

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 25 SEPTEMBER 2024 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 J Diver, Councillor K Heays, Councillor L Bond (present for part of the meeting)

IN ATTENDANCE: W Doughty (Chief Executive Officer), P Kearney (Senior Manager Corporate Services), D Clibbery (Senior Manager Operations), B Makin (Executive Officer-Minutes)

1. KARAKIA

2. APOLOGIES

Apologies were received Councillor R Roche and apologies for lateness were received for Councillor L Bond.

Moved: Councillor T Blunt

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM

9.01am – Coly Doughty and Nicky McArthur

N McArthur and C Doughty spoke on behalf of the Dark Sky Trust and the achievement of getting designation as an international dark sky sanctuary. They expressed their gratitude to the Council for their financial support and to all those involved. The lighting private plan change is progressing and on track to be adopted before Christmas. The main township is not included in the sanctuary and the Trust will be preparing a Community application to cover the township. They will be taking the community along an educational journey as they work to get Dark Sky International Community status.

5. FORMAL DEPUTATIONS Nil

6. ADJOURN TO WORKS & SERVICES COMMITTEE MEETING

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

The meeting was reconvened at 9.38 am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 28 August 2024

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 28 August 2024.*

Moved: Councillor V Gulleford

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

8. REVIEW OF ACTION LIST

The Action List was reviewed and noted.

9. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS Nil

10. MATTERS FOR DECISION**10.1 Footpath Renewal Funding****RESOLUTION**

THAT the Council:

- a) *Council approves an additional \$84,000 per year of local share funding required to enable the delivery of \$310,000 per year of footpath renewal and maintenance works as was proposed in Councils 2024-27 Long Term Plan.*

Moved: Councillor V Gulleford

Seconded: Councillor J Diver

CARRIED UNANIMOUSLY

10.2 Infrastructure Procurement Processes

The definition of 'local' supplier excluded contractors whose staff were based in Kaikōura and/or been operating in the district for some time such as the roading contractor. Council staff discussed with NZTA that those contractors should be considered the same as other local suppliers and the proposed change was noted on page 41 of the agenda.

It was noted that the list of contractors included in the policy is a historic list and does not exclude any other contractors or suppliers (such as other electricians etc) from tendering to undertake Council work.

RESOLUTION

THAT:

- a) *The Council endorses the provided KDC 'Strategy for the procurement of transport, 3 waters, solid waste and community facilities infrastructure 2024-2027' subject to any desired amendments.*
- b) *The Council resolves that a s17A review of the road maintenance activity is not required in accordance with s17A(3)(b) of the Local Government Act 2002, and that the conclusions of the previous s17A review for this activity remain valid.*

Moved: Deputy Mayor J Howden

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

10.3 Treatment of Sponsorship Signs under the Signs Bylaw

The proposed amendments to the bylaw were noted on page 51 and 52 of the agenda. It was noted that this was a good revision to address an unintended consequence for clubs and societies.

RESOLUTION

THAT the Council:

- a) *Council approves the changes to Council's Signs Bylaw 2023 that are proposed in this report, with the revised bylaw to take immediate effect*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

10.4 Draft Reserve Management Plan for Consultation

A tracked changed version of the consultation document was tabled at the meeting (attached to these minutes). The New Zealand Play Advocates recommended wording under 3.2 Use and Development in relation to crime prevention through environmental design principles. The consultation period will run for two months.

A discussion was held on the name of the reserve and the Council agreed to include reference to 'Esplanade' in the name, especially on the front page.

A discussion was held whether the term 'baths' in the reserves act implied that baths were to be public or not under the Reserves Act. Councillor J Diver commented that 'Hotpools' do not fit the definition of 'public baths' under Section 54 of the Reserves Act as it is a commercial activity as public baths are subsidised by the community for community recreation. Staff comment was that the legislation on the use of the wording in Section 54 of the Reserves Act, as 'baths' as opposed to 'public baths' and that legal opinion on the wording had been obtained which indicated the wording and potential uses for the reserve were appropriate. Deputy Mayor J Howden highlighted that Section 54 of the Reserves Act allows Council to lease to any person or body.

Council staff commented that although the draft consultation document has had a legal review, staff could seek further legal advice if required when the document is out for consultation.

Councillor L Bond joined the meeting at 10.05am.

RESOLUTION

THAT:

- a) The Council receives this report for information.*
- b) The Council endorse the Draft Reserve Management Plan for the Esplanade Recreation Reserve to be advertised for consultation/feedback from the public.*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

MOTION LOST

Based on the amendments tabled and discussed, an amended recommendation was put forward.

AMENDED RESOLUTION

THAT:

- a) The Council receives this report for information.*
- b) The Council endorse the Draft Reserve Management Plan for the Esplanade Recreation Reserve to be advertised for consultation/feedback from the public, including discussed amendments.*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

Against: Councillor J Diver

CARRIED

Mayor C Mackle left the room at 10.13am and re-entered at 10.14am.
The meeting moved to item 11.8 Planning Update Report.

11.8 Planning Update Report

The two main resource consents were highlighted being the extension of Ingles Drive and the Light Industrial Zone subdivision. The Hearings for Plan Change 5 were held yesterday, submissions were supportive, and a decision is expected to be reached shortly. A discussion was held on the Spatial Plan and the importance of the community understanding the process. The draft Spatial Plan does not overrule the objectives and policies in the District Plan however, it is a document that can be given consideration as part of any resource consent application (under section 104 (1)(c) of the RMA).

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor L Bond
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting adjourned at 10.30am and reconvened at 10.47am.

The meeting moved back to Item 10.5 Detailed Design & Timing Approval for the Wakatu Quay Rooding

10.5 Detailed Design & Timing Approval for the Wakatu Quay Rooding

C Sturgeon and W Walker joined the table. The rooding design was presented at the workshop in September and is included in the agenda on pages 91-94. The contract will go out for tender until end of October, with a view to approving by mid-December and start works around February 2025.

A discussion was held around the safety for residents with the increase in traffic movement and construction. Should option 2 be approved, the roadworks would be completed alongside the civil construction work. There will be a traffic management plan in place and the project will be closely managed. There is a risk of cost escalation with 3 compared to Option 2 (the recommended option) and Option 1 is unlikely to be acceptable to Kanoa as it delays the construction start of the building.

RESOLUTION

THAT the Council:

- a) *Receive this report;*
- b) *Approves the completion of detailed design for the road network and parking surrounding Wakatu Quay;*
- c) *Notes that project procurement and implementation will be transferred to the KDC rooding team;*
- d) *Approves option 2 - commencement of rooding to occur during construction, with procurement to commence late October 2024;*
- e) *Notes that updates on rooding procurement and construction contracts will be communicated to Council prior to commencement of construction.*

Moved: Deputy Mayor J Howden
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

10.6 Update to Kaikōura District Council Standing Orders

RESOLUTION

That the Council:

- a) *Receives this report and its attachment;*
- b) *Updates the Kaikōura District Council Standing Orders definitions and sections outlined in the report to allow for members joining a meeting remotely to be counted as quorum;*

- c) *Adopts the Kaikōura District Council Standing Orders effective from 1 October 2024, subject to amendments as desired by the Council.*

Moved: Councillor T Blunt
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

11. MATTERS FOR INFORMATION

11.1 Mayoral Verbal Update

Mayor C Mackle attended the Dark Sky evening and was impressed that under the gaze of a telescope he could see craters on the moon. He praised the volunteering in the district and commented that the OpShop's 10th year celebration was a great evening and achievement. The Coastguard AGM was held this month and Neroli Gold has reached 25 years of volunteer service.

The Mayors and CE's of Hurunui DC, Waimakariri DC and Kaikōura DC have been busy with Local Waters Done Well meetings.

11.2 Elected Member Verbal Updates

Councillor T Blunt

Councillor T Blunt highlighted on a personal note, that one of his Pods won an Air B&B award for occupancy, guest comments & design.

Deputy Mayor J Howden

The Aging Well Group are looking at acquiring land (between 2,000 to 3,000 sqm) for a model similar to Abbey Field's which would have 12-14 apartments that include three meals a day.

KITI held their AGM last night and appointed Chris Sturgeon as the new Chair. Lynette Buurman and Jo Murray were appointed as Deputy Chairs and new committee members were also appointed from Ecozip, Whale Watch and Hapuku Treehouse. Deputy Mayor J Howden also attended the Dark Sky evening.

The new Fire Chief, Craig Guthrie and Deputy Fire Chief were acknowledged and congratulated on their appointments.

Councillor J Diver

Councillor J Diver attended the Creative Communities Initiative meeting this month.

Councillor L Bond

Councillor L Bond attended the Creative Communities Initiative meeting and the OpShops 10th year celebration. The OpShop has raised \$1,510,000 for the community and the Council were thanked for their continued support with the use of the building. There are 15 volunteers on the roster and there has been at least 100 volunteers over the last 10 years.

Destination Kaikōura are hosting four tourism general managers today and tomorrow.

Councillor V Gulleford

The District Licensing Committee has approved 13 license decisions this month. Councillor V Gulleford is on the hearing panel for the Plan Change 5.

Councillor K Heays

~~Councillor K Heays attended the Kaikōura Hop event at the weekend. Councillor K Heays reported that the Kaikōura Hop event was well attended (amendment as per Resolution 30 October 2024).~~

During the month he attended the Biodiversity Champions meeting. Results from a survey show that councils are finding it difficult to include biodiversity with current funding, staff, Runanga engagement, landowner engagement, strategy, monitoring and community groups. The Biodiversity Champion's roles are to inform their councils and advocate for biodiversity at council meetings, support staff and opportunities in their

communities. ~~C-Heays~~ Councillor K Heays (*amendment as per Resolution 30 October 2024*), would be working with the CEO to understand our approach to biodiversity over the coming months.

Councillor K Heays advised that the South Bay boat ramp will be busy from October onwards. Any concerns or questions are to be given to him and he will forward onto the harbour master.

11.3 CEO Monthly Report

The Chief Executive commented that all councils around the country have similar issues with transport funding with a lot receiving significantly less funding than ourselves. The Council has approved Datascape as the new ERP system. The implementation timelines are the same as the Hurunui DC's. The Waimakariri DC are using that system as well which allows more potential for collaboration.

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.4 Audit NZ Report to the Council on audit of the LTP 2024-2034

Council staff highlighted that the LTP was on track until mid-May when last minute changes relating to the Jordan Stream Bridge and the IAF were put through. Audit are seeking additional hours on top of the funding that was agreed as there was change in the scope with the late items added. The Chief Executive has requested a full breakdown of the total costs for the audit.

Council's view on the asset management plan is that it should not be linked to the financial strategy and be based on infrastructure requirements and needs, instead of affordability. Whereas Audit's view is that documents should all align.

Council staff were asked to clarify Audit's recommendation: *iii) That an independent review of Councils roading data is undertaken*. They advised that there was a timing issue with the asset information review in RAMM (asset management software).

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The meeting moved to Item 11.6 Community Services Team Update Report.

11.6 Community Services Team Update Report

Council staff highlighted that there are two resident homeless people who come into the library daily and the staff are treating them with respect and sending them to Heartlands or the Medical Centre if there is anything they need. Exercise Pandora will run an 8 hour 2-shift session, and not 12 hours as written in the report. The plan for elected members will be clarified (**ACTION**). S Haberstock is drafting a Kaikōura Recovery Plan to use on the training day.

The new library newsletter was handed out at the meeting and will be distributed to the community and will be available online.

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 11.5 Monthly Finance Report to 31 August 2024.

11.5 Monthly Finance Report to 31 August 2024

It was noted that rates debtors are approximately \$400k, which is higher than last year and could be due to the higher rates increase this year.

The workplan for the toilets presented at the workshop will be circulated to elected members (**ACTION**).

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor L Bond
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.7 Kaikōura Youth Council Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Deputy Mayor J Howden
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.9 Building and Regulatory Update Report

P Kearney spoke on behalf of J York. He advised that the visitor accommodation policy will be presented to the Council in October. A discussion was held around the Sudima Hotel car park. An update on the consent compliance was requested to be included in next month's report (**ACTION**).

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
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) Public excluded council meeting minutes dated 28 August 2024
- b) Re-appointment of independent member of the Finance, Audit & Risk Committee
- c) Waiau Toa / Clarence River Access Update
- d) Māori Land Blocks at Mangamaunu

e) Harbour Financial Matters - Verbal Update

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
Public excluded council meeting minutes dated 28 August 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters, Wakatu Quay Construction Contract and private information on IWK's Director Recruitment.	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)(2)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) Section 7(2)(a) protect the privacy of natural persons.
Re-appointment of independent member of the Finance, Audit & Risk Committee	The report includes remuneration and personal information included on CV relating to the re-appointment of the independent member.	Section 7(2)(a) protect the privacy of natural persons.
Waiau Toa / Clarence River Access Update	The report includes commercially sensitive project costs.	Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Māori Land Blocks at Mangamaunu	The report contains private information relating to blocks of land.	Section 7(2)(a) protect the privacy of natural persons.
Harbour Financial Matters – 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)(2)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

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

Re-appointment of independent member & Māori Land Blocks at Mangamaunu: KDC has privacy obligations and release of personal information would breach those.

Waiau Toa / Clarence River Access Update: Publishing the information in the public would be detrimental to the negotiation ability of KDC.

Harbour Financial Update: We do not want to reveal the details of those negotiations. Information will be made publicly available in due course.


Moved: Mayor C Mackle
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 11.57 am.
The meeting moved out of the Public Excluded Session at 12.33 pm.

13. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 12.33 pm.

CONFIRMED  Chairperson
18/11/2024 Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

UNCONFIRMED MINUTE

**ACTIONS FROM COUNCIL MEETINGS
AS AT 24 OCTOBER 2024**

OPEN ACTION ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
1	<i>Quarterly Progress Reports from 1-Jul FY 24-25</i> Museum, Sports Tasman, Mayfair, Kaikōura Rugby Club – Takahanga Facility Project Team, TeHa, A&P Association, Wildlife Centre Trust, Takahanga Bowling Club, Kaikōura Red Cross Branch, Kaikōura Bowling Club, Miniature Rifle Club, Croquet Club, Netball Centre,	-	October 2024 February 2025 April 2025 July 2025	Report tabled to October 2024 meeting.
2	Response to Public Forum speakers – July meeting	W Doughty / P Kearney	Ongoing	Responses sent. Following up further to J Ward on Trotting Club.
3	Circulate workplan for West End toilets to elected members	O Joensuu	October 24	To provide update at the meeting

CLOSED ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
	Response to Public Forum speakers – September meeting	W Doughty / B Makin	October 24	Completed – responses sent 21/10/2024
	Include in regulatory report consent compliance (in particular parking/Sudima)	J York	October 24	Completed – included in October report.