

MINUTES OF THE KAIKŌURA DISTRICT COUNCIL EXTRAORDINARY MEETING TO HEAR AND DELIBERATE SUBMISSIONS ON THE KAIKŌURA DRAFT SPATIAL PLAN, HELD ON WEDNESDAY 6 NOVEMBER 2024, 9.00AM, TOTARA, 96 WEST END, KAIKŌURA

PRESENT: Mayor C Mackle (Chair), Deputy Mayor J Howden, Councillor L Bond, Councillor V Gulleford, Councillor T Blunt, Councillor K Heays, Councillor J Diver and Councillor R Roche

IN ATTENDANCE: W Doughty (Chief Executive), P Kearney (Senior Manager Corporate Services), Matt Hoggard (Strategy, Policy & District Plan Manager), Freya Jackson (Policy Planner), Cheyenne Laugesen (LIMS Officer - minutes)

1. KARAKIA

2. APOLOGIES Nil

3. DECLARATIONS OF INTEREST Nil

4.1 Overview of numbers of submissions

P Kearney provided an overview of the report. 24 submissions were received and 67% of people oppose the Spatial Plan or components of it. The primary reason for opposition is regarding the rezoning along the Esplanade as the submitters would like to keep it as residential.

The Spatial Planning process began in May 2023 and P Kearney acknowledged the hard work and time that the planning team put into the process. The process was lengthy as it required engagement with the community over this time. This is the first time Kaikōura has had a detailed plan that presents a long-term vision for the community.

4.2 Summary of submissions with staff comment to the draft Long Term Plan 2024-2034

Tabled

4.3 Full submissions received

Tabled

The Councillors moved to the submitters wishing to be heard.

5. SUBMITTERS TO BE HEARD

Mayor C Mackle thanked the 24 of submitters and those wishing to speak to their submission.

9:10am Andrew Boyd – submission #1

Andrew expressed his views on the lack of communication about the Spatial Plan commenting that he heard about the process via the radio, received no information and felt uninformed about the hearing process. He felt the plan was aspirational and there are areas of concern, such as:

- Private access ways are “*supposed roadways*”. Two of his private access ways are documented as roadways.
- Rural residential and what that means. He was concerned that his property would be categorised as rural residential with limited infrastructure and that there are residential allotment sizes near his property and what that would mean for his farming activities. He would be interested to know what protections are in place for existing farming activities and whether shelter belts will be affected as they cause shading for residential properties.

- Vegetation: planting and green areas is aspirational but worried that there will be overgrown weeds and used Kowhai River as an example.
- Communications: Deputy Mayor J Howden queried how he was aware he had to be at the hearing, and he wasn't aware he had a slot or how long he had to talk for. (Note: Confirmed subsequently that details had been provided in full to his wife)
- Shelter belt: Councillor J Diver asked about clarification on the shelter belt issue. Andrew commented that his concern is if neighbouring farmland goes into rural residential that he would need to cut the trees down to stop shading the neighbour's property.
- Truck bypass that goes over his land – issue of things going over his driveway.

9:20am David McMahon (RMG) on behalf of Cargill Station LTD via teams – submission #3:

David provided a summary of his client's submission (attached to this minute), Cargill Station Ltd (developers for Vicarage Views and Ocean Ridge). The Infrastructure Acceleration Fund requires 400 new dwellings to be delivered between 2022-2034, which is essentially the first decade of the Spatial Plan. In terms of the operative Kaikōura District Plan (KDP), Ocean Ridge was a Plan Change that took place in 2005, with a further private plan change in 2010. The entire zone is governed by an Outline Development Plan (ODP), and has 146 consented dwellings. Council is currently processing a Phase 4 extension of Ocean Ridge. The developer is working on a further Plan Change 6, to take it up to 168 dwellings, which is the cap set in the KDP. Beyond this, they would need to develop an additional access way than SH1.

The desire to provide up to 150 dwellings to meet the 400 target (as set out in housing agreement). This would require changes to the ODP, but also tweaks to the level of densification this can refer to. Any change to ODP will require a Plan Change. His main concerns were:

- Disconnect with the constraints plan and developable land maps, as Ocean Ridge is only zoned as moderately developable, yet has no planning constraints in the land use map.
- Landscape constraints: None are zoned as red in Ocean Ridge. These are moderate constraints that can be overcome with careful engineering. Similarly with the natural hazard's constraints, Ocean Ridge is not in a high flood and hazard area. Page 4 of map with Ocean Ridge area delineated in orange and shown as an urban area but in page 8 it is shown as delineated in yellow which is residential.
- The Spatial Plan basin map shows Ocean Ridge yellow as low density. It is recommended that this should be shown as developable, with medium density and a neighbourhood center.

9:30am Mel Skinner – submission #20:

Mel felt that there should have been more time for the consultation as only 24 submissions were received. She commented that the Ashburton District Council uses the Delphi method, and this approach considers budgets and economic development within the process. Her concerns were:

- Drivers of change: Mel suggested that the framing of issues within the Spatial Plan could be addressed in a more positive manner. Looking at it with a more solutions focussed approach. Used an example of looking at the ageing population of Kaikōura and look at it as how can we attract younger generations.
- Visions and values: Mel said that the visions and values within the plan need to have more community input which would help result in more buy in. She felt the district needed sustainable investment and employment opportunities.
- Zoning: Mel suggested having more neighbourhood centres out on the flats, like at Ocean Ridge. Town Centre needs to be larger than West End, as there has been a big expansion over the last 10 years. Development should be extended to the Esplanade, Beach Road, and up to the pool to be inclusive of these areas as there seems to be a disconnect.
- Commercial zoning of Ramsgate: Commented that this should be extended due to the existing motels.

- Airport: Expressed concern over how the airport is a high priority however it has been in 5 plans over the past 20 years and thousands of dollars have been spent so far. There has also been no support in NZ for a greenfield airport to be developed.
- Analysis: Mel expressed that there needs to be more analysis before the Council decides what the key priorities are. Other areas should be considered like rail and there should also be further community input.

9:40am Darryn Hopkins and Emma Hopkins – submission #9 & #10

Darryn and Emma expressed their views that there should be “buffers” between zoning, specifically between rural and residential areas. The concerns they raised were:

- Amenities of rural zone: They were concerned about amenities and open rural character being affected by rural/residential.
- Minimum setbacks: They were worried that without minimum setbacks and stipulating actual meters, there may be no clear definition of the distance between zones.
- GRUZ: Asked that there is a “buffer” zone is captured.
- Setbacks: Provided an example of setbacks, photocopy provided of an email from a planner at Selwyn District Council regarding setback distances.
- Communication: Emma raised her concerns with communication. She felt that there was a lack of communication with the consultation, particular with the community and submitters. She commented that the Council should look at reaching a wider audience such as door knocking/ letters to ratepayers.

10:00am Dave and Lillian Margetts – submission #11

Dave and Lillian acknowledged their support for the Spatial Plan, particularly the staff comments which support the removal of the landscape overlay over part of their farm to free up rural zone, to continue farming, and removal of the name Seaview from the maps. They invited the Councillors to a site visit regarding any potential works on the paper road/track. They raised that:

- Number 16, Implementation plan: They asked for clarification on what this means and whether works have begun.
- Number 9 in schedule: They asked for clarification on the scope of the project and if it includes crossing over SH1/ whether it would connect to the paper road and also to Seaview.
- Number 32 in Action Plan Schedule: They queried if this joins onto the paper road, they were concerned as paper road is used on their operational farm
- Councillor J Diver asked for clarification on the paper road query. Dave raised the concern that it runs through his farm and is regularly used so asked that there would be track/fence maintenance and asked who it would be at the cost of.
- Tracks: Asked if a track is feasible with a working farm.
- Paper road: Asked for further consultation if paper roads are formed as they would like to have input.

10:10am Bryan McGillan for Eliot Sinclair – submission #12

Bryan stated his appreciation for the spatial plan and the future direction it sets, stating he is generally in support of it. He raised that:

- Development opportunities along Beach Road and Esplanade are in between areas of coastal hazards.
- Tsunami risk: Geotech engineer flagged the issue of tsunami risk and intensification in areas that are vulnerable to risk. Also raised issue of developable land in these areas and how it works effectively. With different areas of development how from inland Kaikōura and the coast.
- Proposed heavy vehicle freight: Detour route, he explained that other options could be more suitable, such as relocation.
- Highly Productive Land (HPL): In terms of housing and affordability, he encouraged the Council to look at opportunities to make land available excluding HPL and land subject to natural hazards.

The protection of HPL is supported but has not been included in areas LUC 1-3. Should Councils separate out the 3 classes of HPL in the maps?

- Papakāinga: Mana whenua are aware of natural hazards in wider Waitaha region so can there be intensification in lower lying areas and opportunity for intensification on Peninsula and My Fyffe.
- Medium Density: Bryan also referred to medium density, suggesting that densification in Kaikōura should consider shading and reluctance of developers to build two storeys.

10:20am Jane Nelson – submission #15

Jane raised her concerns about the re-zoning proposal for the Esplanade:

- Rezoning to commercial: Jane raised the issue of changing zoning on Brighton to Ramsgate from residential to commercial. In particular the key changes 5-7. She acknowledged that there are existing commercial buildings on this block but also recognized it is resident centric. Worried with rezoning that building height restrictions will be harder to impose and there will be increased vehicle movements. In summer there is existing problems with congestion with traffic. Jane raised the point that there is more benefit to having the zone as residential to ensure more control around what is allowed. Medium density is there to prevent urban sprawl. Doesn't match elderly population needs.
- Yarmouth St: Jane raised concern about new development on Yarmouth Street in terms of loss of views, road and pedestrian safety and congestion/parking.

10:30am Jacky Gray – submission #8

Jacky was supportive of the new industrial development at Kaikōura Business Park and felt there was opportunity for light industrial activities to re-locate to Inland Road from Beach Road. She supports the expansion of commercial activities on Beach Road. She raised that:

- Rezoning of Esplanade: Concerns around parking, the need/desire for town house style accommodation, natural hazards (tsunami risk, sea level rise) and congestion.
- Jacky commented the majority of first home buyers would be wanting 500sqm with existing home on it.

The meeting adjourned at 10.45am and reconvened at 11.10am.

11:10am Chanel Starkey – submission #21

Chanel raised her concerns about papakāinga and restrictions to use Māori land blocks:

- Papakainga: She felt that more consideration is required in the plan, and that Council should reconsider roadblocks to develop whenua. She explained that there are over 500 owners who want to use/develop land.
- Mana whenua: She supports the inclusion of mana whenua in the spatial plan, but felt there should be more inclusion with wider whānau. She invited KDC to visit the Mangamaunu marae, acknowledged KDC's good relationship with Te Rūnanga o Kaikōura, but felt it is not inclusive of the wider Māori community.

11:20am Ana Te Whaiti – submission #22

Ana expressed her appreciation of the Spatial Plan and specifically the opportunities for Papakāinga housing. She appreciates the Councils job of being receptive to the Māori community. She raised that:

- Definition of papakāinga: There are different opinions and perspectives within Māori community, and that the Spatial Plan and papakāinga should reflect this.
- Mana whenua: acknowledged Ngāi Tahu but also wanted there to be inclusion of the iwi that came before Ngāi Tahu such as Ngāti Mamoe and Waitaha. Engagement could be better to meet aspirations of the wider Māori community.
- Relationship with Mangamaunu: Wanted to know if there is a relationship with Mangamaunu and whether there is opportunity there. Mana whenua at Mangamaunu are clear on how they want to develop land. Website does not have anything that guides to Māori whenua.

- Spatial Plan basin map: whenua needs to be better considered.
- Council's Code of Conduct: explaining the terminology is not correctly reflecting what it is to honor the treaty of Waitangi.

11:30am Meri Wichman – submission #24

Meri acknowledged Te Rūnanga o Kaikōura as mana whenua for papakāinga housing but there needs to be engagement as well with tangata whenua. She raised the point that papakāinga is essential to help provide housing for the Māori community and to connect to their ancestral land and not just land that is labelled as Māori land. She raised that:

- Barriers to development: Agreed with previous submitter that there are regulations that prevent whānau from building on their land. Like building one dwelling on a 2ha lot.
- Neighbour conflict: Meri stays on Māori owned land down Station Road and a neighbour has complained about papakāinga going into this area.
- That papakāinga needs to be a priority rather than a 5-10 year goal.
- She also pointed to Hasting District Council for a source of information with regard to Paikainga housing initiatives.

Other: Councillor T Blunt

Councillor T Blunt commented that he had put in a submission but cannot see this included. The Planning Team would follow up with Councillor T Blunt.

The Council reviewed and noted the following submissions from submitters who choose not to speak. Their chosen options and/or additional comments are recorded in the Summary Sheet and full submissions.

Name	Submission #	Page #
Lynette Buurman	2	5
Bev Chambers	4	21
Emma and Bryce Chapman	5	26
William Foresman	6	29
Dan Gray	7	32
Nigel Muir	13	56
Russell Nelson	14	60
Gerald Nolan	16	68
Kylie Poharama	17	71
Callum Ross for Bonisch Consultants Ltd	18	74
Susan Ruscigno	19	82
Cassie Welch for New Zealand Public Health Service	23	112

Hearings ended at 12.35pm

5. DELIBERATIONS

5.1 Key Themes

The key themes raised were summarised:

Community Engagement:

- How the Council could engage more effectively with the community. M Hoggard suggested a more hands-on approach, such as hosting community events, letter drops (e.g., tea meetings or door knocking).

- Need for greater engagement with Māori landowners and farmers.
- M Hoggard queried if the Council was satisfied with current engagement methods or if further consultation is needed with the community.

Physical vs. Aspirational Changes:

- Whether the Council should include both physical and aspirational changes within the plan (e.g., airport development, bypasses, greening of waterways, Ocean Ridge-Seaview connections).
- Considerations around whether the plan should focus on what is achievable in the short term or include aspirational goals for the future. There was discussion on whether the spatial plan should be aspirational or functional, particularly regarding future rural land use and potential developments.
- The need for clearer definition around the spatial plan's scope, especially for Māori land in the northern part of the district.
- Discussion on overlays, such as landscape overlays near Seaview and Margetts land and also the road connections being shown.

Matters Not Directly Linked to Spatial Plan:

- While not part of the spatial plan, issues like parking strategies, economic development plans, and budget allocation were discussed. It was noted that these matters should align with the Long-Term Plan (LTP) process.

Key Points from the Discussion:

- Highlighted the importance of flagging aspirational goals now to avoid limiting future potential.
- That spatial plans should be viewed as living documents that can evolve.
- Suggestion that a clearer delineation between what can be addressed through the spatial plan versus the district plan. i.e Consideration of setbacks would need to be considered in the District Plan review as opposed to a spatial plan.
- Suggestion to align today's questions with district plan vs. spatial plan matters and prioritise communication efforts.

5.2 Key Issues for Discussion:

Engagement with Māori Landowners

- A discussion was had in regard to engagement with Te Rūnanga o Kaikōura (TRoK) and what could be options for engaging with wider tangata whenua as well as mana whenua.
- Continued conversations with the whānau from Mangamaunu in regard to their aspirations.

Papakāinga Housing

- Whether the district plan has ability to facilitate papakāinga development on Māori land, particularly regarding land size and zoning restrictions was discussed.
- M Hoggard suggested two approaches:
 1. A district-wide approach allowing papakāinga on Māori or traditional land, subject to natural hazard provisions.
 2. Creating specific zones where the Council can focus on infrastructure development to enable papakāinga housing.

Future Use of Rural Land

- M Hoggard highlighted the issue regarding allotment sizes and land use protection through the National Policy Statement on Highly Productive Land (NPS-HPL).
- Discussion was had on rural residential zoning and potential conflicts between urban and rural land interests.
- Discussion was had around clarifying each land use class on the maps.
- Suggestion regarding greening of waterways and emphasized clean groundwater concerns.

- Council staff confirmed that residential clusters in rural areas with right wording and protections are already in place in some areas.

Ocean Ridge

- Emphasized the need to include Ocean Ridge as a key area for increased density. There is potential to create more allotments and better connections to Ocean Ridge developments.

Esplanade and Commercial Development

- Concerns raised about height and parking controls in commercial areas and the impact on land value and rates. Discussion on whether the beach areas should remain residential or encourage commercial development, such as visitor accommodation.

Overlays and Zoning

- Seaview and Ocean Ridge: The names of these areas are not official, and there is a need to clarify whether these areas should be formally named or re-zoned. Recommendation to remove Landscape Overlay 13 near Seaview and Ludstone Farm, especially in the paper road area. Road connections shown in the plan also need to be checked.

5.3 Agreed amendments for the draft spatial plan

- **Aspirational vs. Functional Goals:**

It was agreed to retain aspirational goals within the spatial plan, with clear priorities, especially for areas that have been consulted on previously. This ensures that the plan can evolve while also meeting immediate needs.

- **Spatial Plan Scope:**

It was agreed for the existing scope of the spatial plan to be maintained, with an emphasis that the district plan covers the entire district. Wording will be added to clarify this.

- **Papakāinga Development:**

It was acknowledged that this is already identified in the current draft as a high priority and short timeframe action. The District Plan review will look to enable this, but will need to be considered in conjunction with other constraints such as natural hazards.

It was agreed that some additional text could be inserted into the spatial plan to give comfort that papakāinga housing will be considered outside of the geographical scope of the spatial plan through the district plan review, and that the Council is keen to receive applications.

- **Rural Land Use and Zoning:**

It was agreed that a rural residential zoning approach is appropriate going forward, with appropriate protections such as setbacks and landscaping to mitigate urban-rural conflicts to be considered in the District plan review.

It was agreed that some additional text could be inserted into the spatial plan to give comfort that measures to maintain rural amenity is factored into the district plan review (i.e. control measures that may include setbacks, bunding etc).

- **Ocean Ridge Density:**

It was agreed to increase the density in Ocean Ridge to medium density and to include a neighbourhood centre. It was also agreed to include more development and connections through Ocean Ridge through to the township.

- **Commercial Development Controls:**

Retention of the residential area along the Esplanade was supported in principle rather than changing to commercial.

It was agreed to remove the proposed commercial expansion along the Esplanade, so the extended area remains residential.

- **Overlays and Zoning for Seaview:**

It was agreed to remove Landscape Overlay 13 near Seaview and Ludstone Farm, which runs along the boundary of the paper road on Mt Fyffe Road. It was agreed to remove the name 'Seaview' from the map.

It was agreed to review the driveways/access of the farm for Andrew Boyd and remove from maps if necessary. Road connections shown in the plan also need to be checked as per Andrew Boyd's submission.

It was agreed to explore options with consultants for the benefits of breaking down the 3 classes of HPL in the maps of the spatial plan into LUC 2 and 3.

- **Consultation and engagement process:**

Elected members were comfortable with the process run to date, noting that there are always areas for improvement. The question of engagement with both tangata whenua and mana whenua is much bigger than just the spatial plan consultation. Further conversations with Mangamaunu landowners would be ongoing in terms of their aspirations for the whenua.

Elected members were comfortable with the deliberations held and to proceed with making the agreed amendments to the draft for their final consideration.

6. CLOSE MEETING

There being no further business, the meeting closed at 2.09pm.

Chairperson



Signed by

Date 05/12/2024

Attachment: David McMahon (RMG) on behalf of Cargill Station LTD via teams – submission #3: