- Ensuring the effective and efficient management of the activities of the local authority;
- Maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority;
- Providing leadership for the staff of the Council; and
- Employing, on behalf of the Council, the staff of the local authority, (including negotiation of the terms of employment for those staff).

The Chief Executive is the only person *directly* employed by the Council itself (s.42 LGA 2002). All concerns about the performance of an individual member of staff must, in the first instance, be referred to the Chief Executive.

5. Relationships

This section of the Code sets out agreed standards of behaviour between members; members and staff; and members and the public. Any failure by a member to comply with the provisions of this section can represent a breach of the Code.

5.1 Relationships between members

Given the importance of relationships to the effective performance of the Council, members will conduct their dealings with each other in a manner that:

- Maintains public confidence;
- Is open, honest and courteous;
- Is focused on issues rather than personalities;
- Avoids abuse of meeting procedures, such as a pattern of unnecessary notices of motion and/or repetitious points of order; and

- Avoids aggressive, bullying or offensive conduct, including the use of disrespectful or malicious language.

Please note, nothing in this section of the Code is intended to limit robust debate.

5.2 Relationships with staff

An important element of good governance involves the relationship between a Council, its chief executive and its staff. Members will respect arrangements put in place to facilitate this relationship, and:

- Raise any concerns about employees, officers or contracted officials with the Chief Executive;
- Raise any concerns about the performance or behaviour of the Chief Executive with the ~~Chair~~;
- Make themselves aware of the obligations that the Council and the Chief Executive have as employers and observe these requirements at all times, such as the duty to be a good employer;
- Treat all employees with courtesy and respect and not publicly criticise any employee; and
- Observe any protocols put in place by the Chief Executive concerning contact between members and employees.

Deleted: Mayor/

Deleted: or the chairperson of the Chief Executive Performance Review Committee (however described)

Please note, elected members should be aware that failure to observe this portion of the Code may compromise the Council's obligations to be a good employer and consequently expose the Council to civil litigation or affect the risk assessment of Council's management and governance control processes undertaken as part of the Council's annual audit.

5.3 Relationship with the public

Given the vital role that democratic local government plays in our communities it is important that Councils have the respect and trust of their citizens. To facilitate trust and respect in their Council members will:

- Ensure their interactions with citizens are fair, honest and respectful;
- Be available to listen and respond openly and honestly to citizens' concerns;
- Represent the views of citizens and organisations accurately, regardless of the member's own opinions of the matters raised; and
- Ensure their interactions with citizens and communities uphold the reputation of the local authority.

6.

6. Media and social media

The media play an important role in the operation and efficacy of our local democracy. In order to fulfil this role the media needs access to accurate and timely information about the affairs of Council. Any failure by member to comply with the provisions of this section can represent a breach of the Code.

1. In dealing with the media elected members must clarify whether they are communicating a view endorsed by their Council, committee or community board, or are expressing a personal view.
2. Members are free to express a personal view to the media or social media at any time, provided the following rules are observed:
 - Comments shall be consistent with the Code;
 - Comments must not purposefully misrepresent the views of the Council or the views of other members;
 - Social media pages controlled by members and used for making observations relevant to their role as an elected members should be open and transparent, except where abusive or inflammatory content is being posted; and
 - Social media posts about other members, council staff or the public must be consistent with section five of this Code. (See **Appendix A** for guidelines on the personal use of social media).

7. Information

Access to information is critical to the trust in which a local authority is held and its overall performance. A failure to comply with the provisions below can represent a breach of the Code.

7.1 Confidential information

In the course of their duties members will receive information, whether in reports or through debate, that is confidential. This will generally be information that is either commercially sensitive or is personal to a particular individual or organisation. Accordingly, members agree not to use or disclose confidential information for any purpose other than the purpose for which the information was supplied to the member.

7.2 Information received in capacity as an elected member

Occasionally members will receive information from external parties which is pertinent to the ability of their Council to properly perform its statutory duties. Where this occurs, and the information does not contravene the privacy of natural persons, the member will disclose such information to other members and/or the chief executive as soon as practicable.

8. Conflicts of Interest

Elected members will maintain a clear separation between their personal interests and their duties as elected members in order to ensure that they are free from bias (whether real or perceived). Members therefore must familiarise themselves with the provisions of the Local Authorities (Members' Interests) Act 1968 (LAMIA).

Members will not participate in any Council discussion or vote on any matter in which they have a pecuniary interest, other than an interest in common with the general public. This rule also applies where the member's spouse/partner has a pecuniary interest, such as through a contract with the Council. Members shall make a declaration of interest as soon as practicable after becoming aware of any such interests.

If a member is in any doubt as to whether or not a particular course of action (including a decision to take no action) raises a conflict of interest, then the member should seek guidance from the Chief Executive *immediately*. Members may also contact the Office of the Auditor-General for guidance as to whether they have a pecuniary interest, and if so, may seek an exemption to allow that member to participate or vote on a particular issue in which they may have a pecuniary interest. The latter must be done before the discussion or vote.

Please note: Failure to observe the requirements of LAMIA could potentially invalidate a decision made, or the action taken, by the Council. Failure to observe these requirements could also leave the elected member open to prosecution (see **Appendix B**). In the event of a conviction elected members can be ousted from office.

9. Register of Interests

Members shall, at least annually, make a declaration of interest. These declarations are recorded in a public Register of Interests maintained by the Council. The declaration must include information on the nature and extent of any interest, including:

- a) Any employment, trade or profession carried on by the member or the members' spouse/partner for profit or gain;
- b) Any company, trust, partnership etc for which the member or their spouse/partner is a director, business partner or trustee;
- c) A description of any land in which the member has a beneficial interest within the jurisdiction of the local authority; and
- d) A description of any land owned by the local authority in which the member or their spouse/partner is:
 - A tenant; or

- The land is tenanted by a firm in which the member or spouse/partner is a business partner; a company of which the member or spouse/partner is a director; or a trust of which the member or spouse/partner is a trustee.
- e) Any other matters which the public might reasonably regard as likely to influence the member's actions during the course of their duties as a member (if the member is in any doubt on this, the member should seek guidance from the Chief Executive).

Please note, where a member's circumstances change they must ensure that the Register of Interests is updated as soon as practicable.

10. Ethical behaviour

Members will seek to promote the highest standards of ethical conduct. Accordingly members will:

- Claim only for legitimate expenses as determined by the Remuneration Authority and any lawful policy of the Council developed in accordance with that determination;
- Not influence, or attempt to influence, any Council employee, officer or member in order to benefit their own, or families, personal or business interests;
- Only use the Council's resources (such as facilities, staff, equipment and supplies) in the course of their duties and not in connection with any election campaign or personal interests; and
- Not solicit, demand, or request any gift, reward or benefit by virtue of their position and notify the Chief Executive if any such gifts are accepted. Where a gift to the value of \$50 or more is accepted by a member, that member must immediately disclose this to the Chief Executive for inclusion in a publicly available register of interests.

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Any failure by members to comply with the provisions set out in this section represents a breach of the code.

11. Creating a supportive and inclusive environment

In accordance with the purpose of the Code, members agree to take all reasonable steps in order to participate in activities scheduled to promote a culture of mutual trust, respect and tolerance. These include:

- Attending post-election induction programmes organised by the Council for the purpose of facilitating agreement on the Council's vision, goals and objectives and the manner and operating style by which members will work.
- Taking part in any assessment or evaluation of the Council's performance and operating style during the triennium.²
- Taking all reasonable steps to acquire the required skills and knowledge to effectively fulfill their Declaration of Office (the Oath) and contribute to the good governance of the region.

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² A self-assessment template is provided in the Guidance to the code.

12. Breaches of the Code

Members must comply with the provisions of the code (LGA 2002, schedule 7, cl. 15(4)). Any member, or the Chief Executive, who believes that the Code has been breached by the behaviour of a member may make a complaint to that effect. All complaints will be considered in a manner that is consistent with the following principles.

12.1 Principles

The following principles will guide any processes for investigating and determining whether or not a breach under the code has occurred:

- That the approach for investigating and assessing a complaint will be proportionate to the apparent seriousness of the alleged breach;
- That the processes of complaint, investigation, advice and decision-making will be kept separate as appropriate to the nature and complexity of the alleged breach; and
- That the concepts of natural justice and fairness will apply in the determination of any complaints made under the Code. This includes, conditional on the nature of an alleged breach, directly affected parties:
 - Have a right to know that an investigation process is underway;
 - Are given due notice and are provided with an opportunity to be heard;
 - Have confidence that any hearing will be impartial;
 - Have a right to seek appropriate advice and be represented; and
 - Have their privacy respected.

12.2 Complaints

All complaints made under the code must be made in writing and forwarded to the Chief Executive. On receipt of a complaint the Chief Executive must forward the complaint to the Chair or, where the Chair is a party to the complaint, an independent investigator, drawn from a pool of names or agency agreed in advance.

Please note, only members and the Chief Executive may make a complaint under the code.

Complaint referred to Chair

On receipt of a complaint made under the provisions of the Council's Code of Conduct the Chair will, as the situation allows:

- Interview the complainant to assess the full extent of the complaint.
- Interview the member(s) subject to the complaint.
- Assess the complaint to determine materiality.

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- Where a complaint is assessed by the Chair to be trivial, frivolous or minor, either dismiss the complaint, require an apology or other course of action, or assist the relevant parties to find a mutually agreeable solution.
- Where a complaint is found to be material, or no mutually agreed solution can be reached, the Chair will refer the complaint back to the Chief Executive who will forward it, along with any recommendations made by the Chair, to the Council or an adjudicative body established by the Council to assess and rule on complaints made under the Code.³

If the Chair chooses they may, instead of undertaking an initial assessment, immediately refer the complaint to the independent investigator, via the Chief Executive.

Complaint referred to Independent Investigator

On receipt of a complaint from a member which concerns the Chair, or from the Chair after initial consideration, the Chief Executive will forward that complaint to an independent investigator for a preliminary assessment to determine whether the issue is sufficiently serious to be referred, with recommendations if necessary, to the Council or an adjudicative body for assessing and ruling on complaints. The process, following receipt of a complaint, will follow the steps outlined in Appendix C.

12.3 Materiality

An alleged breach under the Code is material if, in the opinion of the Chair or independent investigator, it would bring the Council into disrepute or, if not addressed, adversely affect the reputation of a member.

An alleged breach under this Code is non-material if, in the opinion of the Chair or independent investigator, any adverse effects are minor and no investigation or referral is warranted.

13. Penalties and actions

Where a complaint is determined to be material and referred to the Council or an adjudicative body established to consider complaints, the nature of any penalty or action will depend on the seriousness of the breach.

13.1 Material breaches

In the case of material breaches of the Code, the Council, or the adjudicative body with delegated authority, may require one of the following:

1. A letter of censure to the member;
2. A request (made either privately or publicly) for an apology;
3. Removal of certain Council-funded privileges (such as attendance at conferences);
4. Removal of responsibilities, such as committee chair, deputy committee chair or portfolio holder;

³ Advice on establishing adjudication bodies can be found in the Guide to the Code of Conduct.

5. Restricted entry to Council offices, such as no access to staff areas (where restrictions may not previously have existed);
6. Limitation on any dealings with Council staff other than the Chief Executive or identified senior manager;
7. A vote of no confidence in the member;
8. Suspension from committees or other bodies to which the member has been appointed; or
9. Invitation to the member to consider resigning from the Council.

A Council or adjudicative body with delegated authority may decide that instead of a penalty, one or more of the following may be required:

- Attend a relevant training course; and/or
- Work with a mentor for a period of time; and/or
- Participate in voluntary mediation (if the complaint involves a conflict between two members); and/or
- Tender an apology.

The process is based on the presumption that the outcome of a complaints process will be made public unless there are grounds, such as those set out in the Local Government Official Information and Meetings Act 1987 (LGOIMA), for not doing so.

13.2 Statutory breaches

In cases where a breach of the Code is found to involve regulatory or legislative requirements, the complaint will be referred to the relevant agency. For example:

- Breaches relating to members' interests (where members may be liable for prosecution by the Auditor-General under LAMIA);
- Breaches which result in the Council suffering financial loss or damage (where the Auditor-General may make a report on the loss or damage under s.44 LGA 2002 which may result in the member having to make good the loss or damage); or
- Breaches relating to the commission of a criminal offence which will be referred to the Police (which may leave the elected member liable for criminal prosecution).

14. Review

Once adopted, the Code continues in force until amended by the Council. The Code can be amended at any time but cannot be revoked unless the Council replaces it with another Code. Amendments to the Code require a resolution supported by 75 per cent of the members of the Council present at the Council meeting at which the amendment is considered.

Councils are encouraged to formally review their existing Code and either amend or re-adopt it as soon as practicable after the beginning of each triennium in order to ensure that all members have the opportunity to provide their views on the Code's provisions.

Appendix A: Guidelines on the personal use of social media

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There's a big difference in speaking "on behalf of Council" and speaking "about" the Council. While your rights to free speech are respected, please remember that citizens and colleagues have access to what you post. The following principles are designed to help you when engaging in **personal or unofficial online** communications that may also refer to your Council.

1. **Adhere to the Code of Conduct and other applicable policies.** Council policies and legislation, such as LGOIMA and the Privacy Act 1993, apply in any public setting where you may be making reference to the Council or its activities, including the disclosure of any information online.
2. **You are responsible for your actions.** Anything you post that can potentially damage the Council's image will ultimately be your responsibility. You are encouraged to participate in the social media but in so doing you must exercise sound judgment and common sense.
3. **Be an "advocate" for compliments and criticism.** Even if you are not an official online spokesperson for the Council, you are one of its most important advocates for monitoring the social media landscape. If you come across positive or negative remarks about the Council or its activities online that you believe are important you are encouraged to share them with the governing body.
4. **Let the subject matter experts respond to negative posts.** Should you come across negative or critical posts about the Council or its activities you should consider referring the posts to the Council's authorised spokesperson, unless that is a role you hold, in which case consider liaising with your communications staff before responding.
5. **Take care mixing your political (Council) and personal lives.** Elected members need to take extra care when participating in social media. The public may find it difficult to separate personal and Council personas. Commenting online in any forum, particularly if your opinion is at odds with what Council is doing, can bring you into conflict with the Code should it not be clear that they are your personal views.
6. **Never post sensitive and confidential information** provided by the Council, such as confidential items, public excluded reports and/or commercially sensitive information. Such disclosure will contravene the requirements of the Code.
7. **Elected Members' social media pages should be open and transparent.** When commenting on matters related to the local authority no members should represent themselves falsely via aliases or differing account names or block. Neither should they block any post on any form of social media that they have control over unless there is clear evidence that the posts are actively abusive. Blocking constructive debate or feedback can be seen as bringing the whole Council into disrepute.

Appendix B: Legislation bearing on the role and conduct of elected members

This is a summary of the legislative requirements that have some bearing on the duties and conduct of elected members. The full statutes can be found at www.legislation.govt.nz.

The Local Authorities (Members' Interests) Act 1968

The Local Authorities (Members' Interests) Act 1968 (LAMIA) provides rules about members discussing and voting on matters in which they have a pecuniary interest and about contracts between members and the Council.

A pecuniary interest is likely to exist if a matter under consideration could reasonably give rise to an expectation of a gain or loss of money for a member personally (or for their spouse/partner or a company in which they have an interest). In relation to pecuniary interests the LAMIA applies to both contracting and participating in decision-making processes.

With regard to pecuniary or financial interests, a person is deemed to be "concerned or interested" in a contract or interested "directly or indirectly" in a decision when:

- A person, or spouse/partner, is "concerned or interested" in the contract or where they have a pecuniary interest in the decision; or
- A person, or their spouse/partner, is involved in a company that is "concerned or interested" in the contract or where the company has a pecuniary interest in the decision.

There can also be additional situations where a person is potentially "concerned or interested" in a contract or have a pecuniary interest in a decision, such as where a contract is between an elected members' family trust and the Council.

Determining whether a pecuniary interest exists

Elected members are often faced with the question of whether or not they have a pecuniary interest in a decision and if so whether they should participate in discussion on that decision and vote. When determining if this is the case or not the following test is applied:

"...whether, if the matter were dealt with in a particular way, discussing or voting on that matter could reasonably give rise to an expectation of a gain or loss of money for the member concerned." (OAG, 2001)

In deciding whether you have a pecuniary interest, members should consider the following factors:

- What is the nature of the decision being made?
- Do I have a financial interest in that decision - do I have a reasonable expectation of gain or loss of money by making that decision?

- Is my financial interest one that is in common with the public?
- Do any of the exceptions in the LAMIA apply to me?
- Could I apply to the Auditor-General for approval to participate?

Members may seek assistance from the Chair or other person, to determine if they should discuss or vote on an issue, but ultimately it is their own judgment as to whether or not they have pecuniary interest in the decision. Any member who is uncertain as to whether they have a pecuniary interest is advised to seek legal advice. Where uncertainty exists members may adopt a least-risk approach which is to not participate in discussions or vote on any decisions.

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Members who do have a pecuniary interest will declare the pecuniary interest to the meeting and not participate in the discussion or voting. The declaration and abstention needs to be recorded in the meeting minutes. (Further requirements are set out in the Council's Standing Orders.)

The contracting rule

A member is disqualified from office if he or she is "concerned or interested" in contracts with their Council if the total payments made, or to be made, by or on behalf of the Council exceed \$25,000 in any financial year. The \$25,000 limit includes GST. The limit relates to the value of all payments made for all contracts in which you are interested during the financial year. It does not apply separately to each contract, nor is it just the amount of the profit the contractor expects to make or the portion of the payments to be personally received by you.

The Auditor-General can give prior approval, and in limited cases, retrospective approval for contracts that would otherwise disqualify you under the Act. It is an offence under the Act for a person to act as a member of the Council (or committee of the Council) while disqualified.

Non-pecuniary conflicts of interest

In addition to the issue of pecuniary interests, rules and common law govern conflicts of interest more generally. These rules apply to non-pecuniary conflicts of interest, including common law rules about bias. In order to determine if bias exists or not members need to ask:

"Is there a real danger of bias on the part of the member of the decision-making body, in the sense that he or she might unfairly regard with favour (or disfavour) the case of a party to the issue under consideration?"

The question is not limited to actual bias, but relates to the appearance or possibility of bias reflecting the principle that justice should not only be done, but should be seen to be done. Whether or not members believe they are not biased is irrelevant.

Members focus should be on the nature of the conflicting interest or relationship and the risk it could pose for the decision-making process. The most common risks of non-pecuniary bias are where:

- Members' statements or conduct indicate that they have predetermined the decision before hearing all relevant information (that is, members have a "closed mind"); and
- Members have a close relationship or involvement with an individual or organisation affected by the decision.

In determining whether or not they might be perceived as biased, members must also take into account the context and circumstance of the issue or question under consideration. For example, if a member has stood on a platform and been voted into office on the promise of implementing that platform, then voters would have every expectation that the member would give effect to that promise, however he/she must still be seen to be open to considering new information (this may not apply to decisions made in quasi-judicial settings, such as an RMA hearing).

Local Government Official Information and Meetings Act 1987

The Local Government Official Information and Meetings Act 1987 sets out a list of meetings procedures and requirements that apply to local authorities and local/community boards. Of particular importance for the roles and conduct of elected members is the fact that the chairperson has the responsibility to maintain order at meetings, but all elected members should accept a personal responsibility to maintain acceptable standards of address and debate. No elected member should:

- Create a disturbance or a distraction while another Councillor is speaking;
- Be disrespectful when they refer to each other or other people; or
- Use offensive language about the Council, other members, any employee of the Council or any member of the public.

See Standing Orders for more detail.

Secret Commissions Act 1910

Under this Act it is unlawful for an elected member (or officer) to advise anyone to enter into a contract with a third person and receive a gift or reward from that third person as a result, or to present false receipts to Council.

If convicted of any offence under this Act a person can be imprisoned for up to two years, and/or fines up to \$1000. A conviction would therefore trigger the ouster provisions of the LGA 2002 and result in the removal of the member from office.

Crimes Act 1961

Under this Act it is unlawful for an elected member (or officer) to:

- Accept or solicit for themselves (or anyone else) any gift or reward for acting or not acting in relation to the business of Council; and
- Use information gained in the course of their duties for their, or another person's, monetary gain or advantage.

Elected members convicted of these offences will automatically cease to be members.

Financial Markets Conduct Act 2013

Financial Markets Conduct Act 2013 (previously the Securities Act 1978) essentially places elected members in the same position as company directors whenever Council offers stock to the public. Elected members may be personally liable if investment documents such as a prospectus contain untrue statements and may be liable for criminal prosecution if the requirements of the Act are not met.

The Local Government Act 2002

The Local Government Act 2002 (LGA 2002) sets out the general powers of local government, its purpose and operating principles, and details the personal liability of members.

Although having qualified privilege, elected members can be held personally accountable for losses incurred by a local authority where, following a report from the Auditor General under s44 LGA 2002, it is found that one of the following applies:

- a) Money belonging to, or administered by, a local authority has been unlawfully expended; or
- b) An asset has been unlawfully sold or otherwise disposed of by the local authority; or
- c) A liability has been unlawfully incurred by the local authority; or
- d) A local authority has intentionally or negligently failed to enforce the collection of money it is lawfully entitled to receive.⁸⁹⁰

Members will not be personally liable where they can prove that the act or failure to act resulting in the loss occurred as a result of one of the following:

- a) Without the member's knowledge;
- b) With the member's knowledge but against the member's protest made at or before the time when the loss occurred;
- c) Contrary to the manner in which the member voted on the issue; and
- d) In circumstances where, although being a party to the act or failure to act, the member acted in good faith and relied on reports, statements, financial data, or other information from professional or expert advisers, namely staff or external experts on the matters.

In certain situation members will also be responsible for paying the costs of proceedings (s47 LGA 2002).

Appendix C: Process where a complaint is referred to an independent investigator

The following process is a guide only and Councils are encouraged to adapt this to their own specific circumstances.

Step 1: Chief Executive receives complaint

On receipt of a complaint under the Code, whether from a member (because the complaint involves the Chair) or from the Chair after an initial assessment, the Chief Executive will refer the complaint to an investigator selected from a list agreed at the start of the triennium. The Chief Executive will also:

- Inform the complainant that the complaint has been referred to the independent investigator and the name of the investigator, and refer them to the process for dealing with complaints as set out in the Code; and
- Inform the respondent that a complaint has been made against them, the name of the investigator and remind them of the process for dealing with complaints as set out in the Code.

Step 2: Investigator makes preliminary assessment

On receipt of a complaint the investigator will assess whether:

1. The complaint is trivial or frivolous and should be dismissed;
2. The complaint is outside the scope of the Code and should be re-directed to another agency or institutional process;
3. The complaint is minor or non-material; or
4. The complaint is material and a full assessment is required.

In making the assessment the investigator may make whatever initial inquiry is necessary to determine their recommendations, including interviewing relevant parties, which are then forwarded to the Council's Chief Executive. On receiving the investigator's preliminary assessment the Chief Executive will:

1. Where an investigator determines that a complaint is trivial or frivolous, inform the complainant, respondent and other members (if there are no grounds for confidentiality) of the investigator's decision.
2. In cases where the investigator finds that the complaint involves a potential legislative breach and outside the scope of the Code, forward the complaint to the relevant agency and inform the Chief Executive who will then inform the complainant, the respondent and members.

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Step 3: Actions where a breach is found to be non-material

If the subject of a complaint is found to be non-material, but more than trivial or frivolous, the investigator will inform the chief executive and, if they choose, recommend a course of action appropriate to the breach, such as:

- That the respondent is referred to the Chair for guidance; and/or
- That the respondent attend appropriate courses or programmes to increase their knowledge and understanding of the matters resulting in the complaint.

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The Chief Executive will advise both the complainant and the respondent of the investigator's decision and any recommendations, neither of which are open to challenge. Any recommendations made in response to a non-material breach are non-binding on the respondent and the Council.

Step 4: Actions where a breach is found to be material

If the subject of a complaint is found to be material, the investigator will inform the Chief Executive, who will inform the complainant and respondent. The investigator will then prepare a report for the Council on the seriousness of the breach. In preparing that report, the investigator may:

- Consult with the complainant, respondent and any directly affected parties; and/or
- Undertake a hearing with relevant parties; and/or
- Refer to any relevant documents or information.

On receipt of the investigator's report, the Chief Executive will prepare a report for the relevant Council body charged with assessing and ruling on material complaints, which will meet to consider the findings and determine whether or not a penalty, or some other form of action, will be imposed. The Chief Executive's report will include the investigator's full report.

Step 5: Process for considering the investigator's report

The investigator's report will be considered by the Council or adjudicative body established for considering reports on Code of Conduct complaints, or any other body that the Council may resolve, noting that the process will meet the principles set out in section 12.1 of the Code.

The Council, or adjudicative body, will consider the Chief Executive's report in open meeting, except where the alleged breach concerns matters that justify, in accordance with LGOIMA, the exclusion of the public. Before making any decision on a specific complaint, the relevant body will give the respondent an opportunity to appear and speak in their own defense. Members with an interest in the proceedings, including the complainant and the respondent, should not take part in these proceedings in a decision-making capacity.

The form of penalty that might be applied will depend on the nature of the breach and may include actions set out in clause 13.1 of the Code.

The report, including recommendations from the adjudicative body, should that body have no formal delegations, will be heard and accepted by the Council in open session, unless grounds for excluding the public exist, without debate.

4.2.3

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 February 2020
Prepared by: Michael Meehan
Date: 4 February 2020
Subject: Six Month Review - 1 July 2019 – 31 December 2019

Attached is the Six Month Review showing progress for the first six months of the financial year.

This report shows achievements as measured against the levels of service and performance targets in the Annual Plan 2019 – 2020.

RECOMMENDATION

That this report be received.

Michael Meehan
Chief Executive

Governance Performance targets

Levels of Service	Measure	Performance Target	Progress Achieved																																				
Maintain a Council of elected representatives in accordance with statutory requirements and in a manner that promotes effective decision-making, transparency, and accountability to the West Coast regional community	Number of public meetings held and individual Councillor attendance	Conduct eleven monthly meetings of Council and the Resource Management Committee, plus other scheduled meetings and scheduled workshops during the year with at least 80% attendance by all Councillors.	<table border="1"> <thead> <tr> <th>Councillor</th> <th>Attendance</th> <th>%</th> </tr> </thead> <tbody> <tr> <td>Robb</td> <td>4 out of 5</td> <td>80%</td> </tr> <tr> <td>Clementson</td> <td>3 out of 5</td> <td>60%</td> </tr> <tr> <td>Archer</td> <td>3 Out of 5</td> <td>60%</td> </tr> <tr> <td>McDonnell</td> <td>5 out of 5</td> <td>100%</td> </tr> <tr> <td>Birchfield</td> <td>8 out of 8</td> <td>100%</td> </tr> <tr> <td>Ewen</td> <td>8 out of 8</td> <td>100%</td> </tr> <tr> <td>Challenger</td> <td>8 out of 8</td> <td>100%</td> </tr> <tr> <td>Cummings</td> <td>3 out of 3</td> <td>100%</td> </tr> <tr> <td>Magner</td> <td>3 out of 3</td> <td>100%</td> </tr> <tr> <td>Hill</td> <td>3 out of 3</td> <td>100%</td> </tr> <tr> <td>Coll McLaughlin</td> <td>3 out of 3</td> <td>100%</td> </tr> </tbody> </table>	Councillor	Attendance	%	Robb	4 out of 5	80%	Clementson	3 out of 5	60%	Archer	3 Out of 5	60%	McDonnell	5 out of 5	100%	Birchfield	8 out of 8	100%	Ewen	8 out of 8	100%	Challenger	8 out of 8	100%	Cummings	3 out of 3	100%	Magner	3 out of 3	100%	Hill	3 out of 3	100%	Coll McLaughlin	3 out of 3	100%
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Compliance with statutory timeframes	Prepare and notify the Council's Annual Plan Statement of Proposal by 31 May each year, and the Annual Report by 31 October, in accordance with the procedures outlined in the Local Government Act 2002.	Achieved. The audited Annual Report for the year to 30 June 2019 was adopted by Council at a Special Council meeting on 31 October 2019.																																					
Timing and number of newsletters, and internet website based information related to public consultation processes.	Publish an informative Council newsletter twice a year to be circulated to all ratepayers, with their rate demand, in March and September and ensure required information is posted on the Council website when Council invites submissions on a new or revised policy document.	<p>Achieved.</p> <p>The rates instalments which were sent out in September 2019 and will be again in March 2020 will contain the usual newsletters.</p> <p>Council's website/social media continues to be updated whenever submissions are invited on new or revised policy document.</p>																																					
Continue to support the contribution our two West Coast Runanga make to Council's decision-making processes; and continue to seek contributions from other Maori	Attendance of Iwi appointees at Resource Management Committee meetings	Continue to invite attendance of Makaawhio and Ngati Waewae representatives as appointees to the Council's resource management committee, to enable Maori participation in resource management decision-making.	<p>Achieved.</p> <p>Council has continued to invite both Makaawhio and Ngati Waewae representatives to attend all Resource Management Committee meetings.</p>																																				

Resource Management Performance targets

Levels of Service	Measure	Performance Target	Progress Achieved			
				% improving	% declining	% no change
To maintain or enhance water quality in the West Coast's rivers	State of the Environment Monitoring: Ammoniacal nitrogen, periphyton, clarity, turbidity and faecal coliforms are measured quarterly at 38 river sites. These parameters characterise the water quality of West Coast rivers and have been measured since 1996.	Maintaining or improving trends for these parameters.				
			Ammonia	55	0	45
			FC's	10	16	74
			Turbidity	29	5	66
			Clarity	32	13	55
			Periphyton	93	7	0
	Compliance Monitoring for Discharges: The number of compliant or non-compliant point source discharges to water, or discharges likely to enter water; and council's response to any non-compliance.	All significant consented discharges ¹ are monitored at least annually, and all dairy sheds at least every second year depending on individual compliance record. All non-compliances publicly reported to the Resource Management Committee and responded to using Council's Compliance & Enforcement Policy.	In progress. Mining inspections are on track and dairy inspections are progressing. All non-compliances have been reported to RMC.			
To maintain or enhance the water quality in Lake Brunner	The trophic state of Lake Brunner is measured by the Trophic Level Index (TLI) which combines clarity, nutrient and algal measures. The rolling 5-year mean is compared with a 2002-2006 baseline mean.	The annual (rolling 5-year mean) TLI of Lake Brunner is less than the 2002-2006 TLI baseline mean of 2.79.	Achieved. The TLI for Jan 2015 – December 2019 (latest results) is 2.78.			
Complete current regional plans to operative stage, and review them to maintain their community acceptability.	Statutory requirements for review	Compliance with statutory requirements for the review of Council's plans and strategies.	In progress.			

¹ Significant Consented Discharge includes: any consented discharge from a municipal sewage scheme or landfill, any consented discharge from a working mine site, any consented discharge of airy effluent to water, and any large scale industrial discharge (WMP, Kokiri).

Advocate for the West Coast interests when external environmental policymaking may affect the West Coast.	Number of submissions made and number of successful advocacy outcomes.	Submit on all central or local government discussion documents, draft strategies, policies or Bills that may impact on West Coast interests, within required timeframes.	On track, noting the significant amount of government consultation occurring at the moment.
To maintain or enhance the life supporting capacity and amenity value of the West Coast's rivers	Stream ecosystem health: Instream macroinvertebrate community health (SQMCI) scores are measured at 29 river sites. The values for each site are calculated using five year rolling means and comparing them to baseline means calculated from data from 2005-2009.	Macroinvertebrate health index ² (SQMCI) mean is higher, or no more than 20% lower, than the baseline mean.	Not achieved. Three out of 29 sites have not met the criteria and have declined.
	Bathing beach sampling: 18 swimming sites are sampled, ten times per summer season (fortnightly) for E coli (moderate-high risk > 550) or Enterococci (moderate-high risk > 280). <i>[note – two more sites are added this term]</i>	Scheduled swimming sites do not exceed the moderate-high risk threshold on more than 10% of sampling occasions.	Not achieved – interim report. Two out of 18 sites have so far not meet the target. During the yet to be completed 2019-2020 season Hokitika Beach, and Marrs Beach, exceeded the moderate-high risk category more than 10% of the time. Further sampling is required to complete the season.
To protect human health from adverse impacts of poor groundwater quality.	28 Wells are monitored at least twice annually, 24 of which are used for human consumption. The guideline of 11.3mg/L of nitrate is used to protect human health, particularly for babies. The data from the year is averaged before comparing against the 11.3mg guideline.	In wells used for human consumption, nitrate levels remain below the health guideline of 11.3 mg/L.	Achieved Averaged over Summer and Winter 2019, all of 24 wells used for human consumption were within guidelines. This is the same timeframe as the last report. Summer 2020 sampling is still underway.

² This macroinvertebrate index uses comparative samples of aquatic invertebrates to evaluate water quality, based on the type and tolerances of invertebrates (bugs) found at that site and how those communities of invertebrates may change over time. Some bug species are pollution tolerant while others are pollution sensitive, so the mix of species tells us a lot about the water quality at the site.

<p>To protect human health from any adverse impacts of poor air quality in Reefton.</p>	<p>Reefton's air is monitored in accordance with the National Environmental Standard (NES) for air quality by measuring PM₁₀ (airborne particles smaller than ten micrometers, which affect human respiration).</p> <p>The threshold is a 24hr mean PM₁₀ of 50 micrograms/m³.</p>	<p>NES Requirement: 24hr PM₁₀ values do not exceed the NES threshold more than three times in one year, between 2016 & 2020; whereas after 2020 only 1 exceedance per year is allowed.</p>	<p>Achieved.</p> <p>There were no exceedances of the National Environmental Standard for Air Quality in Winter 2019.</p>
<p>Respond to all genuine incident complaints received by the Council and take enforcement action where needed.</p>	<p>Number of complaints received and number of enforcement actions resulting from these.</p>	<p>Operate a 24-hour complaints service, assess and respond to all genuine complaints within 24 hours and non-urgent complaints within 5 working days in accordance with Council's Compliance & Enforcement Policy.</p>	<p>The 24 hour complaints service is operational with compliance staff rostered for on call.</p>
<p>Compliance with the consent processing timeframes in the RMA and mining legislation.</p>	<p>Compliance with discounting regulations and mining timeframes</p>	<p>Process all resource consent applications without incurring any cost to Council due to the RMA discounting regulations; and process at least 95% of mining work programmes³ within 20 working days of receipt.</p>	<p>Achieved to date. All resource consent applications have been processed within RMA timeframes and all mining work programmes being processed within 20 working days.</p>
<p>Respond to marine oil spills in coastal waters in accordance with the Tier 2 Oil Spill Response Plan and maintain readiness for spill response.</p>	<p>Timing of responses & number of trained staff</p>	<p>Respond within 4 hours to all spills, using Council or MNZ spill equipment to contain spills; plus ensure at least 10 trained responders.</p>	<p>The council has more than 10 trained responders. One incident was attended at Greymouth Harbour.</p>

³ This target assumes the work programme is submitted with all necessary information provided.

Regional Land Transport

Levels of Service	Measure	Performance Target	Progress Achieved
Maintain a Regional Land Transport Plan in compliance with relevant legislation and is acceptable to our West Coast community.	An Operative Regional Land Transport Plan	Compliance with statutory requirements for the preparation, review and implementation of the Regional Transport Plan and Passenger Transport Plan.	Achieved. The RLTP was made operative in 2018. Variations to this document are made as required to ensure that transport activities can be undertaken in a timely manner.

Hydrology and Flood Warning Services

Level of Service	Measure	Performance Targets	Progress Achieved
Continue to provide flood warning to assist communities to assess risk of impending floods, for the six rivers (Karamea, Mokihinui, Buller, Grey, Hokitika, and Waiho).	Staff response to high flow events.	Provide flood monitoring service for the six rivers monitored (Karamea, Buller, Mokihinui, Grey, Hokitika, Waiho) and respond in accordance with the floodwarning manual.	On track to be achieved
	Availability of information about high flow events.	Ensure data on river levels (Karamea, Buller, Grey, Hokitika, Waiho, Mokihinui) is available on the Council website (updated 12 hourly, or 3 hourly during flood events) > 90% of the time.	On track to be achieved

Civil Defence Emergency Management

Levels of Service	Measure	Performance Targets	Progress Achieved
<p>Maintain a Civil Defence Plan that delivers efficient and effective management of the region's civil defence functions in compliance with the legislation and is acceptable to West Coast community desires.</p>	<p>Civil Defence Plan always operative.</p>	<p>Compliance with statutory requirements for the preparation, review and implementation of the Group CDEM Plan.</p>	<p>We have a current Group Plan. Work to review the plan must be before September 2021.</p>
	<p>Number of trained staff</p>	<p>Ensure at least 30 Council staff are trained as Emergency Coordination Centre (ECC) personnel so that we have three shifts of ECC staff trained and exercised in case of a regional emergency.</p>	<p>We have held EOC, Welfare Function, and CIMS 4 course so far this financial year, which we have had good participation from Regional Council staff. We are setting dates for training in the first part of this year that will be promoted to staff by the end of February. In December we had a large contingent of WCRC staff support the response efforts, particularly affecting South Westland. We are working towards meeting this target.</p>

Quarry Performance targets

Levels of Service for Quarries	Measure	Performance Targets	Progress Achieved
Ensure efficient and effective management and safe operation of Council's quarries, delivering rock to any customers within ten working days with priority given to Council rating district customers.	Timing of delivering on rock requests.	Deliver on requests for rock within two weeks, and ensure sufficient stockpiled rock is available where practical.	Ongoing
	Number of site inspections to monitor contractor health and safety and performance	Visit each active quarry site at least twice a year, when contractors are working the quarry (where possible), to ensure Health and Safety standards and other permit requirements are being adhered to.	Achieved

Rating District Performance targets

Levels of Service	Measure	Performance Targets	Progress Achieved
Meet or exceed the flood protection, drainage or erosion protection levels as described in the levels of service described in the Long Term Plan.	Completion of rating district inspections, works reports and consultation meetings (where material works are proposed).	Complete all asset inspections, works reports, and rating district meetings. Perform all capital and maintenance works as agreed at those meetings.	Achieved
	Proportion of schemes performing to their agreed service level.	Monitor all rating district infrastructural assets to ensure they perform to the service level consistent with the Asset Management Plan of each Rating District, or whatever level the community has decided is an acceptable risk.	Ongoing
	Meet timeframes for plan review	Review Rating District Asset Management Plans every third year, or earlier where information indicates a significant change from what is stated in the Plan.	Achieved

VCS Performance targets

Levels of Service	Measure	Performance Targets	Progress Achieved
To produce a financial surplus (to offset general rates) by tendering for & delivering on vector control contracts and other contracts.	Achieve or exceed budgeted financial return	Tender for, and win, sufficient contracts to provide or exceed the annual budgeted return to Council.	On track to achieve
To provide marine oil spill and terrestrial hazardous substance spill support, and biosecurity response services for the MNZ, MAF and the Regional Council.	Availability of trained staff	Have staff available as a response unit for marine and terrestrial pollution spill events as per the MOU dated 11 November 2005.	Achieved
	Availability of trained staff	Have 4 staff plus a vehicle available for biosecurity emergencies, as per the National Biosecurity Capability Network agreement 2011.	Achieved

5.0

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting- 11 February 2020
Prepared by: Allan Birchfield – Chairman
Date: 3 February 2020
Subject: **CHAIRMAN'S REPORT**

Meetings Attended:

- I attended the Grey Mawhera Freshwater Management Unit meeting on 17 December.
- I attended the Te Tai O Poutini Plan meeting on 19 December.
- I attended the Annual Plan Workshop on 20 January.
- I attended the Special Council meeting and Annual Plan workshop on 27 January.
- I attended the Te Tai O Poutini Plan meeting on 31 January.

I also attended constituency matters and had various engagements with Mayors and other local elected members.

RECOMMENDATION

That this report be received.

Allan Birchfield
Chairman

6.0

THE WEST COAST REGIONAL COUNCIL

Prepared for: Council Meeting – 11 February 2020
Prepared by: Michael Meehan – Chief Executive
Date: 3 February 2020
Subject: **CHIEF EXECUTIVE'S REPORT**

Meetings Attended:

- I attended the Te Tai o Poutini Plan meeting on 19 December.
- I participated in the Westport 2100 meeting on 10 January.
- I attended the Regional Sector Water Subgroup meeting in Wellington on 22 January.
- I attended the Te Tai o Poutini Plan meeting on 31 January.
- I hosted the West Coast Chief Executives forum on 4 February.

RECOMMENDATION

That this report be received.

Michael Meehan
Chief Executive