

MINUTES OF THE MEETING OF THE BULLER DISTRICT COUNCIL HELD IN THE CLOCKTOWER CHAMBERS, PALMERSTON STREET, WESTPORT, ON WEDNESDAY 22 OCTOBER 2008 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, LM Roberts and RM Sampson.

IN ATTENDANCE:

Chief Executive (GM Murphy), Manager Operations (SR Griffin), Manager Community and Environment (PF Casey), Manager Corporate Services (A Oosthuizen) and PA to Chief Executive (LM Pablecheque).

PUBLIC FORUM

Robert Terry spoke about REAP having funding available for a community law centre. He questioned whether Council intended initiating Youthworks again. Mayor McManus pointed out that REAP have taken over some of the Youthworks role.

APOLOGIES

Nil

1 MEMBERS INTEREST

Cr Campbell declared his interest in item 8, Buller Health Trust.

2 CONFIRMATION OF MINUTES

Resolved: That the minutes of the meeting held on 24 September 2008 be confirmed subject to item 17, second paragraph, last sentence reading ...although he did not think the..., being amended.

PJ McManus/RM Sampson

Carried Unanimously

3 COUNCIL PROGRAMME OF WORKS

In response to Cr Sampson the Chief Executive advised that the two appeals received for the 2004 District Plan changes were with the Environment Court.

The Chief Executive speaking about the holding company said the board had requested a different valuation of the harbour assets. This is likely to be concluded within three months.

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 COUNCIL FINANCIAL REPORT FOR PERIOD ENDING 30 SEPTEMBER 2008

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

PJ McManus/MMJ Montgomery

Carried Unanimously

6 BORROWINGS AND INVESTMENT REPORT

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

PJ McManus/MMJ Montgomery

Carried Unanimously

7 DECEMBER COUNCIL MEETING

Resolved: That the December meeting of Council be held on 17 December 2008 in Karamea rather than the scheduled 5 December 2008.

FTW Ratahi/DI Barnes

Carried Unanimously

8 ADOPTION OF ANNUAL REPORTS

Cr Campbell declared his interest in the financial statements for Buller Health Trust.

Resolved: That Council adopt the Audited Financial Statements for Westport Harbour Limited.

PJ McManus/DJ Hawes

Carried Unanimously

Resolved: That Council adopt the Audited Financial Statements for Buller Health Trust.

PJ McManus/LM Roberts

Carried

Resolved: That Council adopt the Audited Financial Statements for Westport Airport Authority.

RM Sampson/KL Bainbridge

Carried Unanimously

Cr Roberts commended the staff for a thorough job well done in preparing the financial statements.

9 PARTNERING WITH PACIFIC COUNCILS

A letter tabled from Basil Morrison, Chairperson of the Commonwealth Local Government Forum, was read by the Chief Executive.

Mayor McManus expressed his disappointment that Council had decided in August to stop progressing the partnership. He said Council had until recently a sister city relationship with Amagase which had an annual budget of \$5,000-\$10,000. He said Council would provide a mentoring role for helping Lami establish contact with the CLGF in the hope they would receive available aid. It was his belief that Council needed to look further a field if Buller was to prosper in the future.

Cr Halsall said Council already had enough financial commitments and suggested Lami could receive assistance from organisations like Rotary.

Cr Hawes questioned where the Lami proposal originated from. He had difficulty understanding the benefit to the Buller District.

Cr Bainbridge felt benefits over a 10 year period could be gained locally from the partnership. She thought that staff members sent to Lami would gain more valuable experiences than attendance at a seminar.

Cr Barnes said as a representative of the district's ratepayers their indication to him was a definite no to the partnership. He said if there were benefits to be gained then the ratepayers must be informed.

Cr Sampson suggested Council go back to the original eight point steps and then ratepayers will see there is no cost to them.

Cr Neylon said he would not oppose helping Lami once Fiji had returned to democracy. He expressed concern that when Council agreed in principle to be involved it was supposed to receive a report from staff after each step of the eight step process. However the first report was only received after step three. He said there was no need to revisit the decision as the minutes state there will be no further action until after the political situation is resolved.

Cr Roberts said Council should remain open minded and keep contact somehow with Lami, maybe resuming at a later date when democracy returns to Fiji.

Resolved: That the decision made at the August 2008 meeting to sever all ties with Lami until democracy returns to Fiji, be revoked, and Council resume the eight point process that was originally resolved at the January 2008 meeting.

PJ McManus/MMJ Montgomery

Carried

Crs Barnes, Halsall, Hawes, Neylon, Roberts

Cr Halsall said he was elected to look after the ratepayers of the Buller District in the first instance.

Cr Barnes wanted to know what affect the proposal would have financially and on staff time.

Cr Hawes was concerned that not one councillor could list any of the eight points as well as questioning the ability to stop the process at any point.

Cr Neylon said Council had not followed due process as it was voting without having a written staff report to consider.

10 **REVENUE AND FINANCING POLICY**

Resolved: That the report be received for information.

PJ McManus/RM Sampson

Carried Unanimously

11 **ADMINISTRATION OF SOUTH GRANITY WATER**

The Manager Operations advised this water supply was the biggest one in the area. He said at some point in the future he intends to consult all Granity residents with the view to possibly having only one supply.

Resolved: That Council agree to the request from the South Granity Water Board and take over the administration of the supply, on the basis that the area will become a separate water supply and

will from the 2009/2010 financial year be subject to targeted rates to recover the capital required to relocate the main now and for future maintenance of the supply.

RM Sampson/DJ Hawes

Carried Unanimously

12 LICENSE TO OCCUPY - BRIDGE MCKENNAS CREEK DURKIN FARM

The Manager Operations advised that a bylaw is currently being created on a national basis in conjunction with stakeholders, the bylaw will include local conditions.

Resolved: **That Council allows the construction of a bridge over McKenna's Creek subject to the following conditions:**

1. **The applicant obtains resource consents if required from the West Coast Regional Council and Buller District Council and complies with all conditions imposed by those consents.**
2. **MJ Durkin Ltd enter into a License 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.**
3. **MJ Durkin Ltd agree as part of the License to Occupy to have the bridge 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 Engineer and that any maintenance that is identified as part of the inspection is undertaken by the applicant at their cost to the standard required by the engineer who will furnish producer statements for any maintenance undertaken.**
4. **That while the bridge remains in place that these conditions apply to any successor in title.**

PJ McManus/DJ Hawes

Carried Unanimously

13 TECHNICAL REVIEW

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

PJ McManus/RM Sampson

Carried Unanimously

14 CORRESPONDENCE RECEIVED

NZ Transport Agency - Funding Assistance Rates

Northern Buller Community Resource Centre - Letter of Appreciation
- Annual Plan Grant

Push Play - Active West Coast - Invite for Council Representative to
attend monthly meetings

It was agreed that Cr JW Halsall represent Council.

West Coast Regional Council - 2007/2008 Annual Report - West
Coast Regional Land Transport Strategy

15 PUBLIC FORUM RESPONSE

Robert Terry's presentation to be acknowledged.

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.**

Performance Bond

Radley Investments Ltd

Transfer of Lease

KJ Rua and KR Thomas to KR Thomas

Contract

Buller District Council and Westflora Nursery Ltd

PJ McManus/MMJ Montgomery

Carried Unanimously

Resolved: That the public excluded item 3 'Reserve Contributions' be considered during the public section of the meeting.

PJ McManus/MMJ Montgomery

Carried Unanimously

Cr Neylon questioned why the item was included as a public excluded item. Mayor McManus advised this was to allow the working group to complete the task.

Resolved: That Council resolve to:

- 1. Use funds gathered through reserve contributions, to revise the original report on playgrounds and upgrade the playgrounds district wide within the next 10 years, based on the report on Council controlled playgrounds and Council reserves.**
- 2. Review annually through the Annual Plan and the LTCCP process the utilisation of the reserve contribution fund.**
- 3. Consider through the Annual Plan and LTCCP process, once the SNA areas are identified, utilising some funds for the protection of conservation values on land accessible to the public and/or owned by Council.**

MMJ Montgomery/LM Roberts

Carried

Cr Neylon voted against

17 PUBLIC EXCLUDED

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	Directors Remuneration	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	Manager Operations - Stephen Griffin	Landfill Development	Section 7(2)(j) - Enable the local authority holding the information to carry out, without prejudice or disadvantage negotiations (including commercial and industrial negotiations)
4	Gary Murphy - Chief Executive	Harbour Safety	Section 7(2)(i) - Enable the local authority holding the information to carry out, without prejudice or disadvantage commercial activities

PJ McManus/FTW Ratahi

Carried Unanimously

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

PJ McManus/FTW Ratahi

Carried Unanimously

There being no further business the meeting concluded at 12.20pm

Confirmed Date