

MINUTES

TITLE: Environment and Planning Subcommittee
RECONVENED FROM 30 MAY 2006

DATE: Thursday, 13 July 2006

TIME: 2.40 pm

VENUE: Council Chamber, 189 Queen Street, Richmond

PRESENT: Councillor E M O'Regan (Chair), S J Borlase, M J Higgins, and R G Kempthorne.

APOLOGY: Cr E J Wilkins

IN ATTENDANCE: Environment & Planning Manager (D C Bush-King), Harbourmaster (G Caradus)

1. RESOLUTION TO EXCLUDE THE PUBLIC

Moved Crs Borlase / Higgins
EP06/07/01

THAT the public be excluded from the following parts of the proceedings of this meeting, namely:

Consideration of Commercial Vessel Operation Licence Application

The general subject of the matter to be considered while the public is excluded, the reason for passing this resolution in relation to the matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for passing this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for the passing of this resolution
CVOL Goldrush Jet Limited	Good reason to withhold exists under section 7	Section 48(1)(a)

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987, and the particular interests protected by Section 6 or 7 of the Act which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public are as follows:

Reason to hold information under Section 7	
Consideration of CVOL application	Section 7(2)(f)(i)

CARRIED

**2. COMMERCIAL VESSEL OPERATING LICENCE – GOLDRUSH JET LIMITED
(M ALLAN)**

**Moved Crs Kempthorne / Borlase
EP06/07/04**

THAT the open meeting be resumed and the following resolution be confirmed in the open meeting:

THAT the Council grant a Commercial Vessel Operators Licence to Goldrush Jets Ltd, until 30 October 2006 subject to the following conditions:

1. The precise location of any gold dredging operations shall be established prior to any excursion on the river, and extreme caution exercised when passing such operations. The SOP shall record in its hazard identification how this has been established.
2. Vehicles used for towing the vessel including the road trailer shall be left in an obvious location at the river edge near the launching point to signal to other river users that a vessel is on the river.
3. On any occasion when more than one commercial jet boat is operated on the same stretch of the river, communication between vessels shall be as detailed in a radio protocol.
4. The necessary protocols shall be established with commercial raft and kayak companies operating on the same part of the Buller River to use a system of basic signals to ensure that vessels do not meet in parts of the river where passing is impractical and shall be recorded in the SOP hazard register.
5. As well as the provisions otherwise controlling safe navigation including the river rules, collision with other river users shall be avoided either by:
 - a) Controlling the speed and position of the vessel to such extent that it can stop or turn through 180° within half the distance of clear water visible ahead of the driver at any time; or
 - b) The driver has verified that no other person or vessel is within a particular stretch of water immediately before passing through that stretch of water at any speed greater than that required to comply with condition 6.(a)
6. When other river users including fishermen, swimmers or other vessels are met vessels shall reduce speed or otherwise ensure that the passing manoeuvre is completed with as little annoyance or inconvenience of the other persons as is practically possible.
7. Temporary signs shall be erected at likely entry points of other river users on those occasions that a vessel is operating on the river. The signs should identify the fact that on the Buller River jet boats are operating and encourage other river users to phone in and advise of their intended use of the river. The necessary contact details shall be included on the sign and signs shall comply with the following conditions:
 - i) the maximum size is 1.44 square metres in any urban area and 2.88 square metres in any rural area;

- ii) the maximum height for freestanding signs is 2 metres in any Residential Zone and 3 metres in any other zone;
 - iii) there is no reflective material on the sign;
 - iv) the lettering is legible as viewed at the speed limit of the nearest adjoining public road or nearest public viewing point (if there is no road);
 - vi) a freestanding sign does not restrict visibility of motorists at any intersection or access;
8. The river must be boated with the caution required as if unknown other users are present at all times.
9. If more than one commercial operator is operating in the Upper Buller Gorge, the section of river from swing bridge to the falls shall have no more than one commercial boat on it at any one time.
10. A copy of any SOP relevant to this area of operation will be made available to the TDC Harbourmaster at any time along with associated documents.

ADVICE NOTES:

The licence holder should note that the uplifting of the speed limit on this river does not apply within 200 metres of a vessel flying the diver's flag.

A set of river protocols should be agreed by all commercial jet boat river users and sent to any other river users for them to publish and distribute. (i.e. New Zealand Jet Boat Association, New Zealand Commercial Jet Boat Association, New Zealand Jet Boat River Racing Association, Kayakers Association, Rafting Association).

REASONS FOR THE DECISION

The Committee has accepted that Goldrush Jets Ltd is currently the only jetboat operator that has a current Certificate of Compliance from Maritime New Zealand to operate on the Buller River in the Upper Buller Gorge. The Committee heard evidence from Mr Kelvin Eggers of Buller Jet Experience concerning the status of his operation, but it is clear from Mr Horn's (Maritime New Zealand) advice to the Committee, that Buller Jet Experience does not have Maritime New Zealand authorisation to operate at this stage.

The Committee also received advice from Maritime New Zealand that MNZ has taken into account Mr Allan's drink driving conviction and that for the purposes of operating a jet boat on the Buller River, Mr Allan has been deemed by MNZ to be a "fit and proper person". Goldrush Jets Ltd currently holds a Certificate of Compliance from Maritime New Zealand so the Council has to accept that the necessary operating arrangements are in place.

In terms of the matters that fall to be considered under Council's Navigation Safety Bylaw, consent is granted subject to conditions.

CARRIED

The meeting concluded at 2.55 pm.

Date Confirmed:

Chair: