

## **THE WEST COAST REGIONAL COUNCIL**

### **MINUTES OF THE MEETING OF THE COUNCIL HELD ON 11 AUGUST 2009, AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH, COMMENCING AT 12.34 P.M.**

#### **PRESENT:**

R. Scarlett (Chairman), P. Ewen, A. Robb, T. Archer, D. Davidson, B. Chinn, A. Birchfield

#### **IN ATTENDANCE:**

C. Ingle (Chief Executive Officer), R. Mallinson (Corporate Services Manager), C. Dall (Consents and Compliance Manager), S. Moran (Planning and Environmental Manager), T. Jellyman (Minutes Clerk)

#### **1. PRESENTATION**

The Chairman introduced Bronwyn Monopoli, Director, Animal Health Board and William McCook, Chief Executive, Animal Health Board. Bronwyn Monopoli gave a brief overview of her background and spoke of the positive relationship between the AHB and WCRC.

Mr McCook spoke to a power point presentation on the Tb pest strategy. He stated that the strategy is no longer to eradicate Tb but to contain and roll back the line in relation to other Tb infected regions.

Mr McCook was given a very clear message that it is very important that the West Coast is not left out in the cold and that we want equity with the programme. It was agreed that the West Coast Regional Council would lodge a submission to this effect.

*The meeting was adjourned for lunch at 1.05 pm and reconvened at 1.24 p.m.*

#### **2. APOLOGIES:**

There were no apologies.

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

**Moved** (Archer / Davidson) *that the minutes of the Council Meeting 14 July 2009, be confirmed as correct.*

*Carried*

#### **Matters arising**

There were no matters arising.

#### **REPORTS:**

#### **4.1 PLANNING AND ENVIRONMENTAL MANAGER'S REPORT ON ENGINEERING OPERATIONS**

S. Moran spoke to his report advising that the Inchbonnie Stopbank upgrade has commenced and is progressing well. S. Moran reported that minor amendments to the alignment of power poles have been made. This is not expected to cause any problems and the amendments have been discussed with the Inchbonnie Rating District Committee.

S. Moran reported that a good amount of rock is being extracted from quarries at the moment.

**Moved** (Davidson / Chinn) *that the report be received.*

*Carried*

## 5.1 CORPORATE SERVICE MANAGER'S REPORT

R. Mallinson spoke to this report advising that this is the full 12 month report. Total turnover was in excess of \$10M and total deficit was \$154,000 compared to the original budget of \$924,000 which included the expenditure for the upgrade of the Greymouth Floodwall. R. Mallinson advised that the investment portfolio has rallied strongly since the low point in mid March and is continuing to rally into the September quarter. R. Mallinson reported that the quarries and the VCS Business Unit have performed very well this year. He stated that apart from the investment returns this is a very positive financial result for Council. R. Mallinson advised he is currently working on the finalising of the Annual Report. Audit NZ will be carrying out the audit on the 31<sup>st</sup> of this month. Cr Scarlett asked R. Mallinson why portfolio management is listed as an expenditure item as it has not been listed in previous years. R. Mallinson responded that he would be changing this during the next annual planning round to ensure that we separately budget for this. R. Mallinson answered various questions from Councillors regarding his report.

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

*Carried*

### 5.1.1 SETTING OF RATES FOR 2009 / 10

R. Mallinson spoke to this report advising that are rates are set in accordance with the Annual Plan or LTCCP and Council is required by the legislation to formally move a resolution to set the rates.

**Moved** (Birchfield / Chinn)

1. *That Council set rates for the period 1 July 2009 to 30 June 2010 as per the Funding Impact Statement contained on pages 80 to 85 of the 2009/19 LTCCP.*

2. *As per the 2009/19 LTCCP, there are two instalments:*

*The first instalment is due on 1 September 2009 with a 10% penalty date of 20 October 2009 as per sections 57 and 58 of the LGRA 2002.*

*The second instalment is due on 1 March 2010 with a 10% penalty date of 20 April 2010 as per sections 57 and 58 of the LGRA 2002.*

*A further 10% penalty will be charged on all accumulated rate arrears as at 1 July 2010.*

*Carried*

### 5.1.2 NZ MUTUAL LIABILITY RISKPOOL

R. Mallinson spoke to this report. He advised that Council was advised by Riskpool that our premium for the 2009 / 2010 year was going to be \$18,000 but in early July after the renewal for the 2009 / 2010 year had been completed a letter was received from Riskpool advising that they were going to be making some extra calls on all members of the scheme and a warning that further calls could come each year. R. Mallinson advised that he wrote to Riskpool advising them that Regional Councils are being tainted with the liabilities of district and city councils and the actions of central government with regard to weather tight homes. R. Mallinson stated that it is very unfortunate that regional councils are being called to meet these liabilities. R. Mallinson stated that if the trustees don't change their decision then most regional councils will accept a missed call, as they need certainty of an annual premium for public liability cover. Cr Scarlett asked if legally we have a case. R. Mallinson responded that Riskpool are legally correct but morally wrong. He feels that Riskpool could have found a way around this issue but if we pull out then we still need to find public liability cover. Cr Scarlett asked if this is easy to do. R. Mallinson responded that it is easy and very cost competitive at the moment. Cr Archer stated that the big concern is the ongoing residual responsibilities of all the years in between 2003 and now because the leaky home issue is getting worse rather than getting better. Cr Archer advised that if we opt out we are still liable for the years of which we were members of Riskpool. C. Ingle stated that territorial councils who have had claims against them for weather tight homes have benefitted from the rest of New Zealand as they are now paying for them.

Cr Archer stated those TA's found to be negligent are facing additional costs and regardless of whether or not Council stays in the scheme there is no ongoing potential liability as claims are no longer being accepted for weather tight homes. It was agreed that a cost effective insurance policy would be investigated with the three local territorial authorities. Cr Robb stated that an insurance company should be looking at past claims. R. Mallinson suggested that a decision is deferred until the stance of the Riskpool Trustees is clearer. Cr Scarlett agreed with this suggestion and a decision will be made prior to 2010.

**Moved** (Robb / Davidson)

1. *That Council note the advance notice of Calls from Riskpool for \$3,657 and \$23,036 with respect to the 2002/03 and 2003/04 Fund years.*
2. *That Council note the future contingent liabilities with respect to the 2004/05 and 2005/06 Fund years.*

*Carried*

C. Ingle stated that he has a Regional Council's CEO's meeting tomorrow in Wellington and the Riskpool matter is on the agenda. He queried whether he should put forward the view that regional councils as a group should be refusing to pay this as it is a Building Act function, it is a territorial authority issue and it should be split amongst the district councils and to leave regional councils out of it. It was agreed that this would be progressed.

## **5.2 TWELVE MONTH REVIEW – 1 JULY 2008 – 30 JUNE 2009**

R. Mallinson spoke to this report. Cr Scarlett stated this is a very good result. Cr Archer concurred with this and stated it is an excellent result.

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

*Carried*

## **6.0 CHIEF EXECUTIVES REPORT**

C. Ingle spoke to his report. He advised that he attended the Minerals West Coast Forum, MP Chris Auchinvole spoke at this forum and spoke of the policy from the National Government regarding DoC is that they enable use of conservation land for mining, which is a change from the Labour Government's stance. C. Ingle advised that MP Auchinvole stated that pressure is being put of DoC to change its ways.

C. Ingle also met with Mr Andy England to discuss the energy assessment report from last month's council meeting.

C. Ingle reported that he attended a class presentation at Greymouth High School on climate change. MP Kevin Hague and Mayor Kokshoorn also attended.

C. Ingle reported that he attended the Civil Defence Controllers forum that was hosted here at WCRC on the 5<sup>th</sup> of August. There was good attendance from all district councils involved.

C. Ingle advised that he is meeting with representatives from EECA next week in Wellington regarding the possibility of having an energy strategy written up for the West Coast. EECA have advised that they have some funding in place for this purpose.

**Moved** (Archer / Ewen) *that the Chief Executive's Report be received.*

*Carried*

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

The Chairman reported that he attended the LGNZ conference in Christchurch at the end of July. He stated that the conference was dominated by Greater Auckland and the Auckland Super City proposal.

Cr Scarlett advised that the Chief Youth Court Judge, Judge Beecroft spoke at the conference on societal problems with youth. Cr Scarlett stated that Judge Beecroft believes that youth drinking and

to a lesser extent drugs, is linked to the behaviour of recidivist offenders. Cr Scarlett spoke of the changes society need to make to assist with the mentoring of youth.

Cr Scarlett advised that he recently met with Mark Yaxley from Land Transport New Zealand to discuss the transport programme for the West Coast. Cr Scarlett is expecting formal notification for the final policy later this month.

Cr Scarlett spoke of this morning's meeting with MP Auchinvole. Mr Auchinvole's is not impressed with DoC regarding the wetlands appeal. He feels that the wetlands matter should not go to court, he believes that we are in a time of austerity and spending money on this is ridiculous. Mr Auchinvole is to write a letter to ministers regarding this. Cr Scarlett advised that he has also written a letter to the conservation minister regarding this very same matter.

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

*Carried*

## **GENERAL BUSINESS**

There was no general business.

The meeting closed at 1.55 p.m.

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Chairman

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Date