

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 31 MAY 2023 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

PRESENT: Mayor C Mackle (Chair), Deputy Mayor J Howden, Councillor V Gulleford, Councillor T Blunt, Councillor K Heays, Councillor J Diver, Councillor R Roche (present for part of the meeting)

IN ATTENDANCE: W Doughty (Chief Executive), B Makin (Executive Officer)

1. KARAKIA

2. APOLOGIES

Apologies were received from Councillor L Bond.

Moved: Deputy Mayor J Howden

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM

9.01am R Hogan

R Hogan spoke to the Council about the timeline of the Signs Bylaw working group. He highlighted ten items from the timeline and was concerned that the timeline was falling behind schedule. He agreed with Councillor Diver's suggestion to circulate the current Bylaw as it currently stands to the community (and to base feedback on that). R Hogan had forwarded his suggestions to KDC.

5. FORMAL DEPUTATIONS Nil

6. ADJOURN TO WORKS & SERVICES COMMITTEE MEETING

The meeting adjourned to the Works & Services Committee meeting at 9.08am.

The meeting reconvened at 9.30am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 26 April 2023

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 26 April 2023.*

Moved: Councillor T Blunt

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

8. REVIEW OF ACTION LIST

The Action List was reviewed and noted by the Council.

9. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS

Councillor T Blunt raised that a matter had come to his attention on the Clarence Valley Access to be discussed in the public excluded session due to commercial sensitivity, which he needed to bring to the Council's immediate attention.

The meeting then moved to Item 10.3 Management of Road Reserve Frontages.

10. MATTERS FOR DECISION

10.3 Management of Road Reserve Frontages

It was noted that the proposed policy was to assist Council staff respond to future issues, and the intention was not to deal with historic road reserve frontages i.e. gardens and structures already in place. The recommended 'Generally Prohibitive' approach is adopted by most councils, and is the recommended approach by Council staff with a few amendments such as; allowing letter boxes, having control around grazing such as no steel waratahs or permanent posts.

RESOLUTION

That the Council:

- a) *Receives this report*
- b) *Adopts the Proposed Policy on Management of Road Reserve Adjacent to Private Properties presented in this report, subject to any amendments agreed by Council.*

Moved: Deputy Mayor J Howden

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

10.4 Trading in Public Places Policy

Suggested changes to the Policy were noted on page 28 of the Agenda.

RESOLUTION

That the Council:

- a) *Changes are made to Council's Trading in Public Places Policy in accordance with the content of this report.*

Moved: Deputy Mayor J Howden

Seconded: Councillor K Heays

MOTION LOST

An inconsistency between the Policy and the sale of alcohol from a mobile premise was highlighted. It was agreed to include wording in the General Licence Conditions that 'Alcohol sales are prohibited *unless an exception is specifically approved by Council*'.

AMENDED RESOLUTION

That the Council:

- a) *Changes are made to Council's Trading in Public Places Policy in accordance with the content of this report, subject to any amendments agreed by Council.*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

The meeting moved to 11.1 Mayoral Verbal Update under Matters for Information.

11.1 Mayoral Verbal Update

Mayor C Mackle commented that there was a good turnout at the Spatial Plan hui's held with Community Groups and the public, both were run by Boffa Miskell.

The Canterbury Mayoral Forum visited Parliament on the 11th May and met with 9 Ministers. The forum shared the refreshed Mayoral Forum's Plan for Canterbury (which is on today's Agenda) and spoke about the issues that matter for their communities.

Further funding for the next two years has been confirmed for the Mayors Taskforce for Jobs.

KDC's TUIA candidate attended her second wananga this month in Rotorua. The Mayor showed Tira the various projects happening around the District at their recent one-on-one.

Both the Mayor and CE attended the Combined Sector Meeting in Wellington last Thursday and Friday. There was a mix of political speakers and workshops with all the sectors before they split off into a Rural & Provincial sector meeting.

AMENDED

That the Council receive the Mayor's verbal update.

Moved: Councillor T Blunt

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

The meeting then moved back to Item 10.1 LGNZ Membership.

10.1 LGNZ Membership

The Mayor welcomed Stuart Crosby and Susan Freeman-Greene from LGNZ, who joined the meeting on MS Teams. The CE noted that KDC feels its members are being well represented although there have been some concerns raised around the water reforms. Stuart and Susan were invited to provide comments.

The meeting adjourned at 10.05am and reconvened at 10.09am whilst Council Staff resolved sound issues.

The following was highlighted by LGNZ:

- The Future for Local Government programme will be released in June 2023
- LGNZ would like to see Local Government allocated a higher budget to strengthen local democracy
- The Akona platform should be viewed by councils as an investment in their elected official's development and included in council's operational budgets
- Feedback has been received from smaller Councils on the cost of Akona and LGNZ could look at a tiered system in the future, although the platform is already largely subsidised by LGNZ
- With regards to Three Waters, LGNZ have learnt a lot and have made significant changes on how they represent as a body. They explained that a non-disclosure agreement was entered into around negotiating the funding aspect and rather than walk away, they chose try and shape Three Waters in the best interest of Local Government and the communities.

LGNZ were thanked for their explanation on Three Waters.

RESOLUTION

That the Council:

a) receives this report;

b) maintains its membership to Local Government New Zealand (LGNZ); and

c) continues to engage with LGNZ to ensure that the views of the sector are well represented.

Moved: Deputy Mayor J Howden

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

10.2 Wakatu Quay Next Steps

It was noted that MBIE requires a commitment from KDC by the end of June on the next steps for the project. The paper outlines what that commitment from KDC looks like. It was noted that a financial commitment of \$800k to the project would be required to unlock the balance of MBIE funding of approximately \$7.4m. The financial commitment could either come via KDC or external investment. Any council funding commitment would not be required until 2024/25 financial year and would be included in the Long-Term Plan. It is proposed that Special Consultative Procedure could be undertaken ahead of the LTP to seek community feedback on inclusion of any funding commitment. Any funding commitment in the LTP would not preclude the project from continue to seek external investment and therefore may not ultimately be required. It would be intended that any Council funding included in the project would see a direct return on investment and therefore not have any burden on ratepayers.

RESOLUTION

That the Council:

- a) Receive this report;*
- b) Approves the confirmation of its commitment to MBIE as worded in section 6 to continue the Wakatu Quay project;*
- c) Agrees that the project continue to engage within interested parties seeking to partner with Council and invest in the*
- d) Wakatu Quay development;*
- e) Agrees that a Special Consultative Procedure (SCP) be conducted to gain feedback from the community for inclusion of the financial commitment into the 2024-34 LTP.*

Moved: Councillor T Blunt

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

Councillor R Roche gave his apologies from 11.00am.

The meeting adjourned for break at 10.48am at 11.12am

11.8 Youth Council Report

The Youth representatives asked the Council to refer people to their website for the Youth Awards nominations. KDC have confirmed sponsorship of one of the Youth Awards.

The Youth Council were thanked for their report and continued mahi. It was noted that it was great to see the members attending the meeting and presenting their report.

RESOLUTION

That the report be received for information.

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.9 Community Services Update Report

The MTJF funding being applied for is \$350,000 for next year. Funding has been guaranteed for two years but the levels of funding are yet to be confirmed. Two new products in the Library were highlighted on page 85 & 86 of the Agenda: Free after 3 and Premier Cards. The new Emergency Management Officer, Nigel Bryant starts on 3rd July. A comment was made on Scout Hall usage and

youth being unable to book in. A review of ongoing management arrangements is currently being undertaken.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting moved back to item 11.2 Elected Member Verbal Updates.

11. MATTERS FOR INFORMATION

11.2 Elected Member Verbal Updates

Councillor K Heays

Credit was given to Te Whanau Whakaoranga; a diverse group of individuals and small organisations who contribute to the Kaikōura community. Councillor K Heays noted that 'they ask for nothing, expect nothing but give it all to a variety of community events and places via their waiata, Kai and cultural knowledge. They are an example of what can be done together with no agendas nor prejudices.'

It was noted that funding can be applied for in waste reduction projects via the Canterbury Joint Waste Committee.

The Footpath and Signs working groups were being well run by Dave Clibbery.

Councillor V Gulleford

21 premises were visited in regard to District Licensing. The Upper Room is no longer part of King Tide and those renting the space would need to apply for an alcohol license.

There is a new application for an on-license from Donegal House Limited, the new owners.

Councillor V Gulleford gave a brief explanation of the process of applying for an alcohol license.

Councillor T Blunt

Councillor T Blunt would like to see the sleep expert from Dark Sky week invited back to re-present to the community at the Memorial Hall.

Ben Wilkens (Ground Water Scientist – ECAN) presented water aging to the Waterzone Committee, the aging process is complex. Councillor T Blunt asked Ben to provide the actual ages of each well rather than Council having to interpret a graph.

Deputy Mayor J Howden

Destination Kaikōura has arranged an Eco night with members to be held at the Sudima Hotel. Good interest has come via agents to Lisa Bond, Destination Manager.

The Vehicle Trust usage of the van was 68k in 68 weeks.

The Older Person's Working Group survey has gone out to the community and is receiving a good response rate

Councillor J Diver

There are currently three grants with Creative Communities and the Sports Trust.

S Haberstock and Councillor J Diver are working on the MOU for the sports facility and waiting on a letter from the Runanga.

RESOLUTION

THAT the Council receives the Elected Member's verbal updates.

Moved: Mayor C Mackle
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.3 CEO Monthly Report

It was noted that the Dark Sky week was well attended and presented, Nicky McArthur was acknowledged for her role in organising the week. The IANZ special assessment was noted on page 39 of the Agenda, the Chief Executive acknowledged the Building Team for the good result in challenging circumstances

The CEO acknowledged that Dave Ward, Chief Executive of Selwyn District Council is retiring from the sector on 30 June 2023, the Council thanked him for his contribution and wished him well. David has made a massive contribution to the sector over his career

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.4 Canterbury Mayoral Forum's Plan for Canterbury 2023-2025

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11.5 Draft Annual Plan

It was noted that minor changes are still to be put through, such as pensioner housing and the Chief Executive message. The draft Annual Plan will be put out to the community in the paper, on the website and through social media avenues. Council staff will look at holding community information evening to explain the Annual Plan once the delivery plans are in place.

RESOLUTION

That the Council:

- a) receives this report and attachments*
- b) notes that the Draft Annual Plan 2023/2024 and Schedule of fees and charges will be made available for public information.*

Moved: Deputy Mayor J Howden
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The Council acknowledged S Poulsen for her 26th Annual Plan, and the wider team for their mahi.

11.6 IWK Statement of Intent Financial Year 2023/2024

Council staff confirmed the KET board have no changes to the Statement of Intent.

RESOLUTION

That the IWK Statement of Intent 2023/2024 be received.

Moved: Councillor T Blunt
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11.7 Service Performance Report Update

It was noted that the report is a follow-up to the half-yearly report from 31 December 2022 and provides an update on how to get those issues resolved. A discussion was held on Audit's loss of confidence on the historic reporting of complaints received from the CCO. KDC will receive a qualified report for 2022/23 subject to these ongoing issues. A question was asked as to when the last NAASRA count was undertaken on the road network. **(ACTION)**

Councillor R Roche re-joined the meeting 12.24pm.

RESOLUTION

That the report be received for information.

Moved: Deputy Mayor J Howden
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

The meeting adjourned for lunch at 12.37 and reconvened at 1.09am

11.10 Building and Regulatory Update Report

An overview of the Freedom Camping Survey results from April-May 2023 were tabled to the meeting. It was noted that KDC have re-signed up to Camper-Mate.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

11.11 Planning Update Report

It was agreed to move the open workshop from 9.00am on to 1:30pm on 14th June to accommodate a Spatial Plan hui with the Runanga **(ACTION)**.

National direction for plantation carbon forestation was raised and a question was raised as to whether our District Plan has a similar provision to the Hurunui District Plan in terms of consenting for these activities. **(ACTION)**.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

11.12 Discretionary Grants Report

RESOLUTION

THAT the progress and completion reports be received for information

Moved: Councillor R Roche

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.13 Wakatu Quay Quarterly Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor R Roche

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

12. RESOLUTION TO MOVE INTO COUNCIL PUBLIC EXCLUDED SESSION

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting, namely

- a) Proposed Extension of Water Services Contract
- b) Harbour Financial Issues – verbal update
- c) Public excluded council meeting minutes dated 29 March 2023
- d) Public excluded council meeting minutes dated 26 April 2023
- e) Clarence Valley Access

The general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1), 6 and 7 of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each to be considered	Reason for excluding the public	Grounds of the Act under which this resolution is made
Proposed Extension of Water Services Contract	Extension of the IWK three waters contract in light of the Government Affordable Waters reform reset. Contains commercially sensitive information	Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Harbour Financial Issues – verbal update	Verbal update on subject previously brought to Council around ongoing negotiations which is commercially sensitive	Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Public excluded council meeting minutes dated 29 March 2023	The minutes are being tabled for confirmation and include private information on ratepayers in default, and commercially sensitive information regarding the Marlborough Regional Forestry investment activities	Section 7(2)(a) to protect the privacy of natural persons Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities

		Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Public excluded council meeting minutes dated 26 April 2023	The minutes are being tabled for confirmation and include private information on ratepayers in default, and commercially sensitive information on the harbour financial issues	Section 7(2)(a) to protect the privacy of natural persons Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Clarence Valley Access	To discuss as a matter raised as urgent business by Councillor T Blunt	Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Moved: Mayor C Mackle
Seconded: Councillor T Blunt


CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 1.40 pm.
The meeting moved out of the Public Excluded Session at 2.17 pm.

13. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 2.17 pm.

CONFIRMED


28 June 2023

Chairperson
Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

**ACTIONS FROM COUNCIL MEETINGS
AS AT 22 JUNE 2023**

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
1	<i>Carried Forward from previous Council:</i> Progress Reports: Te Ha, Kaikōura Wildlife Centre Trust, KORl, Kaikōura Cycling Club, Kaikōura Dark Sky Trust, Mayfair, Kaikōura Red Cross Branch, Takahanga Bowling Club, Kaikōura Croquet Club		July 2023	
2	<i>Quarterly Progress Reports from 1-Jul</i> Mayfair, Lions Club, Takahanga Bowling Club, Te Ha, Miniature Rifle Club, Sports Tasman, Kaikōura Squash Club, A&P Association, Museum, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch		October 2023 February 2024 April 2024 July 2024	
3	Three hard copies of the rehoused District Plan were requested for elected members.	B Makin / M Hoggard	-	On hold – waiting on outcome of appeal, then will provide printed copies as requested.
4	Investigate joint harbour role – KDC/ECAN	W Doughty	Ongoing	
5	Signs Bylaw Review	D Clibbery	December 2023 lapses	In progress

CLOSED ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
	IWK Draft Statement of Intent – feedback to be provided to the Executive Officer to collate	Elected Members / B Makin	1 May 2023	Closed – 31 May 2023
	Reschedule open workshop to 1:30pm	W Doughty/ B Makin	-	Closed – rescheduled.
	National direction for plantation carbon forestation was raised and a question was raised as to whether our District Plan has a similar provision to the Hurunui District Plan in terms of consenting for these activities.	M Hoggard	26 July 2023	Closed - The NPS for plantation forestry overrides District Plan requirements with the exception of landscape. The document is silent on carbon farming.
	A question was asked as to when the last NAASRA count was undertaken on the local road network.	D Clibbery / J Prentice	28 June 2023	Closed – Note the last survey was completed 29/03/2021