

THE WEST COAST REGIONAL COUNCIL

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON 8 MARCH 2022,
AT THE OFFICES OF THE WEST COAST REGIONAL COUNCIL, 388 MAIN SOUTH ROAD, GREYMOUTH,
COMMENCING AT 10:32 A.M**

PRESENT:

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

IN ATTENDANCE:

H. Mabin (Chief Executive) via zoom, R. Beal (Operations Director), C Brown (Regional Director CDEM).

Also in attendance: Brendon McMahon (Grey Star)

1. WELCOME

Cr Birchfield read the prayer.

2. APOLOGIES

The Chair called for apologies. There were no apologies.

3. DECLARATION OF INTEREST

The Chair called for declarations of interest. No declarations were made.

4. PUBLIC FORUM

The Chair called for any speakers for the public forum. There were no speakers.

PRESENTATION

There was no presentation.

5. CONFIRMATION OF MINUTES

5.1 The Chairman asked the meeting if there were any changes to the minutes of the previous meeting held on 8 February 2022.

Moved (Challenger/Hill) *that the minutes of the Council meeting dated 8 February 2022 be confirmed as correct.*

Carried

Matters arising

In response to a question from the Chair regarding the funding split from NEMA, R Beal confirmed that there was no funding from NEMA for emergency works as it does not meet the criteria for funding.

5.2 The Chairman asked the meeting if there were any changes to the minutes of the extraordinary meeting held on 23 February 2022.

Moved (Ewen/Challenger) *that the minutes of the extraordinary Council meeting dated 23 February 2022 be confirmed as correct.*

Carried

Matters arising

There were no matters arising from the minutes.

REPORTS

6. CHAIRMAN'S REPORT

The Chair took his report as read. He thanked Cr Challenger for attending the local government sector meeting on the 25th, on his behalf.

Moved (Hill/Cummings) *That this report is received.*

Carried

7. CHIEF EXECUTIVE'S REPORTS

7.1 Monthly Report

H. Mabin spoke to her report and took it as read. In response to a question from Cr Coll McLaughlin regarding the fuel storage capability workshop, H. Mabin outlined that there would be a report going to the Joint Committee and then to the partner Councils. H Mabin advised she did not have a timeframe within which the piece of work would be completed. Cr Ewen noted that there was some urgency with this, and that this had been flagged a decade ago. He advised that there would be a record of the previous discussions which would assist the project. H Mabin said she would provide further information to Council about who was canvassed.

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

Carried

7.2 Risk Register

H Mabin spoke to the report.

Moved (Ewen/ Cummings) *That Council:*

- *Adopt Council Objectives of:*
 1. *Value our People*

2. *Strong Governance and representation*
 3. *Good relationships & partnerships (community, iwi & central government)*
 4. *Resilience & sustainability for the region.*
 5. *Financial sustainability.*
 6. *Deliver effective & efficient services to our community*
 7. *Fulfilling statutory obligations; and*
- *Agree Council's initial strategic risks are:*
 1. *Failure to keep people safe*
 2. *Failure to deliver the agreed levels of service to our community*
 3. *Inability to retain knowledge to undertake Council's functions*
 4. *Failure to adequately plan for a natural disaster*
 5. *Failure to deliver robust planning policies*
 6. *Failure to implement adopted planning policies*
 7. *Financial mis-management*
 8. *Loss of Council's assets*
 9. *Loss or inaccurate corporate data*
 10. *Council's information used for other than intended purposes*
 11. *Failure to fulfil statutory obligations*
 12. *Failure of Council's relationships and partnerships.*

Carried

7.3 Risk and Assurance Committee minutes

H Mabin noted that the unconfirmed minutes were just for tabling to Council for their information and noting.

7.4 Westport Flood Recovery Steering Committee minutes

H Mabin advised that these were the minutes of the Steering Group to be tabled to Council. H Mabin introduced John Hutchings of Henley Hutchings who joined the meeting via zoom. Mr Hutchings noted that the letter from the Minister calls for an integrated package of solutions, and that the steering group and the Joint Committee each have an important role to play. He outlined the work being undertaken as part of preparing the business case seeking co-investment from the government for the works.

Cr Coll McLaughlin outlined that the Buller /Westport was a special case for co-investment as the area that could be rated was limited geographically and did not include the upper catchment. She asked about the process for considering red-zoning of areas. H Mabin responded that this would have been considered by Buller District Council and was a matter for them.

Cr Coll McLaughlin asked about whether the Regional Council received reimbursement for response costs. H Mabin replied that Claire Brown would be able to advise. H Mabin in response to a further question advised Council of the process for rates remissions for those ratepayers in red and yellow stickered buildings, and is working with Buller District Council on obtaining updated information. Cr Cummings referred Cr Coll McLaughlin to Buller District Council in terms of the issues raised in the steering group minutes that Buller DC was dealing with.

Cr Ewen queried whether the issues with communication raised by Buller DC noted in the minutes have been resolved or improved. H Mabin responded that she had asked R Beal for a communications plan, that the steering group now had a designated resource for stakeholder engagement and communication, and that she had ensured that N Costley was included in all developments to ensure communications. Cr Coll McLaughlin confirmed that she felt there had been a shift in the understanding of the community of what the Council was doing. H Mabin commended N Costley for her work in this area, which was supported by Cr Coll McLaughlin.

Cr Cummings, Birchfield, and Coll McLaughlin all noted they would like the works to be proceeded with soon. Cr Ewen felt that KiwiRail should be followed up as to why they were not at the table yet.

Moved (Cummings/Challenger) *That the Council receive and note the attachments to the report.*

Carried

7.5 Electoral Officer Appointment

H Mabin took her report as read, noting that this was the standard process as it is an election year. She advised that N Costley was to be the Deputy Electoral Officer. She also advised that Council would need to resolve the order of the candidates on the voting form, at their next meeting. H Mabin advised that the previous arrangement where a Grey District Council staff member was the Electoral Officer for the Regional Council no longer applied as that person had since left the Council.

Moved (Challenger/Ewen) *That the Council appoint Anthony Morton of Electionz as the Electoral Officer for the West Coast Regional Council.*

Carried

7.6 Development West Coast (DWC) Nominations

The Chair advised that Julie Christie had resigned, and that the Council needed to appoint someone on the selection panel to appoint her replacement. Cr Magner asked who had been the Council representative in the past. The Chair advised that it had previously been him. Cr Cummings expressed an interest in the role and there were no other nominations.

Moved (Coll McLaughlin/ Challenger) *That the Council:*

- 1. Receive this report; and*
- 2. Appoint Cr Cummings to the Appointments Panel of Development West Coast.*

Carried

7.7 Annual Plan 2022/23 Process

H Mabin took the report as read.

Moved (Cummings/Hill) *That the Council note the report.*

Carried

8. REPORTS

8.1 Operations Group Report

R Beal spoke to this report and took it as read. He advised that Karamea and Nelson Creek Rating Districts have asked for a reclassification review. He noted that damage assessments were ongoing for the February events. Staff are drafting up a NEMA claim on behalf of Wanganui, Taramakau and Franz Josef to date. He advised that staff would table the peer review of the Land River Sea work to the April Council meeting.

Cr Ewen asked whether there was an update on the Coal Creek situation and whether the peer review had been done. R Beal advised he would follow that up.

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

Carried

8.2 Westport Joint Committee meeting and recommendations

R Beal spoke to this report and introduced Matt Gardner who joined the meeting via zoom. R Beal advised that the Joint Committee at its inaugural meeting had supported the recommendations put to it, as attached in the agenda. R Beal read out the recommendations to the meeting.

Cr Coll McLaughlin asked for clarification on the process, as this seemed different than the usual rating district process and was more complicated. She asked about the wording of the staff recommendation in Mr Beal's report and what it was asking the Council to do, noting that it doesn't ask Council to follow the recommendations of the Joint Committee. R Beal responded that the Council could ask for some amended resolutions.

H Mabin advised that if Council felt they had enough information to resolve to proceed with the works for stage 1 of the flood protection scheme then they could do that, but they may want to be aware of the financial costs and information regarding who's assets they would be and the funding arrangements. She recommended that Council be cautious about proceeding without fuller financial details. She also advised Council consider agreeing to fund all of the works out of the \$10.2m, to be mindful of the impact on the ratepayer.

R Beal advised which works would be done under the emergency works provisions, and that staff needed decisions in order to proceed with final designs and costings. Cr Ewen asked Matt Gardner for his view and whether these decisions would impact on the work he was doing. Mr Gardner confirmed they would not.

Cr Coll McLaughlin felt the recommended resolution should be reworded to commit to action, especially on item 5.5 attachment 4, as these works are clearly emergency works. Cr Ewen asked Mr Gardner to advise on his view about the railway embankment. Mr Gardner responded that the stopbank at the O'Connor home should help to address this. Cr Magner agreed that these are emergency works and felt Council did need to be clear about funding as part of the \$10.2m.

R Beal asked that the Council modify the recommended resolution following that discussion, to resolve that they approve the works in 5.3, 5.4 and 5.5 of the attached Joint Committee report. In response to a query from Cr Coll McLaughlin regarding 5.5, the works that were not covered in the Council's Long Term Plan, H Mabin advised that the Council would need to decide at a later date a source of funding, whether out of the \$10.2m, out of the investment portfolio, or an increase in the general rate for 2023, etc. She noted the Morrison Low report stated that affordability was critical. R Beal noted that there is no cost information before Council for the works as the tender process had not yet been undertaken, but the TAG group have presented them as works that need to be undertaken.

H Mabin advised the Council that the works should be paid out of the \$10.2m if Council feel the works have to be undertaken, without knowing the cost of the work. Council would then revisit the source of the funding, as central government funding cannot be assumed. Cr Ewen felt the works were important to address and get underway, and that the emergency reserve could be utilised as with Waiho. R Beal advised that NEMA funding criteria would not be met. He confirmed that there is more work required and there would be additional budget, and they could not say with any certainty that there would be funding from central government.

Cr Challenger asked about whether the works could be approved in principle, with final approval to be obtained once prices had been obtained. Cr Birchfield confirmed a special meeting could be called at short notice to given final approval once costs were known.

Moved (Challenger/Coll Mclaughlin) *That Council:*

1. *receives the report for consideration; and*
2. *approves in principle the recommendations of the Westport Rating District Joint Committee; and*
3. *approves the tendering of the works identified in 5.3, 5.4 and 5.5 of the Westport Rating District Joint Committee works and recommendations report; and that a special meeting of Council is convened once costs are available.*

Carried

8.3 Civil Defence Emergency Management Partnership Agreement

C Brown spoke to this report and took it as read. Chris Hawker, CDEM Consultant to the Council, joined the meeting via zoom. C Brown advised it had been endorsed by the CEG Group and then the Joint Committee. Cr Ewen queried the figure of 105% of budget. He also asked that a map of the region be included in the document, to show the length of the West Coast region. Mr Hawker clarified that the 105% was intended to provide a cap on spending, and that the Regional Council would always be kept informed as to expenditure and financials. He advised that the intent was that there could be a 5% variance in the budget, not a 105% variance. There was discussion on the budget process and how that worked with the Regional Council setting its annual budgets.

C Brown updated the Council on the projects that funding was being sought for including the fuel storage project.

Moved (Cummings/Challenger) *That Council receives and endorses the West Coast Civil Defence and Emergency Management Group Partnership Agreement.*

Carried

9. GENERAL BUSINESS

There was no general business.

The meeting was adjourned at 12:19 p.m., with the Chair noting the meeting would resume in a public-excluded session following the completion of the Resource Management Committee meeting.

The meeting was reconvened at 1:58 p.m.

10. PUBLIC EXCLUDED ITEMS

Moved (Challenger/ Hill) *that the public be excluded from the following parts of the proceedings of the meeting, namely, -*

- *Items 10.1 – 10.6 (inclusive)*

Item No.	General Subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 7 of LGOIMA for the passing of this resolution
Item 10.1	Confirmation of Confidential Minutes – Council meeting 14 December 2021	The item contains information relating to funding opportunities	To allow the Council to carry on, without prejudice or disadvantage, negotiations (s 7(2)(i)).
Item 10.2	Confirmation of Confidential Minutes – Council Extraordinary meeting, 23 February 2022	The item contains personal information relating to individuals	To protect the privacy of natural persons, including that of deceased natural persons (s 7(2)(a)).
Item 10.3	Confidential Minutes for tabling - Risk and Assurance Committee meeting 10 February 2022	The item contains information relating to legal and commercial matters	To maintain legal professional privilege and to protect commercial information (s 7(2)(b) and s7(2)(g)).
Item 10.4	Tender Process	The item contains information relating to commercial matters	To protect commercial information (s 7(2)(b)).
Item 10.5	Report on Cybersecurity	This item contains important information relating to Council IT and security of Council information and records	To prevent the disclosure or use of information for improper gain or improper advantage (s7(2)(j)).
Item 10.6	Report on Commercial Client (verbal update)	The item contains information relating to commercial matters	To protect commercial information (s 7(2)(b)).

and that:

- *Heather Mabin and Randal Beal be permitted to remain at this meeting after the public has been excluded, because of their knowledge on these subjects. This knowledge will be of assistance in relation to the matter to be discussed; and*

- *The Minutes Clerk also be permitted to remain at the meeting.*

Carried

The meeting continued in a public-excluded session.

.....
Chair

.....
Date

UNCONFIRMED