

BULLER DISTRICT COUNCIL

GREY DISTRICT COUNCIL

WESTLAND DISTRICT COUNCIL

WEST COAST REGIONAL COUNCIL

TE RŪNANGA O NGĀTI WAEWAE

TE RŪNANGA O MAKAAWHIO

Tai Poutini o Plan Committee Deed of Agreement

THIS DEED is made this ___ day of _____ 2020

Parties

BULLER DISTRICT COUNCIL

GREY DISTRICT COUNCIL

WESTLAND DISTRICT COUNCIL

WEST COAST REGIONAL COUNCIL

TE RŪNANGA O NGĀTI WAEWAE

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Background

In October 2018 the Local Government Commission issued a final reorganisation proposal relating to district plan responsibilities on the West Coast. It involves transfers of statutory obligations and a delegation to a joint committee, comprising members of the Buller, Grey and Westland district councils, the West Coast Regional Council and local iwi, to be responsible for preparing and approving a new combined district plan for the West Coast. This initiative followed receipt by the Local Government Commission of a local government reorganisation application and then extensive consultation and investigation work on the West Coast from 2015 to 2018.

In November 2018 an Order in Council was signed giving effect to the Commission's proposal. This enabled a transition period to take place for making a number of detailed decisions prior to the joint committee beginning its work on the combined district plan. This work has been completed and the contents of the required reorganisation scheme agreed. The reorganisation scheme was given effect to by a further Order in Council on 17 June 2019.

In addition to the reorganisation scheme, the parties have agreed to the contents of a further document (Deed of Agreement) to assist the parties meet their formal obligations set out in the reorganisation scheme.

This Deed of Agreement sets out both the main provisions of the reorganisation scheme as well as the further detailed and procedural matters agreed by the parties on how the joint committee will operate.

Provisions of reorganisation scheme

Transfer of district plan obligations

1. The obligations of each of Buller, Grey and Westland district councils, under section 73 and Schedule 1 of the Resource Management Act 1991, for there to be a district plan at all times for each district and for the preparation, notification, adoption, periodic amendment and review of these district plans, are transferred to West Coast Regional Council.
2. The transferred obligations for the preparation, notification and adoption of new district plans and for the periodic amendment and review of those plans will be met by the preparation, notification, adoption, periodic amendment and review of a combined district plan for the Buller, Grey and Westland districts under section 80 of the Resource Management Act 1991.
3. For the avoidance of doubt, clause 2 will not prevent the preparation, notification, adoption, periodic amendment and review of a document that meets the requirements of both the combined district plan and a regional plan or regional policy statement, or both, as authorised under section 80 of the Resource Management Act 1991.

Delegation of transferred obligations to joint committee

4. There is to be a permanent joint committee between all four West Coast councils and local iwi (Te Tai o Poutini Plan Committee).
5. The West Coast Regional Council is to delegate to Te Tai o Poutini Plan Committee (TTPPC) the district plan obligations transferred to it.

Role and membership of joint committee

6. The purpose and terms of reference for TTPPC are to:
 - a) prepare and notify the proposed combined West Coast district plan (combined district plan)
 - b) hear and consider (including through subcommittees as necessary and appropriate) all submissions received on the proposed combined district plan
 - c) adopt a final combined district plan
 - d) monitor implementation of the combined district plan and the need for amendments
 - e) undertake amendments and reviews of the combined district plan, or ensure these are undertaken, as required.

7. The initial membership of Te TTPPC, to at least such time as the combined district plan becomes fully operative, is to comprise:
 - a) an independent chairperson
 - b) the chairperson of West Coast Regional Council and one other elected member from and appointed by West Coast Regional Council
 - c) the mayor of Buller District and one other elected member from and appointed by Buller District Council
 - d) the mayor of Grey District and one other elected member from and appointed by Grey District Council
 - e) the mayor of Westland District and one other elected member from and appointed by Westland District Council
 - f) one representative appointed by Te Rūnanga o Ngāti Waewae
 - g) one representative appointed by Te Rūnanga o Makaawhio.
8. The first appointment of the independent chairperson of TTPPC will be made by the Local Government Commission on the recommendation of the transition board, with all subsequent appointments made by the committee.

Technical Advisory Team

9. A technical advisory team is to provide technical advice to TTPPC.
10. The membership of the technical advisory team will be agreed by TTPPC following nominations by the parties comprising the committee.

Funding

11. Subject to clause 12, the costs for there to be a combined district plan and for preparing, notifying, adopting, periodically amending and reviewing the combined district plan will be funded by West Coast Regional Council through a rate set in relation to all rateable land within West Coast Region.
12. Tai Poutini Plan Committee may agree that the relevant district council or councils, or their district or districts, is to be responsible for funding work relating to a particular amendment to the operative combined district plan which will have only, or predominantly, a localised impact.

Further provisions relating to operation of joint committee

Membership and meetings of Te Tai o Poutini Plan Committee

13. The four West Coast councils will appoint their second elected member to TPPC (i.e. other than the regional council chairperson/district mayor) at their first meeting after each triennial election. The councils will appoint, if necessary, a replacement member for a particular triennium as soon as practically possible.
14. Responsibility for hosting TPPC meetings will rotate around the six parties making up the committee.
15. The quorum for TPPC meetings will comprise one representative of four of the six parties comprising the committee.
16. Media publicity relating to TPPC meetings will be the responsibility of the chairperson but be undertaken after liaising with the regional council chairperson and district mayors as appropriate. Proposed media releases will generally be an agenda item for committee meetings.
17. Remuneration of council members of TPPC will be the responsibility of each council. Remuneration of the chairperson and iwi representatives will be agreed by TPPC and be funded by West Coast Regional Council.
18. Administrative support for TPPC and its meetings will be provided by West Coast Regional Council in conjunction with the organisation hosting a particular meeting as agreed by the parties.

Membership of West Coast District Plan Technical Advisory Team

19. TPPC will be supported by a technical advisory team comprising planners with expertise from across the four councils and local iwi.
20. The team will work with the project manager to ensure that TPPC receives technical support throughout the process. The team's contribution in kind to the district plan development process will be supported by their reporting organisation.
21. Each party to this agreement is expected to make contributions of staff time and technical expertise "in kind".

Steering group

22. In addition to the technical advisory team, a steering group comprising the council chief executives and iwi representatives will meet regularly with the project manager to ensure the project is supported and progressing as planned.

Administration of existing district plans

23. The Buller, Grey and Westland district councils will continue to administer and be responsible for their own district plans in accordance with the requirements of the Resource Management Act 1991, until such time as there is an operative combined West Coast district plan.

Signatures

SIGNED by)
BULLER DISTRICT COUNCIL) _____
by its authorised signatory) Authorised Signatory
in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

SIGNED by)
GREY DISTRICT COUNCIL) _____
by its authorised signatory) Authorised Signatory
in the presence of:)

Witness signature

Witness name

Witness Occupation

Witness Town of Residence

SIGNED by)
WESTLAND DISTRICT COUNCIL) _____
by its authorised signatory) Authorised Signatory
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WEST COAST REGIONAL COUNCIL) _____
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