

**MINUTES OF THE MEETING OF THE BULLER DISTRICT COUNCIL HELD AT THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT, ON WEDNESDAY 18 FEBRUARY 2009 COMMENCING AT 10.00AM**

**PRESENT:**

His Worship the Mayor PJ McManus (Chairperson), Crs KL Bainbridge, DI Barnes, PA Campbell, JW Halsall, DJ Hawes, MMJ Montgomery, GT Neylon, FTW Ratahi, and RM Sampson.

**IN ATTENDANCE:**

Chief Executive (GM Murphy), Manager Operations (SR Griffin), Manager Corporate Services (AE Oosthuizen) and PA Chief Executive (LM Pablecheque).

**PUBLIC FORUM**

**Robert Terry** spoke about the Community Law Service.

**APOLOGIES**

An apology on behalf of Cr Roberts was sustained.

1 **MEMBERS INTEREST**

No Councillors declared an interest in any of the agenda items.

2 **CONFIRMATION OF MINUTES**

**Resolved: That the minutes of the meeting held on 21 January 2009 be confirmed.**

**PJ McManus/FTW Ratahi**

**Carried Unanimously**

3 COUNCIL PROGRAMME OF WORKS

The Manager Operations advised he would be reporting to Council in due course on the difficulty reaching the appropriate benefit cost ratio for the Tidal Creek Bridge renewal.

The Manager Operations, referring to roading matters on the Karamea Bluff, advised that one repair has been designed and priced and should proceed relatively quickly although investigations are taking place to establish whether a resource consent is necessary. The other major slip still requires survey work before proceeding.

Resolved: **That the report be received for information.**

**PJ McManus/MMJ Montgomery**

**Carried Unanimously**

4 MATTERS UNDER ACTION

Resolved: **That the report be received for information.**

**PJ McManus/MMJ Montgomery**

**Carried Unanimously**

5 LICENCE TO OCCUPY - ROAD RESERVE - SOLID ENERGY NEW ZEALAND

Resolved: **That Council issues a Licence to Occupy to Solid Energy New Zealand to establish a temporary site security office at the head of Stockton Road while a permanent site in the new office development review is completed.**

**MMJ Montgomery/DI Barnes**

**Carried Unanimously**

6 COUNCIL PARTICIPATION IN RESTORATIVE JUSTICE

Mayor McManus said he had recently met with representatives involved with the West Coast scheme and both the Grey and Westland District Councils participate in the programme.

**Resolved: That Council revoke the following resolution passed at the January 2006 meeting:**

***“That Council revoke the resolutions of September 2003, decline further participation in the programme given that we no longer have Safer Community Council personnel and funding.”***

**RM Sampson/DI Barnes**

**Carried Unanimously**

Cr Neylon said if Council participated in the programme then the offenders should have to attend a Council meeting because the victims are the people of the Buller District.

**Resolved: That David Barnes be appointed as Council’s representative on the West Coast Restorative Justice programme.**

**RM Sampson/MMJ Montgomery**

**Carried Unanimously**

**7 CLOSURE UNFORMED LEGAL ROAD**

**Resolved: The Council agrees to close the portion of unformed legal road known as Deadmans Road, shown as section 1 on the attached plan and to dispose of the stopped road to the applicant subject to:**

- 1. The applicant meeting all the costs in closing the road and raising title.**
- 2. There being no legal impediment to the stopping of the road.**
- 3. The applicant purchasing the land gained at a cost determined by a registered valuer engaged by Council for the purpose.**

**MMJ Montgomery/FTW Ratahi**

**Carried Unanimously**

**8 COUNCILLORS REMUNERATION**

Mayor McManus said he would not accept a pay increase given the current global financial situation. He acknowledged the increase was

small and would make little difference but he said leadership on the issue had to be shown.

Cr Hawes agreed saying he was a councillor for the benefit of the community and not the payment.

Cr Campbell said because of the process adopted by the Remuneration Authority councillors could find themselves facing a larger pay rise next year if they refused one this year.

Cr Neylon was more concerned about Council's plan to spend 43.72% of its total income next year on wages, pointing out the rise for councillors would only amount to \$7.90 per week.

**Resolved: That Council advise the Remuneration Authority that it does not wish to accept the proposed increase in remuneration effective from 1 July 2009.**

**RM Sampson/DJ Hawes**

**Carried Unanimously**

9 **LTCCP POLICIES**

The Manager Corporate Services advised the Revenue and Finance Policy was not available and would be considered along with the Significance Policy at the March meeting.

**Resolved: That Council adopt the Treasury Management policy to include in the draft LTCCP.**

**PJ McManus/DJ Hawes**

**Carried Unanimously**

10 **CORRESPONDENCE RECEIVED**

**Sarah Nelson** - New Zealand Women Axemen's Team

11 **PUBLIC FORUM RESPONSE**

The Chief Executive advised he had provided Mr Terry with an update.

12 DOCUMENTS FOR CONSENT AND SEAL

**Resolved:** That the transaction be approved and the fixing of the Common Seal under authorised signatory on the appropriate documents be ratified.

**Contract**

**Buller District Council and Ferguson Bros**

**MMJ Montgomery/DJ Hawes**

**Carried Unanimously**

13 PUBLICATIONS RECEIVED

West Coast Tai Poutini Conservation Board - Agenda 13 February 2009

Buller Promotion Association Agenda - 17 February 2009

14 PUBLIC EXCLUDED

Cr Barnes said he did not see the need to consider the Westport Harbour item in the public excluded section of the meeting.

The Chief Executive pointed out the harbour operations included contracts for other ports etc, details of which needing to remain confidential.

**Resolved:** That the public be excluded from the following parts of the proceedings of this meeting.

Item No	Minutes/Report of:	General Subject	Reason for Passing Resolution Section 7 LGOIMA 1987
1	Chief Executive - Gary Murphy	Westport Harbour	Section 7(2)(j) - Enable the local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
2	Chief Executive - Gary Murphy	Review of Directors	Section 7(2)(a) - Protect the privacy of natural persons, including that of deceased natural persons

**MMJ Montgomery/PA Campbell**

**Carried**

Cr Barnes voted against item 1 being considered during the public excluded section of the meeting.

**Resolved: That the Council revert to open meeting and the resolutions and disclosures made whilst the public were excluded remain confidential.**

**PJ McManus/MMJ Montgomery**

**Carried Unanimously**

Confirmed ..... Date .....

There being no further business the meeting concluded at 12.40pm

Confirmed ..... Date .....