

MINUTES OF THE MEETING OF THE BULLER DISTRICT COUNCIL HELD AT THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT, ON WEDNESDAY 21 JANUARY 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, FTW Ratahi, LM Roberts and RM Sampson.

IN ATTENDANCE:

Chief Executive (GM Murphy), Manager Community and Environment (PF Casey), Acting Manager Operations (AJ Robertson), Manager Corporate Services (AE Oosthuizen) and PA Chief Executive (LM Pablecheque).

PUBLIC FORUM

Robert Terry spoke about the provision of a Community Law Centre and requested Council write to the Minister of Local Government and the Chairman of the Select Committee, to seek support.

Alex Adamson believed the Derby Street water supply was in urgent need of repair. He also commented on the general condition of Derby Street and the Karamea Bluff road as well as the street lights being on during daylight hours.

Margaret Grant said the closure of the Westport Transfer Station on a Monday and Tuesday was not satisfactory for commercial operators when public holidays fell on a Monday.

APOLOGIES

An apology on behalf of Cr Neylon 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 17 December 2008 be confirmed subject to 'Abigail Smith' being recorded as 'Abigail Jones' on page 1.

PJ McManus/FTW Ratahi

Carried Unanimously

3 COUNCIL PROGRAMME OF WORKS

The Manager Community and Environment advised that one mediation hearing had successfully been completed for the Plan Changes and another was scheduled for mid-February.

Cr Barnes commented on the over expenditure relating to the holding company. The Chief Executive advised the holding company had requested the evaluation of harbour assets and would be meeting these costs.

Resolved: That the report be received for information.

PJ McManus/KL Bainbridge

Carried Unanimously

4 MATTERS UNDER ACTION

Cr Roberts reported that a meeting had recently taken with the Department of Conservation to progress the North Beach accreted land issue.

Resolved: That the report be received for information.

PJ McManus/KL Bainbridge

Carried Unanimously

5 QUARTERLY SUBMISSION OF FINANCIAL REPORTS TO COUNCIL

Cr Campbell said it would be more appropriate for the Finance and Audit Committee to report to Council now they are intending meeting on a more regular basis.

Cr Barnes did not support the change saying there was already a lack of information available to the public.

Mayor McManus said the proposed quarterly reporting would be much more comprehensive. He said the monthly information could be available on Council's website.

Resolved: That the Management and Investment and Borrowings reports are submitted to Council on a quarterly basis. The reports will be circulated monthly to Finance and Audit Committee members for consideration. Any major changes in financial position will be communicated immediately to Council should they arise. It is recommended that the next financial report be submitted to Council in March 2009.

PA Campbell/RM Sampson

Carried

Crs Barnes, Halsall and Montgomery voted against

6 COUNCIL FINANCIAL REPORT FOR PERIOD ENDING 31 DECEMBER 2008

Resolved: That the report be received for information.

DJ Hawes/LM Roberts

Carried Unanimously

7 BORROWINGS AND INVESTMENTS

Resolved: That the report be received for information.

DJ Hawes/LM Roberts

Carried Unanimously

8 NATIONAL REPRESENTATION GRANT - SARAH NELSON

Resolved: That the Council provide Sarah Nelson with a \$1,000 national representation grant.

RM Sampson/MMJ Montgomery

Carried Unanimously

9 QUARTERLY REPORT - SPORT BULLER

Resolved: That the report be received for information.

PJ McManus/JW Halsall

Carried Unanimously

10 NEW COASTERS ORGANISATION (MIGRANT FORUM)

Resolved: That Council appoint Peter Campbell as its representative to the New Coasters Organisation.

PJ McManus/LM Roberts

Carried Unanimously

11 LICENCE TO OCCUPY - DELEGATED AUTHORITY

Resolved: That Council amend Policy 7.17 (point 1) to state, "Where permission is sought to construct a bridge on road reserve, prior specific approval may be granted by the Manager Operations subject to the following conditions:

- (a) The applicant obtains resource consents if required from the West Coast Regional Council and Buller District Council and complies with all conditions of those consents;
- (b) The applicant enters into a licence to occupy which will require a bond to be furnished to the Council to cover the cost of removal. The costs to be determined by the Manager Operations;

- (c) The applicant agree as part of the licence to occupy to have the bridge/s inspected on a three yearly cycle (or at any other time after a major flood event that in the opinion of the Manager Operations is warranted) by a Chartered Professional Engineer and that any maintenance that is identified as part of the inspection is undertaken at their cost to the standard required by the Engineer who will furnish producer statements for any maintenance undertaken;
- (d) That while the bridge/s remain in place that these conditions apply to any successor in title.

DI Barnes/DJ Hawes

Carried Unanimously

12 HARBOUR GOVERNANCE

Cr Barnes believed that Council should have been receiving monthly reports from the General Manager and Harbourmaster. He reiterated concerns expressed at previous meetings about the non-replacement of the Deputy Harbourmaster and the safety ramifications.

Cr Campbell spoke against the recommendation saying councillors were not qualified to govern the harbour and should leave it to Buller Holdings directors.

Cr Barnes pointed out the commercial aspect of the harbour could be handed to Buller Holdings, but the harbour safety remained Council's responsibility.

Resolved: That Buller Holdings Limited continue to act in an advisory capacity for Westport Harbour providing only recommendations to Council, and the General Manager Buller Port Services provide monthly reports to Council and attends Council meetings until such time as the harbour assets and operations are transferred to Buller Holdings Limited.

PJ McManus/DJ Hawes

Carried

Cr Campbell voted against

13 CORRESPONDENCE RECEIVED

Grey District Council - Initiative to Request Investigation into Three Unitary Councils on the West Coast

Office of Hon Maurice Williamson - Minister for Building and Construction - Congratulations on obtaining Building Consent Authority Accreditation

Robert Terry - Senior Counsel to the Supreme Court S.C.1. - Copies of Correspondence to Minister of Finance Hon B English and Development West Coast

New Zealand Police - Blue Light Ventures - Blue Light Training Conference

It was agreed that contact be made with Buller REAP to establish whether they will be attending the conference.

14 PUBLIC FORUM RESPONSE

Robert Terry to be advised Council is gathering statistics from the Nelson Community Law Centre. In addition a letter will be written to the Minister of Local Government and the Chairman of the Select Committee.

Alex Adamson to be advised that Derby Street will be upgraded one block per year commencing with Salisbury Street; the slumps in the Karamea Bluff road will continue to be repaired, the major slip will require excavation into the hillside and Buller Electricity to be advised of the problem with the street lighting.

Margaret Grant to be advised that the Westport Transfer Station will be open on Tuesday's when there is a public holiday on a Monday.

15 PUBLICATIONS RECEIVED

West Coast Tai Poutini Conservation Board - Agenda 5 December 2008

NZ Association of Citizens Advice Bureaux - 2008 Annual Report

Buller Promotion Association - Agenda 25 November 2008/Minutes 23 September 2008, Agenda 20 January 2009/Minutes 2 December 2008

16 DOCUMENTS FOR CONSENT AND SEAL

Resolved: That the transactions be approved and the fixing of the Common Seal under authorised signatories on the appropriate documents be ratified.

Contracts

Buller District Council and WestReef Services Limited
Buller District Council and Fulton Hogan Limited

Transfer

MJ Reynolds and BJ Ashby to MJ Reynolds and J Hawes
G and AM Russell to CJ and JC Coll and IF Garvey

PJ McManus/RM Sampson

Carried Unanimously

There being no further business the meeting concluded at 11.25am

Confirmed Date