

KAIKŌURA DISTRICT COUNCIL MEETING

Date:	Wednesday 29 May 2024
Time	9.00am
Location	Totara, Council Chambers

AGENDA

1. Open with a Karakia

Kia wātea te Wairua, Kia wātea te tinana, Kia wātea te hinengaro, Kia wātea ai te mauri, Tuturu ōwhiti whakamaua kia tina, TINA!, Haumi e, Hui e, TAIKI E!

2. Apologies

3. Declarations of Interest

4. Public Forum

9.05am Chris Henry & Andrea Judd – Kaikōura Healthcare

9.10am Gary Scott

Public forums provide opportunity for members of the public to bring matters, not necessarily on the meeting's agenda, to the attention of the Council.

5. Formal Deputations

The purpose of a deputation is to enable a person, group or organisation to make a presentation to a meeting on a matter or matters covered by that meeting's Agenda.

6. Adjourn to Works & Services Committee meeting (9.30am)

Reconvene to the Council Meeting

7. Confirmation of Minutes:

7.1 Council meeting minutes dated 24 April 2024 page 3

8. Review of Action List

page 12

9. Matters of Importance to be raised as Urgent Business

10. Matters for Decision:

10.1 Wakatu Quay Detailed Design Approval page 13
10.2 Unformed Road Management Guidelines page 39
10.3 PC4 Industrial Plan Change Decision page 56
10.4 Naming of Kaikōura Community Courts page 117

11. Matters for Information:

11.1 Mayoral Verbal Update
11.2 Elected Member Verbal Updates
11.3 CEO Monthly Report page 120
11.4 Better Off Funding Programme Update page 122
11.5 Draft LTP Fees and charges update page 126

11.6	April Monthly Finance Report	page 131
11.7	Reserve Management Plan Process	page 138
11.8	Community Services Team Update Report	page 148
11.9	Planning Update Report	page 156
11.10	Building and Regulatory Update Report	page 166
11.11	Kaikōura Youth Council Update Report	11.15am page 170

12. 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 24 April 2024
- b) Harbour Scenarios

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 24 April 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters.	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)
Harbour Scenarios	Strategic options 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:

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

13. Close meeting with a Karakia

AUDIO RECORDINGS:

"Audio recordings will be made of this meeting for the purpose of assisting the minute taker to create accurate minutes. Audio recordings should not be taken of any confidential, public excluded or otherwise sensitive matters. The Chair of the meeting is responsible for indicating if/when recording should be stopped and restarted. While held, the audio recordings are subject to LGOIMA, they may be released in line with Councils LGOIMA processes and/or at the discretion of the meeting Chair. A copy of the guidelines and principals for the use of recordings is available on request"

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 24 APRIL 2024 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

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

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

1. KARAKIA

2. APOLOGIES Nil

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM

9.01am S Lange & D Smith on behalf of Kaikōura Historical Society

The public forum speakers spoke to the Kaikōura Historical Society's application to the Discretionary Grants Fund which has requested \$25k to keep providing the services to the community (noting their role as custodians). S Lange highlighted that costs are increasing, and the income generated by visitors and memberships are not covering them. They have reduced costs by bringing payroll and cleaning in-house. The Committee are looking to reduce winter opening hours by 1 day a week and are in discussion with TeHa about increasing rental, they are not ruling out selling the facility on Ludstone Road. They asked the Council to consider a long-term targeted rate for the museum and commented that should the funding be approved it is effectively cost neutral to the rent the Museum pays the Council.

5. FORMAL DEPUTATIONS Nil

6. ADJOURN TO WORKS & SERVICES COMMITTEE MEETING

The meeting adjourned to the Works & Services Committee meeting at 9.12am.
The meeting was reconvened at 9.33am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 27 March 2024

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 27 March 2024.*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

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. REPORT FROM THE CHAIR OF THE FINANCE, AUDIT & RISK COMMITTEE

S Poulsen and P Kearney joined the table to answer questions for clarification. It was confirmed that in-house finance training will be arranged for the Council in July.

RESOLUTION

That the Committee have received the reports and recommends that the Council approves the reports.

Moved: Deputy Mayor J Howden

Seconded: Mayor C Mackle

CARRIED UNANIMOUSLY

11. MATTERS FOR DECISION

11.1 Innovative Waste Kaikōura Ltd (IWK). Letter of Expectation and draft Statement of Intent

G Hughes and J Remihana from IWK joined the meeting.

It was clarified that Enviroschools was not set as a performance measure as the responsibility for delivery sits with ECan but funding is required if the initiative is to be widely supported in the District. This would need to come from a number of sources. Councillor K Heays strongly expressed his views that the paperwork doesn't highlight strongly enough the environmental focus towards waste disposal and that this should be listed as a high priority in those documents. G Hughes and J Remihana acknowledged the comment raised and would follow up with the IWK Board to look at incorporating this in the Statement of Intent. It was noted that the Waste Management and Minimisation Plan is up to review soon and that could be another avenue for enhancing the environment.

It was clarified that the performance measure relating to school visits per term is unachievable as authority to enter schools is outside the control of IWK. J Remihana suggested that a target of engaging with schools is more achievable.

It was agreed to check if Council need to approve the Statement of Intent once the IWK Board have adopted it (**ACTION**). P Kearney to provide formal feedback on the Draft SOI to IWK by 1st May 2024 (**ACTION**).

RESOLUTION

That the Council:

- a) *Approves Kaikōura District Council Letter of Expectation to Innovative Waste Kaikōura Ltd. For 2024/2027.*
- b) *Receives the Innovative Waste Kaikōura Ltd. Draft Statement of Intent 2024/2027.*
- c) *Provides any further feedback on the draft Statement of Intent to Innovative Waste Kaikōura Ltd by no later than 1st May 2024.*

Moved: Deputy Mayor J Howden

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

11.2 Delegations Manual – Resource Management Act (RMA)

RESOLUTION

That the Council:

- a) *Adopts the changes to Part 5.3.40 of the Council Delegations Manual in respect of items relating to the RMA as per changes attached in Appendix 1*
- b) *Notes that a full version of how the entire RMA section would look should the proposed changes be adopted is attached at Appendix 2*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

The meeting adjourned at 10.37am and reconvened at 11.03am.

11.3 Proposed New Toilet Facilities

D Clibbery noted that once a contractual arrangement is in place the various funding streams will be locked in. The proposed new toilet at Churchill Park will be built next to the playground which is near power and sewage connections. The cosmetics on the proposed new West End toilets are similar to what has been included in the report.

RESOLUTION

That:

- a) *The report be received.*
- b) *That staff confirm an order for the supply and installation of toilet blocks for West End, Mill Road and Churchill Park as described in this report, with an estimated total cost of \$893,050 + GST.*

Moved: Councillor K Heays

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.4 Discretionary Grants Applications 2024/2025

The Council reviewed 22 applications received and agreed on the eligibility and sums to be funded through the Discretionary Grants Fund. Councillor V Gulleford had reviewed and included comments on eligibility and whether projects had received other funding. It was noted that successful applicants are required to provide quarterly progress reports and a completion report.

The following interests were declared relating to the applications:

- Councillor V Gulleford - Te Hā o Mātauranga and Kaikōura Historical Society Incorporated
- Councillor L Bond – Mayfair Arts & Culture and Moana Mark
- Councillor R Roche – Te Hā o Mātauranga and Te Whare Putea
- Councillor J Diver – Kaikōura Branch of NZ Red Cross
- Deputy Mayor J Howden – Kaikōura A&P Association
- Councillor K Heays - Takahanga Bowling Club
- Councillor T Blunt – Kaikōura A&P Association
- Mayor C Mackle – Lions Club of Kaikōura

It was agreed to workshop the criteria for next year's process; such as discuss capping the amount that can be requested through the Discretionary Grants Fund, and to discuss if any organisations should receive continued support through the annual plan (**ACTION**).

The Council considered eligibility based on the criteria, the importance of the community for each application and whether to fully fund to partially fund.

The following was agreed:

1 - Mayfair Arts & Culture Centre Te Whare Toi o Kaikōura

Agreed to support and partially fund \$15,000 noting the approval was only for one year, and not for three years as per the application.

It was noted that the Mayfair receives funding via other avenues and the OpShop support their events.

2 – Noriko Burra on behalf of Kaikōura Tennis

Not eligible as funding of \$25k has been allocated through the Better Off Fund for the project.

3 – Takahanga Bowling Club Inc

Agreed to support and partially fund \$4,000.

The Council discussed that insurance premiums would have increased due to the new turf and inflation.

4 - Kaikōura Bowling Club Inc

Agreed to support and partially fund \$2,500.

5 - Brooke Unger

Not eligible as supported through the Creative Communities grant and does not meet eligibility criteria of a not-for-profit organisation.

6 - Moana Mark

Agreed not to fund.

Noted that the application was for one student to conduct a survey on Sperm Whales.

7 - Kaikōura Croquet Club Inc

Agreed to support and partially fund \$1,500.

8 - Te Whare Putea Charitable Trust

Agreed not to fund.

Noted for feedback to the applicant that the budget didn't appear accurate, and the data was unclear making the application confusing to understand.

9 - Kaikōura Historical Society Incorporated

Agreed to support and partially fund \$22,500.

The Council discussed waiving rental for the Museum as the funding is effectively cost neutral but considering the impact this would have on rates, this was not approved. The Council did however agree to look at a targeted rate for next year's annual plan.

10 - Lions Club Kaikōura

Not eligible as funding has been allocated through the Better Off Fund to install lighting. The cost applied for will be covered by that funding.

11 - Kaikōura Miniature Rifle Club Inc

Agreed to support and partially fund \$2,000.

The Council noted that the heritage is internal artwork, and the facility can continue to run.

12 - Kaikōura Branch of New Zealand Red Cross

Agreed to support and fully fund \$3,500.

The Council noted that the applicant is funding half of the rental cost.

13 - Suburban Home and School Fundraising Parent Group

Not eligible as supported through the Community Initiatives grant.

14 - Kaikōura A&P Association

Agreed to support and partially fund \$5,000.

The Council noted that the Christchurch A&P show has been cancelled this year.

15 - Kaikōura Netball Centre

Agreed to support and partially fund \$1,500.

The Council discussed the gym hire fee and comment was raised that the High School shouldn't charge school aged children for the use of the gym. The Council recommended that the applicant apply to the George Low fund for equipment.

16 - Kaikōura Rugby Club – Takahanga Facility Project Team

Agreed to support and partially fund \$10,000.

The Council recommended that the applicant approach the OpShop to consider supporting.

17 - Tasman Regional Sports Trust

Agreed to support and partially fund \$17,500.

The Council noted that this may affect the FTE of the coordinator as is slightly under the requested amount. The Council continues to support providing office space.

18 - Kaikōura High School Alumni Working Group

Not eligible as supported through the Community Initiatives grant.

19 - Te Ha o Mātauranga

Agreed to support and fully fund \$10,000.

20 - Kaikōura Stage Craft

Not eligible as does not meet the eligibility criteria of a not-for-profit organisation.

The Council recommended that the applicants apply to the Creative Communities grant and ask the OpShop to consider supporting.

21 - Kaikōura Ocean Research Institute Inc (KORI)

Not eligible as supported through the Community Initiatives grant.

22 - Kaikōura Wildlife Centre Trust

Agreed to support and partially fund \$5,000.

The Council noted that the portacombs were going on ECan's land.

The Council agreed with the Chief Executive's decision not to waiver costs for resource consents or building consents as it's a user-pays service.

Overview of sectors supported:

Sports = \$39,000k

Heritage = \$27,500

Arts = \$18,500

Community = \$10,000

Environmental = \$5,000

RESOLUTION

That the Council

a) receives this report; and

b) reviews all applications received and agrees eligible grants for Financial Year 2024/25 up to an overall funding total of \$100,000.

Moved: Councillor T Blunt

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

Meeting adjourned at 12.18pm and reconvened at 12.50pm.

12. MATTERS FOR INFORMATION

12.1 Mayoral Verbal Update

The Mayors Taskforce for Jobs (MTFJ) have asked all councils to work on increasing the visibility of the organisation such as signage. Mayor C Mackle was involved with the Adventure Race which had over 800 entries. He is now on the High School Board and enjoying the new role.

12.2 Elected Member Verbal Updates

Councillor T Blunt

Councillor T Blunt attended his Daughter's barrister ceremony in Rotorua. He acknowledged Bin Kennedy for organising the Adventure Race and the use of her farm. It was suggested that the Council formally thank her (**ACTION**).

Councillor K Heays

Councillor K Heays has been involved with the Canterbury Joint Waste Committee and Regional Climate Change Partnership Plan. Included in the Agenda is a presentation from the Canterbury Joint Waste Committee. He also tabled to the meeting the draft Canterbury Regional Partnership Plan which will be presented to the Council by ECan at a workshop on 8th May.

Deputy Mayor J Howden

Deputy Mayor J Howden advised that Destination Kaikōura are in the middle of planning for the information centre (hub) and ensuring it is sustainable. The focus is on financial modelling without sales and being non-rate funded.

Councillor J Diver

Councillor J Diver noted that the PC4 hearings closed on Friday and decisions will be released within 15 days. The commissioner's report should be received by mid-May. He raised comments through the process as to whether the dark skies criteria met WorkSafe lighting requirements at the business park.

Councillor L Bond

Councillor L Bond attended the Long-Term Plan community consultation session at Kekerengu. Community Initiatives met this month and Destination Kaikōura celebrated their 10th year anniversary at the Sudima. She also attended the Ru Whenua Workshop Emergency Management on 26th April which ran scenarios of the Alpine Fault and emergency management activation for when it ruptures. The purpose of the exercise was to understand the risks and include them in local/regional scenario planning. The Chief Executive could circulate the link to the simulation if anyone was interested.

Councillor R Roche

Councillor R Roche attended the Networkers meeting. He was pleased the CSR he lodged was dealt with quickly by the team. Councillor R Roche was interested in looking further into the waste sector.

Councillor V Gulleford

The District Licensing Committee has processed 6 licenses: 2 on-licenses, 2 manager renewals and 2 new manager licenses. Councillor V Gulleford attended the meeting with the MTFJ and Mayor C Mackle. She also undertook the initial review of the Discretionary Grants applications.

12.3 CEO Monthly Report

The Dark Sky PC5 closed with 37 submissions. The Chief Executive congratulated the Building Team on the IANZ accreditation. It was noted that the Council's membership with LGNZ now includes Akona and recommends the elected members utilise it.

The Chief Executive is working with the H&S Committee on a process to start documenting incidents that involves abuse from the public towards staff, tenants and elected members.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

12.4 Audit Report to the Council for the year ending 30 June 2023

Council staff highlighted that the non-financial performance measures are progressing well. Audit fees are approximately 2% of the overall rates revenue. The Finance Team are working with PWC to include more automation in the process to reduce errors and allow more time for reviewing. The Rates Officer is reducing her hours, and a part-time role is being advertised to cover rates and finance administration.

RESOLUTION

That the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

12.5 Community Services Team Update Report

S Haberstock and A Moore (new Emergency Management Officer) joined the table. A Moore introduced herself. It was clarified that there is approximately \$19k budget available in emergency management. Councillor J Diver advised that he is storing equipment for the Red Cross that may need a new home. It was noted that 20 applications have been received for the Customer Services Officer role that closes on Friday 26th April. Te Whare Putea are working with MSD to prepare a robust report of housing data and are scheduled to workshop this with the Council in June.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

12.6 Planning Update Report

Council staff are looking into Starlink and the provisions the District Plan currently has for physical connections. It was clarified that under the District Plan, properties in the rural zone are not required to have power connected whereas it is a requirement in the township. The Planning Team will schedule a Spatial Plan workshop in the upcoming months. It was clarified that Wolfbrook had changed some of the building design and depending on the scale of changes they may need to re-notify.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

12.7 Building and Regulatory Update Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Deputy Mayor J Howden

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

12.8 Destination Kaikōura Quarterly Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

12.9 Wakatu Quay Quarterly Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor R Roche

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

12.10 Discretionary Grants Progress/Completion Reports

Councillor V Gulleford wrote 1 of the reports and abstained.

RESOLUTION

THAT the Council receives these reports for information.

Moved: Councillor L Bond

Seconded: Councillor R Roche

Abstain: Councillor V Gulleford

CARRIED UNANIMOUSLY

The Chief Executive advised that 35 submissions have been received to date on the Long-Term Plan 2024-2034.

13. 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 27 March 2024
- b) Harbour Financial Matters – verbal update
- c) Report from the Chair of the Finance, Audit & Risk Committee Public Excluded Session

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 27 March 2024	The minutes are being tabled for confirmation. They include commercially sensitive information relating to harbour financial matters, private information relating to the appointment of a commissioner on the District Licensing Committee and legal information on the status of the hot pools current lease.	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. Section (7)(2)(g) maintain legal professional privilege.
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)
Report from the Chair of the Finance, Audit & Risk Committee Public Excluded Session	The report contains commercially sensitive information on harbour financial matters.	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:

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 R Roche

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 1.52pm.
 The meeting moved out of the Public Excluded Session at 2.25pm.

14. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 2.25pm.

CONFIRMED _____ Chairperson
 Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

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

OPEN ACTION ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
1	<i>Carried Forward from previous Council:</i> Kaikōura Cycling Club		July 2024	Not received an update from Kaikōura Cycling Club.
	<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	
2	Arrange meeting with Local MP Office once New Government established – discuss Māori Wards, Freedom Camping funding, Audit costs	W Doughty / B Makin	Ongoing	Next meetings scheduled for 29 th April and 17 th June (in person).
3	Celebration with Governance Group when the detailed design is approved	W Doughty / B Makin	-	On hold – pending approval of detailed design.
4	Include monthly report on Better Off Funding	W Doughty	May 2024	To be provided in May Agenda
5	It was agreed to check if Council need to approve the Statement of Intent once the IWK Board have adopted it	P Kearney	May 2024	
6	P Kearney to provide formal feedback on the Draft SOI to IWK by 1 st May 2024	P Kearney	1 st May 2024	
7	Workshop Discretionary Grants process and criteria for next year	W Doughty / B Makin	June 2024	Scheduled for June workshop.
8	Thank you letter to Bin Kennedy re Adventure Race	W Doughty / B Makin	June 2024	

CLOSED ACTION ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
	<i>Carried Forward from previous Council:</i> KORI, Kaikōura Red Cross Branch		April 2024 July 2024	Completion reports tabled to April Meeting.
	<i>Quarterly Progress Reports from 1-Jul</i> Sports Tasman, Kaikōura Squash Club, A&P Association, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch		April 2024 July 2024	Completion reports tabled to April Meeting.

Report to:	Council
Date:	29 May 2024
Subject:	Detailed Design Approval for the Wakatu Quay project
Prepared by:	Chris Sturgeon – KMDP
Input sought from:	
Authorised by:	Will Doughty (Chief Executive Officer)

1. PURPOSE

This report seeks the Council’s approval to confirm the finalisation of detailed design for the Wakatu Quay hospitality building, civil infrastructure, and landscaping.

Attachment a) Detailed design overview presentation

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report.
- 2) Approves the completion of detailed design for the hospitality building on Wakatu Quay.
- 3) Approves the completion of detailed design for the onsite civil works for the Wakatu Quay site.
- 4) Approves the completion of detailed design for the landscape design on Wakatu Quay site.
- 5) Notes that detailed design for roading and parking will be subsequently presented to Council in June.
- 6) Notes that construction contracts will be presented to Council for approval before the commencement of onsite construction.

3. BACKGROUND & CONTEXT

The Kaikōura District Council (KDC) was granted \$10.88 million from the National Provincial Growth Fund (PGF), now known as Kanoa, a Division of the Ministry of Business & Innovation (MBIE) to fund the Kaikoura Marine Develop Programme (KMDP), the development of a key Kaikoura location at Wakatu Quay and the construction of a business case for the replacement of the South Bay Harbour. South Bay has been completed with a total of \$10.18 million available for development of Wakatu Quay.

The Council is the freehold owner of the land described as Wakatu Quay Land (being Lots 1,2 &3 DP5306) situated at Kaikōura.

The intended use of these funds is to design and construct development infrastructure, complete site master planning, develop the landscape environment, and assist in constructing facilities on the Wakatu Quay site.

The development of Wakatu Quay will contribute to delivering the joint Council and Kanoa objectives in the Kaikōura District:

- Enhance economic development opportunities.
- Create sustainable jobs.
- Boost social inclusion and participation.
- Build resilient communities.

The Council established the project group Kaikōura Marine Development Programme (KMDP) to project manage the Wakatu Quay development. An external Governance group was established to

oversee the project deliverables and outcomes.

The project has progressed as planned over recent months through concept, preliminary design and now with the completion of detailed design.

Prior to proceeding to the construction stage of the project including the lodging of building consent the project is seeking Council's approval of detailed designs.

4. DETAILED DESIGN COMPONENTS

Detailed Design is split into three key deliverables:

1. Building design & services, completed documentation of detailed plans for the hospitality building ready for building consent submission.
2. The onsite civil design for three waters, electrical and interaction with external to-site services. This design includes the required infrastructure for future-stage building design as included in the approved resource consent.
3. Landscape design for the 5000sqm across the three titles including the space surrounding the hospitality building.

4.1 Building Design & Services

Since the presentation of the 80% complete preliminary design to Councillors at the open workshop on 8th May, the main focus of the design team and architects has been on detailing every aspect of the building in the drawings including all doors, windows, toilet fixtures, guttering, roof safety systems, and entrances. A copy of the open workshop presentation is attached as an appendix to this report.

The changes of note since the completion of preliminary design to detailed design include:

1. Detail on cable tray, lights, ducts, and access panels including the colour of visible cable trays and exposed structural steel.
2. Architectural windows, fire exit thresholds & hardware specification for the window and door suite ensuring products are suitable for the environment and robust in nature for a commercial operation.
3. Extensive finer detailing of all designs and general coordination between building services.

The updated details between preliminary and detailed design have been presented and approved by the design steering and project governance groups.

KMDP submitted the preliminary design details to a local Kaikoura registered builder for their review on buildability within the Kaikoura area. The selected builder had previously advised they were not intending on bidding for the construction.

No significant issues were identified with the proposal. They identified some areas related to the unique design detail and suggestions for the project to focus on constructability, in order to manage financial risk.

Due to some complexity identified in the adjacent exterior waste and gas building, provisioning the final documentation for this area will only be completed in the first week of June, prior to submission for building consent. The complexity relates to the availability of HSNO (Hazardous Substances & New Organisms) resources within the crown agency EPA. The work still required to be completed is not considered a critical design component that will delay approval of detailed design.

4.2 Onsite Civil Design

The civil design includes all the underground services and renewal of existing electrical and water lines on the Wakatu Quay site. The scope of the civil design is all site requirements up to the hospitality building and includes continued services to the NIWA measuring station and all navigational aids.

Services as shown to Councillors earlier in the open workshop in May are delivered within a central multi services trench with future proofed branches to likely locations of future buildings.

Public power connections are included within the design for future presentations like festivals, public events and the like.

4.3 Landscape design.

The landscape design lays out the proposed intermediate stage public spaces. Care has been taken to consider likely future building on the site and location of seating, lighting etc to minimize future removal of redundant enhancements. The landscape design is modest and suggests using predominantly hardwood for seating and a combination of hardwearing local limestone and rock for public areas. Public space has been considered to provide ample space for free movement of the public and the future use of the site for events and gatherings. Planting has taken influence from the current Kaikoura coastline enhancements with slow-growing, minimal management native plantings. The site design includes the previously presented cultural artwork by Riki Manual. These installations are similar in style to the installations both north & south of Kaikoura.

It is planned that further conversation will occur with Councillors prior to construction of the landscape works which are anticipated around Spring 2025.

4.4 Rooding Design

Whilst not included in the scope of the site and building detailed design, wider rooding design is a key linked deliverable to the Wakatu Quay project. As agreed with MBIE the KMDP programme included the rooding and parking design to meet the resource consent. Detailed rooding design has been occurring in parallel and expected to be presented to Councillors in June. Implementation of rooding design is proposed to be handed to council managers for implementation. Road alteration would then become part of the KDC 2025 rooding deliverables funded via the Wakatu Quay project budget.

5. FINANCIAL IMPLICATIONS AND RISKS

External quantity surveying company WT Partnership has been working alongside the KMDP project team and interrogating costs at agreed points throughout the design process.

Jeremy Harris – WT Partnership outlined their concurrent process during Council’s recent open workshop. WT Partnership advice:

“The Wakatu Quay documentation for the building, civil infrastructure, and landscaping works as can be currently assessed appear to be within the current advised project budget allocation. Based on the information provided to date there are no apparent significant issues excluding normal market volatility which have been currently identified that would suggest a cost increase outside of current project financial allowances.

Cost surety will be further refined upon release & return of market tender documents for the building construction and civil works. RFT release is proposed for June, post-Council approval of detailed design. Contract approvals remain with the Council for ultimate approval prior to the commencement of onsite construction.

6. SIGNIFICANCE AND ENGAGEMENT POLICY

The Wakatu Quay project is considered a significant development and the Council's financial commitment was subject to a special consultative process in September 2023.

The project has been actively included in the 2024-2034 Long Term plan and contribution has been allowed for in the current budget forecasts.

The Council has previously considered and endorsed the continuation of the project under its significant and engagement policy.

7. FURTHER INFORMATION

No additional information is pertinent currently.

8. RELEVANT LEGISLATION

8.1 Policy and Legislation

NIL

9. COMMUNITY OUTCOMES SUPPORTED



Community

We communicate, engage, and inform our community.



Development

We promote and support the development of our economy.



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose.



Environment

We value and protect our environment.



Future

We work with our community and our partners to create a better place for future generations.



Wakatu Quay Development

Council Workshop

Wednesday 8th May 2024



KAIKŌURA MARINE
DEVELOPMENT
PROGRAMME

Purpose

- Update Councillors on the Building, Landscape & Civil Detailed Design process
- To gather feedback, concerns and areas requiring clarification prior to drawings completion at the end of May
- Preparation for Council approval of design at the end of May

Process to date



Approach

We will cover:

- Recap on Scope & Design overview
- Building Design
- Landscape Design
- Construction Registration of Interest process and next steps
- Programme timeline
- Next Steps

Scope Recap

Stage 1

Building Detail

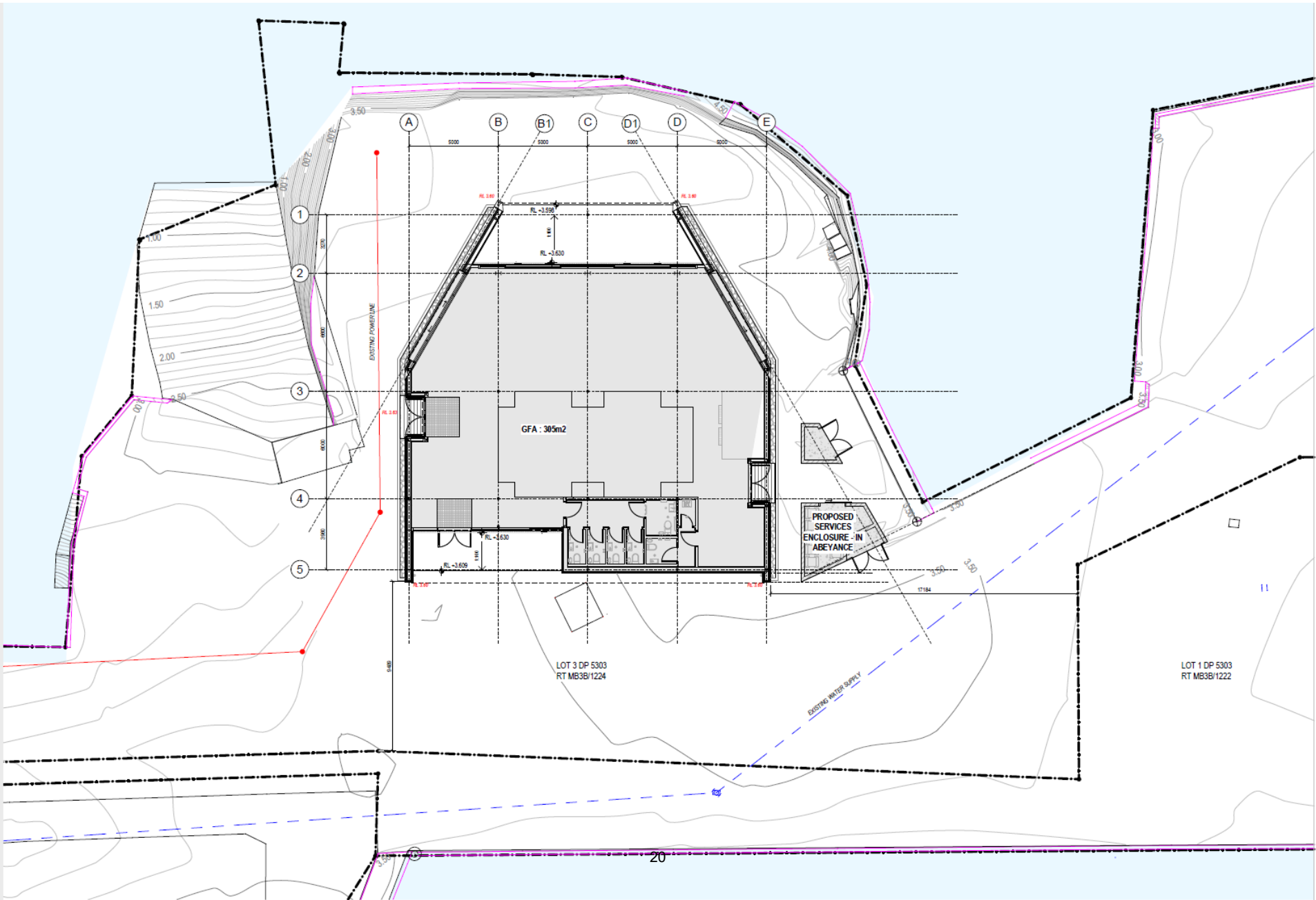
- Base Build 303sqm Building + Exterior 180sqm
- Adjoining waste and services building 21sqm
- Restaurant operational design to seat 100/30+ (Int/Ext)
- All services provided to building from Civil infrastructure upgrade.

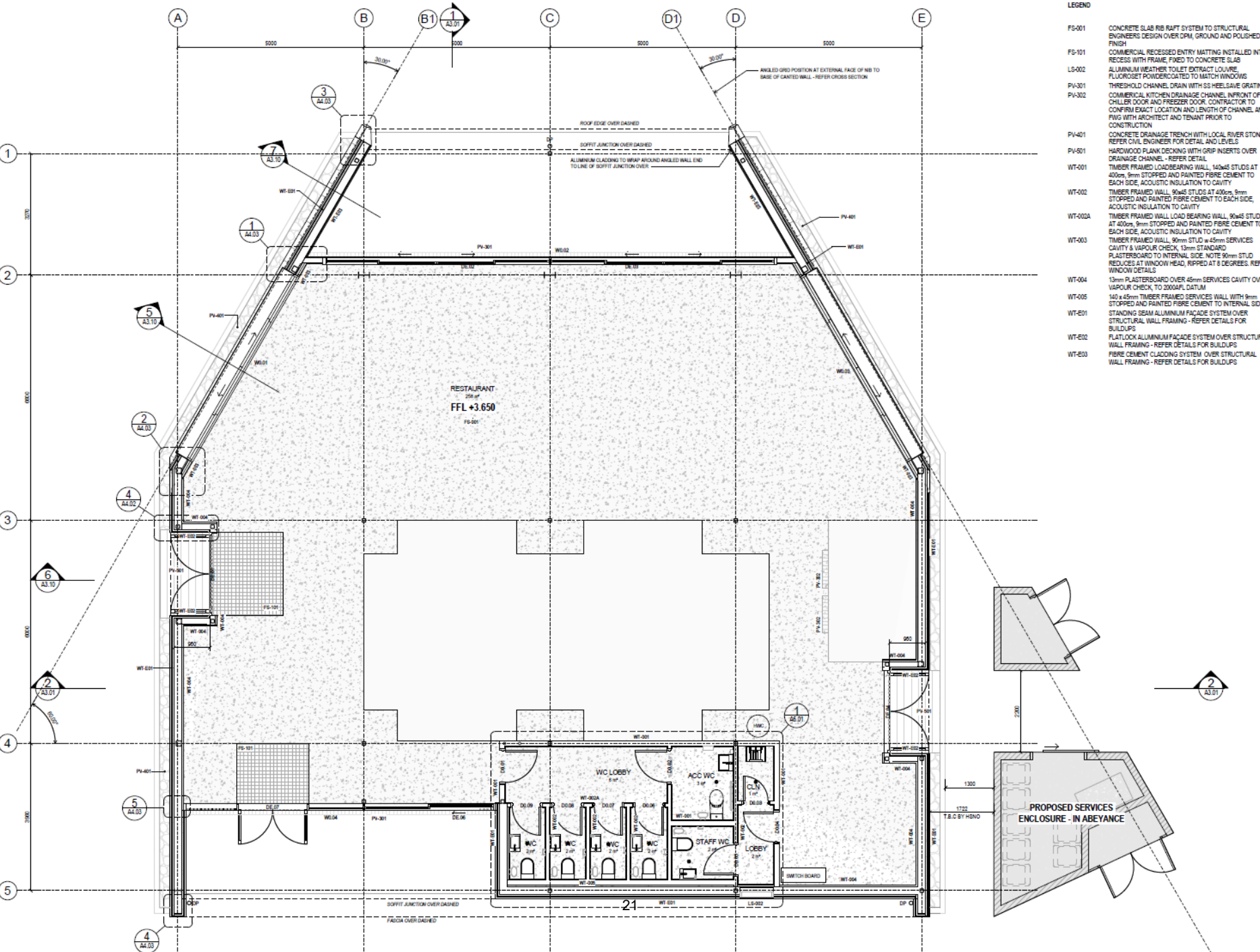
Property

- Public Space – Revitalization of the area- Preparation for subsequent builds
- Consideration for movement of the general public
- Working Wharf – Access for fishing vehicles (3) to be maintained
- Roading Upgrade – transferred to Council managers for implementation

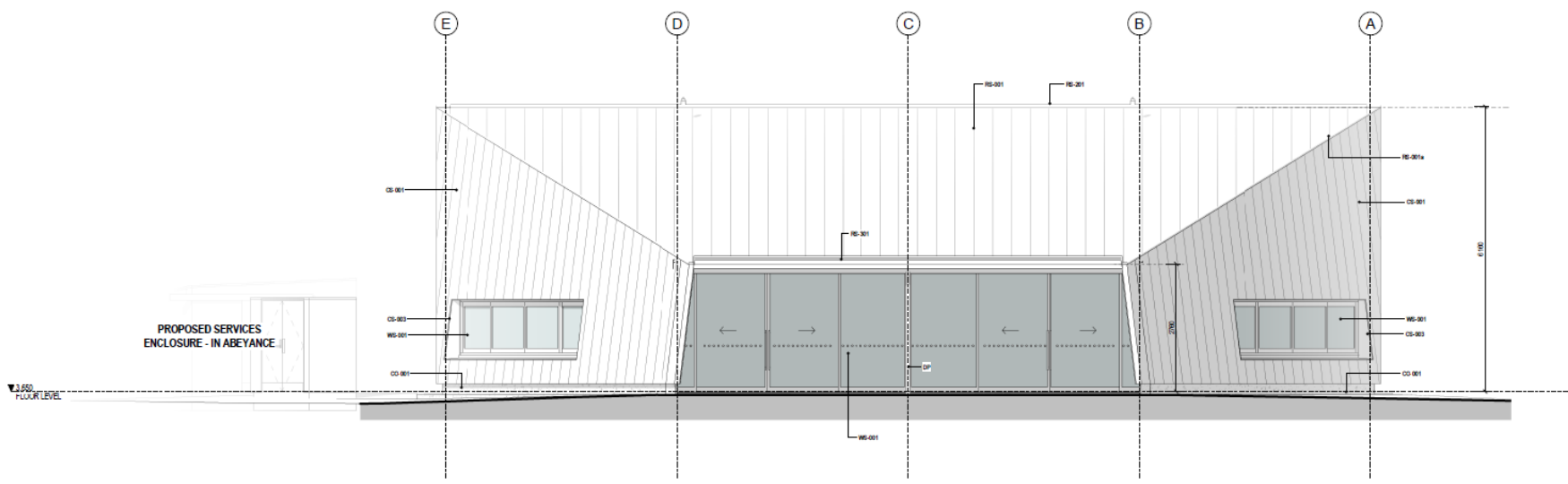


Site Overview



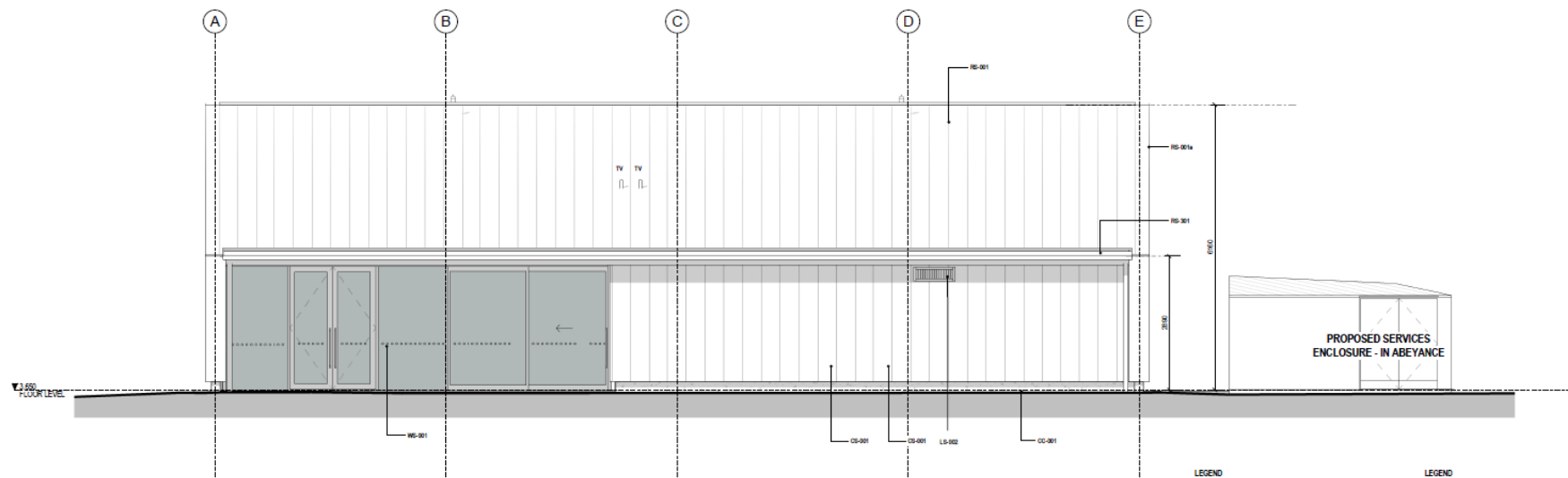


- LEGEND**
- FS-001 CONCRETE SLAB RIB RAFT SYSTEM TO STRUCTURAL ENGINEERS DESIGN OVER DPM, GROUND AND POLISHED US FINISH
 - FG-101 COMMERCIAL RECESSED ENTRY MATTING INSTALLED INTO RECESS WITH FRAME, FIXED TO CONCRETE SLAB
 - LS-002 ALUMINUM WEATHER TOILET EXTRACT LOUVER, FLUOROSET POWDERCOATED TO MATCH WINDOWS
 - PV-301 THRESHOLD CHANNEL DRAIN WITH SS HEEL/SAVE GRATING
 - PV-302 COMMERCIAL KITCHEN DRAINAGE CHANNEL, IN FRONT OF CHILLER DOOR AND FREEZER DOOR. CONTRACTOR TO CONFIRM EXACT LOCATION AND LENGTH OF CHANNEL, AND FINISH WITH ARCHITECT AND TENANT PRIOR TO CONSTRUCTION
 - PV-401 CONCRETE DRAINAGE TRENCH WITH LOCAL RIVER STONES, REFER CIVIL ENGINEER FOR DETAIL AND LEVELS
 - PV-501 HARDWOOD PLANK DECKING WITH GRIP INSERTS OVER DRAINAGE CHANNEL - REFER DETAIL
 - WT-001 TIMBER FRAMED LOAD BEARING WALL, 140x45 STUDS AT 400cs, 9mm STOPPED AND PAINTED FIBRE CEMENT TO EACH SIDE, ACOUSTIC INSULATION TO CAVITY
 - WT-002 TIMBER FRAMED WALL, 90x45 STUDS AT 400cs, 9mm STOPPED AND PAINTED FIBRE CEMENT TO EACH SIDE, ACOUSTIC INSULATION TO CAVITY
 - WT-002A TIMBER FRAMED WALL LOAD BEARING WALL, 90x45 STUDS AT 400cs, 9mm STOPPED AND PAINTED FIBRE CEMENT TO EACH SIDE, ACOUSTIC INSULATION TO CAVITY
 - WT-003 TIMBER FRAMED WALL, 90mm STUD w/45mm SERVICES CAVITY & VAPOUR CHECK, 13mm STANCOUR PLASTERBOARD TO INTERNAL SIDE. NOTE 90mm STUD REDUCES AT WINDOW HEAD, RIPPED AT 8 DEGREES. REFER WINDOW DETAILS
 - WT-004 13mm PLASTERBOARD OVER 45mm SERVICES CAVITY OVER VAPOUR CHECK, TO 2000AF DATUM
 - WT-005 140 x 45mm TIMBER FRAMED SERVICES WALL WITH 9mm STOPPED AND PAINTED FIBRE CEMENT TO INTERNAL SIDE
 - WT-E01 STANDING SEAM ALUMINUM FAÇADE SYSTEM OVER STRUCTURAL WALL FRAMING - REFER DETAILS FOR BUILDUPS
 - WT-E02 FLAT LOCK ALUMINUM FAÇADE SYSTEM OVER STRUCTURAL WALL FRAMING - REFER DETAILS FOR BUILDUPS
 - WT-E03 FIBRE CEMENT CLADDING SYSTEM OVER STRUCTURAL WALL FRAMING - REFER DETAILS FOR BUILDUPS



NORTH ELEVATION

1:50



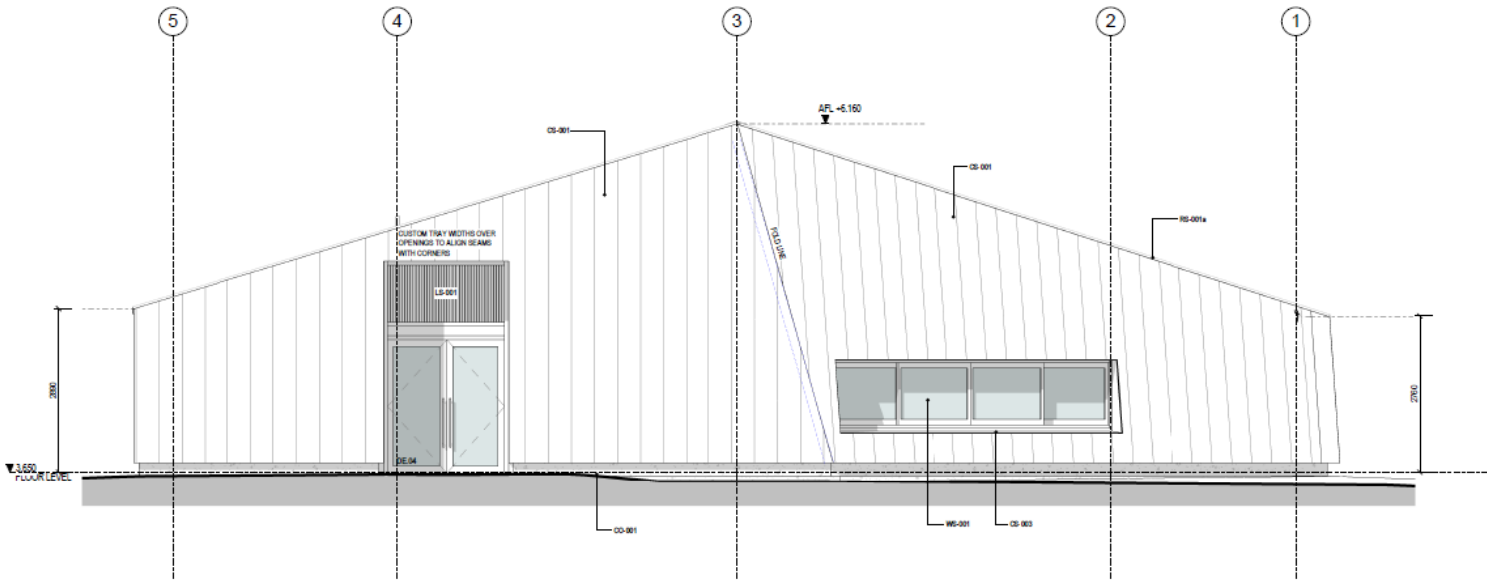
SOUTH ELEVATION

1:50

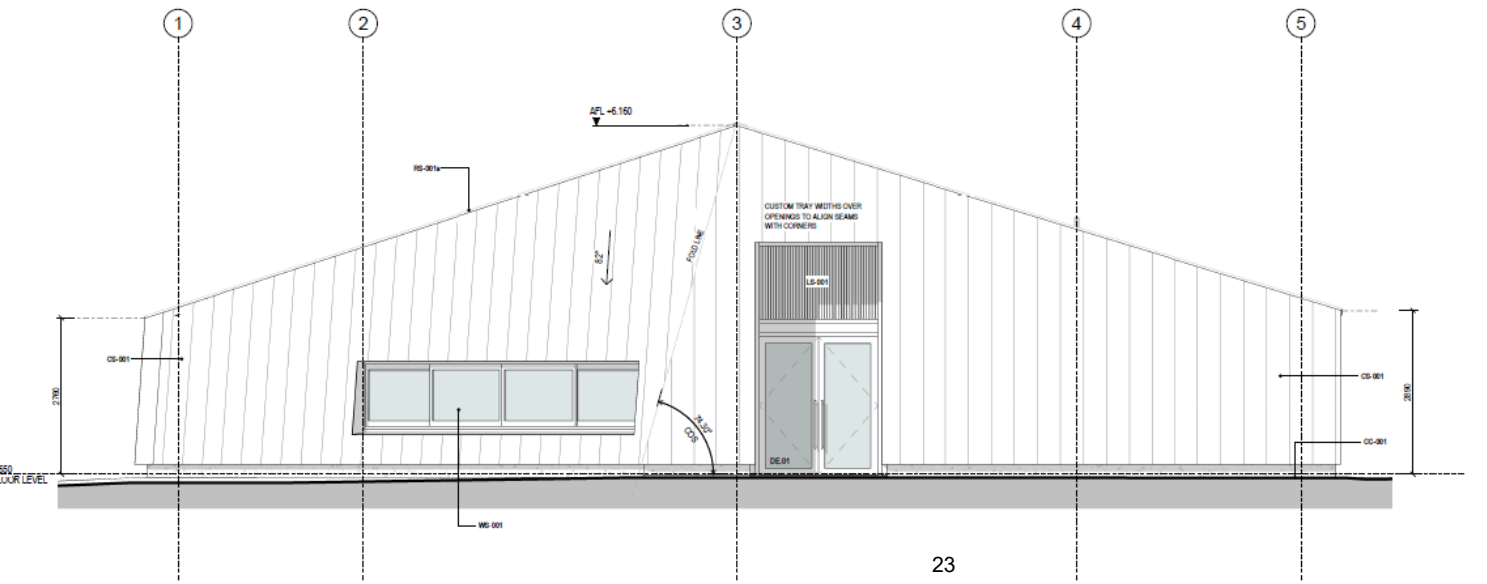
LEGEND		LEGEND	
CO-001	CONCRETE NIB TO PERIMETER OF BUILDING WITH CLEAR MATT SEALER, R3 FINISH	TV	TERMINAL VENT WITH DEKITE PIPE FLASHING AND CUSTOM SHROUD
CS-001	STANDING SEAM ALUMINUM CLADDING SYSTEM, RAW MILL FINISH	WS-001	COMMERCIAL WINDOW SYSTEM, DOUBLE GLAZED WITH THERMALLY BROKEN FRAMES, POWDERCOAT FINISH
CS-003	ALUMINUM WINDOW REVEAL TO MATCH CLADDING		
DP	100mm RAW ALUMINUM DOWNPIPES TO MATCH CLADDING		
LS-002	ALUMINUM WEATHER TOILET EXTRACT LOUVER, FLUOROPOLYESTER POWDERCOATED TO MATCH WINDOWS		
RS-001	SEAMED ALUMINUM ROOFING SYSTEM, RAW MILL FINISH		
RS-001a	NOTE: SEAMED EDGES TO ALL ROOF AND WALL JUNCTION, NOT BARGE FLASHING		
RS-201	VENTILATED RIDGE FLASHING - RAW ALUMINUM TO MATCH ROOFING		
RS-301	3mm CUSTOM FOLDED ALUMINUM FASCIA WITH INTERNAL SUPPORT FRAME, FINISH TO MATCH ROOF AND WALL CLADDING		

LEGEND

- CO-001 CONCRETE NB TO PERIMETER OF BUILDING WITH CLEAR MATT SEALER, F5 FINISH
- CS-001 STANDING SEAM ALUMINUM CLADDING SYSTEM, RAW MILL FINISH
- CS-003 ALUMINUM WINDOW REVEAL TO MATCH CLADDING
- LS-001 ALUMINUM WEATHER LOUVRE, FLUOROSET POWDERCOATED TO MATCH WINDOWS
- RS-001a NOTE: SEAMED EDGES TO ALL ROOF AND WALL JUNCTION; NOT SARGE FLASHING
- WS-001 COMMERCIAL WINDOW SYSTEM, DOUBLE GLAZED WITH THERMALLY BROKEN FRAMES, POWDERCOAT FINISH

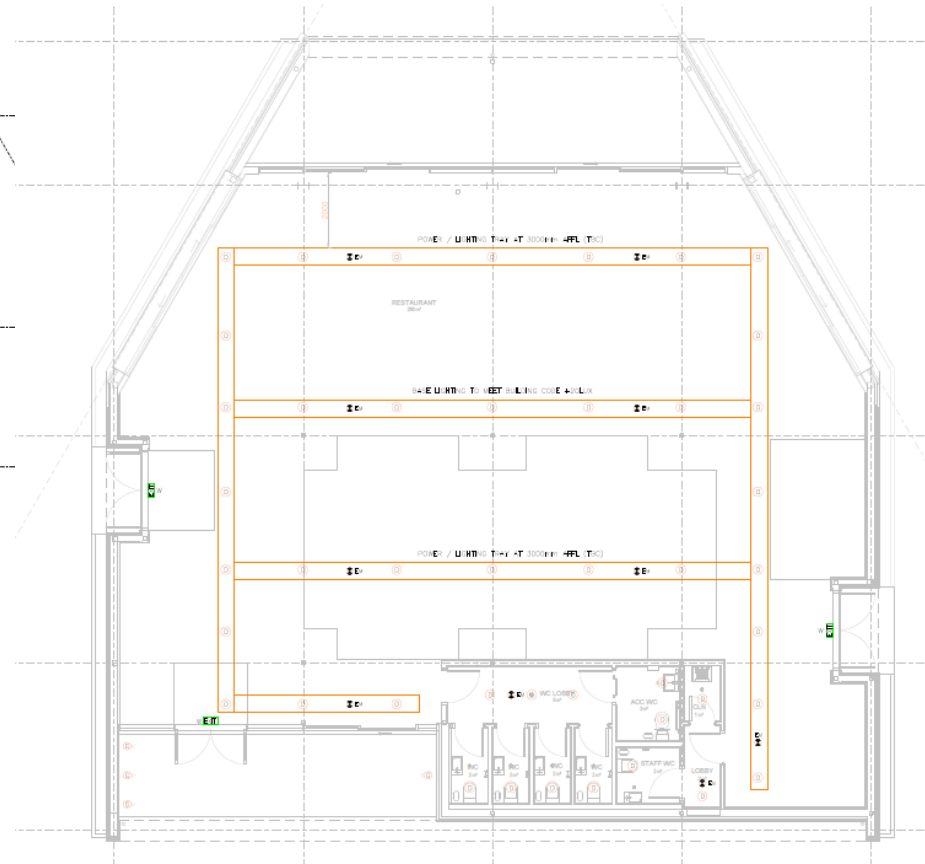
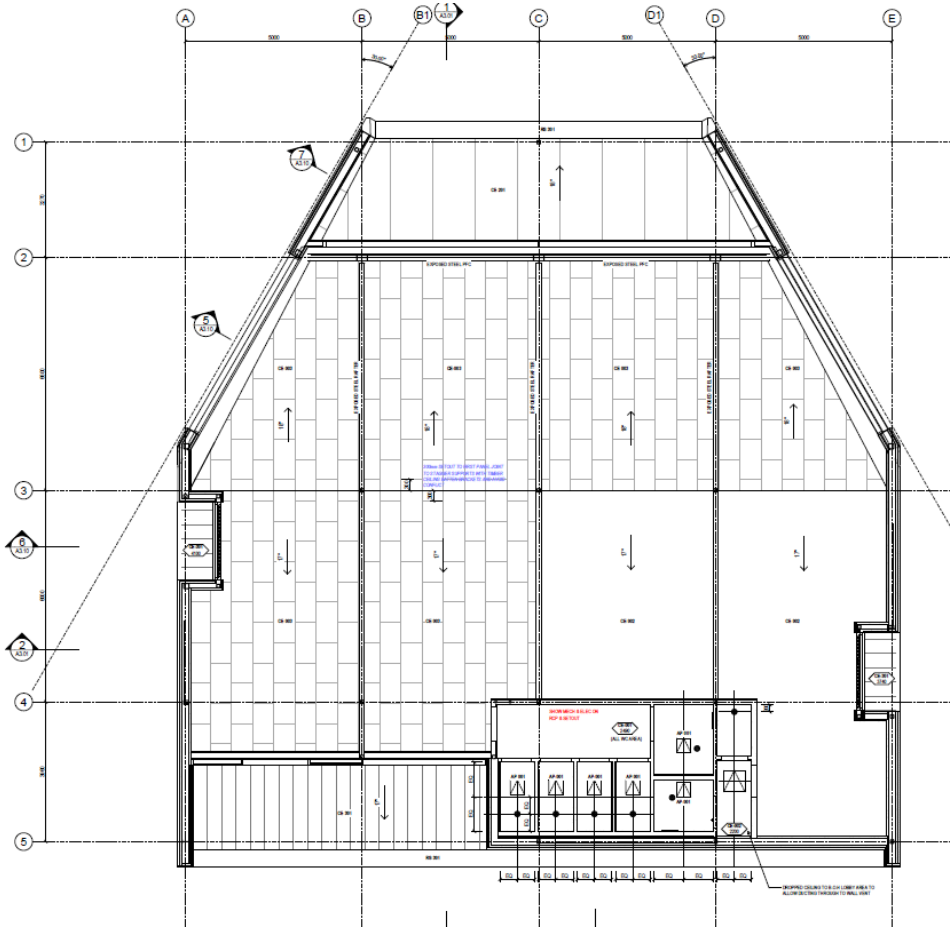


EAST ELEVATION
1:50



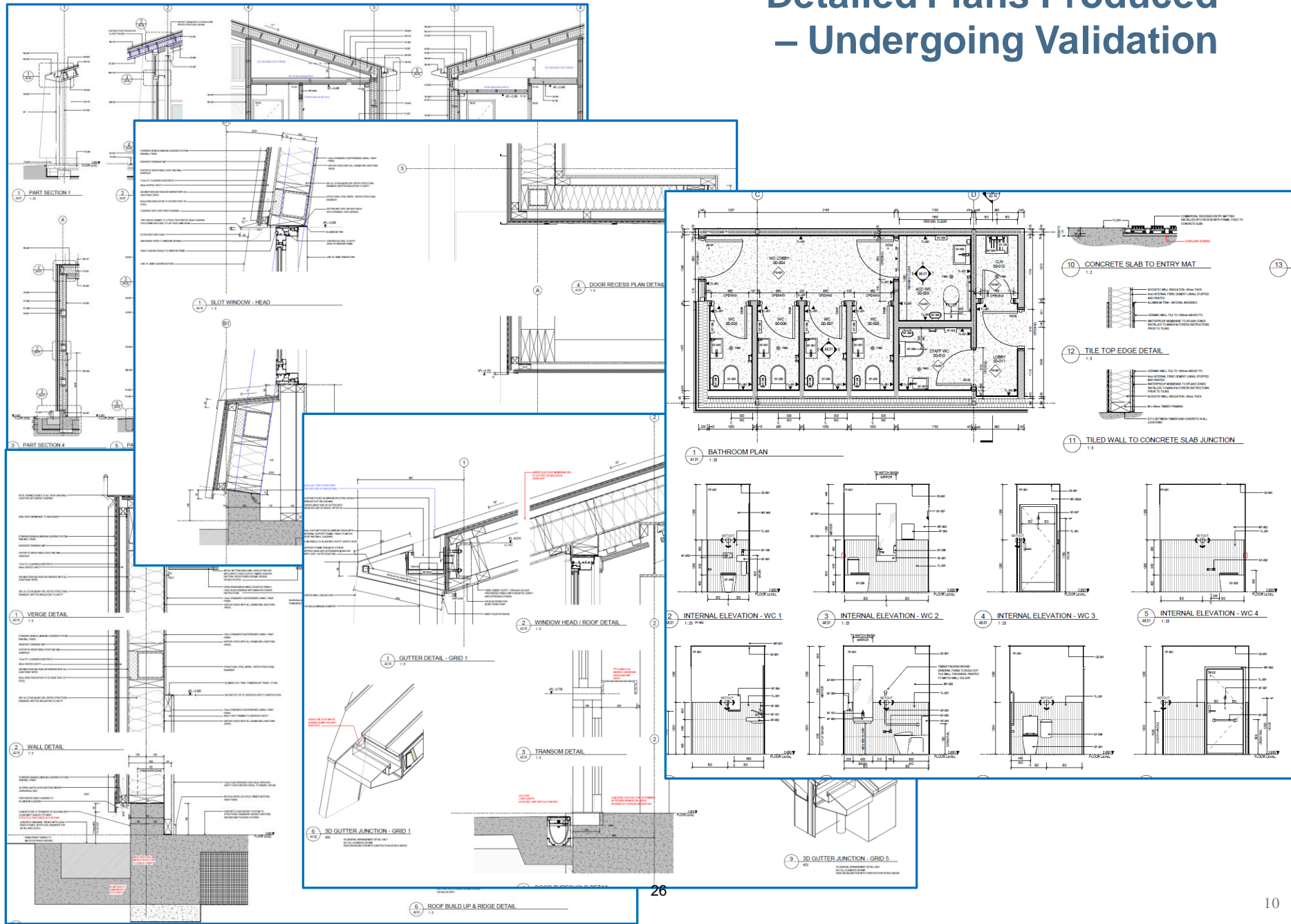
WEST ELEVATION
1:50

Internal Ceiling Plan + Electricity





Detailed Plans Produced – Undergoing Validation



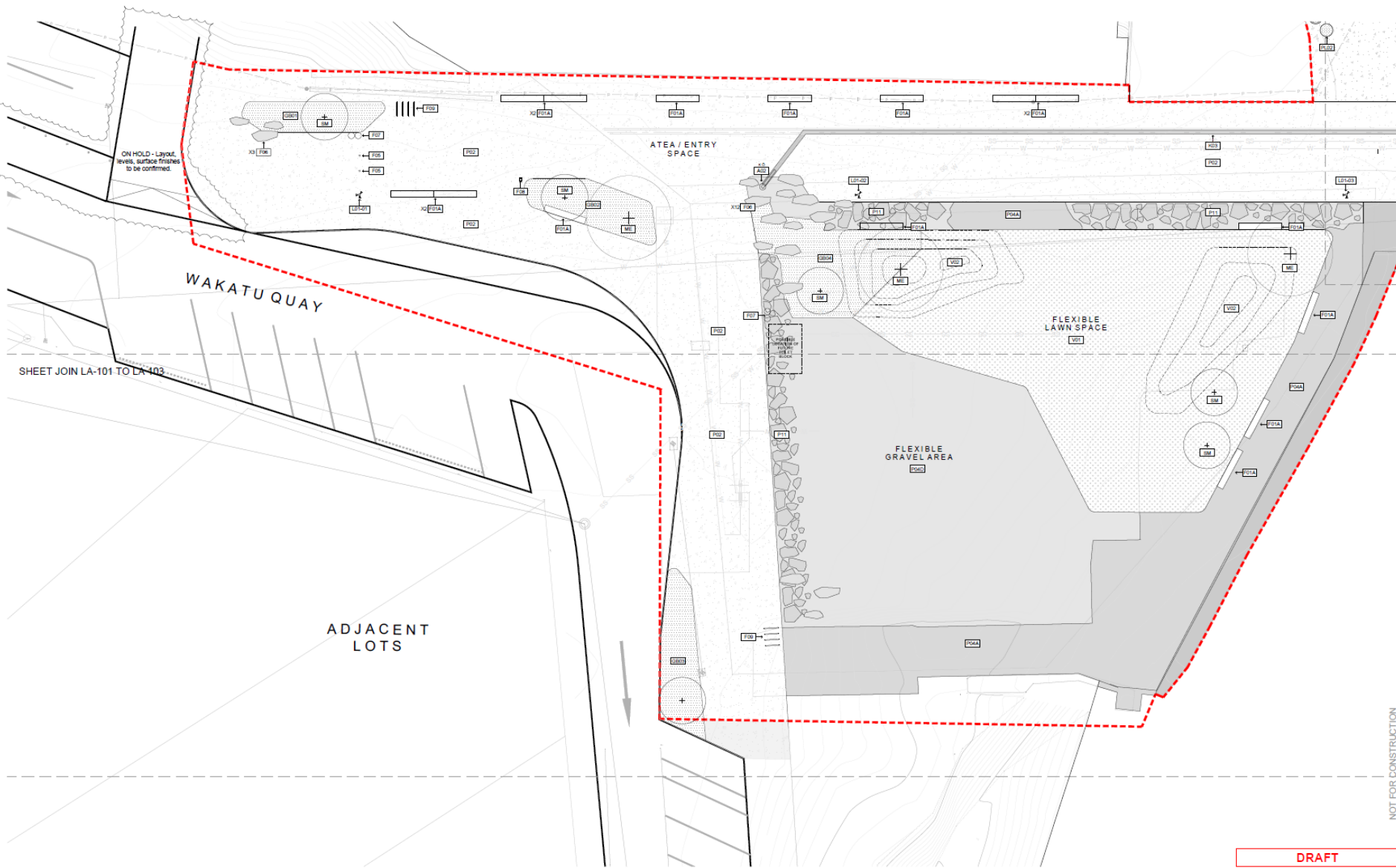
Landscape Plan Overview



Landscape Plan – Looking East



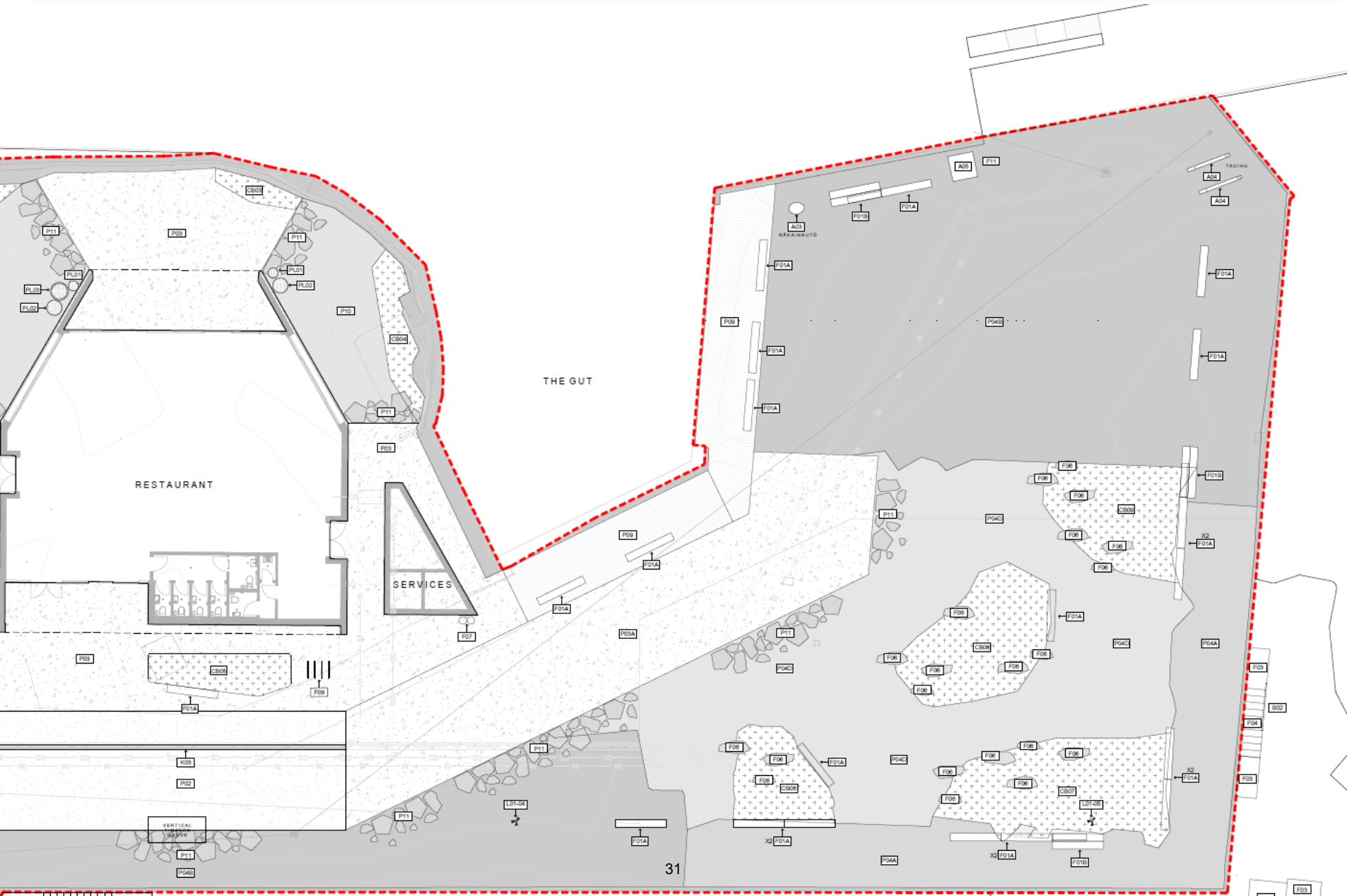
Landscape - Entrance



Building Exterior & Landscaping



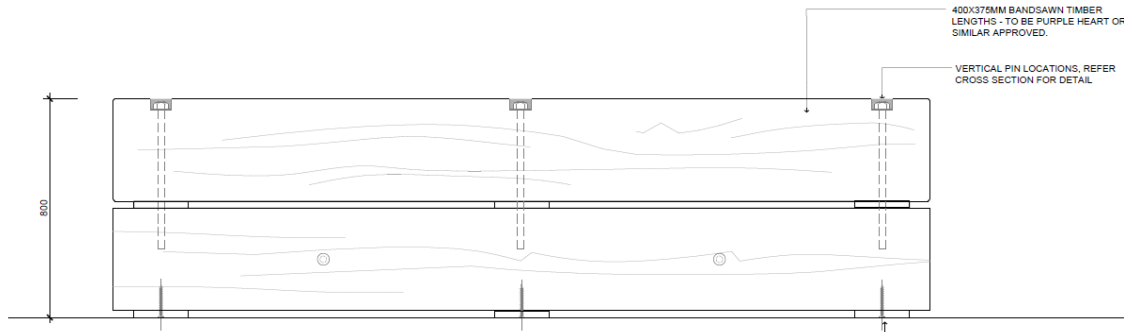
Landscape – Wharf End



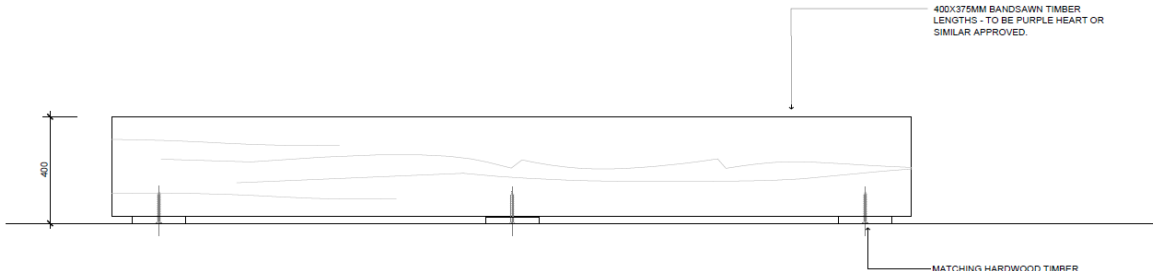
Landscaping Overview – Looking West



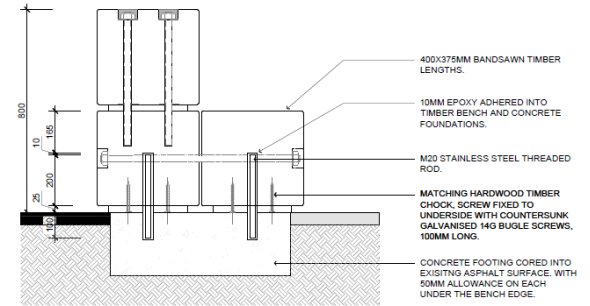
Landscape – Benches & Services



02 F01B BENCH DETAIL - ELEVATION
1:20 (A3)

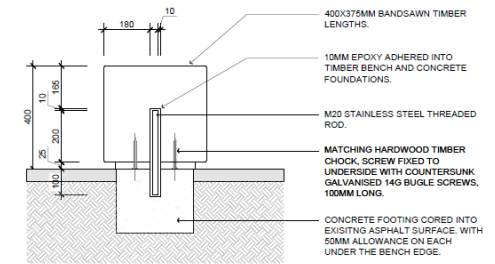


02 F01A BENCH DETAIL - ELEVATION
1:20 (A3)

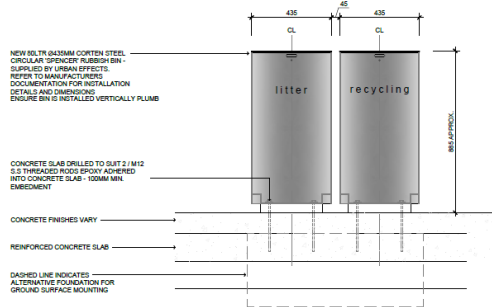


05 F01B BENCH FOUNDATIONS INTO EXISTING ASPHALT
1:20 (A3)

DRAFT

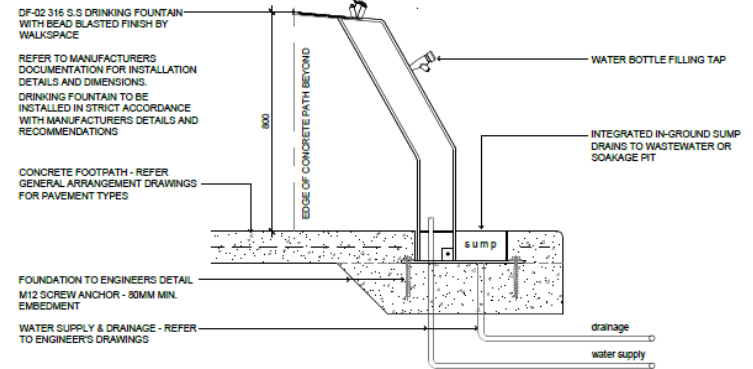


05 F01A BENCH FOUNDATION INTO EXISTING ASPHALT
1:20 (A3)



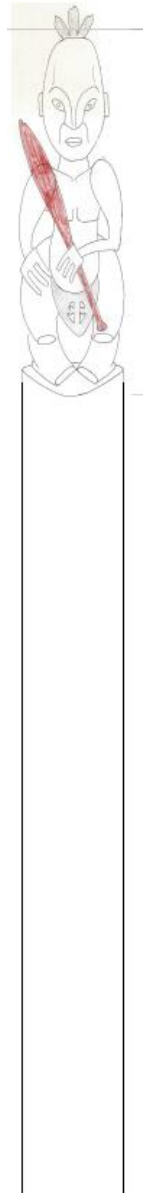
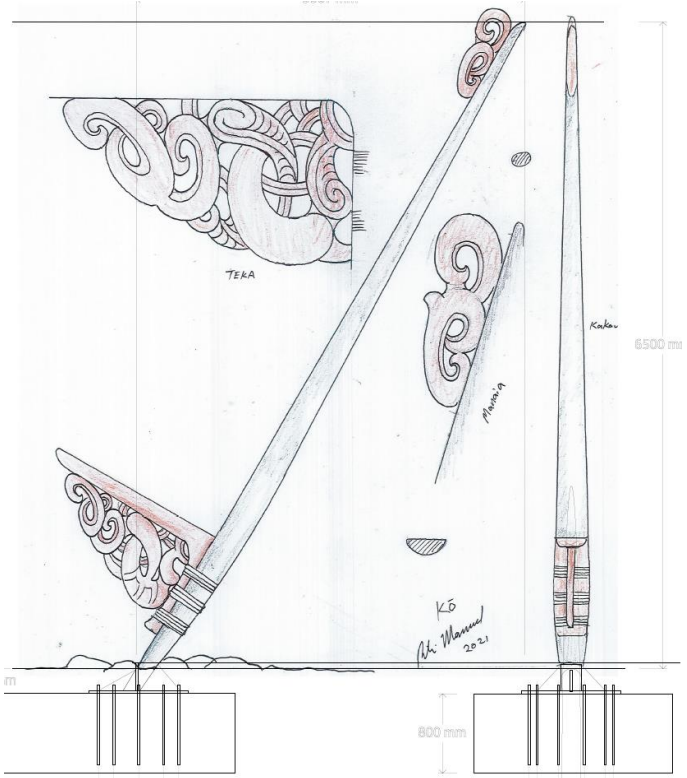
01A SPENCER RUBBISH BIN IMAGE

01 F07 DOUBLE RUBBISH BIN
1:20 @ A3



03 F08 DRINKING FOUNTAIN
1:20 @ A3

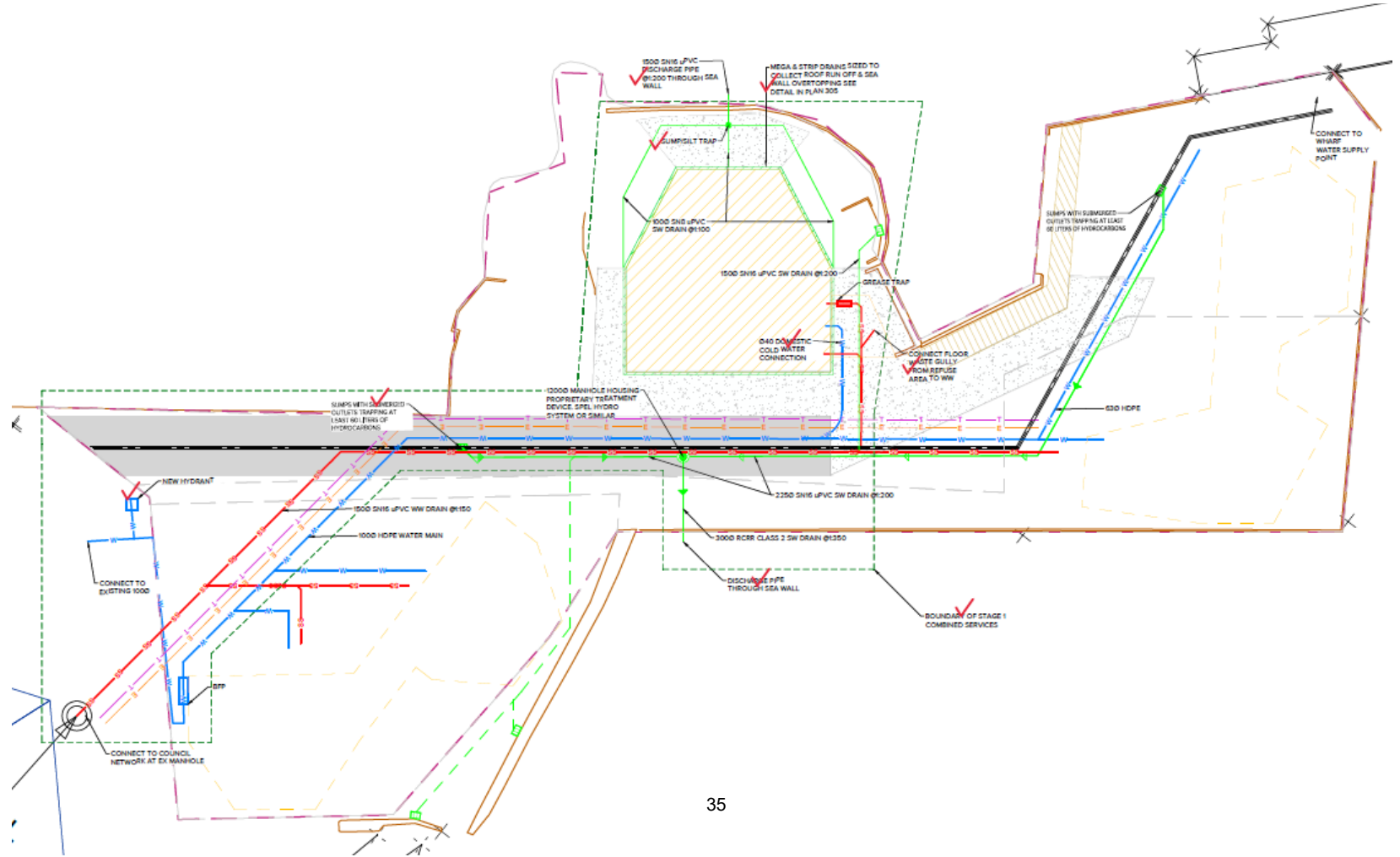
Landscape – Art Installation



Civil Construction Build Technical Design Specifications

Key Points

- Core Master Services trench across site with branches to future anticipated building locations and connections to public spaces.
- Connections to existing civil services adjoining sites
- Site preparation for landscaped enhancements



Professional Oversight

Quantity Surveyor

- WT Partnership have been alongside the project since the beginning
- Account team: Jeremy Harris & Luke Donnelly (Director)



Construction Registration of Interest (ROI) & RFT Process

Finding Construction Contractors is a 2-step process

1. Invitation issued to contractors on GETS to register interest for either building, civil infrastructure works or both

- Using Government procurement website GETS
- The ROI opened on GETS on 15 April and closes 10 May
- Two contractor briefings held: one in Kaikoura attended by 11 locals, and one in Chch attended by representatives from 8 construction companies

Evaluation Panel
Review & Shortlist
23/05/24

2. Request for Proposal/Tender (RFP/RFT) issued to shortlisted contractors

- The RFT/RFP will open on 4 June and close 01 July

Evaluation Panel
Identify
preferred construction
partner(s)

3. Contract negotiations with preferred construction partner(s)

- 15 July – 31 July 2024
- Award contract end of July
- Construction (In stages) to be agreed start August/September 2024

Next Steps

May

- Feedback taken from Councillors and Governance Group fed back into the design process
- Modifications made as required and Design team proceed to completion
- Production of final drawings 22nd May ready for presentation to Council for approval

June

- Preparation & Submission of building consents
- Building & Civil Construction procurement

Report to:	COUNCIL
Date:	29 May 2024
Subject:	Unformed Road Management Guidelines
Prepared by:	Dave Clibbery – Senior Manager Operations
Input sought from:	
Authorised by:	Will Doughty

1. SUMMARY

A set of guidelines (attached) is proposed for the management of the unformed legal roads in the district.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report.
- 2) Adopt the attached guidelines for Management of Unformed Legal Roads, subject to any amendments desired by Council.

3. BACKGROUND

There is a substantial amount of unformed legal ‘paper’ roads in the district, with which a range of issues can be associated, but there is currently little guidance available to Council staff in respect of how these issues should be managed.

At Council’s meeting of 29 March 2024, a proposed approach to the management encroachments or occupations of road reserve by private buildings was presented which Council approved, but it was also agreed that Council staff would prepare a more comprehensive guideline or policy document on the management of unformed legal roads in draft form for future consideration by Council. Such a draft is attached to this report.

This document – ‘Guidelines for Management of Unformed Legal Roads’ – is based upon a similar document prepared by Auckland Council, the core principles of which are understood to have also been followed by a number of other local authorities.

Some changes have been made to the Auckland document to reflect the very different nature of the Kaikōura District, in particular a lesser focus on the need for formal approvals of common pre-existing activities, such as grazing of unformed roads.

The intent of the guidelines is primarily to ensure that new activities on unformed roads are appropriately and consistently managed, rather than attempting to revisit existing arrangements. Whilst it is stressed that what is presented is a guideline rather than a legally binding document, much of the content does reflect statutory provisions, and as such relatively little deviation from the guidelines would be expected to occur.

4. FINANCIAL IMPLICATIONS AND RISKS

Having such guidelines will assist Council staff to manage issues associated with unformed roads in a fair and consistent manner.

No significant financial implications or risks are believed to be associated with the adoption of the proposed guidelines.

5. RELEVANT LEGISLATION & DELEGATED AUTHORITY

A number of statutory provisions are relevant to the management unformed legal roads, which are listed in section 4 of the guidelines, with the provisions of Part 21 of the Local Government Act 1974 being the most significant of these.

6. COMMUNITY OUTCOMES

The issue discussed in this report relates to the following community outcomes:



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations



Guidelines for Management of Unformed Legal Roads

May 2024

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1.0 Purpose and Objectives

The purpose of this document is to provide guiding principles to inform Kaikoura District Council (KDC) operational staff when responding to common issues arising from the use of unformed legal roads. KDC has created this document in order to achieve a consistent best practice approach to the management of unformed legal roads. It also provides guidance to the public on use of unformed legal roads.

KDC as a Road Controlling Authority is responsible for the management of roads within the Kaikoura district. This document sets out KDC's principles in relation to the control and management of unformed legal roads under the following headings:

- public right of passage
- adjoining landholders
- encroachments
- repairs and maintenance including weed control
- protection of unformed road surface
- public information and signage
- use by motor vehicles and recreational users
- livestock including cattlestops, fences and swing gates
- forestry and horticulture
- stopping or forming roads

2.0 Unformed Legal Roads – What are they?

An unformed road is as much a legal road as the formed roads that make up our public road network.

Unformed legal roads may only be recorded on survey plans and not always readily identifiable on the ground (which is why they are often referred to as “paper roads”). Most have never been developed due to there being no access requirements, impractical topography, lack of funding priority or unsuitable environmental conditions.

Ownership lies with either a territorial authority or the Crown. Road Controlling Authority powers are exercisable over them in the same way as other roads. This means that in the Kaikoura district, unformed legal roads are under the control of KDC. Unformed legal roads are an important component of the transport and recreation network. For a full definition see section 9, Definitions.

Most unformed legal roads were established during the early days of settlement, particularly, in the period of provincial government (1854 to 1876). Before Crown land was sold, land was set aside as roads to ensure public access would be available once the land was developed. Roads were shown on survey plans, but not frequently built or used.

Unformed legal roads have the same status as any other legal road. Road rules apply, the public has the same right to use them and the adjoining landowners are obliged to respect public use. Utility Service Providers have the same rights to use unformed legal roads for their infrastructure that they have with regard to formed roads.

3.0 Guiding Principles

This document outlines KDC's approach to the use and administration of unformed legal roads in the Kaikoura region, based on the following five principles:

- **Public right of passage** – The public has the right of passage over any unformed legal road under common law, but care must be taken to not cause damage to the surface of the unformed road or trespass onto adjoining private property.
- **Adjoining private property rights** – Adjoining landowners have frontager rights to access the unformed legal road at any point along the length of their property boundary. Within their private property, landowners have a desire for privacy and to not have their property stolen, damaged or stock distressed or endangered by the public users of unformed legal roads.
- **No right of occupation** – Adjoining landholders have no formal right to occupy any unformed legal road and may not impede the use of them by others in any way without written permission from KDC.
- **No maintenance or construction obligation** – KDC is under no obligation to maintain or construct unformed legal roads.
- **Environmental protection and road user safety measures** – KDC has the right to restrict traffic movements on unformed legal roads for the purpose of protecting the environment, the road and adjoining land and the safety of road users.

4.0 Statutory Provisions

Statutory provisions for the use of legal roads (including unformed legal roads) include:

- **Local Government Act 1974 (Part 21)** – Part 21 contains much of the regulatory regime that applies to roads.
- **Impounding Act 1955** – Provides for the impounding of livestock on roads.
- **Public Works Act 1981** – Provides for issuing licenses for occupation of roads and allows for the stopping of roads by Ministerial decision.
- **Gates and Cattlestops Order 1955** – Prescribes the form and construction requirements for certain types of gates and cattlestops which have been authorised to be placed across roads.
- **Land Transport Act 1998** – Governs the control and use of roads and allows for the making of bylaws and the rules for traffic behaviour on roads.
- **Land Transport Road User Rule 2004** – Sets the requirements for the use of roads.
- **Summary of Offences Act 1981 (s 22)** – Makes it an offence to obstruct a public way.
- **Marine and Coastal Area (Takutai Moana) Act 2011** – will stop unformed legal roads on the foreshore not already stopped under the previous Foreshore and Seabed Act 2004 if they are not in the process of being formed. The relevant land becomes public foreshore. The landward margin of the stopped road remains the boundary of the adjoining land.
- **Walking Access Act 2008** – Established the New Zealand Walking Access Commission to safeguard and enhance opportunities for public walking access to the great outdoors, while respecting private landholders' rights and property.
- **Reserves Act 1977** – Covers the offence of damage caused by lighting a fire on any land including a public road.

- **Trespass Act 1980** – Under the Trespass Act, a criminal offence of trespass is committed by a person who, after being warned to leave by the occupier of private land, neglects or refuses to do so. Section 8 of the act also contains requirements regarding ensuring that gates are left as they were found.
- **Dog Control Act 1996** – Enables KDC to make dog access rules on any public place in a bylaw.

5.0 Management of Kaikoura District Council unformed legal roads

5.1 Public right of passage along unformed roads

Public users have rights of free passage on unformed legal roads as they do with public formed roads. However, unlike formed roads, unformed roads may in places not be traversable due to the condition of the surface (e.g. mud, wet grass, sand, boulders, water hazards etc.), unsuitable terrain (cliffs, ditches) dense vegetation and other natural obstructions.

Rights of free passage must also be balanced against potential damage to the environment and KDC has the right to restrict vehicle movements on unformed legal roads for the purpose of protecting the environment or the public.

KDC Principles:

- KDC acknowledges the public has free right of passage along any unformed legal road.
- KDC has no obligation to form or improve unformed roads to enhance access conditions for users.
- KDC assumes no liability for the condition of any unformed legal road or the suitability of any unauthorised activity carried out on any unformed legal road.
- Road users must accept the condition of the road as they find it. They should take proper care of the environment and must not cause damage or modify the surface of the unformed road.
- Road users must not trespass onto adjoining property. They must not endanger or cause distress to any adjoining landholders' livestock or damage any property. This includes stock and property that may have lawful authority to be on the unformed road.
- KDC recommends the New Zealand Outdoor Access Code, produced by the New Zealand Walking and Access Commission, for users of unformed roads.
- KDC may temporarily restrict access to unformed legal roads under certain conditions including public safety and protection of the environment.

5.2 Identifying Unformed Roads

One of the common challenges for the public accessing unformed roads is the difficulty of correctly identifying the boundaries of the unformed road and inadvertently accessing adjoining private land. Often, the unformed roads do not follow terrain based access routes and natural obstacles such as cliffs, dense vegetation and steep terrain can limit reasonable access.

The Outdoor Access Commission online public access mapping system, the Walking Access Mapping System (WAMS) has been designed to assist the public to identify land in New Zealand open to recreational access on foot and to provide other access related information.

The Walking Access Mapping System is a free-to-use, online tool that displays publicly accessible land including unformed roads within the Kaikoura region. It has been developed by the New Zealand Walking Access Commission to provide clarity about land the public can access and to make planning trips into the outdoors easier. The mapping system includes high quality

topographic maps and aerial imagery, overlaid with recreation information provided by partner organisations.

KDC Principles

- Information signage at the entrance point to popular, accessible unformed roads may be approved by KDC on a case-by-case basis where the number of users warrants signage information.
- Boundary stakes may be placed along unformed roads by the adjoining landowners or users (such as recreational groups) subject to written approval from KDC on a case-by-case basis.

5.3 Encroachments

Road encroachments can occur on the surface, beneath (subsoil) or above (airspace) the legal road corridor. Road encroachments are generally not permitted, although exceptions may be considered by KDC on a case-by-case basis. Granting a licence to occupy the road surface or a lease for airspace or subsoil will generally be for only a limited period of time and be subject to various conditions and restrictions to protect public usage.

Some key principles adopted by KDC (approved by Council at its meeting of 27 March 2024) in respect of encroachments on legal roads are as follows:

Encroachment or Occupation of Road Reserve on or adjacent to Formed Roads by Buildings

Encroachment of privately owned buildings on the road reserve of formed roads is generally prohibited unless specific permission or consent to do so is obtained from Council. Such consent or permission would only be granted for activities that are considered complementary to the use of the road for public passage or which otherwise provide broad public benefit.

Encroachment or Occupation of Unformed Roads by Buildings

Because most unformed roads are only used to a limited degree as travel routes (and in some cases are unsuitable for such use) some form of private use or occupation is common, despite the lack of a legal basis for it.

In addition to the common practice of being grazed by the party owning adjacent land with associated installation of gates and fences it is not unusual for other agriculturally related buildings to have been historically placed, in whole or part, on unformed roads.

These activities or occupations typically occurred without any form of formalised licence or consent from Council and Council is under no obligation whatsoever to permit these activities to continue.

In practice however informal private use of road reserve for grazing can also be of benefit for the community as a whole, since it can relieve the council of some burdens of controlling weeds on parcels of land that would otherwise be difficult to maintain and can also contribute to improving the usefulness of the paper road as a means of public passage through the occupant's formation and maintenance of tracks.

On this basis it is generally accepted that in most cases informal occupation of unformed road reserve by adjacent properties for grazing purposes is justifiable.

The formation of structures such as sheds and other buildings on unformed road reserve does however generally not offer any benefits for the broader community and is therefore more difficult to justify if permitted without some form of return (for example a licence fee) to the community.

It is however also recognised that most of the buildings that are found on unformed roads are small, have been present for many years and occupy only small areas of low-value land with little adverse effect on the public's ability to use the road for passage.

As such, both the benefit for the occupier and the disbenefit for the community associated with these buildings is generally small, making it difficult to justify the administrative effort required to put in place formal licencing arrangements in respect of every existing building.

A very small number of buildings have however been identified on KDC's road reserve land that are considered to be too significant to be permitted to remain on an informal basis. It is suggested that these buildings fall into the following categories:

Buildings used for Habitation

The benefit to a person of living in a building on land for which they pay no rent or council rates is substantial and the non-payment of rates is a corresponding disbenefit to the broader community.

As such it is considered that the only practical approach is to prohibit any habitable buildings on any road reserve.

Where such buildings exist the only practical remedies are to either require them to be removed or – and only if the form and location of the building and road reserve is considered entirely suitable – possibly stop and sell an appropriate area of road reserve to the occupier.

Non- Habitable Buildings

Acceptance of existing non-habitable buildings remaining on road reserve on an informal basis should be confined to buildings that are relatively small, of low value and which do not have any adverse effect on the ability of the public to use the road for passage.

The following conditions will apply in respect of different categories of such buildings:

a. Buildings that:

- Can be demonstrated to have existed at 1 April 2024; and
- Are owned by a private property immediately adjacent to the road reserve occupied by the building and which support the agricultural operation of that property; and
- Collectively have a total floor area of not more than 60 square metres and a likely total value of not more than \$20,000

will be permitted to remain without the granting of a licence to occupy or any associated charge.

b. Buildings that:

- Can be demonstrated to have existed at 1 April 2024; and
- Are owned by a private property immediately adjacent to the road reserve occupied by the building and which support the agricultural operation of that property; and
- Collectively have a total floor area of more than 60 square metres or a likely total value of more than \$20,000

will be permitted to remain provided that the owner obtains a licence to occupy and pay an associated annual fee, the value of which will be determined by Council based upon an assessment of what the likely annual rates associated with the building would be if it was on the adjacent private property.

c. Privately owned buildings which are not owned by a property immediately adjacent to the road reserve occupied by the building or do not support the agricultural operation of that property

or significantly compromise the ability of the public to travel along the road will be required to be removed by the owner of those buildings.

- d. Proposed new buildings and existing buildings which cannot be demonstrated to exist before 26 March 2024 will be required to apply for a licence to occupy, the granting of which will be conditional upon the circumstances of each case and if permitted will be subject to the payment of an annual fee for more substantial buildings on the same basis as is applicable to existing buildings under point b. above.
- e. Should the owner of the buildings fail to obtain a licence to occupy required under points b. and d. above or fail to pay the associated fees, Council will then require the buildings to be removed by the owner of them.

5.4 Damage, repairs and maintenance

KDC is under no legal obligation to maintain any unformed legal road.

Given the many significant calls on the funding available to it KDC cannot prioritise expenditure on unformed legal roads. However, if KDC undertakes any construction work such as a culvert or bridge on a road that is otherwise generally unformed, it does have a duty of reasonable care in that construction and also a duty of on-going reasonable observation of that work to ensure that any dangerous change in condition is discovered and remedied.

Causing damage to the surface of the road is an offence under the Local Government Act 1974 and this provision also applies to the users of unformed legal roads. KDC does however accept that many common uses of an unformed legal road may cause damage to the surface of the road.

The prohibition on damaging a road must be balanced against the right to use the road. Road users must take care to minimise damage to the road. Road users must also take into account that factors such as weather conditions may cause the unformed road to be more easily damaged.

KDC Principles

- KDC generally has no obligations or liability to maintain unformed legal roads with the exception of any structures that it constructed or is responsible for.
- KDC accepts that minor wear and tear will occur from ordinary use of an unformed legal road and will not consider this damage to the road. Intentional or unintentional damage caused by public misuse, recklessness, vehicle damage from racing, overuse or wheel spins or significant stock path erosion may be considered damage to the road.
- Deliberately digging up or landscaping an unformed legal road is a form of damage and must not be undertaken without written approval.

5.5 Livestock including grazing, cattlestops, fences and swing gates

Unformed legal roads may also be in use for farming where they adjoin private land or where a grazing licence is held. The public should take note and be aware of any stock which are grazing and exercise care, particularly while operating a vehicle or leading a horse, dog or other animal. Members of the public intending to use an unformed road should be aware that it may be courteous to inform a farmer of their intentions.

In many instances, grazing of unformed roads has been carried out for long periods of time without the need for a formalised grazing licence. KDC has no plans to proactively insist on formal licences for all unformed roads being used for grazing. However, there may be advantages in formalising a particular situation if issues arise in relation to that road. In such cases KDC may recommend a grazing licence. KDC will also consider applications for grazing licences and other farming related activities on a case-by-case basis when sought by the adjoining landowner.

Where an unformed road forms the boundary between neighbouring properties and both parties wish to have access to the road for grazing purposes, the preference is for fair and equal access. The fact that one neighbour may have historically made use of all or part of the road does not give them any greater right to be allowed to make use of this public resource.

Splitting a road longitudinally down the middle is not an ideal solution as this could be an impediment to the public right of access to the whole width of the road. Therefore grazing privileges on the road should be split at an appropriate midpoint along the length of the shared boundary, meaning that each neighbour would be allowed to use the full width of approximately half the road along their shared boundary. A mutually agreeable solution should be sought rather than mathematical precision.

KDC does not generally seek a financial return from grazing licences where there are mutual benefits for the farmer, the public and KDC.

The primary purpose of a road as a means of traveling from point to point remains paramount. Where an unformed road is used for grazing the adjoining landowner is responsible for sowing and maintaining a grass surface appropriate for both the stock and the public's use of the road.

With approval from KDC, a person may erect a fence with a suitable gate or cattlestop across an unformed legal road in accordance with s 344 or 357 of the Local Government Act 1974. A sign must be affixed to the gate indicating it is a public road.

The Gates and Cattlestops Order 1955 prescribes the form and construction of swing gates and cattlestops which have been authorised to be placed across roads. KDC prefers the use of gates rather than cattlestops as these may be dangerous to both horses and pedestrians.

KDC has the power to require the owner or occupier of any land not sufficiently separated from a road to enclose the land with a fence for the safety or convenience of the public. This may be required, for example, in situations where an agreement cannot be reached balancing the use of an unformed legal road for grazing use by the public.

KDC Principles

- KDC is not financially responsible for the fencing of any legal road boundaries under the Fencing Act 1978.
- All fences across unformed legal roads must be constructed with appropriate gates.
- KDC discourages the use of cattlestops.
- Gates across roads must not be locked.
- Temporary fencing for the purpose of stock control may be erected across an unformed legal road but must not unduly inhibit public access.
- Electric fencing along or across unformed legal roads may be necessary for the marking of boundaries and/or the containment of stock but should display appropriate warning signs unless in an area of low public use.
- Adjoining landowners may apply for a grazing licence from KDC in order to provide for formal legal approval for their livestock to graze the unformed legal road or for any other farming purpose. A condition of grazing may be that fencing is required along the boundaries of the unformed legal road. Grazing licences are dependent upon maintaining public access. The granting of such grazing licences shall be entirely at KDC's discretion.
- Where more than one adjoining landowner requests to be allowed to use an unformed road for grazing, a fair and equal split is preferred.

- Livestock that present a hazard to the public (e.g. bulls) should not be permitted to occupy or graze unformed legal roads and must be fenced if grazing or occupying adjoining land. The public must exercise care towards any grazing animals on the paper road.
- The public, after using a gate on an unformed legal road, must leave it in the state they found it in (either opened or closed).
- KDC will not authorise the placing of beehives on unformed legal roads, as insufficient space exists for a safe distance from the hive to be maintained given the public right to use the road.

5.6 Use of Unformed Roads by Motor Vehicles

Motor vehicles can be used on unformed legal roads (where physically practical) as on a formed road, but the obligation to not damage the surface of the road also applies.

Most unformed legal roads will not have clearly delineated areas for set aside for different types of users. Vehicles, pedestrians and horses are likely to share the same space. Most unformed legal roads will therefore fall within the definition of a shared zone under the Land Transport (Road User) Rule 2004. In shared zones, vehicles must give way to pedestrians, but pedestrians must not unduly impede the passage of any vehicles.

Section 7(2) of the Land Transport Act 1998 states that a person may not drive a motor vehicle or cause a motor vehicle to be driven, at a speed or in a manner which, having regard to all the circumstances is or might be dangerous to the public or to a person.

The Land Transport Act 1998 provides for KDC to address vehicular use of unformed legal road through bylaws. The *KDC Traffic Bylaw 2018* includes the following relevant provisions:

KDC Traffic Bylaw - 22 Restricting Vehicles on Unformed Roads

- (1) *KDC may by resolution restrict the use of motor vehicles on unformed legal roads for the purposes of protecting the environment or the road and adjoining land or the safety of road users.*
- (2) *A person must not use a motor vehicle on an unformed road contrary to a restriction made by the Council under this clause.*

KDC Principles

- Where it is physically possible for vehicles to use an unformed legal road the drivers of them have the same right of access as other road users unless this has been expressly restricted by resolution under clause 22 of the KDC Traffic Bylaw.

KDC expects users of motor vehicles on unformed roads to:

- Drive to the conditions;
- Be aware of the potential for other road users to be present on any part of the road and the obligation to give way to pedestrians;
- Assess the unformed surface and terrain for suitable conditions before accessing with a motor vehicle;
- Minimise damage caused by motor vehicles to the road surface (deliberate damage caused by actions such as wheel spins and burnouts for example are prohibited);
- Keep to formed tracks within the unformed road corridor where available. (Note that formed farm tracks may not necessarily be within the legal road boundaries and may not be available for public use.)

5.7 Recreation, Dogs, Horses and Hunting

Some of the unformed legal roads in the Kaikoura District are used by recreational users for such activities as walking, mountain biking, horse riding, hunting and to reach outdoor destinations.

Walking Access

The New Zealand Walking Access Commission (NZWAC) was established in 2008 to improve public access to and enjoyment of the outdoors. The Commission has produced the New Zealand Outdoor Access Code, which aims to raise awareness of access rights and responsibilities. While the code focuses on walking access, the basic principles are applicable to other activities, such as horse riding, mountain biking, fishing and hunting.

NZWAC has developed a Walking Access Mapping System (WAMS), an online resource designed to inform the public about land open to walking access including Kaikoura's unformed legal road network.

Dogs

The Dog Control Act 1996 enables KDC to make dog access rules for any public place by way of a bylaw. The KDC Dog Control Bylaw 2015 does not have any provisions that relate specifically to all unformed roads in the district, but the general requirement of clause 11.1.(a) to 'Ensure that in all public places the dog is kept under control at all times' does however apply to all roads, including unformed roads.

Horse Riding

Horse riders have the same rights to use an unformed legal road as a legal formed road, but must also remember to take care to minimise damage to the environment. The road surface may include grass and uneven terrain which may not be suitable for horse riding in all weather conditions. Horse riders are to exercise care when using the unformed legal road to minimise the damage caused to the surface of the road.

Mountain Bikes, Motorbikes and Four Wheel Drives

While mountain bikes, motorbikes and four wheel drives are classified as vehicles in the Land Transport Act 1998, they may not require formed roads. Riders and drivers of vehicles have the right of passage to any unformed legal road. They must not cause damage, modify the surface of the unformed road or enter adjoining private property. Riders and drivers of mountain bikes, motorbikes and four wheel drives may not ride on footpaths as they are intended solely for pedestrian use in accordance with the Road User Rule.

Hunting

Hunting on unformed legal roads commonly used by other recreational users is unsafe.

Hunting may require both the carrying and discharging of firearms. Persons using an unformed road for hunting will be able to carry out all of the activities that are lawful on a formed road, including the right to carry a firearm (must be unloaded if in a vehicle). Unformed legal roads are public places for the purposes of the Arms Act 1983. Therefore, the discharging of a firearm on an unformed legal road so as to endanger property, annoy or frighten any person is prohibited.

The firearms user may need to possess a current game bird hunting licence to comply with the Wildlife Act 1953 and/or a Department of Conservation (DoC) entry permit to comply with the Conservation Act 1987 on land administered by DoC. Other categories of land, such as forestry land, will also have specific entry permit requirements.

KDC Principles

- KDC recommends the New Zealand Outdoor Access Code as the code of responsible conduct for recreational users of unformed legal roads.

- All recreational users have an equal shared right of access to unformed legal roads.
- Persons walking, using vehicles or horses to access unformed legal roads must minimise damage to the surface of the road.
- Discharging firearms on unformed legal roads commonly used by other recreational users is prohibited.

5.8 Risk of Fire

Where unformed roads pass through forests or bush, fire caused by a member of the public using the road is a significant risk.

The Fire and Emergency New Zealand Act 2017 establishes responsibility for the control of fires and penalties for outbreaks. The Act allows Fire and Emergency NZ (FENZ) to exclude some or all persons from entering a forest where fire hazard conditions exist overrides any other access arrangements. The cost resulting from a fire outbreak lies with the owner of the land on which the fire ignited, if the cause and person responsible are not identified.

KDC Principles

- FENZ may restrict access to unformed roads on a case-by-case basis in times of extreme fire risk.

5.9 Trees, Crops and Vegetation

Unformed legal roads sometimes feature illegally planted trees, grown and managed by the occupiers or owners of adjoining forestry and horticultural land. Adjoining landholders have no legal right to ownership or occupation of the unformed legal road. As trees are affixed to the land, any trees on a road are owned by KDC and are under the management and control of KDC. Legally no trees may be planted on a road without the express permission of KDC in accordance with section 357 of the Local Government Act 1974.

The growing of trees can become a practical concern if the tree(s) unduly obstructs public access through the unformed legal road.

Any approved tree and vegetation works should have regard to their potential environmental impact.

KDC Principles

- Encroachment issues relating to trees and crops will be considered on a case-by-case basis.
- KDC is unlikely to approve an application for the planting of crops or trees over all of an unformed legal road as these would be likely to unduly obstruct the use of the road.
- KDC requires anyone wishing to place any object upon or disturb vegetation upon a road to apply for permission in advance (with the exception for mowing or weed control). Unformed legal roads must not be landscaped without written approval.
- Landowners must apply for a licence from KDC in order for their trees to legally occupy the unformed legal road.
- As the ownership of any lumber or produce from any illegal plantings may not rest with those who planted and maintained them, any licences for forestry or horticultural encroachments will need to specifically deal with these issues.
- KDC is not opposed to adjacent landowners maintaining unformed roads through grazing and weed control in return for the benefits of use, as long as reasonable access for vehicles and recreational activities is maintained.

5.10 Weed Control

Council encourages those parties who make use of unformed roads to undertake control of weeds on those roads.

KDC Principles

- Landowners adjoining an unformed legal road should take responsibility for keeping the road free of weeds if they are using the road for farming purposes.
- Weeds may be removed by road users for the purpose of continued access. However, working parties to clear large amounts of vegetation are not permitted without authorisation from KDC.

6.0 Stopping of Unformed Legal Roads

There are two methods for removing the status of a legal road:

- 1) By a process referred to as 'road stopping' under the Local Government Act 1974 (as opposed to temporary road closures where the underlying status of being a road returns after the closure) or,
- 2) By the Minister for Land Information who may stop a road under s 116 of the Public Works Act 1981.

KDC can stop roads by following the procedure set out in Schedule 10 of the Local Government Act 1974, which involves consultation of publicly notified plans. If the road is in a rural area, the consent of the Minister for Land Information must be obtained for the road to be stopped. If there are objections to the road stopping these will need to be determined by the Environment Court.

Assessment of whether a road should be stopped is based on a number of factors (including current and possible future use) to determine whether the need for the road for public use is outweighed by the need for the stopping. Once a road has been stopped, KDC is responsible for determining how the land will be used or disposed of. In practice, the purpose of the road stopping often determines how the land will be used. Stopped roads bordering waterways must become esplanade reserves.

KDC Principles

- KDC will not itself seek to have unformed legal roads stopped.
- KDC will consider applications for the stopping of unformed legal roads on a case-by-case basis - all associated costs will be met by the applicant.

7.0 Formation of an Unformed Legal Road

KDC has no obligation to form any unformed legal roads and currently has no forward capital works programme to form or improve unformed roads.

However, KDC will consider applications from adjacent property owners, developers and interest groups to construct carriageways, cycle tracks, bridle paths and footpaths within unformed legal roads at the applicant's expense, where this is vital for development or where significant public access benefits are clearly demonstrated.

Before any party can begin excavating or construction in an unformed legal road of any carriageway, cycle track, bridle path or footpath the following are required:

- In principle approval from KDC; and then:
- Any necessary regulatory consents, for example resource consents or building consents. Consideration will need to be given to potential effects of the road formation on adjacent properties in respect of drainage, dust, noise etc.

- An investigation to determine whether any utility services run beneath the road and if they could be affected by the proposed works;
- A Corridor Access Request is required for any excavation within the road corridor. Applicants are to apply on the www.beforeudig.co.nz website;
- A construction and maintenance agreement from KDC setting out the specification and on-going maintenance conditions required to be followed by the applicant;
- A first ranking memorandum of encumbrance registered against the title(s) of the applicant's lot(s) if the applicant is the adjoining landowner, will record their responsibility to maintain that part of the road.

The exception to the above requirements is when the unformed legal road is proposed to be formed to serve a private development. Agreement for the developer to form a road within unformed road corridor will need to be negotiated. Additionally in these cases, the resource consent application would be processed by KDC's planning team with input from KDC engineering team.

The formed road would be required to be built in accordance with the conditions of the resource consent, approved engineering drawings and construction standards that are monitored by the KDC engineers. Upon acceptance at completion by KDC, the newly formed road(s) are vested to KDC to manage and maintain. Therefore, in this case, there is no requirement for a construction and maintenance agreement or a memorandum of encumbrance.

KDC Principles

- KDC will only form currently unformed legal roads where this is necessary for network development.
- KDC will consider applications for other parties to construct carriageways, cycle tracks, bridle paths and footpaths etc. on a case-by-case basis.
- All costs for processing the application, construction and maintenance must be borne by the applicant.
- The specifications for the construction of carriageways, cycle tracks and footpaths in unformed legal roads must be in accordance with any relevant standards currently being adopted by KDC.

8.0 Enforcement

Encroaching on the road surface, airspace or subsoil of an unformed or formed legal road without KDC consent or an encroachment lease or licence is a breach of section 357 of the Local Government Act 1974 and can lead to prosecution. Section 357 states:

"that every person commits an offence who, not being authorised encroaches on a road and is liable for a fee not exceeding \$1,000 and, where the offence is a continuing one to a further fine not exceeding \$50 for every day the offence continues and may be ordered to pay costs incurred by the council (KDC) in removing any such encroachment".

KDC would firstly seek to either have the encroachment removed voluntarily or request the encroacher to apply for an encroachment licence, lease or road stopping (if applicable) before such action would be considered.

In addition, there are court-imposed fines for breaches of KDC bylaws made under Local Government Act 1974 and Land Transport Act 1998 for unlawful activities on roads.

9.0 Definitions

The following definitions apply in this document:

Council a territorial authority – Kaikoura District Council.

Formation In relation to roads, formation means the same as construction of the road and includes gravelling, metalling, sealing or permanently surfacing the road.

Legal road has the same meaning as **road** in the Local Government Act 1974 (Section 315). In short, it covers the total area of land between road and adjoining property boundaries including:

- carriageway (formed road intended for vehicles)
- footpath including kerb and channelling, bridges, gates, drains and other places within legal road intended for use by the public
- cycle ways and cycle paths
- land that is legally designated as road but is not currently formed as carriageway or footpath (road corridor, unformed or paper road)
- subsoil below the legal road
- airspace above the legal road

LINZ: Land Information New Zealand is a New Zealand government department responsible for land titles, geodetic and cadastral survey systems, topographical information, hydrographic information, managing Crown property and a variety of other functions.

A **Lease** confers a legal or equitable estate in the land. The road surface cannot be leased.

A **Licence** is personal permission to enter the land and use it for specified purposes which does not confer any estate or interest in the land on the licensee.

Road Encroachment occurs where:

- public access along legal road is restricted by excavation or an object, temporary or permanent, which is placed on legal road with or without prior approval of KDC or
- a deliberate or inadvertent action causes an area of legal road to be used or occupied for private benefit (exclusive or otherwise).

A **structure** on, above or below a legal road includes any kind of physical construction or addition.

Road stopping is the process of removing the legal status as a road from a formed or unformed road and creating a fee simple title over that area of land as set out in section 342 of the Local Government Act 1974.

Unformed legal road is:

- any road originally laid out over Crown land and marked on the ground and record maps; or
- any road originally laid out on Crown land under the authority of any Act or Ordinance, on any Crown grant record map, but not marked or laid out on the ground.

Where the road has not been constructed by any gravelling, metalling, sealing or permanent surfacing of the road undertaken by KDC and is neither substantially formed or made for the use of the public.

Paper road, a term often used to refer to an unformed legal road. The use of the term 'unformed legal road' is preferred in this document as 'paper road' can appear to reduce the status of the roads as legal roads with the same rights of use as any other road.

Utility Service providers, these include any utility service providers that are legally entitled to use and occupy the subsoil or airspace for the installation of utility services such as gas, water, power, traffic control, telecommunications, wastewater, stormwater, post boxes etc. The utility service providers can either be publicly or privately owned.

Report to:	Council	Planning PC4 Clause 17 Report
Date:	29 May 2024	
Subject:	Adoption of Plan Change 4 to the Kaikoura District Plan	
Prepared by:	Freya Jackson – Policy Planner	
Input sought from:	Matt Hoggard – Strategy Policy and District Plan Manager	
Authorised by:	Peter Kearney – Senior Manager Corporate Services	

1. SUMMARY

Clause 17 of the First Schedule of the Resource Management Act outlines the process for the final consideration of the policy statements and plans.

This clause creates a three-stage process to allow plans to be finally approved and requires:

- 1) Clause 17(1) approval from Council once the plan is in the same procedural stage.
- 2) Clause 17(2) Council approval if all submissions or appeals relating to that part have been disposed.
- 3) Clause 17(3) Council to affix the seal of the local authority once 17(1) and 17(2) have been met to make the plan officially operative.

This report seeks approval from Council under Clause 17(1) which will then allow the 30-working day appeal to start.

The District Plan is also required to meet the National Planning Standards to be rehoused before November 2024. This has resulted in a change in format to the District Plan for all chapters. Plan Change 4 follows the National Planning Standards format.

Attachment: Kaikōura Business Park 2021 Limited, 69 Inland Kaikōura Road report and decision to the council.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report.
- 2) Approves Plan Change 4 (Kaikoura Business Park) pursuant to Clause 17(1) Schedule 1 of the Resource Management Act 1991.
- 3) Agrees, provided no appeals are received, that pursuant to Clause 17(3) Schedule 1 of the Resource Management Act 1991 that Council affix the seal of the Kaikoura District Council on 1st August 2024, the date at which the Plan Change becomes operative.

3. BACKGROUND

Under s73(2) of the Resource Management Act 1991 (RMA), Kaikōura Business Park Ltd (“the Applicant”) requested a change to the Kaikōura District Plan (KDP), to re-zone approximately 21.6 ha of rural land located at 69 Inland Kaikōura Road, Corner State Highway 1 and Inland Kaikōura Road to a new proposed ‘Light Industrial Zone’. This Private Plan Change (PPC) request included a complete set of provisions that will apply to the proposed Light Industrial Zone including objectives and policies and rules with associated standards and matters of discretion.

Plan Change 4 (Kaikoura Business Park) was publicly notified on the 28th of September 2024. A total of 114 submissions were received. Four were neutral, 107 were in support, and three were in opposition. 18 further submissions were received. Submitters in opposition raised issues around: amenity, consultation, water supply infrastructure, road safety/access and servicing. To resolve some of these issues, provisions were revised and in the case of two submitters, a separate side agreement was

agreed. The side agreement involved a 60m setback of boundary, a planting strip, restricted building height and specified colour of new buildings along the boundary. As a result, the submitters and further submitters withdrew their submissions and in the end no submitters wished to be heard.

The Hearing

A hearing was held on 25th and 26th March 2024. The Hearing Panel also undertook a site visit on the first day of the hearing (25th March) to view the site and the surrounding environment, accompanied by Mr Ben Watherston.

The Key issues that the Commissioners identified were addressed with Mr Wright (lighting), Ms Gavin (landscape), Mr Marshall (infrastructure), Mr Heath (economics), Ms Davies (contamination) and Ms Bensemann (planning).

At the completion of the hearing, the Commissioners sought further consideration of the PC4 provisions associated with the new definitions, proposed objectives LIZ-O2 and LIZ-O3, proposed policies LIZ-P3, LIZ-P7, LIZ-P8 and LIZ-P10, Rules LIZ-R2 and LIZ-R9 relating to retailing and SUB-S13 regarding landscaping. They also sought consideration of building reflectivity and a cultural narrative.

Commissioners also requested an assessment of the proposed plan change against Te Poha o Tohu Raumati (the Iwi Management Plan) and the objectives and policies of the Dark Skys Plan Change (PC5), clarification of the stormwater disposal situation, any case law associated with High Productive Land and raised a question as to whether an entity that might purchase land covered by the side agreement would somehow be made aware of that agreement.

Responses to these matters were received on the 11th of April as part of the applicants right of reply. This generated some further questions associated with the scope of the changes now proposed, the extent of the proposed wording in Policies LIZ-P7 and LIZ-P8, the provision of infrastructure and the position of Ms Foote on the overall changes proposed. A further response was received on 23rd April 2024.

The hearing was closed on 26th of April 2024.

Recommendations from the Commissioners following the hearing were issued to Kaikoura District Council and are attached in Appendix 1.

Next Steps

Following Council's decision on the Plan Change, an appeal period for the applicants and submitters will open for a 30-working day window. Any party wishing to appeal should seek legal advice. The appeal period will close at 5pm on 19th July 2024.

It is important from a plan administration perspective that this task is completed as it sets a date in time as to when the plan is officially operative. It is noted the operative date as per clause 20 is required to be publicly noted at least 5 working days before the date on which it becomes operative. If no appeals are received within the time, a public notice of the operative date of the plan change will be published on 25th July. The plan change will become operative 5 working days later, when the seal of council is applied. This is intended to be 1st August 2024.

All documents that relate to Plan Change 4, including the Decision, can be found at:
<https://www.kaikoura.govt.nz/council/public-notices/closed-public-notices/3business-park-2>

4. ISSUES AND OPTIONS

There are no options available for consideration. The First Schedule of the Resource Management Act requires that the final consideration of plans shall be affected by affixing the seal of the local authority to the proposed policy statement or plan. It is intended that the decision to affix the seal will be made at this meeting subject to no appeal being received, this is to avoid unreasonable delays. Assuming no appeals received, the seal will be affixed the date that it becomes operative, on 1st August 2024. If an appeal is received, this will need to be resolved before the seal can be applied.

5. COMMUNITY VIEWS

Public notification has occurred as discussed in 3.2 above. No additional community input is required.

6. FINANCIAL IMPLICATIONS AND RISKS

6.1 Financial Implications

There are no financial considerations related to this proposal this is a private plan change.

6.2 Community Implications

Plan Change 4 identifies a need for a new Light Industrial Zone which has the potential to provide a significant net economic benefit to the Kaikoura industrial economy and local market, including employment opportunities.

6.3 Risk Management

As noted in the Commissioners report at Appendix 1, there is minimal uncertainty and no missing information in relation to Plan Change 4, so the risk of acting and recommending the plan change is minimal.

6.4 Health and Safety

As noted in the decision it was agreed by the majority of Commissioners that there are no health and safety concerns. It is noted a health and safety concern was raised by Commissioner John Diver in relation to the lighting provisions of the Plan Change 4 and this has been addressed within the decision of the commissioners.

7. RELEVANT LEGISLATION

7.1 Policy

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2 Legislation

Resource Management Act 1991

7.3 Delegations

As per clause 17 of the First Schedule of the Resource Management Act this decision must be made by full Council.

8. COMMUNITY OUTCOMES SUPPORTED

The work is in support of all community outcomes.



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations

ENDORSED FOR AGENDA

Matthew Hoggard
Strategy, Policy and District Plan Manager

Appendix 1

**RESOURCE MANAGEMENT ACT 1991
KAIKŌURA DISTRICT COUNCIL
KAIKŌURA DISTRICT PLAN**

PROPOSED DISTRICT PLAN CHANGE NUMBER 4:

KAIKŌURA BUSINESS PARK 2021 LIMITED, 69 INLAND KAIKŌURA ROAD

REPORT AND DECISION TO THE COUNCIL BY

Commissioner - Dean Chrystal (Chair)

Commissioner - Ma-rea Clayton

Commissioner – Gina Solomon

Commissioner – John Diver

Commissioner – Vicki Gulleford

Hearings held on 25th and 26th March 2024

Appearances:

Applicant

Margo Perpick, Legal Counsel

Richard Watherston, Applicant

Ben Watherston, Applicant

Kyra Xavia, Lighting

Glen Wright, Lighting

Simon Marshall, Infrastructure

Andy Carr, Traffic

Tim Heath, Economics

Hamish Williams, Archaeology

Jeremy Trevathan, Acoustics

Michael Nugent, Geotech

Helen Davies, Soil Contamination

Liz Gavin, Landscape

Morgan Tracy-Mines, Ecology

Geoff Dunham, Soils

Anna Bensemann, Planning

Council:

Melanie Foote, Consultants Planner

Matthew Hoggard, Strategy Policy and District Plan Manager, Kaikōura District Council

1.0 Introduction and Background

- 1.1 Pursuant to instruction from the Kaikōura District Council (the Council or KDC) we were appointed to hear and make a decision on Proposed Plan Change 4 (PC4) to the Operative Kaikōura District Plan (District Plan) together with submissions thereon. The hearing was held at the Council Chambers in Kaikōura on the 25th and 26th of March 2024.
- 1.2 PC4 is a privately requested plan change which seeks to rezone some 21.6 ha of Rural zoned land to provide for a light industrial park at 69 Inland Kaikōura Road.
- 1.3 PC4 proposes to introduce changes to the District Plan including in particular a Light Industrial Zone (LIZ) and associated provisions in accordance with the National Planning Standards and amendments to the Planning Maps. It includes an Outline Development Plan (ODP) for 69 Inland Kaikōura Road and consequential changes to introduce new definitions and changes to the subdivision provisions and Appendix 1. It also involves the re-alignment of the Inland Kaikōura Road (shown on the ODP), and the establishment of a new intersection of that road onto State Highway 1 (SH 1). We note that this has been discussed with NZ Transport Agency Waka Kotahi who have agreed to the revised layout.
- 1.4 The LIZ has been designed so as to be utilised elsewhere in the district if required in the future.
- 1.5 The site is of an irregular shape located near the intersection of SH 1 and the Inland Kaikōura Road (Route 70) and has been utilised as a dairy farm. To its north and west are rural lifestyle developments, while to the east is the Kowhai River. Alongside SH 1 and bordering the intersection is a stock effluent disposal area. A higher level of detail of the site and its surrounds is contained in the application which we adopt.
- 1.6 The site is zoned Rural in the Operative Kaikōura District Plan (KDP) and is covered by the following overlays:
 - Non-Urban Flood Assessment Overlay
 - Liquefaction Assessment Overlay
- 1.7 A high voltage electricity sub-transmission line also runs through the northern part of the site. An easement restricting construction of buildings with 20m of the line was included as part of a previous subdivision consent.
- 1.8 PC4 was publicly notified on the 28th of September 2023, to which 114 submissions were received. Four were neutral, 107 were in support, and three were in opposition. 18 further submissions were received. Submitters in opposition raised the following issues:
 - Road safety and access;
 - Water supply infrastructure, including firefighting;
 - Servicing;
 - Amenity; and
 - Consultation.
- 1.9 Post the submission period and prior to the hearing the applicant worked with a number of submitters in order to resolve their concerns. We understand that these have been addressed through revised provisions and in the case of two submitters (Mr Darryn Hopkins and Mr Murray Paul) separate side agreements that have been signed. Those agreements, which sit outside the PC4 process, include:
 - a) 60m setback from signatory's boundary to nearest building;
 - b) 6m wide planting strip along the boundary;
 - c) The back of any buildings built on any adjacent sites to be painted green;
 - e) Buildings height of first row of buildings on 60m setback line to be limited to 8m in height.
- 1.10 As a result of the side agreements some submitters and further submitters withdrew their submissions and in the end no submitters wished to be heard. We comment on issues associated with the side agreements later in the decision.

- 1.11 One procedural issue arose towards the end of the hearing in relation to a further submission from Hutton’s Shearwater Charitable Trust (the Trust) in support of the Kaikōura Dark Skies submission. Counsel for the applicant Ms Perpick submitted that the Trusts further submission raised a new point related to the Hutton’s Shearwater and their breeding and fledging seasons and the turning off all lighting during low cloud or fog conditions during these seasons, that was not introduced in the original submission of the Kaikōura Dark Skies. She went onto note that Clause 8 of Schedule 1 in the Resource Management Act (RMA of the Act) sets out that a further submission can only support or oppose a submission and cannot extend the scope of an original submission. Ms Perpick referred to relevant case law on this matter.
- 1.12 Having reviewed the further submission from the Trust and Ms Perpick’s submissions on the matter we agree that the further submission extends the scope of the original submission, and we cannot therefore take it into account.

2.0 Section 42A Report

- 2.1 *A s42A (of the RMA) report and accompanying documentation was prepared prior to the hearing by Ms Melanie Foote and circulated.*
- 2.2 In her s42A report Ms Foote outlined the statutory framework involved which is detailed further below. She noted that a number of regional resource consents had been approved by Environment Canterbury (ECan) which were relevant to 69 Inland Kaikōura Road, including wastewater discharge, earthworks and a water take. Ms Foote advised that a discharge consent for stormwater for offsite disposal had also been lodged with ECan but was yet to be approved.
- 2.4 In assessing the relevant regional objectives and policies Mr Foote considered the plan change would be generally consistent with the Canterbury Regional Policy Statement (CRPS), although she noted PC4 may not be entirely in accordance with Policy 5.3.5. She also considered PC4 would be consistent with both the Canterbury Land and Water Regional Plan and Canterbury Air Regional Plan.
- 2.5 Ms Foote noted that the KDP did not have any form of Industrial zone, and all industrial activities therefore required consent. She said the proposed new LIZ zone will provide for a dedicated Industrial zone to enable light industrial activities as a permitted activity.
- 2.6 Ms Foote concluded that having considered all the submissions and further submissions, expert evidence and having reviewed all relevant instruments and statutory matters, she considered that PC4 should be approved.

3.0 Hearing

- 3.1 The Hearings Panel was provided with statements of evidence from the various expert witnesses identified above. We acknowledge that we had read all the witness statements prior to the hearing.
- 3.2 At the hearing we heard from legal counsel (Ms Perpick) for the applicant and questioned relevant witnesses on various aspects of PC4.
- 3.3 Ms Perpick provided us with relevant statutory tests for plan changes, referring to the recent Environment Court decision of *Middle Hill Ltd v Auckland Council*¹ which followed the Court’s decision in *Colonial Vineyard Ltd v Marlborough District Council*.² We have set this out below.
- 3.4 Key issues we identified were addressed with Mr Wright (lighting), Ms Gavin (landscape), Mr Marshall (infrastructure), Mr Heath (economics), Ms Davies (contamination) and Ms Bensemman (planning) and are discussed below.
- 3.5 At the completion of the hearing, we sought some further consideration of the PC4 provisions associated with the new definitions, proposed objectives LIZ-O2 and LIZ-O3, proposed policies LIZ-P3, LIZ-P7, LIZ-P8 and LIZ-P10, Rules LIZ-R2 and LIZ-R9 relating to retailing and SUB-S13

¹ [2022] NZEnvC 162 at [29]

² [2014] NZEnvC 55

regarding landscaping. We also sought consideration of building reflectivity and a cultural narrative.

- 3.6 In addition to the above we requested an assessment of the proposed plan change against Te Poha o Tohu Raumati (the Iwi Management Plan) and the objectives and policies of the Dark Skys Plan Change (PC5), clarification of the stormwater disposal situation, any case law associated with High Productive Land and raised a question as to whether an entity that might purchase land covered by the side agreement would somehow be made aware of that agreement.
- 3.7 Responses to these matters were received on the 11th of April as part of the applicants right of reply. This generated some further questions associated with the scope of the changes now proposed, the extent of the proposed wording in Policies LIZ-P7 and LIZ-P8, the provision of infrastructure and the position of Ms Foote on the overall changes proposed. A further response was received on 23rd April 2024.
- 3.8 The Hearing Panel also undertook a site visit on the first day of the hearing (25th March) to view the site and the surrounding environment. On that site visit we were accompanied by Mr Ben Watherston.
- 3.9 The hearing was closed on the 26th of April 2024.
- 4.0 Decision**

Statutory Tests and Relevant Planning Documents

- 4.1 The general approach for the consideration of changes to district plans was addressed in legal submissions by Ms Perpick. The relevant requirements in this case are set out below:
- (a) whether the plan change is designed to accord with, and assists the Council to carry out its functions for the purpose of giving effect to the RMA; and whether it accords with Part 2 of the RMA (s74(1)(a) and (b));
 - (b) whether the plan change gives effect to relevant national policy statements, a national planning standard and the operative regional policy statement (s75(3)(a), (ba) and (c));
 - (c) whether the plan change has regard to relevant strategies prepared under another Act (s74(2)(b)(i)); and takes into account any relevant planning document recognised by an iwi authority and lodged with the territorial authority (s74(2A)); and
 - (d) whether the rules proposed have regard to the actual or potential effects on the environment including, in particular, any adverse effects (s76(3)).
- 4.2 Section 32 of the RMA requires that rules are to implement the policies and are to be examined, having regard to their efficiency and effectiveness, as to whether they are the most appropriate method for achieving the objectives of the District Plan taking into account:
- (i) the benefits and costs of the proposed policies and methods (including rules); and
 - (ii) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods; and
 - (iii) if a national environmental standard applies and the proposed rule imposes a greater prohibition or restriction than that, then whether that greater prohibition or restriction is justified in the circumstances.
- 4.3 Overall, the s32 test is one of appropriateness (i.e., not necessity) and the requirement is to achieve the objectives of the District Plan.
- 4.4 Documents of relevance identified in this case include the National Planning Standards, the National Policy Statement for Urban Development 2020 (NPS-UD), the National Policy Statement for Freshwater Management (NPS-FW), the National Policy Statement on Highly Productive Land (NPS-HPL), the National Policy Statement on Electricity Transmission (NPS-ET), the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health (NESCS), Chapters 5, 11 and 17 of the CRPS and the Te Poha o Tohu Raumati Iwi Management Plan (IMP) and the KDP.
- 4.5 For completeness we do not consider the National Policy Statement on Indigenous Biodiversity is of particular relevance to our considerations in this instance, noting that no Significant Natural Areas were identified on the site and no indigenous biodiversity is affected by PC4.

Key Issues

- 4.6 Due to the lack of submissions and the agreed positions between the Council and the Applicant we have focussed our discussions on the key issues raised during the hearing. Before doing so we briefly comment on the side agreements and the associated withdrawal of submissions.

Side Agreements and their Impact

- 4.7 The Hearing Panel accepts that the side agreements between the Applicant and the Hopkins and Pauls sit outside this hearing process and do not form part of our decision. Further, we acknowledge that submissions and further submissions associated with these parties have been withdrawn (these were identified in Ms Perpick's Appendix 1). We therefore now have no jurisdiction to consider the submissions of these parties.
- 4.8 We did raise a query regarding how an entity that might purchase land within the PC4 site which was impacted by the side agreements might be made aware of that situation. This was addressed in the right of reply from Ms Perpick where she said it could be dealt with by way of a restrictive covenant on the Kaikōura Business Park land, which meant a purchaser would be made aware of, and bound by, that agreement as it would be attached to the land. A draft copy of a restrictive covenant was provided by Ms Perpick. As a result, we are satisfied that this mechanism addresses the matter we raised.

Lighting

- 4.9 Mr Wright's evidence was that the proposed lighting standards when complied with will ensure that artificial lighting effects on occupants of surrounding dwellings will be less than minor. He considered that the proposed lighting provisions would also be effective in reducing effects on Hutton's Shearwater using a flight path across or near the site and ensure the quality of the night sky viewing will not be affected by artificial lighting within the ODP area.
- 4.10 Mr Wright referred to a number of best practice principles for lighting design to mitigate effects on wildlife including:
1. Starting with natural darkness and only adding light for specific purposes. Artificial light should be added for specific and defined purposes, and only in the required location and for the specified duration of human use.
 2. Use adaptive lighting controls to manage light timing through dimming, timers and motion sensors.
 3. Light only the object or area intended, keep lights directed and shielded to avoid light spill.
 4. Use the lowest intensity lighting appropriate for the task.
 5. Use non-reflective, dark coloured surfaces.
 6. Use lights with reduced or filtered blue, violet and ultra-violet wavelengths.
- 4.11 Mr Wright said the lighting standards were aligned with these design principles and therefore in his expert opinion the proposed lighting standards when complied with would ensure that artificial lighting effects on migrating Hutton's Shearwater and the quality of the night sky would be less than minor. We also noted that the provision for PC4 include an amendment to Rule SUB-R1 to require that:
- All subdivision applications within the Light Industrial Zone shall provide a detailed light management plan. This must consider the light emission effects on the flight path of the Hutton's Shearwater. The plans must be approved by Kaikōura Districts Council Infrastructure Team prior to s224 certification.*
- 4.12 At the hearing Mr Wright was questioned about the level of lighting in respect to nighttime working environments and the maintenance of health and safety. He remained of the view that the lighting standards proposed were appropriate to provide sufficient lighting for working environments and to address health and safety.
- 4.13 The Hearings Panel also noted that the Dark Skies Plan Change (PC5) had recently been notified and sought an assessment of its objectives and policies against PC4, whilst noting their weight at this point in time was limited. Ms Bensemman provided that assessment, noting that the policies specify outdoor lighting use colour temperatures of 3,000 K or lower and that PC4

includes requirements for 2,700 K or lower which she therefore considered to be consistent. She noted that the only aspect of PC5 which may need to be reconciled through its plan change processing, was a lack of reference to the LIZ for cross referencing purposes, should the commissioners approve PC4. This she said could be easily rectified through a minor amendment to PC5 during its processing. On this basis we consider PC4 is not inconsistent with the objectives and policies of PC5.

- 4.14 Commissioner Diver expressed concerns about the lighting provisions contained with PC4 and did not support them in their current form. His concerns extend to the lighting levels in order to maintain safe working environments and the ability to provide for effective security lighting and lighting for pedestrian safety. He also considered that the flight path of the Hutton's Shearwater had been stated as the reason for having reduced lighting levels but noted that their flight path covered a significant area of the Kaikōura District and was not a single flight path over the PC4 area.
- 4.15 Commissioner Diver also expressed concerns as to how lighting levels were going to be monitored by the Council.
- 4.16 The majority of Commissioners noted that the lighting provisions had been accepted by the applicant and that there were no submissions seeking that the lighting levels be raised nor evidence to that effect. They noted that the evidence of Mr Wright was that the light spill standards were identical to those in the current KDP Light Chapter Standard LIGHT-S3 Lighting standards for the Commercial Zone in Kaikōura.
- 4.17 The majority of Commissioners acknowledge the extent of the Hutton's Shearwater flight paths, but considered lighting associated with PC4 could still have an impact on their flight paths so it was appropriate that this was addressed through standards in the District Plan and the provision of a detailed light management plan. They also noted that there was an ability to seek resource consent at a discretionary activity status to increase light levels for reasons of safety and security. They accepted that in doing so an applicant would need to show how they were going to mitigate any effects and that there was a cost involved in such a process.
- 4.18 The majority of Commissioners were comfortable with the lighting provisions proposed in PC4.

Landscape and Visual Amenity

- 4.19 The Hearing Panel recognise that the PC4 site is currently open and predominantly retained in pasture and that a change to a Light Industrial Park will result in changes to amenity and character. This will include the massing and bulk of buildings, hard surfaces and increased activity, providing for an essentially urbanised environment. It will also inevitably result in the loss of openness and some views. As such, the level of amenity and rural outlook will reduce, and rural character will not be maintained. These, we acknowledge, are the consequences of rezonings of this nature.
- 4.20 In order to provide for a level of mitigation PC4 provides for a 6m wide landscape strip around the perimeter of the proposed zone and along the alignment of the re-aligned Inland Kaikōura Road to reduce the visibility of the built form within, and to reduce the adverse effects on landscape character values. Further amendments were proposed to the provisions as part of the right of reply around ensuring a mixture of species from the categories contained in a Native Planting List and the spacing of trees along the road frontage.
- 4.21 Ms Gavin in her evidence said that further mitigation measures, which she had recommended, would provide further improvements from a landscape perspective. These have been incorporated in LIZ-P11. We questioned Ms Gavin on the level of effects, and she responded that given the height of proposed buildings (15m), the landscape effects would initially be moderate-high from some aspects including neighbour's lifestyle blocks, but with planting would reduce to moderate from SH1 and low-moderate from the key neighbouring areas once landscape treatment reached 4-5m. In this context we noted from our site visit that some level of planting along the state highway had already taken place and we were advised that some mature planting existing on site would be retained.
- 4.22 Ms Gavin had raised in her evidence the lack of colour or reflectivity guidelines in the PC4 provisions. Upon questioning she agreed that such provisions would be appropriate. We

therefore sought some consideration of this aspects as part of the right of reply. This resulted in the inclusion of Rule LIZ-S6, Building Light Reflectance.

- 4.23 Finally, the issue of the necessity of an overall landscape plan was raised with witnesses, with Dr Tracy-Mines indicating that a landscape plan would be better than no plan at all. This was taken on board in the right of reply with new rule SUB – R13 which is specific to the Inland Kaikōura Road ODP with the addition of a requirement for a landscape plan in accordance with new Policy 11 to be provided as part of any subdivision application within the ODP area.
- 4.24 Taking into account the changes to the provisions now proposed, we consider the landscape and visual effects will be able to be managed to levels which are acceptable for the environment within which the plan change is proposed. We reiterate our comments above that in a situation where a rezoning of this nature is occurring the level of amenity and rural outlook will always change or be reduced, and the rural character will not be maintained to the levels it was and will transition to a more urban environment. That is an inevitable outcome.

Economic Impact and Commercial/Retail Potential

- 4.25 Mr Heath considered that PC4 had the potential to provide significant net economic benefits to the Kaikōura industrial economy and the local market. He noted that Kaikōura lacked a specific industrial zone, which weakened market certainty for industrial investment in Kaikōura and that PC4 would facilitate the expansion of the industrial economy over the next 30 years along with employment opportunities.
- 4.26 The Hearings Panel accepts that PC4 would ease these concerns and provide increased surety and facilitate longer-term industrial investment in the district and that this represents a positive component of the plan change.
- 4.27 Our queries of Mr Heath were primarily around the potential level of retailing enabled by the proposed provisions and its potential impact on the Town Centre. Mr Heath said enabling industrial activities to transition from the Business zone to the PC4 land provided opportunities for the Town Centre to accommodate new commercial development and investment opportunities. In his view, this would be an economically beneficial outcome in terms of effectively fulfilling the envisaged role and function of the commercial areas and had the potential to further safeguard the overall amenity and community wellbeing of the central business area and its surrounds.
- 4.28 Nevertheless, Mr Heath acknowledged that a proliferation of small retail activities would not be appropriate and said he wouldn't like to see the PC4 site shift away from light industrial activity. He did however say that facilities such as gyms and cafes would be appropriate within the zone to provide a level of amenity.
- 4.29 As a result of Mr Heath's evidence and responses to our questions, we asked Ms Bensemann and Ms Foote to confer over the definitions and rules associated with retailing and commercial activity to ensure that what was enabled in terms of retailing was appropriate. In response in the right of reply amendments were made to:
- Exclude supermarkets from the definition of Food and Beverage; and
 - To exclude retailing from Rule LIZ-R2 and limit it to commercial activities.
- 4.30 On the basis of these amendments, we are now satisfied that PC4 will only enable a limited level of retailing which would not be of sufficient scale to impact upon the Kaikōura Town Centre. We are therefore comfortable with the relevant provisions as now proposed.

Servicing

- 4.31 The Hearing Panel was satisfied with the servicing arrangements associated with water, wastewater, electricity and telecommunication detailed in the application and subsequent evidence, which included agreement with Firefighting and Emergency New Zealand on matters raised in their submission regarding water supply for firefighting. There were however some questions arising out of the proposed stormwater disposal system which had yet to be consented.
- 4.32 Mr Marshall said that infiltration rates to dispose of stormwater within the site were potentially unreliable and an alternative solution for stormwater had been explored involving a discharge to the Kowhai River after appropriate treatment. A first flush basin of approximately

4000m² with a depth of 1 - 1.5m was needed and was proposed to be located to the east of the plan change area between the current alignment of Inland Kaikōura Road and the Kowhai River. We noted at the hearing however that Mr Marshall's plan of the location of the treatment area included the existing Inland Road formation which he confirmed but went on to say that the area required could be redesigned away from that road formation or that a suitable basin could be located within the southern portion of the ODP area.

- 4.33 In the right of reply, Ms Bensemann indicated that the stormwater design had not yet been approved by ECan and was likely to require modification based on current feedback. She noted that much of the area proposed for the treatment basin was within the NZTA/Waka Kotahi designation. Ms Bensemann said that in her experience detailed design matters were appropriately managed through the subdivision design and resource consents process.
- 4.34 The Hearings Panel acknowledges that the consenting of the stormwater system itself sits with ECan and that designs can change, however we consider there is an element of uncertainty here associated with the location of the treatment area. As an example, most ODP's would include the location of any stormwater treatment area and this would form part of a resource consent assessment or subdivision consent assessment against the ODP, in this case Rules LIZ-S7 and SUB-S13 which require all development or subdivision development shall be undertaken in accordance with the provisions of the ODP contained in Appendix 7.
- 4.35 In our view this lack of detail creates a potential uncertainty for the Council with regard to stormwater provision, and we sought further input from the planners on this. This resulted in a new policy (LIZ-P12) being recommended to ensure the provision of all infrastructure, which could be taken into account when the above rules are activated.
- 4.36 With the inclusion of this additional policy, we are satisfied that infrastructure can appropriately be assured through the consent processes.

Cultural Effects

- 4.37 During the hearing the issue of cultural effects, the opportunity for a cultural narrative within the plan change and an assessment of Te Poha o Tohu Raumati (the Iwi Management Plan) all arose.
- 4.38 Ms Bensemann accepted that an assessment of the Iwi Management Plan was not covered in her evidence and went on to provide an assessment in the right of reply. In that assessment she noted that the notified plan change request had included an assessment of the Iwi Management Plan. Her subsequent assessment had built on that. In her view the proposed rezoning application recognised and provided where possible for the values and features identified within Te Poha o Tohu Raumati, as they are expressed by Ngāti Kuri in this document. She noted that the opportunity to undertake cultural harvesting was limited due to health and safety concerns with the landscape buffers being located on private land.
- 4.39 In terms of a cultural narrative associated with the plan change, Ms Bensemann acknowledged the planning provisions appeared to lack a cultural narrative, which was principally due to the strong level of consultation undertaken with Ngāti Kuri during the preparation of the plan change including the intended outcome of rules to manage effects. She said as a result of this consultation, the proposal included landscaping comprised of native species, and that the site was acknowledged as being ideally placed through its physical characteristics away from waterbodies and not containing evidence of historical artifacts.
- 4.40 Notwithstanding the above, further amendments to the plan change provisions had now been proposed in LIZ-O3 to better reflect the outcomes of consultation with Runanga and LIZ-P11 relating to landscaping had been amended to reference cultural amenity values. We accept that these amendments along with other amendments, in particular those associated with the landscape provisions addressed above, will better provide for a cultural narrative with PC4 and we acknowledge that the proposed plan change can be seen to be in accordance with the Iwi Management Plan.

Highly Productive Land

- 4.41 A component of the site on the south-west edge, some 3.8ha, contains highly productive land under the Land Use Capability classifications. As a result, the Clause 3.6(4) of the NPS-HPL is activated. This requires that urban rezoning of highly productive land is allowed only if:
- (a) *the urban zoning is required to provide sufficient development capacity to meet expected demand for housing or business land in the district; and*
 - (b) *there are no other reasonably practicable and feasible options for providing the required development capacity; and*
 - (c) *the environmental, social, cultural and economic benefits of rezoning outweigh the environmental, social, cultural and economic costs associated with the loss of highly productive land for land-based primary production, taking into account both tangible and intangible values.*
- 4.42 These are conjunctive tests, in other words all three must be met in order for the highly productive land to be considered for rezoning.
- 4.43 Mr Heath had projected that there was additional industrial land demand for approximately 18.3ha by 2053 within the district. He noted that Kaikōura District had no existing industrial zones, with some industries being enabled in the Business B Zone or the Business Mixed Use (BMU) Zone. Based on his assessment of the BMU Zone, the existing zoned land area was almost fully occupied with limited vacant land for new business activity, totalling around 0.5ha. He said this meant there is very limited capacity or development potential for new industrial activities to set up in Kaikōura, particularly in a location close to a large employment base like Kaikōura township.
- 4.44 We agree from the above analysis that sub-clause (a) is met, in that the plan change site is required in order to provide sufficient industrial land capacity within the district to meet the forecast demand for industrial (business) land.
- 4.45 Turning to sub-clause (b), Mr Heath, having undertaken an economic assessment of the distribution of highly productive land within the local context, considered there was no other reasonably practicable and feasible options that would offer the required development capacity more efficiently than the PC4 site. He said that the extent of highly productive land surrounding established or zoned urban areas in Kaikōura indicates that future urban expansion in Kaikōura will inevitably result in some loss of HPL.
- 4.46 Again, we agree with Mr Heath's analysis. While the nearest non highly productive land to Kaikōura is immediately west of Mt Fyffe Road, this is much steeper land with less ability to link with the strategic road network and a potential to create reverse sensitivity effects. Its suitability as industrial land is therefore significantly compromised when compared to the plan change site and as noted by Mr Heath would be more expensive on a comparative basis to develop, reducing the competitive advantage the PC4 site would create for Kaikōura in the industrial market. Alternative non highly productive land with sufficient scale and depth is to the north of the township in the vicinity of Postman's and Harnetts Road. It is a similar distance from the town centre as the PC4 site. However, as noted by Mr Heath this area would be less efficient and appropriate than the PC4 site based on the fact that major greenfield developments, including residential subdivisions, will be concentrated within the existing urban area as well as areas to the west of the township, such as the Ocean Ridge subdivision and is supported by Kainga Ora's Infrastructure Acceleration Fund. The proximity of the PC4 site to this greenfield development makes it more economically efficient to provide business land and employment opportunities to the west of the township rather than utilising distant non-HPL lands farther north of the township.
- 4.47 Finally, in addressing sub-clause (c) Mr Heath provided a list of economic benefits of PC4 including site capacity and scale, ability to mitigate adverse effects, the freeing up of strategically positioned business land in the centre of the township, increased potential for industrial economy expansion, diversity and profile, increased economic activity and industrial employment opportunities, potential to improve the amenity of the existing Business zones by creating an industrial development impetus in a special purpose area, improved infrastructure efficiency and improved competitiveness of Kaikōura as an industrial location.

- 4.48 Mr Heath said the economic costs included potential reverse sensitivity effects on adjoining residential properties, infrastructure costs and the loss of a limited amount (3.8ha) of Class 2 soils. He noted however that based on Mr Dunham’s soil assessment and his own economic analysis, this latter economic cost would be minimal and would not undermine the overall productive capacity of the wider district. In this contest we note that the evidence of Mr Dunham was that land use choices were limited by wind erosion risk primarily during cultivation activities.
- 4.49 Again, we generally agree with this analysis and accept that the potential economic benefits associated with PC4 would outweigh any economic costs associated with the loss of highly productive land, taking into account both the tangible and intangible values.
- 4.50 Overall, therefore we accept that the three criteria of Clause 3.6(4) of the NPS-HPL are able to be met in this instance.

Contaminated Land

- 4.51 As identified by Ms Davies an area of contaminated soil had been relocated on the PC4 site and placed within a containment cell. She said the soil concerned was below the commercial/industrial soil contaminant standards and so was acceptable for placement on this land without ongoing management controls. Testing had been undertaken to address the potential for stormwater to cause contaminants to leach into groundwater. The results had indicated that some leaching of contamination was possible, but the leachate did not exceed 50% of the Maximum Acceptable Values specified in the Water Services (Drinking Water Standards for New Zealand) Regulations 2022. She said this was relevant to the proposed use of groundwater, from a bore located on-site, for drinking water purposes.
- 4.52 Ms Davies went onto say that rezoning the land from rural to ‘Light Industrial Zone’ had informed the selection of the soil contaminant standards used to assess the relevance of soil contamination to human health. This was because different exposure scenarios are associated with different land uses, i.e. in this case no gardening activities are anticipated and therefore exposure to contamination via gardening and consequential produce consumption will not be expected to occur. In other words, the standards associated with light industrial land use are less conservative than those associated with rural residential or residential land use. Based on the data collected, Ms Davies said that aside from the material encapsulated within the containment cell, there was no contamination present at concentrations exceeding the commercial/ industrial soil contaminant standards. She therefore considered that the site was suitable for the intended Light Industrial Zone, and the groundwater quality was suitable for potable use with respect to the chemical contaminants investigated.
- 4.53 On the basis of the above, we accept that site contamination is not a factor that would prevent the land from being zoned for light industrial purposes. Further, we note that any requirement to address contamination subsequently including the cadmium contamination referred to by Ms Davies can be addressed via the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health regulations at the time of any resource or subdivision consent.

Relevant Documents

- 4.54 We have already discussed the NPS-HPL above and concluded relevant Clause 3.6(4) is able to be met. We have also addressed Te Poha o Tohu Raumati (the Iwi Management Plan) and found PC4 to be in accordance with its intent. Further, as already noted any subsequent issues of contamination can still be addressed through the NESCS regulations.
- 4.55 We address the remaining relevant documents below:
National Planning Standards
- 4.56 We are satisfied that the LIZ has been developed in accordance with the requirements of the National Planning Standards.
National Policy Statement on Urban Development
- 4.57 We acknowledge that the NPS-UD does not strictly apply to KDC because it is not considered a Tier 1, 2 or 3 local authority by virtue of not containing an “urban environment” as defined.

Nevertheless, we accept that the NPS-UD still provides some useful guidance in terms of the elements of a well-functioning urban environment and sufficient development capacity.

- 4.58 In that regard we accept that PC4 will produce economic benefits in providing a specific industrial zone, something which currently does not exist with the district, of sufficient capacity to meet Kaikōura District's demands for light industrial activity over the long term. This will provide the ability for existing land containing industrial activities to transition to other activities including in particular commercial activities thus enabling the potential for a better functioning urban environment.

National Policy Statement on Freshwater Management

- 4.59 Based on the infrastructure servicing evidence of Mr Marshall, we have concluded that the requirements of the NPS-FM will be able to be given effect to.

National Policy Statement on Electricity Transmission

- 4.60 The NPS-ET will be given effect to, with consideration of the appropriate proximity to electricity transmissions lines to be given at the time the site is developed.

Canterbury Regional Policy Statement

- 4.61 Ms Foote noted PC4 may not be entirely in accordance with Policy 5.3.5 of the CRPS but considered it would be consistent with both the Canterbury Land and Water Regional Plan and Canterbury Air Regional Plan.

- 4.62 We have considered the relevant provisions of the CRPS and note that there are elements of inconsistency with it. In particular, PC4 does not achieve consolidated growth in terms of being adjoining or attached to Kaikōura township (Objective 5.2.1 and Policy 5.3.1) and in terms of Policy 5.3.5 there remains a degree of uncertainty around servicing in terms of stormwater. Having said that we note that other elements of Objective 5.2.1 and Policy 5.3.1 are met in terms of designed and sustainable growth and enabling people and communities, including future generations, to provide for their social, economic and cultural well-being.

- 4.63 Overall, looking at the CRPS provisions as a whole we have concluded that the proposal is generally consistent with its objectives and policies.

Assessment of the Statutory Tests

- 4.64 The following assesses PC4 against the statutory tests identified in paragraphs 4.1 - 4.3 above. In addition, Section 32AA requires a further evaluation for any changes that have been made to the proposal since the original evaluation was completed. The changes made to the provisions of PC4 as a result of our questioning and findings and the reasons for them are covered in the s32 assessment below.
- 4.65 We consider PC4 and its associated provisions have been designed such that they will achieve the integrated management of the effects of the use and development of the plan change area whilst controlling any actual or potential effects. PC4 will also ensure that there is sufficient development capacity in terms of business land to meet the expected demands of the district. Accordingly, we find that PC4 is designed to accord with and assist the Council to carry out its s31 (of the RMA) functions.
- 4.66 As detailed above, we consider the plan change gives effect to relevant national policy statements, national planning standards and the operative regional policy statement.
- 4.67 The plan change has taken into account Te Poha o Tohu Raumatī (the Iwi Management Plan).
- 4.68 We consider the rules proposed and now amended have had regard to the actual or potential effects on the environment including, in particular, any adverse effects.
- 4.69 In terms of s32 (and 32AA) of the RMA we note that PC4 involves a whole new suite of objectives associated with a new zone as well as wider amendments to the KDP. In our view, the objectives (as they have been amended) are the most appropriate means to achieve the Act's sustainable management purpose. In this context we have also considered the existing Strategic Directions Objectives in the KDP which refer to providing for urban growth where any adverse effects on natural and physical resources are mitigated, avoided, or remedied (UFD-O1), providing for a pattern of land use that promotes a close relationship between areas having different characteristics while recognising the distinction between commercial and non-commercial activities

(UFD-O3). We consider the nature and contents of the zone proposed meets the intent of these objectives.

4.70 We find that the rules as now proposed appropriately implement the policies and are efficient and effective, and thus the most appropriate methods for achieving the objectives. In particular, we consider the provisions as a whole, which includes the LIZ itself, appropriately manage development in a way which ensures the avoidance or mitigation of potential adverse effects, including a wide range of visual and amenity controls, landscaping with native species, protection for the town centre by limiting retail and commercial activities and limiting other types of development which might otherwise impact on the environment.

4.71 In our view the plan change has had appropriate regard to the efficient use and development of resources, the maintenance and enhancement of amenity values, the quality of the environment, and the finite characteristics of highly productive land. We also consider the benefits of the plan change in delivering industrial land and potential economic growth outweigh any potential costs which we consider are relatively limited. We also consider there is minimal uncertainty and no missing information in relation to PC4 so the risk of acting and recommending the plan change is minimal. There is a wider risk associated with not acting in providing for a LIZ given the evidence of Mr Heath and the need to meet anticipated future demand.

4.72 Overall, we considered for the reasons set out above that PC4 meets the purpose and principles set out in Part 2 of the Act in promoting sustainable management. Specifically, it will enable the people of the district to provide for their social and economic well-being. We consider PC4 is an appropriate response to the lack of specific industrial land provision in Kaikōura District and provides the potential to facilitate industrial growth in the district. We also note it would provide for improvements in the SH1 Inland Kaikōura Road intersection and enable the potential for redevelopment of existing commercial areas in time.

4.73 We therefore consider the most efficient and effective means to achieve the objectives (both existing and proposed) is through the adoption of the proposed PC4 as set out in Appendix 1.

5.0 Recommendations

5.1 For all the foregoing reasons we have made the following recommendation on Plan Change 4 to the Kaikōura District Plan:

1. **That pursuant to clause 10 of Schedule 1 to the Resource Management Act 1991 that Plan Change 4 to the Kaikōura District Plan be approved as set out in Appendix 1 to this decision.**
2. **That for the reasons set out in the above report we either accept, accept in part or reject the submissions and further submissions as recommended and listed in Appendix 2 to this report.**



Commissioner Dean Chrystal



Commissioner -Ma-rea Clayton



Commissioner – Gina Solomon



Commissioner -John Diver



Commissioner - Vicki Gulleford

21st May 2024

APPENDIX 1

Changes to the District Plan

Definitions

Insert the following new definitions.

Key defined terms for this chapter	
Term	Definition
Trade Supplier	means a business engaged in sales to businesses, and may also include sales to the general public, and consists only of one or more of the following categories: <ul style="list-style-type: none"> a. automotive and marine supplies; b. building supplies; c. farming and agricultural supplies; d. garden and landscaping supplies; e. office furniture, equipment and systems supplies; f. hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items) ; g. industrial clothing and safety equipment supplies; and h. catering equipment supplies.
Yard-based Activity	means retailing with the primary function of the supply of goods from a yard area and includes building supplies (DIY or Trade), garden centres, automotive and marine yards, farming and agricultural supplies and heavy machinery or plant. More than 50% of the area devoted to sales or display must be located in covered or uncovered external yard as distinct from within a secure and weatherproofed building where trade, business and general public customers are able to view items for sale and load, pick up or retrieve the goods, but does not include site access and parking. Drive-in or drive through covered areas devoted to the storage and display of construction materials (including covered lanes) are deemed yard space for the purpose of this definition.
Freight Handling Facilities	means the use of land, plant, equipment, buildings, infrastructure and structures for freight handling and distribution. It includes ancillary: <ul style="list-style-type: none"> a. storage areas and facilities, including warehouses; b. maintenance and repair facilities; c. parking areas; d. administration facilities.
Food and Beverage Outlet	means the use of land, buildings or other structures primarily for the sale of food or beverages prepared for immediate consumption on or off the premises to the general public. It excludes supermarkets.

Heavy Industry	<p>means:</p> <ul style="list-style-type: none"> a. blood or offal treating; bone boiling or crushing; dag crushing; fellmongering; fish cleaning or curing; gut scraping and treating; and tallow melting; b. flax pulping; flock manufacture or teasing of textile materials for any purpose; and wood pulping; c. storage and disposal of sewage, septic tank sludge or refuse; d. slaughtering of animals; storage, drying or preserving of bones, hides, hoofs or skins; tanning; and wool scouring; e. any other processes involving fuel-burning equipment, which individually or in combination with other equipment, have a fuel-burning rate of up to 1,000 kg/hr; f. burning out of the residual content of metal containers used for the transport or storage of chemicals; g. the burning of municipal, commercial or industrial wastes, by the use of incinerators for disposal of waste; h. any industrial wood pulp process in which wood or other cellulose material is cooked with chemical solutions to dissolve lining, and the associated processes of bleaching and chemical and by-product recovery; i. crematoriums; and j. any industrial activity which involves the discharge of odour or dust beyond the site boundary.
Light Industrial Zone/Activity	Areas used predominantly for a range of industrial activities, and associated activities, with adverse effects (such as noise, odour, dust, fumes and smoke) that are reasonable to residential activities sensitive to these effects.

Light Industrial Zone

Insert a new chapter into the KDP, Part 3: Area Specific Matters after *Rural Zones, GRUZ – General Rural Zone* as follows:

LIZ – Light Industrial Zone

Introduction

The Light Industrial Zone provides primarily for a range of industrial activities, along with other activities that have similar characteristics, or which due to their scale or nature are best suited to the Light Industrial Zone. It is anticipated that future activities will generate a greater level of adverse effects than what can be expected in other existing zones. These may include, but are not limited to, noise, visual dominance, shading, light spill etc. These effects need to be adequately managed to ensure that amenity values of adjoining zones are maintained and adverse effects on the environment are avoided, remedied or mitigated.

Advisory notes:

- Activities are required to give effect to any applicable National Policy Statement and or National Environment Standards.
- All activities shall be in general accordance with the Kaikōura District (Signs) Bylaw.

Issues

LIZ-I1	Managing the effects of industrial activity
Due to the nature of industrial activities, there are often significant effects that occur and if not managed properly can adversely impact the immediate and surrounding environment.	
LIZ-I2	Inadequate provision of land with industrial amenities
Inadequate provision of land with industrial amenities in appropriate locations can result in a lack of industrial development or development of industrial activities in less desirable locations and in turn can have an adverse effect on surrounding environments. Part of promoting sustainable management involves the provision of adequate areas for which new activities can establish and for existing industrial activities to relocate to. Through zoning, effects of industrial activity can be confined to an appropriate area.	
LIZ-I3	Providing a reasonable standard of amenity
A reasonable standard of amenity is required in light industrial areas to ensure that they are pleasant places to visit and work and that the amenity in adjoining zones is not adversely affected.	
LIZ-I4	Cumulative effects from non-light industrial activities
Ensuring the integrity of the Light Industrial Zone is not eroded through cumulative effects arising from commercial or residential activities establishing in this zone.	

Objectives

LIZ-O1	Providing for Light Industrial Zoning
The Light Industrial Zone provides for a range of light industrial and other compatible activities which contribute to, and maintain, the social, cultural, and economic wellbeing of the Kaikōura District.	
LIZ-O2	Maintaining amenity values of adjoining zones
The amenity values of areas adjoining the Light Industrial Zone are maintained.	
LIZ-O3	Effects of industrial activities
<p>a. Adverse effects of industrial activities are avoided, remedied or mitigated.</p> <p>b. The cultural values of Ngāti Kuri/ mana whenua are recognised, protected and enhanced through the use of indigenous species in landscaping and tree planting, the protection of sites of cultural significance, and recognition of other features of cultural significance including where practicable, waterways, springs, wetlands, sites of indigenous vegetation and the flight path of the Hutton Shearwater.</p>	
LIZ-O4	Development within an Outline Development Plan

Development within an Outline Development Plan must be undertaken in a manner consistent with the specific provisions contained within the Plan.	
LIZ-O5	Avoid cumulative effects of non-light industrial activities
Avoid cumulative effects of non – light industrial activities establishing within this zone to prevent undermining the viability and function of the Kaikōura’s Town Centre.	
Policies	
LIZ-P1	Enable a wide range of light industrial activities
Enable a wide range of light industrial activities and ancillary activities that are compatible and complementary to the overall purpose and character of the Light Industrial Zone.	
LIZ-P2	Avoid establishment of certain activities
<p>Avoid the establishment of any activities that:</p> <ol style="list-style-type: none"> 1. Are incompatible with the character and function of the Light Industrial Zone; and 2. Would result in reverse sensitivity effects that may constrain light industrial activities; and operate offensive trade activities (offensive trades means activities listed in Schedule 3 of the Health Act 1956). 	
LIZ-P3	Manage adverse visual effects
Manage adverse visual effects of light industrial development and operation in a manner that supports the visual amenity of the District and the intended outcomes of the Zone.	
LIZ-P4	Maintain the amenity values of adjoining Zones
<p>Maintain the amenity values of adjoining Zones by requiring:</p> <ol style="list-style-type: none"> 1. Buildings are suitably separated from a Residential dwelling located on an adjoining site in a different zone; and 2. Landscaping and screening of activities in the Light Industrial Zone when viewed from land in adjoining zones; and 3. Buildings and activities located within the Light Industrial Zone shall be designed and operated in a manner that minimises any potential or actual adverse effects across the boundary with an adjoining zone including building reflectivity. 4. Avoiding heavy industry from establishing within Light Industrial Zoned areas. 	
LIZ-P5	Use of Crime Prevention Through Environmental Design
Development is designed and laid out to promote a safe environment that reflects the principles of Crime Prevention Through Environmental Design (CPTED).	
LIZ-P6	Development is consistent with any Outline Development Plans
To require subdivision, use and development be consistent with any relevant Outline Development Plans.	
LIZ-P7	Ensure noise effects do not affect amenity
To avoid adverse noise effects on the amenity enjoyed by neighbouring zones and, within the zone, ensure any habitable building is designed to mitigate external noise.	

LIZ-P8	Ensure light effects do not generate adverse effects
To ensure adverse effects from light spill on both the flight paths of Hutton’s Shearwater and the amenity enjoyed on lifestyle or residential sites are avoided. To ensure adverse effects from light spill within the light industrial zone are appropriately managed to enable activities anticipated in this zone.	
LIZ-P9	Avoid certain activities
Other than provided for in Policy 10, avoid commercial activities, retailing, food and beverage activities and visitor accommodation activities within the light industrial zone where these are not ancillary to light industrial activity on the same site.	
LIZ-P10	Enable other activities
Enable activities other than light industrial activities through permitted activity rules: <ol style="list-style-type: none"> 1. at a limited scale and size to avoid compromising the character and function of the Light Industrial Zone; and 2. in a manner which does not detract from the character, function and purpose of other residential and commercial zones within the district, including the Commercial and Mixed Use Zone; and 3. with sufficient controls to ensure activities do not generate a reverse sensitivity effect with lawfully established light industrial activities on adjoining sites. 	
LIZ-P11	To provide landscaping as a means of maintaining amenity values
The landscape buffer treatment shall consist of species from Appendix 1 and shall be designed to achieve the following objectives: <ol style="list-style-type: none"> 1. To achieve both amenity and a level of screening of the built form from views outside of the Light Industrial Zone. 2. Where the landscape buffer is adjacent to State Highway 1, or at Zone boundary entrances, the landscape treatment shall ensure it contributes positively to the landscape character, cultural, and visual amenity of the adjoining area and shall reduce adverse visual effects associated with the mass and bulk of built form within the Light Industrial Zone. At zone entrances landscape planting shall maintain safety of sight lines for traffic. 3. The buffer planting along internal streets within the Light Industrial Zone shall achieve amenity value by: <ol style="list-style-type: none"> a. choosing street trees that have clear trunks, b. spacing street trees evenly down the street (at between 40 – 50m spacings), with lower plants creating ground cover in plant beds. The objective of this planting should be a focus on increased amenity and consistency in street tree selection rather than screening. 	
LIZ-P12	Ensure Provision of Infrastructure
To ensure: <ol style="list-style-type: none"> 1.the supply of potable water; and 2. the satisfactory disposal of sewage and stormwater; and 3. the connection of electricity and telecommunications. 	

Methods

LIZ-M1	Use Rules and Performance Standards
To include rules and rule requirements in the District Plan to control the height, bulk and location of buildings.	
LIZ-M2	Use of Rules to Protect Adjoining Zoning
To include rule requirements that apply to the interface between Light Industrial Zones and adjoining zones, including: <ol style="list-style-type: none"> 1. Landscaping of industrial sites adjacent to neighbouring zones, 2. Recession planes, 3. Standards for noise from activities adjoining zones; and control of light spillage onto adjoining zones. 	
LIZ-M3	Resource Consents
The use of resource consent conditions to mitigate, avoid or remedy the effects of activities that may have adverse effects, including adverse cumulative effects on the integrity of Kaikōura Town Centre.	

Anticipated Environmental Results

LIZ-AER1	Consolidate Light Industrial Activities
Consolidation of light industrial activities in the district to allow for light industrial activities to be undertaken in a manner that supports the health and wellbeing of people and communities.	
LIZ- -----	Preserve Amenity of Other Zones
Preservation of amenity, vitality, and function of residential and commercial areas through provision of an alternative zone for light industrial activities.	
LIZ-AER3	Preserve Amenity of Adjacent Zone
Preservation of the amenities in rural and residential environments adjacent to Light Industrial areas in terms of light admission, noise, odour, and lighting spill.	
LIZ- -----	Non-Light Industrial Activities are limited
Limited non-light industrial activities within the light industrial zone to avoid undermining the intent of the zone, or contributing to the decline of Kaikōura's town centre.	

Principal Reasons

The principal reason for identifying and consolidating light industrial areas is to provide for activities with similar effects to be grouped together. This will enable people to have access to functioning industrial areas with a range of industrial or commercial activities and to provide opportunities for such activities to establish. The provisions provide for light industrial activities within clear permitted limits to enable the efficient establishment and operation of such activities into the future, while avoiding conflict with activities in adjoining zones. Because of the scale and nature of activities anticipated within the Light Industrial Zone, a greater level of adverse effects can be expected than in other zones, including noise, odour, traffic volumes, visual dominance, and shading from large-scale buildings. These effects need to be managed to ensure the amenity values within adjoining zones are maintained. Activities within the zone also need to be

controlled to avoid the potential for reverse sensitivity effects to arise. More sensitive activities are only provided for where specific limits can be achieved, or where such development can demonstrate that they would not lead to issues of reverse sensitivity that could constrain the existing or future operation of the light industrial activities anticipated for the zone.

To ensure use of the Light Industrial Zone does not adversely affect the viability and function of Kaikōura’s town centre, it is important to place limits on the amount of commercial and residential activities permitted to establish. While some commercial activity provides for the needs of those working within the zone, large amounts of commercial activities will cumulatively have an adverse effect. Permitted activity limits have been established within the Light Industrial Zone, and specifically within the area of the ODP in Appendix 7 as appropriate. However, commercial development beyond these permitted activity limits is considered inappropriate and should be avoided.

Activities carried out within the Light Industrial Zone may reduce the amenity of adjoining zones through increased traffic generation, on-street manoeuvring or parking, noise, and lighting without adequate controls. Accordingly, rules within the Light Industrial Zone ensure activities located in proximity to residential uses in adjoining zones are managed.

The Light Industrial Zone located at Inland Kaikōura Road is located in the flight path of the Hutton’s Shearwater, an endangered seabird which nests at the head of the Kowhai River. The migration of these birds is impacted by artificial lighting which disorients the birds and causes them to fly into things either damaging them or killing them. Specific lighting controls for all activities in this zone ensure the birds do not become disoriented and secures their flight path.

Zone Rules

LIZ-R1	Light Industrial Activity
	1. Activity status: Permitted
	2. Activity status: Restricted Discretionary Where: a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7 Matters of discretion: 1. the matters of discretion of any standard not complied with.
	3. Activity status: Discretionary Where: a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9

LIZ-R2	Commercial Activities – any commercial activity including office activities up to 1,000 m ² GFA, excluding retailing.
	1. Activity status: Permitted Where: a) Commercial activity, or extension to an existing activity, not ancillary to primary light industrial activity located on the same site, makes up no more than 1,500 m ² GFA of the land contained at the Light Industrial Zone identified on the ODP in Appendix 7, and notice is provided to Council prior to establishing the business confirming the location and GFA of the activity. b) Any office is ancillary to a light industrial activity located on the

	same site and occupies either, up to 20% of the GFA of the buildings on site, or up to 250 m ² of building GFA (whichever is lesser).
	2. Activity status: Restricted Discretionary Where: a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7 Matters of discretion: 1. the matters of discretion of any standard not complied with.
	3. Activity status: Discretionary Where: 1. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9 b. When compliance is not achieved with LIZ-R2.1. b.
	4. Activity status: Non-complying a. When compliance is not achieved with LIZ-R2.1. a.

LIZ-R3	Trade Supplier – any trade supply activity
	1) Activity status: Permitted Where: a. The trade supplier cumulative site area is less than 20%, excluding roads, of the land contained in the Light Industrial Zone.
	2. Activity status: Restricted Discretionary Where: a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. Matters of discretion: 1. the matters of discretion of any standard not complied with.
	3. Activity status: Discretionary Where: a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9. b. When compliance is not achieved with LIZ-R3.1.a.

LIZ-R4	Yard-based activity – Any yard-based activity
	1. Activity status: Permitted.
	2. Activity status: Restricted Discretionary Where: b. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. Matters of discretion: 1. the matters of discretion of any standard not complied with.

	<p>3. Activity status: Discretionary Where:</p> <ul style="list-style-type: none"> c. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.
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LIZ-R5	Parking lots and parking buildings
	1. Activity status: Permitted.
	<p>2. Activity status: Restricted Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. the matters of discretion of any standard not complied with.
	<p>3. Activity status: Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.

LIZ-R6	Freight handling services – any freight handling activity
	1. Activity status: Permitted.
	<p>2. Activity status: Restricted Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. the matters of discretion of any standard not complied with.
	<p>3. Activity status: Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.

LIZ-R7	Service station – any service station
	1. Activity status: Permitted.
	<p>2. Activity status: Restricted Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. the matters of discretion of any standard not complied with.
	<p>3. Activity status: Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.

LIZ-R8	Food and beverage outlet – any food and beverage outlet
Green	<p>1. Activity status: Permitted. Where:</p> <ul style="list-style-type: none"> a) If a drive through restaurant, the activity is not located within 30 m of any boundary containing a residential activity. b) If not a drive through restaurant, the activity occupies a maximum of 350 m² FLA. c) Any food and beverage activity, or extension to an existing activity, not ancillary to primary light industrial activity located on the same site makes up no more than 800 m² GFA of the land contained at the Light Industrial Zone identified on the ODP in Appendix 7, and notice is provided to Council prior to establishing the business confirming the location and GFA of the activity.
Orange	<p>2. Activity status: Restricted Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7. <p>Matters of discretion:</p> <ul style="list-style-type: none"> 1. the matters of discretion of any standard not complied with.
Orange	<p>3. Activity status: Discretionary Where:</p> <ul style="list-style-type: none"> a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.
Red	<p>4. Activity status: Non-complying</p> <ul style="list-style-type: none"> a. When compliance is not achieved with LIZ- R8.1.a – c.

LIZ-R9	Retailing – any retailing up to 400m ² GFA.
Green	<p>1. Activity status: Permitted. Where:</p> <ul style="list-style-type: none"> a) The retailing is ancillary to a light industrial activity located on the same site and the retail occupies a maximum of 20% of building GFA; or b) Any retailing, or extension to an existing activity, not ancillary to primary light industrial activity located on the same site, makes up no more than 1,500 m² of the land contained in the Light Industrial Zone identified on the ODP in Appendix 7, and notice is provided to Council prior to establishing the business confirming the location and GFA of the activity; and c) Retailing, not ancillary to primary industrial activity located on the same site, shall not include outlets where the primary product for sale is clothing.

	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7.</p> <p>Matters of discretion:</p> <p>1. the matters of discretion of any standard not complied with.</p>
	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.</p> <p>b. When compliance is not achieved with LIZ-R9.1. a.</p>
	<p>4. Activity status: Non-complying</p> <p>a. When compliance is not achieved with any of LIZ-R9.1. b or c.</p>

LIZ-R10	Educational facility
	<p>1. Activity status: Permitted.</p> <p>Where:</p> <p>a. No more than two preschool childcare facilities and one tertiary education facility shall be permitted within the Light Industrial Zone ODP area identified on the ODP in Appendix 7, and notice is provided to Council prior to establishing the business confirming the location and GFA of the activity.</p> <p>b. Any educational facility where internal boundary fencing is designed to achieve acoustic measures in compliance with LIZ-RR8.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7.</p> <p>Matters of discretion:</p> <p>1. the matters of discretion of any standard not complied with.</p>
	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.</p>
	<p>4. Activity status: Non-complying</p> <p>a. When compliance is not achieved with LIZ-R11.1. a. or b.</p>

LIZ-R11	Visitor accommodation – any visitor accommodation activity
	<p>1. Activity status: Permitted.</p> <p>Where:</p> <p>a) Units designed for visitors must be constructed to achieve an indoor design sound level of 53 dB Lmax in a habitable space based on a designed sound level of 75 dB Lmax at the</p>

	<p>boundary of the site or 10 m from the unit, whichever is the closer to the unit. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation means is provided.</p> <p>b) There are no more than three visitor accommodation sites within the land contained at the Light Industrial Zone identified on the ODP in Appendix 7, and notice is provided to Council prior to establishing the business confirming the location and GFA of the activity.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7.</p> <p>Matters of discretion:</p> <p>1. the matters of discretion of any standard not complied with.</p>
	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.</p>
	<p>4. Activity status: Non-complying</p> <p>a. When compliance is not achieved with LIZ-R13.1.a or b.</p>

LIZ-R12	Residential unit – the establishment of any residential unit
	<p>1. Activity status: Restricted discretionary</p> <p>Where:</p> <p>a. The residential unit is to be used for custodial on-site security purposes.</p> <p>b. The residential unit occupies a maximum floor area of 70m².</p> <p>c. The residential unit accommodates no more than two people.</p> <p>d. Residential Units must be constructed to achieve an indoor design sound level of 53 dB L_{max} in a habitable space based on a designed sound level of 75 dB L_{max} at the boundary of the site or 10 m from the dwelling, whichever is the closer to the dwelling. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation means is provided.</p> <p>e. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7.</p> <p>Matters of discretion:</p> <p>1. the matters of discretion of any standard not complied with.</p> <p>2. Noise.</p> <p>3. Effects on amenity values.</p> <p>4. Landscaping.</p> <p>5. Scale of the activity.</p> <p>6. Compatibility with surrounding activities.</p> <p>7. Traffic safety and parking provision.</p> <p>8. Reverse sensitivity effects.</p>

	<p>2. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.</p>
	<p>3. Activity status: Non-complying</p> <p>a. When compliance is not achieved with any of LIZ-R11.1.a – d.</p>

LIZ-R13	Heavy industry – any heavy industrial activity
	<p>2. Activity status: Non-complying.</p>

LIZ-R14	Any activity that is not specifically provided for as a permitted, restricted discretionary or discretionary activity.
	<p>1. Activity status: Non-complying.</p>

LIZ-R15	Any permitted activity established within the Inland Kaikōura Road Outline Development Plan
	<p>1. Activity status: Permitted.</p> <p>Where:</p> <p>a. The activity is listed as permitted within the Light Industrial Zone.</p>
	<p>2. Activity status: Restricted Discretionary</p> <p>Where:</p> <p>a. When compliance is not achieved with LIZ-R15.1.a.</p> <p>b. Compliance is not achieved with any standard LIZ – S1 to LIZ – S7.</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any standard not complied with. 2. The extent to which development is in accordance with the outline development plan. 3. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this. 4. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the transport network. 5. The degree to which any reverse sensitivity effects are avoided or mitigated through landscaping.

	<p>3. Activity status: Discretionary</p> <p>Where:</p> <p>a. Compliance is not achieved with any standard LIZ – S8 to LIZ – S9.</p>
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Standards

LIZ-S1	Building height	
<p>The maximum height of any building shall be 15 m above ground level.</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent to which the location, design, scale and appearance of the building or structure mitigates the visual impact of exceeding the height limit. 2. The extent to which the building or structure is visible from the road, or adjoining sites contained in a different zone. 3. The extent to which the building or structure impacts on shading our outlook for adjoining sites contained in a different zone. 4. The extent to which the increase in height is necessary due to the functional and operational requirements of an activity. 	
LIZ-S2	Height in relation to boundary when adjoining a site contained in a different zone	
<p>Where an internal boundary adjoins a site contained in a different Zone, structures shall not project beyond a building envelope defined by recession planes in Appendix H of the Plan.</p> <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified.</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. Any adverse effects of shading on an adjoining property owner. 2. Effects on amenity of adjoining properties, including outlook and visual dominance. 3. The height, design and location of a building. 4. The sensitivity of any adjoining zone to overshadowing and dominance. 5. Whether any landscaping or trees are proposed that assist in mitigating adverse visual effects. 6. Whether the intrusion is necessary due to the functional and operational requirements of an activity. 	
LIZ-S3	Setbacks	
<p>All buildings shall be setback a minimum of:</p> <ol style="list-style-type: none"> a) 10 m from any adjoining road with any strategic road, arterial road, collector road, or state highway classification. b) 3 m from the road boundary of all 	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. For road setbacks, the extent to which the reduced setback impacts on the amenity and character of the street scene, landscaping potential, or shading on an adjoining property. 2. For internal setbacks, the extent of 	

<p>other roads.</p> <p>The minimum building setback from internal boundaries that adjoin a site containing a different Zone shall be 6 m.</p> <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified.</p>	<p>adverse effects on privacy, outlook, shading and other amenity values for the adjoining property.</p> <ol style="list-style-type: none"> 3. Whether the intrusion is necessary due to the functional and operational requirements of an activity. 4. The extent and quality of any landscaping provided. 5. For sites contained within the Outline Development Plan area identified in Appendix 7 on the Inland Kaikōura road, for non-compliance with rule INZ – RR4, the extent to which the development will impact on the surrounding environment or result in visual dominance.
LIZ-S4	Landscaping
<ol style="list-style-type: none"> 1. Site boundaries that adjoin a State Highway, and Inland Kaikōura Road shall have at a minimum a 6 m wide landscape strip containing native species. 2. Site boundaries that adjoin a road boundary shall plant a landscape strip that is a minimum width of 2.5 m. 3. Landscaping shall be provided and maintained along the full length of all internal boundaries adjoining sites contained in a different zone. This shall be a minimum of 6 m wide. 4. All planting required by LIZ-RR5.1 and LIZ - RR5.2 shall not apply where the landscaping would encroach on the line of sight required for any vehicle accessway or across vehicle crossings. 5. The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed or replaced. 6. All planting shall be chosen from the list contained in Appendix 1 (6) of the District Plan. <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent of visual effects of outdoor storage and car parking areas, or buildings because of reduced landscaping. 2. The extent to which there are any mitigating factors for reduced landscaping or screening, including the nature or scale of planting proposed, the location of parking areas, manoeuvring areas or storage areas, or the location of any ancillary offices/showrooms. 3. The extent to which reduced landscaping results in adverse effects on amenity and visual streetscape values.
LIZ-S5	Outdoor storage areas
<p>Any outdoor storage areas, other than those associated with yard-based activities</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent of visual impacts on the

<p>and trade suppliers, shall be screened by either 1.8 m high solid fencing (located internally from required 6 m landscape strip), landscaping, or other screening from any adjoining site contained in a different zone, except this rule does not apply at road boundaries.</p> <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified.</p>	<p>adjoining environment.</p> <ol style="list-style-type: none"> 2. The extent to which site constraints and/or the functional requirements of the activity necessitate the location of storage within the setback. 3. The extent of which the effects on amenity values generated by the type and volume of materials being stored. 4. The extent to which any proposed landscaping or screening mitigates amenity effects of the outdoor storage.
LIZ-S6	Building Light Reflectance
<p>Where buildings are located on sites adjoining a different zone, building roof materials shall have a light reflectance value (LVR) not exceeding 25%.</p> <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified.</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent of visual impacts on the adjoining environment. 2. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this.
LIZ-S7	Outline Development Plan – Kaikōura Business Park
<p>All development shall be undertaken in accordance with the Outline Development Plan contained in Appendix 7.</p> <p>No site within the Outline Development Plan contained in Appendix 7 shall have direct vehicle access to State Highway 1.</p> <p>No light industrial activities shall operate within the Outline Development Area until physical construction of the upgraded right-hand bay from State Highway 1 into Inland Kaikōura Road has begun.</p> <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified. Unless written approval is provided, NZ Transport Agency Waka Kotahi will be considered as an affected party for the purpose of limited notification.</p>	<p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The extent to which development is in accordance with the outline development plan. 2. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this. 3. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the transport network. 4. The degree to which any reverse sensitivity effects are avoided or mitigated through landscaping.
LIZ-S8	Lighting

<ol style="list-style-type: none"> 1. Exterior lights shall not result in lux spill which exceeds: <ol style="list-style-type: none"> a. 3 lux maximum (horizontal and vertical) onto adjacent residential and rural sites; or b. 10 lux maximum (horizontal and vertical) onto adjoining non-residential and non-rural sites. 2. Light spill shall be measured at any point more than 2 m inside the boundary of the adjoining sites. 3. All artificial lighting shall comply with the requirements of Appendix 1 (7) of the Plan. 	
LIZ-S9	Noise
<ol style="list-style-type: none"> 1. Noise received at any notional boundary of a noise sensitive activity within the Rural Zone shall comply with the following levels: <ol style="list-style-type: none"> a. 0700 to 2200 hours on any day: 55 dB LAeq b. 2200 to 0700 hours on any day: 35 dB LAeq 70dB LA_{Fmax} 2. Noise received at the boundary of any property in the Rural Zone shall comply with the following levels: <ol style="list-style-type: none"> c. 0700 to 2200 hours on any day: 65 dB LAeq d. 2200 to 0700 hours on any day: 55 dB LAeq 80dB LA_{Fmax} 	

Changes to the Subdivision Rules

The following are the changes to the subdivision rules contain in the SUB – Subdivision chapter of the KDP to implementation the Light Industrial Zone.

Text that is proposed to be added is shown in ***bold italics and underlined***. Deletions are shown as ***~~bold italics with a strikethrough~~***.

Proposed District Plan Amendments	
Amendment 1:	Add matter of control to SUB – R1: Subdivision of Land of the KDP, as follows: <i><u>All subdivision applications within the Light Industrial Zone shall provide a detailed light management plan. This must consider the light emission effects on the flight path of the Hutton’s Shearwater. The plans must be approved by Kaikōura Districts Council Infrastructure Team prior to s224 certification.</u></i>
Amendment 1A:	Amend Rule SUB – R1: Subdivision of Land to include proposed additional standard SUB – S13 as follows: 4. Activity status: Controlled Where: a. Compliance is achieved with SUB-S1 to SUB-S1 2 3 .

Amendment 1B:	Add new restricted discretionary activity status to SUB – R1 as follows:	
	<p>Kaikōura Business Park – Outline Development Area</p>	<p>5. Activity status: Restricted Discretionary Where:</p> <p>c. Compliance is not achieved with standard SUB – S13.</p> <p>Matters of discretion:</p> <ol style="list-style-type: none"> 1. The matters of discretion of any standard not complied with. 2. The extent to which development is in accordance with the outline development plan. 3. The extent to which development has adverse effects on the anticipated amenity values of adjoining zones and the means of mitigating this. 4. The extent to which the location of vehicular access points, the design of the transport network (including road alignment and intersection design within the development plan area and connections with the wider network), and the associated vehicle movements (including the type and volume of vehicles) may individually or cumulatively impact on the safety and efficiency of the transport network. 5. The degree to which any reverse sensitivity effects are avoided or mitigated through landscaping. <p>Notification: An application for a restricted discretionary activity under this rule is precluded from being publicly notified but may be limited notified. Unless written approval is provided, NZ Transport Agency Waka Kotahi will be considered as an affected party for the purpose of limited notification.</p>
Amendment 2:	Add a row to Table SUB Table 1: Minimum allotment sizes of the KDP, as follows:	
	Light Industrial Zone	500 m²
Amendment 3:	<p>Amend Rule SUB – S2: Water Supply (2), as follows:</p> <p>In any zone (except the Lifestyle Living Area shown on the Outline Development Plan for the Kaikōura Peninsula Tourism Area in DEV1 Appendix 1 <u>and the Inland Kaikōura Road Outline Development Plan in Appendix 7</u>) where a Council or Community reticulated water supply has insufficient capacity to service the new lots:</p> <ol style="list-style-type: none"> i. All new allotments serving 25 or fewer people for less than 60 days per year shall be provided with a potable water supply, and ii. all new allotments serving more than 25 people for more than 60 days per year shall be provided with a community drinking 	

	water supply, except that this shall not include allotments for access, roads, utilities and reserves.
Amendment 4:	<p>Insert new rule after SUB – S12 as follows:</p> <p><u>SUB – S13 Inland Kaikōura Road Outline Development Plan</u> <u>The following performance standards shall also apply to the Inland Kaikōura Outline Development Plan shown in Appendix 7 of the Kaikōura District Plan.</u></p> <ol style="list-style-type: none"> 1. <u>All subdivision development shall be undertaken in accordance with the provisions of the ODP contained in Appendix 7.</u> 2. <u>Roading</u> <ol style="list-style-type: none"> a. <u>The primary road shall be located in accordance with the location shown on the Outline Development Plan in Appendix 7 and shall be vested in the Kaikōura District Council.</u> b. <u>There shall be no direct access to State Highway 1 from sites contained in the Outline Development Plan.</u> 3. <u>Landscaping</u> <u>All landscaping along the external perimeter of the Light Industrial Zone as depicted on the Outline Development Plan at Appendix 7, shall be landscaped to the following standards:</u> <ol style="list-style-type: none"> a. <u>A 6 m wide landscape strip shall be established along the boundaries of State Highway 1 and Inland Kaikōura Road.</u> b. <u>A 6 m wide landscape strip shall be established along all boundaries of the ODP which adjoin a site contained in another zone, except road boundaries.</u> c. <u>The landscaping planted shall be maintained and if dead or diseased or damaged, shall be removed or replaced.</u> d. <u>Any planting located near the entrance points of the ODP shall be reduced in height to ensure safe and sufficient sightlines.</u> e. <u>All planting shall be chosen from the Native Planting List contained in Appendix 1. This shall include a mixture of species from the categories contained in the list and have a minimum one tree or shrub per 10 m of road frontage (minimum height 1.5 m at the time of planting).</u> <p><u>A landscape plan in accordance with Policy 11 shall be provided as part of any subdivision application within the ODP area in Appendix 7.</u></p> 4. <u>Lighting</u> <u>All artificial lighting within the ODP boundaries is required to follow the light performance standards contained in Appendix 1.</u>

SUB Table 2: Road classification and pavement structure

Zone	Traffic volume (VPD) or residential units (RU)	Design Speed (kph)	Minimum road width (m)	Carriageway width (m)	Pavement structure, Two-layer basecourse construction, Depth (mm) aggregate type code.

				Parking	Traffic	Total	Lower layer	Upper layer
GRZ, Set, Bus, ORCL <u>LIZ</u>	<20 RU	40	12	1x2m	1x3.5m	5.5	100 SBAP 60	100 GAP 40
	>20 RU		14	1x2m	1x4m	6.0		
	<100 RU		15	2x2m	1x3.5m	7.5		
Rural	<200 VPD	100			1x3.5m	3.5	Use SHPDRM design method	
GRZ, Set, Bus, ORCL <u>LIZ</u>	400-1000 VPD	50			2x2.5m	8.0	200 SBAP 60	100 GAP 40
Rural	200-1000 VPD	100			2x3m	6.0		
GRZ, Set, Bus, ORCL <u>LIZ</u>	800-3000 VPD	100		2x2m	2x2.3m	11.0	200 GAP 40 150 TNZ AP40	
Rural		50				7.0		
Rural		1000-4000 VPD	100				7.0	Use SHPDRM design method

Changes to Appendix

The following are additions to the Appendix 1 - Landscape, Amenity and Energy Efficiency Guidelines of the KDP to implementation the Light Industrial Zone. The text that is proposed to be added is shown in ***bold italics and underlined***.







Proposed District Plan Amendments	
Amendment 1:	Insert subpoint to <i>Appendix 1 – Landscape, Amenity and Energy efficiency Guidelines</i> , as follows: <i>6. <u>Native Planting List for Inland Kaikōura Road Outline Development Plan</u></i>

The following species are all permitted to be planted within the boundaries of Inland Kaikōura Road Outline Development Plan:

1. Short grasses
 - a. Wīwī | *Ficinia nodosa* (hardy),
 - b. Silver tussock / wī | *Poa cita* (hardy),
 - c. NZ blueberry / turutu | *Dianella nigra* (hardy),
 - d. NZ Iris | *Libertia ixioides*,
2. Groundcovers – medium shrubs
 - a. Pohuehue | *Muehlenbeckia axillaris* (hardy),
 - b. Pohuehue | *Muehlenbeckia complexa*, (hardy),
 - c. Shrubby toatoa | *Haloragis erecta* (hardy),
 - d. Mingimingi | *Coprosma rhamnoides* (hardy),
 - e. Porcupine shrub | *Melicytus alpinus* (Slow growing),
3. Medium - tall grasses
 - a. Swamp flax / harakeke | *Phormium tenax* (hardy),
 - b. Mountain flax / wharareki | *Phormium cookianum* (hardy),
 - c. South Island toetoe | *Austroderia richardii* (hardy),
4. Medium - tall shrubs
 - a. Mingimingi | *Coprosma propinqua* (hardy),
 - b. Karamu | *Coprosma robusta* (hardy),
 - c. Mingimingi | *Coprosma crassifolia* (hardy),
 - d. Mikimiki | *Coprosma linariifolia* (hardy),
 - e. Mikimiki | *Coprosma rigida* (hardy),
 - f. NZ native broom / Makaka | *Carmichaelia australis*,
 - g. Koromiko | *Veronica salicifolia* (hardy),
 - h. Korokio | *Corokia cotoneaster*,
5. Medium – tall trees (suit clipping)
 - a. Galden akeake | *Olearia paniculate* (hardy),
 - b. Akeake | *Dodonea viscosa* (hardy),
 - c. Kōhūhū | *Pittosporum tenuifolium* (hardy),
 - d. Lemonwood / Tarata | *Pittosporum eugeniodes* (hardy),
 - e. Mānuka | *Leptospermum scoparium*,
 - f. Broadleaf / Kapuka | *Griselinia littoralis* (hardy),
 - g. Whauwhaupaku / five finger | *Pseudopanax arboreus* (frost tender),
 - h. Kaikōmako / bellbird tree | *Pennantia corymbosa* (frost tender),
 - i. Marbleleaf / putaputāwētā | *Carpodetus serratus* (frost tender),
 - j. Whiteywood / māhoe | *Melicytus ramiflorus* (frost tender),
 - k. Red matipo | *Myrsine australis* (frost tender),
 - l. Black Maire | *Nestegis cunninghamii* (Slow growing, frost tender)
 - m. Makomako / wineberry | *Aristotelia serrata* (hardy),
6. Tall trees (not to be clipped)
 - a. Kānuka | *Kunzea robusta* (hardy),
 - b. Kowhai | *Sophora microphylla* (hardy),
 - c. Ngaio | *Myoporum laetum* (frost tender),
 - d. Tōtara | *Podocarpus tōtara*(hardy),
 - e. Cabbage tree / tī kōuka | *Cordyline australis* (hardy),

	<ul style="list-style-type: none"> f. <u>Horoeka / lancewood Pseudopanax crassifolius (frost tender),</u> g. <u>Lowland ribbonwood / manatū Plagianthus regius (hardy),</u> h. <u>Narrow-leaved lacebark Hoheria angustifolia (hardy),</u> i. <u>Mataī Prumnopitys taxifolia (slow growing),</u>
<p>Amendment 2:</p>	<p>Insert subpoint to Appendix 1 – Landscape, Amenity and Energy efficiency Guidelines, as follows:</p> <p>7. <u>Lighting Requirements</u> <u>All artificial lighting within the Inland Kaikōura Road Outline Development Plan must comply with the following:</u></p> <p>a. <u>Outdoor lighting:</u></p> <ul style="list-style-type: none"> i. <u>All lights are to have a clear, specific purpose (task specific), and should be selected and installed to illuminate only the area requiring lighting. Gardens should not be lit.</u> ii. <u>Lighting intensities shall be the minimum intensities necessary to carry out each site activity.</u> iii. <u>All light fittings when installed shall not project any light at or above the height of their light source.</u> iv. <u>All light emitted from light fittings shall have a correlated colour temperature of 2700K (Kelvin) or less. 2200K with minimum colour rendering index of 70 preferred,</u> v. <u>All light fittings are to be low lumen output, maximum 5000 Lumens.</u> vi. <u>The lighting is to have automatic motion sensors and daylight controls such that the lights are only on from dusk to dawn, and when motion has been detected, maximum on time of 5 minutes.</u> <p>b. <u>Outdoor illuminated signs:</u></p> <ul style="list-style-type: none"> i. <u>Self-illuminated signs and billboards (with an internal light source) are not permitted.</u> ii. <u>Signs that are to be illuminated shall have a matt surface with dark background.</u> iii. <u>Signs to be illuminated by shielded downlights, light fittings when installed shall not project any light at or above the height of their light source, lights to be dimmable and lighting intensities set to the minimum intensities required for the sign to be legible from the adjacent road.</u> iv. <u>Sign illumination shall not to operate between 11 pm and 5 am</u> <p>c. <u>Interior lighting</u></p> <ul style="list-style-type: none"> i. <u>All perimeter windows in buildings are to be fitted with curtains, blinds or shutters to stop interior lighting from radiating out through windows. Curtains, blinds or shutters to be closed when the interior lighting is to be used at night.</u> ii. <u>Skylights in buildings are acceptable if they do not emit light skywards during the hours of 11 pm to 5 am.</u>

KEY

-  ODP Boundary
-  Proposed Primary Road (Relocated Inland Kaikoura Road)
-  Existing Power Line
-  Light Industrial Zone
-  Stock Effluent Disposal
-  6m Landscape Strip

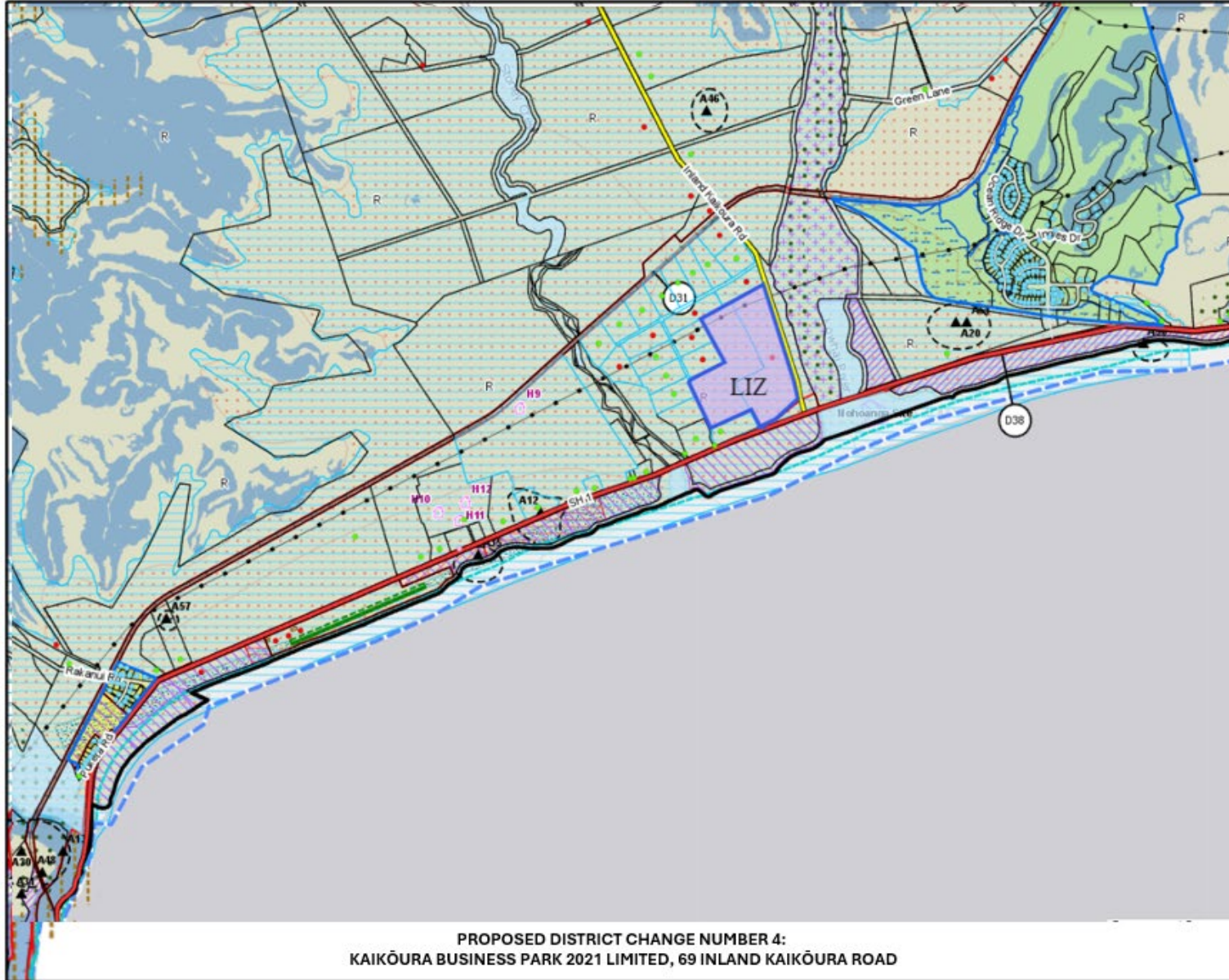


Inland Kaikoura Road	
Date:	13/06/2021
Drawn:	20/04/2021
Design:	
Drawn:	KL
Revised:	20/04/21
<ul style="list-style-type: none"> • 100% Address • 100% Subdivision 	
Rev. Date:	Amendment
Revision:	B
Sheet:	1

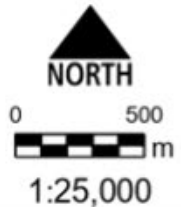
PLANNING MAPS

Amended Planning Maps and Legend to:

1. Show a Light Industrial Zone over the land shown in the above Outline Development Plan



28	39	40
28	41	42
40		



41

**PROPOSED DISTRICT CHANGE NUMBER 4:
KAITŌURA BUSINESS PARK 2021 LIMITED, 69 INLAND KAITŌURA ROAD**

Kaitōura District Council does not guarantee that the data in this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequences which may arise from relying on any information depicted. These maps contain multiple overlapping layers and caution is advised when interpreting layers and risk to properties. Non-statutory guidance and property searches can found at the Kaitōura District Council website. Cadastral and topographic data sourced from LINZ. Crown Copyright Reserved.

Decisions on Submissions

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
1	Waka Kotahi		Transport assessment and transport rules	Neutral	<p>1.1 Appropriate mitigation has been included to address safety concerns within the transport system, which includes the realignment of SH1. However, it is currently unsure how or when these safety improvements will be delivered. Waka Kotahi considers that the realignment of Route 70 and the installation of the righthand turn bay should implemented prior to and land use or subdivision occurring on the site.</p> <p>1.2 The realignment of Route 70 and the installation of the right-hand turn bay will have an impact on the Stock effluent disposal site (STED). There are no plans for the relocation of the STED. Waka Kotahi consider that the safe and effective access to the STED should be retained for vehicles in all directions.</p> <p>1.3 There should be no direct access to SH1 to ensure the safe, efficient and effective operation of the State Highway is maintained. There should be no accesses or intersections onto Route 70 within 60m from the intersection of the State Highway.</p> <p>1.4 Waka Kotahi has general concerns about the rezoning of the site due to its location in comparison to the existing Kaikoura township. The site is located 5km south of the township and does not integrate with the existing urban land use. This will result in increased vehicle kilometres by private vehicles, and will rely on the State Highway network for local trips. The amount of land to be rezoned exceeds</p>	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
					the land required for these activities as stated in the economic assessment assumptions.	
2	Fire and Emergency New Zealand		Firefighting water supply.	Neutral	<p>2.1 It is critical that water supply infrastructure is in place prior to any development commencing and that the water supply has adequate capacity and pressures available to service the future developments as determined through SNZ PAS 4509:2008. An FW4 classification is required for commercial and light industrial developments.</p> <p>2.2 FENZ notes that the building consent process does not require provision of, or consideration of, firefighting water supply. It is therefore critical that firefighting water supply is determined at the time of this plan change.</p> <p>2.3 FENZ notes that the underlying subdivision requires residential allotments to provide an alternative firefighting water supply, however this consent notice would not apply to the industrial development. Therefore, FENZ wishes to ensure subsequent subdivision and development is subject to the District Plan development standards requiring all developments to demonstrate that they can adequately serviced for firefighting water supply in accordance with SNZ PAS 459:2008.</p> <p>2.4 FENZ requires adequate access to property and structures throughout the PC4 area to ensure it can respond to emergencies. The requirements for firefighting access are set out in SNZ PAS 4509-2008.</p>	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
					2.5 FENZ seeks that consideration be given to the use of low flammability plantings in the PC4 are to prevent spread of fire across boundaries.	
3	Dr Larry Field		Appendix: A Lighting Plan	Support	<p>3.1 As a Dark Sky Trust Member I am empowered to speak on behalf of all members of the Dark Sky Group. I strongly support the proposed outdoor lighting approach proposed in the plan change. It is noted that the plan change recommends lighting performance standards via a lighting management plan and these standards are in alignment with the Responsible Lighting Guidelines produced by the Kaikoura Dark Sky Trust.</p> <p>3.2 The following changes are proposed to the wording of the plan change Changes are marked as bold <u>underlined</u> in red and deletions and bold green strikethrough:</p> <p>APPENDIX A LIGHTING PLAN OF KAIKOURA INDUSTRIAL PARK</p> <p>All artificial lighting within the Inland Kaikōura Road Outline Development Plan must comply with the following:</p> <p>a. Outdoor lighting:</p> <p>i. All lights are to have a clear, specific purpose (task specific) other than lighting gardens, and should be shielded to illuminate only the area requiring lighting.</p> <p>ii. Lighting <u>intensities</u> levels shall be the minimum levels necessary to carry out each site activity.</p> <p>iii. All light fittings when installed shall not project any light</p>	

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
					<p>at or above the height of their light source.</p> <p>iv. All light emitted from light fittings shall have a correlated colour temperature of 2700K (Kelvin) or less, with 2200K with minimum colour rendering index of 70 preferred.</p> <p>v. All light fittings are to be low lumen output, maximum</p> <p>vi. The lighting is to have automatic motion sensors presence and daylight controls such that the lights are on only from dusk to dawn, and when motion presence has been detected, maximum on time of 5 minutes.</p> <p>b. Outdoor illuminated signs:</p> <p>i. Self-illuminated signs and billboards (with an internal light source) are not permitted.</p> <p>ii. Signs that are to be illuminated shall have a matt surface with dark background.</p> <p>iii. Signs to be illuminated by shielded downlights, as per aria above, with lights to be dimmable and lighting intensity level set to the minimum level required for the sign to be legible from the adjacent road.</p> <p>iv. Sign illumination shall not to operate between 11 pm and 5 am</p> <p>c. Interior lighting</p> <p>i. All perimeter windows in buildings are to be fitted with curtains, blinds or shutters to stop interior lighting from radiating out through windows. Curtains, blinds or shutters to be closed when the interior lighting is to be used at night.</p> <p>ii. Skylights in buildings are acceptable if they do not emit light skywards during the hours of 11 pm to 5 am.</p>	

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	Hutton Shearwater Charitable Trust	FS1		Support Submission		Accept
4	Kaikoura District Council - Staff Submission		Servicing provision	Neutral	Council staff are aware that the applicants are working with Environment Canterbury to ensure necessary resource consents are in place to allow for the future servicing of PC4. Council staff support the proactive approach taken by Kaikoura Business Park Ltd. Paraphrasing Policy 5.3.5 of the Canterbury Regional Policy Statement the policy seeks to ensure development is appropriately serviced by avoiding development that will not be serviced in a timely manner. Council staff are aware that a timing issues currently exists, with the final decision yet to be issued. As the resource consent final decision has not been issued at the time of the close of submissions and although no issues are anticipated Council cannot confirm as to if the rezoning can comply with policy 5.3.5. KDC therefore seeks to ensure that this matter be addressed prior to any decision on the zoning.	
5	Aafke Baxter		Not specified	Support	Support as it will benefit the wider Kaikoura area and will provide growth and employment opportunities.	Accept
6	Alex Cuff		Not specified	Support	Support as a dedicated business area for Kaikoura growth is required.	Accept
7	Angus McKenzie		Not specified	Support	Support as Kaikoura needs it for jobs and regional growth.	Accept
8	Nick Anderson		Not specified	Support	Industrial pressure on Beach Road and need with expansion of Kaikoura. The proposed location at the junction of the Inland Road is a good location.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
9	Bella Black		Not specified	Support	Support as will provide employment and growth.	Accept
10	Brett Bolton		Not specified	Support	Support plan change as it will provide for new businesses in the area and provide growth and jobs.	Accept
11	Paul Beadle		Not specified	Support	Support the whole plan change as it provides for businesses to move from Beach Road for the safety of children cycling and pedestrians.	Accept
12	Hamish Bruce		Not specified	Support	Support as Kaikoura needs a business park for local community growth and jobs.	Accept
13	Lynette Buurman		Not specified	Support	Support as Kaikoura is in need of an area for light industrial to be developed.	Accept
14	Charles MacFarlane		Not specified	Support	Support	Accept
15	C R Rye		Not specified	Support	Support as Kaikoura needs further growth and a business park will help achieve this.	Accept
16	Richard Cleall		Not specified	Support	Support as the town and wider area needs growth and jobs.	Accept
17	Heather Clelland		Not specified	Support	Support and need a business park to support jobs in the town.	Accept
18	Richard Clemett		Not specified	Support	Support as Kaikoura needs a business park to grow the area and will create employment and will not be reliant on tourism.	Accept
19	Grant Clifford (Waterforce)		Not specified	Support	Support as is the best location and good for new businesses and jobs.	Accept
20	Richard Cotter		Not specified	Support	Support	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
21	Doug Hockey		Not specified	Support	Support because it is a well-planned hub for new businesses and will create jobs and growth.	Accept
22	Edward Anderson		Not specified	Support	Support and will provide for employment and growth for the Kaikōura region.	Accept
23	Eion Fitzgibbon		Not specified	Oppose	Oppose as he was failed along with other landowners surrounding these lots to be informed prior to the purchase of my land that this could eventuate.	Accept
	Ashley Cunliffe	FS3		Support Submission		Further submission withdrawn
	Henry Murray	FS6		Support submission		Further submission withdrawn
	A Cuniffe	FS7		Support Submission		Further submission withdrawn
	A Hurst	FS8		Support Submission		Further submission withdrawn
	D Hopkins	FS4		Support Submission		Further Submission Withdrawn
	B Hurst	FS10		Support Submission		Further Submission Withdrawn

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	E Hopkins	FS14		Support Submission		Further Submission on a withdrawn submission
	L Murray	FS15		Support Submission		Further Submission on a withdrawn submission
	P Cunliffe	FS17		Support Submission		Further Submission on a withdrawn submission
24	Emma and Darryn Hopkins		Not specified	Neutral	Support the limitations specified in the reports relating to noise and light pollution. Seek that the area for use be amended as this will significantly affect views and nature of our section and devalue.	Accept
	Ashley Cunliffe	FS3 and FS7		Support Submission		Further Submission on a withdrawn submission
	Henry Murray	FS6		Support Submission		Further Submission Withdrawn

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	B Hopkins	FS9		Support Submission		Further Submission Withdrawn
	D Hopkins	FS13		Support Submission		Further Submission Withdrawn
	B Hurst	FS10		Support Submission		Further Submission Withdrawn
	E Hopkins	FS14		Support Submission		Further Submission on a withdrawn submission
	N J Smith	FS16		Support Submission		Further Submission on a withdrawn submission
	P Cunliffe	FS17		Support Submission		Further Submission on a withdrawn submission

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	R Johnston	FS18		Support Submission		Further Submission on a withdrawn submission
25	Bruce Ensor		Not specified	Support	Support the proposed Business Park it is in the best location and good for new businesses, jobs and growth.	Accept
26	Fraser Ibbotson		Not specified	Support	Support as it will provide growth and beautification.	Accept
27	Royden Fearnley		Not specified	Support	Support as it will create jobs.	Accept
28	Lesley Fissenden		Not specified	Support	Support.	Accept
29	Fissendon Brothers Limited		Not specified	Support	Support as is the most important move for Kaikoura in 150 years and will provide for growth for future generations.	Accept
30	Tony Flint		Not specified	Support	Support as will create jobs and reduce Beach Road congestion.	Accept
31	Peter Ford		Not specified	Support	Support as Kaikoura needs a business park for jobs and growth.	Accept
32	Grant Anderson		Not specified	Support	Support plan change due to traffic issues on Beach Road.	Accept
33	George Hopkins		Not specified	Support	Support the proposed Kaikoura Business Park as it is in the best location compared to Beach Road which is dangers. It will remove trucks from the main street.	Accept
34	Gemma McKenzie		Not specified	Support	Support the proposed business park as it will provide job and growth for the region.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	Darryn Hopkins	FS12		Oppose submission		
35	Robin Gibson		Not specified	Support	Support the proposed business park as will be good for new businesses, provide jobs and growth across the wider district.	Accept
36	Kaleb Godsiff		Not specified	Support	Support plan change and it will be great for Kaikoura and for employment.	Accept
37	Hillary Watherston		Not specified	Support	Support the Kaikoura Business Park as the area needs new businesses, growth and jobs	Accept
38	Murray Hamilton		Not specified	Support	Support the Kaikoura Business Park and it will provide jobs and growth.	Accept
39	Bernard Harmon		Not specified	Support	Support the Business Park as it will provide growth and jobs for future generations of Kaikoura families.	Accept
40	Brent Hole		Not specified	Support	Support the plan change as will provide jobs, growth and new business.	Accept
41	Marcel Hoogerwerf		Not specified	Support	Support the plan change because Kaikoura need growth of the community.	Accept
42	James Hopkins		Not specified	Support	Support the Kaikoura Business Park. Every other town has one so about time this happened for growth.	Accept
43	Ian Croucher		Not specified	Support	Support the Kaikoura Business Park. Most other towns have one. We have no growth in part because no one is attracting new growth.	Accept
44	Grant Irvine		Not specified	Support	Support the Business Park for future growth, jobs and wealth creation.	Accept
45	Judith Croucher		Not specified	Support	Support the Kaikoura Business Park. This is long overdue. Kaikoura has had no growth and this will help.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
46	Matthew Jacobson		Not specified	Support	Support as will provide for growth and jobs.	Accept
47	John Leeder		Not specified	Oppose	Oppose as bought Lot 13 to build a house on and do not want an industrial park right next door to my property. I would have trouble selling my house with an industrial property next door. When I signed up for the property there was no mention of this to me.	Accept
	D Hopkins	FS5		Support Submission		Further Submission Withdrawn
48	Jeremy Johnston		Not specified	Support	Support the Kaikoura Business Park as the town needs more business and Beach Road is very dangerous.	Accept
49	Roger Jones		Not specified	Support	Support the Kaikoura Business Park as it will provide for growth and jobs for Kaikoura.	Accept
50	Kieren Grey		Not specified	Support	Support the Kaikoura Business Park, a dedicated and well-planned area in one place.	Accept
51	Spencer Kahu		Not specified	Support	Support the Kaikoura Business Park as it will get trucks out of Beach Road stopping for fuel out of town.	Accept
52	Rick Kjestrup		Not specified	Support	Support the plan change as it would be good to have a business park on the outskirts of town and all the industrial businesses in one place.	Accept
53	Linda Anderson		Not specified	Support	Support the plan change as Kaikoura is in need of expansion due to traffic congestion in town (Beach Road).	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
54	L Bennett		Not specified	Support	Support the Kaikoura Business Park and Kaikoura needs it for jobs and regional growth.	Accept
55	Logan Bennington		Not specified	Support	Support as Kaikoura needs it for jobs and regional growth.	Accept
56	Lucy McDonald		Not specified	Support	Support as Kaikoura needs a business Park for growth and employment.	Accept
57	John Leeder		Not specified	Support	Support the Kaikoura Business Park. The town needs this going forward.	Accept
58	Malcolm Lodge		Not specified	Support	Support the Business Park.	Accept
59	Anthony Lund		Not specified	Support	Support the Business Park for future growth and jobs.	Accept
60	Michael Anderson		Not specified	Support	Support the Kaikoura Business Park to get new businesses into Kaikoura.	Accept
61	Matt Bentley		Not specified	Support	Support the business Park as Kaikoura needs jobs and regional growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
62	Marco Vargas		Not specified	Support	Support the business Park as Kaikoura needs jobs and regional growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
63	Jo McFarlane		Not specified	Support	Support the Business Park and Kaikoura needs a business park for jobs and growth.	Accept
64	Andrew McFarlane		Not specified	Support	Support the Business Park for future growth and employment.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
65	Scott Mansfield		Not specified	Support	Support the Business Park to keep the pace alive and get some employment confidence again.	Accept
66	Alex McConchie		Not specified	Support	Support the Business Park forward planning.	Accept
67	Angus McKenzie		Not specified	Support	Support the Business Park as Kaikoura needs it for jobs and regional growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
68	Oliver Ruddenklau		Not specified	Support	Support Kaikoura Business Park as Kaikoura needs it for jobs and regional growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
69	Sam Parkin		Not specified	Support	Support the Business Park as it will create new jobs, wealth and growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
70	Rob Gayle		Not specified	Support	Support the Business Park and Kaikoura needs it for jobs and regional growth.	Accept
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
71	M Ruddenklau		Not specified	Support	Support the Business Park and Kaikoura needs it for jobs and regional growth.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
	D Hopkins	FS12		Oppose Submission		Further Submission Withdrawn
72	R Taylor		Not specified	Support	Support the Plan Change as we need a Business Park in one area.	Accept
73	Richard Watherston		Not specified	Support	Support the Kaikoura Business Park. Kaikoura needs a massive injection of capital from outside to catch up with many other parts of NZ and jobs for the next generation.	Accept
74	Sam Wilding		Not specified	Support	Support as will provide growth and employment in a small town struggling.	Accept
75	Susan Anderson		Not specified	Support	Support the plan change as Kaikoura needs a Business Park for growth and employment opportunities.	Accept
76	Sophie Anderson		Not specified	Support	Support as will provide employment and growth for the area.	Accept
77	Steve Battersby		Not specified	Support	Support Kaikoura Business Park as it will provide a dedicated area for businesses to feed off each other and get Kaikoura moving again.	Accept
78	Shane Dunlea		Not specified	Support	Support as this is long overdue and will bring new businesses to the region.	Accept
79	Skye MacDonald		Not specified	Support	Support the Business Park for future growth and employment.	Accept
80	Gene Simmiss		Not specified	Support	Support the Kaikoura Business Park as it will be a controlled development in one area and will provide jobs and growth.	Accept
81	Craig Smith		Not specified	Support	Support the Kaikoura Business Park as a dedicated business area and to stop Beach Road congestion.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
82	Allan Stevens		Not specified	Support	Support the Kaikoura Business Park as it will create jobs for contractors and growth.	Accept
83	Daniel Stevensen		Not specified	Support	Support as will be good for town growth and a controlled manner and will increase jobs.	Accept
84	Vanessa Stokes		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for growth and will be a good source of employment and not so reliant on tourism.	Accept
85	Geraldine Straker		Not specified	Support	Support the Plan Change because main business area of Beach Road is dangerous, difficult to manoeuvre, and businesses should relocate to the Kaikoura Business Park.	Accept
86	Barry Stuart		Not specified	Support	Support the Business Park as will provide growth jobs and new business.	Accept
87	Susan MacDonald		Not specified	Support	Support the Plan Change because Kaikoura needs a business park for growth and employment.	Accept
88	Tim Anderson		Not specified	Support	Kaikoura needs a Business Park for employment, growth and to attract people from throughout the country.	Accept
89	Tom Baxter		Not specified	Support	Support as it will help Kaikoura as it needs a Business Park for employment and growth of the whole area.	Accept
90	Trevor Bolton		Not specified	Support	Support Business Park	Accept
91	Keith Taylor		Not specified	Support	Support as Kaikoura needs a Business Park.	Accept
92	Lex Thomson		Not specified	Support	Support the Kaikoura Business Park as it is the best location for it and will bring prosperity to the area.	Accept

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
93	John Trewin		Not specified	Support	Support the Kaikoura Business Park as need new businesses for jobs, employment and growth.	Accept
94	Joe Tripp		Not specified	Support	Support Business Park for jobs growth.	Accept
95	Steve Vaughan		Not specified	Support	Support Business Park for growth and employment.	Accept
96	Willy Pears		Not specified	Support	Support the Plan Change as Business Park is needed for growth.	Accept
97	Will Rutherford		Not specified	Support	Support the proposed provisions as it is favourable for business park to locate on the south side of Kaikoura as we would use it and it will provide for employment and growth.	Accept
98	Tim Wilding		Not specified	Support	Support the Plan Change as Business Park as the greater Kaikoura area will benefit from the business opportunities.	Accept
99	Michael Wilson		Not specified	Support	Support the development as it will provide employment.	Accept
100	Richard Wilding		Not specified	Support	Support the Kaikoura Business Park as it will help Kaikoura grow and stop congestion in Beach Road. It will also keep trucks out of Kaikoura Streets which becomes dangerous when trucks park up.	Accept
101	Harvey Jolly		Not specified	Support	Support	Accept
102	Shaun Johnston		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins			Oppose Submission		Further Submission Withdrawn

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
103	Andy Clapshaw		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
104	Peter Ryder		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
105	Dennis Thompson		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
106	Sharon Bartlett		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
107	Angelique Thomson		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
108	Annalise Thomson		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
109	Barry Holliday		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
110	Jason Holliday		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
111	Cynon Neilson		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn
112	Angela Meier		Not specified	Support	Support Plan Change as Kaikoura needs a Business Park for employment and growth and it is not reliant on tourism.	Accept
	D Hopkins	FS5		Oppose Submission		Further Submission Withdrawn

Submission Number	Submitter	Further Submission Number	Relevant Provision	Submitter position	Summary	Decision
113	Canterbury Regional Council		Not specified	Neutral	113.1 Neither support or oppose. The proposal is generally consistent with the objectives and polices within Canterbury Regional Policy Statement.	Accept
					113.2 The contaminated land on site will be addressed as per the NESCS.	
					113.3 Offsite flood effects or mitigation requirements for new buildings will be addressed by the existing consent notice or the new district plan provisions.	
					113.3 The water supply for the proposed development will be sourced from an existing irrigation take.	
114	Murray Paul		Not specified	Oppose	114.1 Purchased this land for a rural lifestyle not industrial and will impact on views, nature of the section and devalue the property.	Submission withdrawn
					114.2 Opposes any water runoff from the site.	
					115.3 Seek that the industrial use be moved back 200m from his boundary towards the Inland Road.	
	D and E Hopkins	FS11		Support submission		Further Submission Withdrawn
	D Hopkins	FS13		Support Submission		Further Submission withdrawn

Report to:	Council
Date:	29 May 2024
Subject:	Naming of Kaikōura Community Courts
Prepared by:	Sarah Wright – Community Development
Input sought from:	Susi Haberstock – Community Services Manager, Katherine Forrester – Main Power
Authorised by:	Peter Kearney – Corporate Services Manager

1. SUMMARY

The tennis courts at Takahanga Domain are located on the corner of the Esplanade and Killarney Steet. Takahanga Domain also houses the Kaikōura Squash Club, Kaikōura Croquet Club, Takahanga Bowling Club and Kaikōura Rugby Club.

The courts were badly damaged in the 2016 earthquake. Kaikōura District Council is planning to rebuild as a multi-use facility catering for netball, tennis, and potentially other activities such as wet weather training and basketball.

2. RECOMMENDATION

It is recommended that Council:

1) Receives this report

2) Approves either option 1, 2, 3 or 4 as follows:

Option 1 (Recommended): Approve a single level redevelopment utilising existing funding as well as pursuing further funding, approximately \$150,000 (no guarantee of extra funding).

Option 2: Continue a split-level court site and pursue more funding options, approximately \$450,000, delaying the start (no guarantee of extra funding).

Option 3: Council chooses either a single level or split level and decides to fund any financial shortfall through the facilities reserve fund.

Option 4: Council chooses to spend only the current funds available and only basic remediation works will be undertaken, as funding allows.

3) Approves naming option 1, 2 or 3 as follows:

Option 1 (Recommended): The Council agrees to the proposed name 'Main Power Multisport Courts'.

Option 2: The Council agrees to the proposed name 'Main Power Courts'.

Option 3: The Council agrees to the proposed name 'Main Power Takahanga Multisport Courts'.

3. BACKGROUND

The redevelopment will be undertaken in two stages. Stage one is planned to be completed late in 2024 with the scope primarily on making the courts ready for general use.

A price request was sent out in April requesting quotes for the works required to complete phase one. This was sent to five local and one out of town business requesting quotes for both a single level and a split-level option.

Of the six businesses approached, only three responded, two from local businesses and one from out of town.

The two local businesses who have submitted only supplied one quote for a single level as, in their view, they do not recommend a split-level layout given this would be less suitable for multisport opportunities in the future. These quotes are for \$346,279 and \$310,880 excluding GST.

The third quote from an out-of-town company who specialise in surfacing of courts has supplied two options for a split-level design, one with an asphalt finish and one with a concrete finish. They did not quote for a single level due to cost. These split-level prices came in at \$747,180 and \$648,925 excluding GST.

On the 26th of April 2023, Council made the decision that the courts were to be redeveloped as a split-level facility due to information at the time. The understanding was a split level would be the cheaper option and we would be able to have works start sooner than with a single level design. A cost estimate of \$200,000 was proposed.

Since then, it has become apparent that any refurbishment would be well in excess of \$200,000 and that redeveloping at a split level will now in fact be the more expensive option. This cost differential is due to local contractors pricing at extremely competitive quotes and often without margins due to the community aspect. This is confirmed with the latest quotes we have received.

Current confirmed funds are \$172,000 excluding GST (Better Off and DIA Earthquake Relief Fund). In addition, Main Power has agreed to provide sponsorship of \$60,000 to KDC for naming rights over the next ten years.

Once this funding is confirmed, it will provide the opportunity for Council to make further applications to other funders such as DIA and TAB, using the \$60,000 as leverage for a larger sum.

The proposed name for the facility going forward is 'Main Power Multisport Courts' (see recommendations under 2.3). The overall area would remain as Takahanga domain. The planning team has indicated they do not foresee any issues other than any signage needing to be in line with the sign's bylaw.

4. FINANCIAL IMPLICATIONS AND RISKS

DIA has advised that the Earthquake Relief Fund money should have been used. We have sought two extensions for this funding already and there is the risk of losing it should work and spend rate not begin shortly.

Council funding of the courts has not been provided for during the LTP as latest prices were not available and the project was always noted for community funding. Use of council funds may require some form of special consultative process to be undertaken.

Option 1 provides the lowest cost model and would likely enable the works to proceed soon noting we expect to be able to find the funding shortfall of approximately \$150,000. This option, however, would be reversing the decision made by Council in April 2023, although that decision was made without this latest cost information being available.

5. COMMUNITY OUTCOMES SUPPORTED



Community

We communicate, engage and inform our community.



Development

We promote and support the development of our economy.



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose.



Environment

We value and protect our environment.



Future

We work with our community and our partners to create a better place for future generations.

Report to:	Council
Date:	29 May 2024
Subject:	CEO Update Report
Prepared by:	W Doughty - Chief Executive Officer
Input sought from:	
Authorised by:	W Doughty - Chief Executive Officer

1. PURPOSE

To provide the Council with an update on major work streams and other activities.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report for information.

3. COUNCIL ACTIVITY – KEY FOCUS AREAS

Overview

It was really good to receive a strong level of engagement and feedback through our consultation on the draft LTP 2024-34. I would like to thank the 124 submitters who took the time to provide their feedback and comments. There was strong support for all of the preferred options that were consulted on and following the hearings and deliberations these will be carried through to the final document for approval at the June meeting. A few other changes following deliberations will also be made for the final document. Currently the overall rates increase for Year 1 of the LTP is anticipated to be 14.75%. Audit NZ have been reviewing the supporting information for the draft LTP over the last several months. The audit of the final draft is expected to commence on the 4th June with a final opinion available for adoption of the LTP on the 26th June 2024.

A number of physical works projects have continued this month including roading work on Hawthorne rd and Ludstone rd, the watermain on beach rd and footpath work on Beach rd and esplanade. We acknowledge the temporary disruption for school access during this time, but have planned the staging of the work to provide best access possible. The majority of the slip repair work in both the Blue Duck and Puhi Puhi valley has been completed although some minor works remain. With the closure of the Jordan Stream bridge in the Puhi Puhi following independent structural review we are looking at options for both the short and longer term. This includes considering including proposed draft LTP budget for Year 1 and 2 to prioritise a solution there. The detailed design for the stage 1 build at Waktu Quay is included on the agenda. Over the last few months, Council officers and the developer have been working with Kainga Ora to update the IAF housing outcome agreement and delivery plan milestones in order to get them finalised by year end. Work on IAF enabling infrastructure projects is ongoing.

The strategy and planning team are busy at present with a number of private plan changes, the District plan review and spatial plan and proposed reserve management plans. It is good to see the decision for PC4 Industrial Plan Change included on the agenda, as well as an outline of the proposed reserve management plan process going forward.

The community services team has been very active this month as always. Notably, we had a memorable Anti-Bullying day at Council on the 17th May and significant work is ongoing in the emergency management space with the upcoming national Rua Whenua exercise in June.

I attended the quarterly Canterbury Chief Executives forum and chaired the Canterbury Civil Defence Emergency Management Coordinating Executive Group meetings early in May and the next Mayoral Forum meeting is scheduled for 30th and 31st May in Ashburton.

We are currently going through the extensive process for selecting a preferred supplier for our internal enterprise system upgrade at Council. We are working alongside Hurunui District Council through this process. The full process to identify a preferred supplier is expected to be completed by the end of June 2024. A separate monthly finance report is included for information in the agenda this month.

South Bay Forestry

In April, Council entered into agreement with a preferred contractor, Tasman Forest Management Ltd., for the harvest of the forest area. They will be using local subcontractors to undertake part of the works. We are waiting for a final programme, but it is anticipated that works will be commence in August. A communications plan is being prepared to keep the community informed well in advance.

We will be seeking community feedback and input through the development of a reserve management plan for the future use of that site. As previously identified Council has applied for an exemption from carbon credit liabilities for the area. If unsuccessful, Council will need to consider replanting the site within four years with a species and density that meets the requirements for forested land under the Emissions Trading Scheme (ETS).

Council Team

We have identified one preferred candidate to fill two part-time roles in customer services and finance which is a great result. Our new Building Control Manager is on track to start on the 1st July 2024.

Currently only one vacancy remains open at Council:

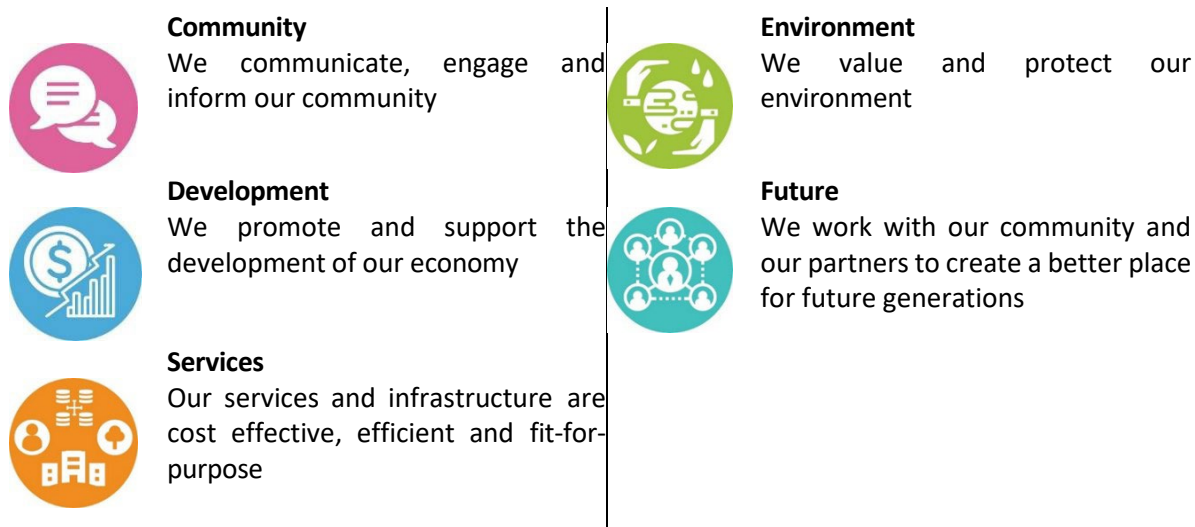
- a) Building Control Officer

Work is also progressing on developing an internal strategy looking forward from 1st July 2024 and an internal working group is considering some feedback on the staff survey to develop some action points for consideration and implementation and will be reporting back to management in June.

Focus areas for the next three months

- a) Adoption and implementation of Long Term Plan 2024-2034
- b) Outstanding debtors and resolution of historic harbour issues.
- c) South Bay forestry harvest
- d) Internal strategic focus

4. COMMUNITY OUTCOMES SUPPORTED



Report to:	Council
Date:	29 May 2024
Subject:	Better Off Funding Programme Status Update
Prepared by:	W Doughty - Chief Executive Officer
Input sought from:	P Kearney – Senior Manager Corporate Services
Authorised by:	W Doughty - Chief Executive Officer

1. PURPOSE

To provide the Council with an update on the current status of the Better Off Funding programme.

Attachment 1: Better Off Funding Programme Status

2. RECOMMENDATION

It is recommended that the Council:

- (1) Receives this report for information.
- (2) Notes the potential to redirect \$60,000 from the Better Off Funding for water related outcomes under the Local Water Done Well reform initiative depending on discussions with the Department of Internal Affairs (DIA).
- (3) Notes that the remaining balance of \$112,500 of transition support funding is likely be allocated by the DIA for the Local Water Done Well reform initiative.

3. BACKGROUND

Overview

In April 2022, the previous Government announced that the first tranche of \$500m of Better Off funding was available for local authorities to apply for before 30th September 2022. Under this Tranche One funding, KDC was entitled to a total of \$1.55m, with a further \$4.66m expected under Tranche 2.

Three criteria were established for the “Better Off funding”. These include:

- Supporting communities to transition to a sustainable and low-emissions economy, including **by building resilience to climate change and natural hazards.**
- Delivery of infrastructure and/or services that enable housing development and growth, with a focus on brownfield and infill development opportunities where those are available.
- Delivery of infrastructure and/or services that **support local place-making and improvements in community well-being.**

There was no requirement for Councils to prioritise water related infrastructure projects with this funding, as previous ‘stimulus funding’ had been made available for that.

In August 2022, the Council approved an application to the Department of Internal Affairs (DIA) for a total of 14 projects that has been prioritised with engagement with the community. The majority of these projects were considered place-making projects that otherwise had not been funded through the 2021-2031 long term plan. In December 2022, the Council gave approval for the CEO to sign the final funding agreement to secure the Tranche 1 funding. Under the signed agreement work was required to be completed by June 2024.

In August 2023 the previous government announced a change in approach to the water reforms. With the announcement of Affordable Waters proposal, the proposed Tranche 2 Better off Funding commitment was scrapped, but the contractual agreement Tranche 1 funding remained in place and unchanged.

Project Status Update

The status of each of the 14 projects under the funding agreement is shown in attachment one.

A total of six projects have been or are close to completion (representing \$385,000 of funding). All the remaining projects are underway in various stages of delivery.

With the recent Council approval of the West End and Churchill Park toilets we have been able to enter into contractual agreements with the supplier and put further progress claims into DIA. Including current spend and commitments we have committed to slightly under \$1,200,000 or almost 80% of the Tranche One Better Off funding.

At the time of preparation of this report only the initial 10% funding had been claimed and paid by the DIA. A further claim will be made by the end of May.

Department of Internal Affairs (DIA) Request

With the repeal of Three Waters Reform Legislation and the new National Governments focus on Local Water Done Well, central government have asked Councils to review whether there is opportunity to redirect funding from the Better Off Funding (BOF) projects towards supporting any new model for Waters delivery.

In a letter of the 18th April 2024, the DIA requested KDC to review our remaining Better Off Funding and provide an initial view of whether any funds could be repurposed to the department by the 17th May. The letter stresses that any changes would need to be mutually agreed. Any mutually agreed changes would then be confirmed through a formal contract variation when the Local Government Water Services (Transitional Provisions) Bill passes into law, which is expected around mid-2024.

In the meantime:

- For existing Better Off projects, the Department will continue to pay claims as these are submitted by councils in accordance with the terms of the Better Off funding agreement.
- Any project substitution requests (or other changes to project scopes) that increase allocations of funding to non-water activities will not be approved by the Department and Crown Infrastructure Partners until we have agreed your remaining Better Off programme.

KDC has undertaken a review of the funding at an officer level and provided an initial indication to the department that a maximum of \$60,000 could potentially be redirected without compromising the delivery of the 14 projects. These potential funds are also shown in Attachment 1 and come from 4 projects (including the project management component). It was noted in the response to Dia that this was an officer's view that had not been provided to elected members at that point in time.

The DIA also indicated in the same letter that any remaining transition funding (separate to the Better Off Funding) is likely to be repurposed to the transition related activities for Local Waters Done Well. In the case of KDC, a total of \$112,500 was still available for further transition activities under the previous government reform agenda. This could leave a total of \$172,500 available for transition activities under the Local Waters Done Well proposals. In our response, officers have highlighted that this is unlikely to be sufficient funding to meet transition activities and that further support from Central Government will be required.

Next Steps

- Chief Executive to continue discussions with the DIA in regard to updated funding agreements for the remaining Better Off and transition funds to be signed by the end of June 2024.

4. COMMUNITY OUTCOMES SUPPORTED



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations

Status of KDC Better of Project Programme

Project	Project Classification	Contract Value	Spent to date	Purchase Order committed at end of May	Remaining	Status Update	Overall status	KDC response to DIA request to consider redirecting funding to water related outcomes
Toilet in Churchill Park	Community Infrastructure	\$ 100,000.00		\$ 100,000.00	\$ -	Contractual arrangement with supplier in place. Delivery of unit expected Septeber with install prior to Christmas.	Underway	Contract signed and no ability to redirect
West End Toilet Upgrade - including toilet block, trees and urban pocket gardens	Community Infrastructure	\$ 800,000.00	\$ 5,134.49	\$ 637,200.00	\$157,665.51	Contractual arrangement with supplier in place. Delivery of unit expected in September. Funding balance will be used for install. Target is new toilet fully operational before Christmas.	Underway	Contract signed and no ability to redirect
Gooches Beach Playground	Community Infrastructure	\$ 55,000.00	\$ 23,320.71		\$ 31,679.29	Equipment has been purchased, painted and installed.	Completed	Could potentially redirect \$20,000
Walking and Cycling Support - seed funding for an asphalted Pump Track	Footpaths & Cycleways	\$ 50,000.00	\$ 1,299.00	\$ 48,701.00	\$ -	This will be paid in full to the cycle club for them to progress pump track work.	Underway	No ability to redirect
Contribution to Community Halls - Kekerengu and Scout Hall	Community Infrastructure	\$ 50,000.00	\$ 50,064.35		\$ (64.35)	Initial stage of Kekerengu Hall renovations completed. Scout Hall acoustic equipment purchased and balance provide to Te Ha for minor Improvements.	Completed	No ability to redirect
Dark Sky Accreditation	Placemaking	\$ 75,000.00	\$ 75,000.00		\$ -	Paid in full to trust. Draft Private plan change adopted by council. \$11k of funding used as to fund deposit fees to Council for private plan change work.	Completed	No ability to redirect
Community Court Upgrade - extending EQ damaged tennis cours into multi-use sports hub	Community Infrastructure	\$ 25,000.00	\$ 2,808.20	\$ 22,191.80	\$ -	Tree removal undertaken. Balance to be used in final solution. Overall project cost estimate update expected in May.	Underway	No ability to redirect
Papakainga Housing - investigation of needs and options	Housing	\$ 40,000.00			\$ 40,000.00	Initiative being lead by Runanga. Commitment made to Runanga to support initiative to the total of \$40,0000	Underway	No ability to redirect
Kaikoura Lookout Upgrade	Community Infrastructure	\$ 85,000.00	\$ 61,747.95		\$ 23,252.05	Carpark Resealing work completed. Stairs for water tank being replaced.	Near Completion	Could redirect potentially \$5,000
Pensioner Cottages - reseal common parking areas	Transport & Roding	\$ 70,000.00	\$ 64,284.05		\$ 5,715.95	Carpark resealing work completed. Minor additional works undertaken.	Completed	No ability to redirect
Kaikoura township flood protection feasibility study	Water infrastructure / services	\$ 50,000.00			\$ 50,000.00	We need to progress this work with Ecan and potentially involve Waterzone and the catchment group.	Underway	Already for water infrastructure - no action required
Township Security Camera Upgrade	Community Infrastructure	\$ 25,000.00	\$ 6,157.07		\$ 18,842.93	Three locations identified and camera equipment about to be purchased. Starlink has been installed at airport.	Underway	No ability to redirect
Helipad in Churchill Park	Community Infrastructure	\$ 50,000.00	\$ 13,061.84		\$ 36,938.16	Lions have been reimbursed for work undertaken. Survey has been undertaken and license agreement needs finalising.	Near Completion	Could potentially redirect \$10,000
Kaikoura Placemaking Projects - Project Management**	Placemaking	\$ 75,000.00	\$ 20,000.00	\$ 25,000.00	\$ 30,000.00	PM support required for toilets install.	Underway	Could potentially redirect \$25,000
		\$ 1,550,000.00	\$ 322,877.66	\$ 833,092.80	\$ 394,029.54			\$ 60,000.00

Report to:	COUNCIL
Date:	29 May 2024
Subject:	PROPOSED INCREASES TO USER FEES FROM 1 JULY 2024
Prepared by:	S Poulsen, Finance Manager
Input sought from:	Management Team
Authorised by:	P Kearney, Senior Manager Corporate Services

1 PURPOSE

This report is for information only.

The purpose of this report is to take a no-surprises approach, to highlight the Council activities that are intended to be subject to user fee increases, and to recommend proposed fees. This report does not cover all activities, as the user fees are still being reviewed. A further report will be presented to the Council along with the Long-Term Plan for adoption at the June Council meeting.

2 RECOMMENDATION:

It is recommended that the Council:

- 1) Receives this report for information.

3 SUMMARY

3.1 Background

The Council's review of the Revenue & Financing Policy earlier this year (also known as the Rates Review) highlighted some activities that should be funded from user fees, and what proportion of the activity should be funded from user fees, versus rates and other revenue.

Alongside this, water meter charges were identified internally as not having an increase since 2009.

For this report, therefore, two activities have been highlighted as requiring significant increases: resource consent fees, and water meter charges.

The full schedule of fees and charges will form part of the Long Term Plan for adoption at the end of June 2024.

3.2 Resource consent fees

The Council has determined that 80% of the cost of statutory planning (the activity of Council involved in resource consents) should be funded by user fees. Currently statutory planning is only achieving around 60-65% funding, prompting a review of the level of fees being charged. The review of resource consent fees was relatively extensive, involving a two-step process.

Firstly, a comparison of fees charged by seven other local authorities against Kaikōura's fees, which very quickly identified that Kaikōura's consent fees are significantly lower than other Councils¹, and in some cases our fees were less than half.

Having identified the range of fees charged by other Councils, the second step involved establishing the actual time it takes to process each type of resource consent including the time spent by administrators, planners, engineers, GIS mapping, and planning manager sign-off.

By way of example, a non-notified 2-lot subdivision would be expected to take 2 hours administration time, 8 hours planning officer time, 2 hours from engineering, 1 hour GIS mapping, 1.5 hours of the planning manager, plus a \$20 certificate of title and printing costs. The current fee of \$1,980.00 is therefore proposed to increase to \$2,640.00 (minimum fee).

The schedule of proposed resource consent fees is as follows. Fees included GST.

¹ The comparison group were Marlborough, Hurunui, Tasman, Waimate, Waimakariri, Buller and Selwyn District Councils.

	Old fee \$	Proposed \$	Unit
Land Information Memoranda			
LIM – residential	230.00	320.00	Flat fee
LIM – commercial / complex	319.00	500.00	Flat fee
Land use – non-notified			
Boundary Activity S87BA	-	355.00	Minimum
Less than 20% breach (internal boundary)	770.00	1,073.00	Minimum
Less than 20% breach (road setback)	770.00	1,073.00	Minimum
Less than 20% breach (recession plane)	770.00	1,073.00	Minimum
Less than 20% breach (site coverage, height, density)	770.00	1,073.00	Minimum
Breach of one district plan rule (bulk or siting)	770.00	1,073.00	Minimum
Earthworks within an archaeological area/site		1,073.00	Minimum
Breach of two or more plan rules (bulk or siting)	770.00	1,535.00	Minimum
Breach of rules design standards, natural hazards (excluding flooding), significant or outstanding landscapes		1,920.00	Minimum
Visitor accommodation (less than 5 guests)	770.00	880.00	Minimum
Visitor accommodation (5 guests or more)		1,183.00	Minimum
Relocated buildings	770.00	1,450.00	Minimum
Building in a flood hazard area (with a flood certificate)	396.00	412.50	Flat fee
Building in a flood hazard area (without a flood certificate)		1,450.00	Minimum
Earthworks within a flood hazard area	-	1,383.00	Minimum
Temporary activities	396.00	490.00	Minimum
All other non-notified land use consents	990.00	2,100.00	Minimum
Land use lodged concurrently with subdivision		600.00	Flat fee
Notified Land Use			
Notified consent - any application (add to non-notified consent fee)		1,660.00	Minimum
Land Use Hearing is required - add to deposit fee	6,050.00	6,250.00	Minimum
Subdivision			
To stage an existing subdivision consent	-	990.00	Per stage
Boundary adjustment (2-lot subdivision no new services)	770.00	1,145.00	Minimum
Non-notified subdivision			
2 lot	1,980.00	2,640.00	Minimum
3-4 lots	Change to fee structure	3,105.00	Minimum
5-10 lots		4,140.00	Minimum
11-20 lots		6,000.00	Minimum
20 or more lots		7,500.00	Minimum
Notified subdivision			
2 lot	Change to fee structure	4,255.00	Minimum
3-4 lots		4,720.00	Minimum
5-10 lots		5,755.00	Minimum
11-20 lots		7,600.00	Minimum
20 or more lots		9,100.00	Minimum

	Old fee \$	Proposed \$	Unit
Hearing is required - add to deposit fee		6,250.00	Minimum
District Plan change			
Plan change	11,000.00	20,000.00	Minimum
Requirement for designation or heritage orders - non-notified	1,914.00	2,160.00	Minimum
Requirement for designation or heritage orders - notified	1,914.00	3,760.00	Minimum
Alteration of designation - non-notified (s181 & 182 RMA)	2,750.00	2,160.00	Minimum
Alteration of designation - notified	2,750.00	3,760.00	Minimum
Assessment of outline plan (s176A)	715.00	825.00	Minimum
Waiver of outline plan		310.00	Minimum
Breach of District Plan rule for heritage buildings		683.00	Minimum
Removal of designation (section 182 RMA)	715.00	1,150.00	Minimum
Miscellaneous charges			
Cancellation of building line restriction	374.00	410.00	Flat
Cancellation of easements	385.00	410.00	Flat
Right of way approval	385.00	770.00	Flat
Completion certificate	275.00	500.00	Flat
Section 226 RMA certificate	715.00	780.00	Flat
Section 223 - approval of survey plans	Included	291.50	Minimum
Section 224 - deposit of survey plans	Included	291.50	Minimum
Minimum fee where fee is not identified (e.g. withdrawal of caveat)	-	410.00	Minimum
Certified resolution	385.00	410.00	Flat
Withdrawal of caveat	220.00	410.00	Flat
Creation or waiver of Esplanade strips or reserves	286.00	410.00	Flat
Section 124, 125, 126, 127, 221 non-notified	-	Actual costs	
Section 127, 128 notified	-	1,073.00	Minimum
Land registry compliance	-	Actual costs	
Request for information / require documentation	-	216.00	Flat fee
Hearing cancellation fee	-	1,140.00	Flat fee
Road naming fee	-	280.00	Flat fee
Bond administration fee	-	150.00	Flat fee
Certificate under Overseas Investment Act	-	550.00	Minimum

Flat fees are the final fee for each service type. Minimum fees are the upfront deposit and will be subject to additional costs if the total time spent and other expenses exceeds the fee paid.

While the increase in fees is significant, there may not be any actual increase in cost for consent applicants, because the current consent fees are a deposit, and frequently result in further invoices being sent out as the consent progresses. The proposed increase makes the actual cost of the consent more transparent for applicants and ensures full and actual costs are recovered.

3.3 Water meter charges

Water meter charges have not been reviewed since 2009, and so it was considered appropriate to determine the actual costs involved in providing metered water, and to aim for full cost recovery.

Our calculations used the total operating costs for the Urban water supply, of just over \$1.3 million, divided by the quantity of water delivered to the community (715,000 cubic metres per annum), to reach the value of \$1.83 excluding GST.

With GST included the price per cubic metre is proposed to increase from \$1.00 to \$2.10, taking effect from 1 July 2024. To clarify, the meter readings that will take place in July for the period from January to June 2024 this year will still be invoiced at the current \$1.00 per m³.

The annual water meter maintenance fee is also proposed to increase from \$50.00 to \$60.00, reflecting the cost of the meter and its average expected life, plus the cost of reading the meters twice a year and the administration involved for those processes.

3.4 Further increases in fees.

In addition to the above two price increases, user fees are being reviewed for environmental health and alcohol licencing, as well as cemetery fees. Any increases are not, however, expected to be of the magnitude of the areas highlighted in 3.2 and 3.3.

Further increases in user fees will be presented to the Council for adoption in the June agenda, along with the Long-Term Plan 2024-2034.

4 FINANCIAL IMPLICATIONS AND RISKS

Due to the extensive, evidence-based calculation for the proposed increases, the proposed user fees and water meter volumetric charges are fair and reasonable. The financial implications to consent applicants may not have any immediate effect, because the current consent fees are a minimum and usually result in further invoices being sent out as the consent progresses.

5 SIGNIFICANCE OF DECISION

This decision is not considered significant in terms of Council's Significance and Engagement Policy.

6 RELEVANT LEGISLATION

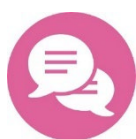
The Local Government Act 2002 states that a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region.

7 COMMUNITY VIEWS

No community views were sought in relation to this report.

8 COMMUNITY OUTCOMES SUPPORTED

The work is in support of all community outcomes.



Community

We communicate, engage, and inform our community.



Environment

We value and protect our environment.



Development

We promote and support the development of our economy.



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose.



Future

We work with our community and our partners to create a better place for future generations.

Report to:	Council
Date:	29 May 2024
Subject:	Finance Report to 30 April 2024
Prepared by:	C Kaa, Management Accountant
Input sought from:	S Poulsen, Finance Manager
Authorised by:	P Kearney, Senior Manager Corporate Services

1. SUMMARY:

The purpose of this report is to provide an update on the financial position of the Council as of 30 April 2024.

The net surplus for the year is \$2.3M. This compares to a budgeted surplus of \$3.9M. The variances are largely due to the lower revenue received against budget.

Attachments:

- i. Finance Agenda Statements

2. RECOMMENDATION:

It is recommended that the Council:

- 1) Receives this report for information.

3. YEAR TO DATE FINANCIAL RESULTS - SUMMARY

Statement of Comprehensive Revenue and Expense (Profit and Loss)

Operating Revenue & Expenditure

Operating revenue is currently \$971K above budget, with grants received having the largest variance, however, the \$2M received for Wakatu Quay will be treated as revenue received in advance at year end. This simply means the revenue will be adjusted for this figure at year end and reflected in next year's financials. Currently we have received \$450K unbudgeted grants and are still to receive \$280K of grants largely through the Better Off Funding.

Rates revenue is \$176K above budget and the variance will increase at year end to around \$300K due to Sudima now being fully rateable along with a tidy up of the rating database.

User Fees and charges are on par with budget, due to higher than budget cost recoveries but offset by no refuse income from IWK and consent activity being slow.

Direct operating expenses currently show an underspend against budget of \$176K with various over and under spends across categories – with the bulk of these being permanent differences.

Other expenses actual of \$186K is driven materially by costs to be recovered for both roading and planning (e.g. IAF and plan changes) which make up approximately \$133K. The balance is driven by Harbour master fees, \$6K, small plains project works \$14K, level crossing warning devices \$6K, sewage pipe lease from KiwiRail \$5K, bad debt collection costs (incl small debts written off) of \$8K, updating the district signs \$9K with the balance spread across individually insignificant amounts.

From a look forward to the full year results, we expect this story to remain broadly the same.

Indirect Operating expenses

Depreciation is \$1.2M under budget – this is impacted by delays of some large projects such as Waiau Toa Bridge which, in turn, reduces actual depreciation.

Capital Revenue

Capital grants and subsidies are \$3.9M below budget, this is due to Waiau Toa Bridge not progressing as anticipated (see impact to depreciation above).

We expect this variance to increase substantially by year end reflecting the timing anticipated for the Waiau Toa project where major works (and associated subsidies) had been expected from March to June for 2023/24.

4. STATEMENT OF CASH FLOWS

The cash position for the period is \$3M as at 30 April 2024, cashflow from operations is positive at \$69K. Our capital activity shows grants received of \$3.7M for capital work and \$6.2M paid out.

The debt level is sitting at \$7.3M with the drawdown of \$2M in November 2023.

5. STATEMENT OF FINANCIAL POSITION

Total Assets are \$300M with \$3.9M being current assets and \$296M non-current assets. Trade and Other Receivables are \$325K.

Total liabilities are made up of \$2.1M current and \$8M non-current. Trade Payables are \$1.3M.

The delay in our large projects can be seen by the difference in our Property, Plant and Equipment line, which is \$290.1M vs a budget of \$298.3M. The timing of Wakatu Quay is the driver for the differential in the Investment Property line.

6. CAPEX

Overall CAPEX expenditure for the year to date is \$6.1M with a forecast spend of \$3.5M in the next two months. Total capex spent for the year is expected to be approximately \$9M.

Excluding the big three projects (Waiau Toa Bridge, Wakatu Quay and IAF) BAU spend rate vs budget is 67%.

We are currently working though the projects and carry forwards to bring in the total available funds for the following financial year.

7. FINANCIAL IMPLICATIONS AND RISKS:

Monthly monitoring and reporting on the Council financials are required as there is a risk that the Council's financial position could deteriorate with an increase in debt levels; lowered credit rating; or that revenue flows are lower than budgeted, and expenditure is higher than projected.

8. SIGNIFICANCE OF DECISION:

This report is for information only; however, it may form the basis upon which other decisions are made (those which have a financial impact).

9. RELEVANT LEGISLATION:

The Local Government Act 2002 states that a local authority should ensure prudent stewardship and the efficient and effective use of its resources in the interests of its district or region.

10. COMMUNITY OUTCOMES SUPPORTED:

The work is in support of all community outcomes.



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KEY INDICATORS

AS AT 30 APRIL 2024

<p>OPERATING RESULT <i>operating surplus/(deficit)</i></p> <p>\$2.30m</p> <p>\$1,593k unfavourable v/s year to date budget of \$3,895k</p>	<p>OPERATING COSTS <i>costs to deliver existing levels of service</i></p> <p>\$14.80m</p> <p>\$1,305k favourable v/s year to date budget of \$16.11m</p>
<p>TOTAL EXTERNAL BORROWING <i>total borrowings from bank</i></p> <p>\$7.30m</p> <p>\$1,000k favourable v/s full year budget of \$8.3m</p>	<p>INTEREST ON DEBT <i>cost to service debt</i></p> <p>\$272k</p> <p>\$00k favourable v/s year to date budget of \$273k</p>
<p>CAPITAL EXPENDITURE <i>cost of new &/or replacement of assets</i></p> <p>\$6.18m</p> <p>\$6183.0K unfavourable v/s year to date budget of \$0.0K</p>	<p>DEVELOPMENT CONTRIBUTIONS <i>received for district growth</i></p> <p>\$12.3k</p> <p>\$24.3k unfavourable v/s year to date budget of \$37k</p>
LONG TERM PLAN MEASURES	
<p>DEBT AFFORDABILITY BENCHMARK <i>financing expenses as a % of rates</i></p> <p>3.8%</p> <p>6.2% favourable v/s council approved limit of 10.0%</p>	<p>EBID <i>earnings before interest and depreciation</i></p> <p>\$6.62m</p> <p>\$2,756K unfavourable v/s year to date budget of \$9.37m</p>
<p>BALANCED BUDGET BENCHMARK <i>revenue equal or greater than expenses</i></p> <p>116%</p> <p>16% favourable v/s council benchmark of 100%</p>	<p>BORROWINGS TO EQUITY <i>Term loans as a % of equity</i></p> <p>2.51%</p> <p>0.23% favourable v/s full year budget of 2.75%</p>

STATEMENT OF COMPREHENSIVE REVENUE & EXPENSE

FOR THE PERIOD ENDED 30 APRIL 2024

	BUDGET	ACTUAL	BUDGET YTD	YTD VARIANCE
	2024	YTD	YTD	
		30/04/2024	30/04/2024	30/04/2024
	\$	\$	\$	\$
REVENUE				
Rates revenue	9,242,786	7,108,362	6,932,090	176,272
Water meter charges	140,000	73,311	70,000	3,311
User fees & charges	1,734,774	1,469,571	1,464,801	4,770
Grants & subsidies	1,903,488	4,428,486	3,752,124	676,362
Development contributions	43,942	12,313	36,617	(24,304)
Interest revenue	3,306	86,489	2,480	84,009
Gain	-	435	-	435
Other revenue[1]	113,200	152,817	102,866	49,951
Total Operating Revenue	13,181,496	13,331,784	12,360,978	970,806
Grants & Subsidies - Capital	18,579,694	3,770,401	7,639,335	(3,868,934)
Total Revenue	31,761,190	17,102,185	20,000,313	(2,898,128)
DIRECT OPERATING EXPENSES				
Personnel	3,836,451	3,009,889	3,209,022	(199,133)
Personnel Related Expenses	378,374	238,930	309,158	(70,228)
Admin & Office Expenses	455,556	342,137	368,943	(26,806)
Contractors	533,172	631,034	445,123	185,911
Professional Services	1,694,625	1,631,146	1,488,052	143,094
Grants/Donations	937,084	827,992	923,582	(95,590)
IT & Telecommunications	388,556	267,055	336,225	(69,170)
MRF	136,099	149,960	113,415	36,545
Utilities	661,779	544,452	551,479	(7,027)
Project Expenses	705,516	569,073	592,196	(23,123)
Repairs & Maintenance - Facilities	562,679	337,274	478,622	(141,349)
Repairs & Maintenance - Roading	995,359	830,051	858,171	(28,120)
Repairs & Maintenance - Waste	360,404	281,373	300,338	(18,965)
Repairs & Maintenance - Water	710,571	637,829	590,136	47,693
Other Expenses	113,629	186,478	95,926	90,552
Total Direct Operating Expenses	12,469,854	10,484,669	10,660,388	(175,719)
INDIRECT OPERATING EXPENSES				
Depreciation	6,247,096	4,044,015	5,205,920	(1,161,905)
Financing expenses	327,183	272,258	272,652	(394)
Overheads and Internal Charges	0	-	(33,351.00)	33,351
Total Indirect Operating Expenses	6,574,279	4,316,272	5,445,221	(1,128,949)
Total Operating Expenses	19,044,133	14,800,942	16,105,609	(1,304,667)
Operating surplus/(deficit)	(5,862,637)	(1,469,158)	(3,744,631)	2,275,473
TOTAL COMPREHENSIVE REVENUE & EXPENSE	12,717,057	2,301,243	3,894,704	(1,593,461)

STATEMENT OF FINANCIAL POSITION

AS AT 30 APRIL 2024

	BUDGET to year end \$	ACTUAL 30/04/2024 \$	ACTUAL 30/04/2023 \$
ASSETS			
<i>Current assets</i>			
Cash & cash equivalents	1,615,432	3,040,192	2,694,149
Trade & other receivables	2,175,197	324,914	-106,091
Prepayments & inventory	185,000	212,018	182,009
Current financial Assets	20,000	20,000	20,000
Other Current Assets	-	330,000	330,000
Total current assets	3,995,630	3,927,124	3,120,067
<i>Non-current assets</i>			
Intangible assets	-	39,048	70,952
Forestry assets	2,154,943	2,400,887	2,154,943
Investment property	9,236,133	2,940,000	3,130,000
Financial Assets	176,500	206,500	176,500
Property, plant & equipment	298,293,994	290,905,522	285,385,933
Total non-current assets	309,861,570	296,491,957	290,918,328
TOTAL ASSETS	313,857,200	300,419,081	294,038,395
LIABILITIES			
<i>Current liabilities</i>			
Trade & other payables	1,537,379	1,347,464	1,132,596
Employee liabilities	304,441	193,175	255,666
Landfill Provision - current	-	579,887	0
Total current liabilities	1,841,820	2,120,527	1,388,262
<i>Non-current liabilities</i>			
Provisions	1,444,830	224,575	1,444,830
Borrowings – non current	8,300,000	7,300,000	5,300,000
Other term debt	415,874	482,928	415,874
Total non-current liabilities	10,160,704	8,007,503	7,160,704
EQUITY			
Public equity	130,830,552	117,674,105	113,956,175
Asset revaluation reserve	166,643,731	166,524,581	166,333,312
Special funds & reserves	4,380,393	6,092,364	5,199,942
Total equity	301,854,676	290,291,051	285,489,429
TOTAL LIABILITIES & EQUITY	313,857,200	300,419,081	294,038,395

STATEMENT OF CASH FLOWS

FOR THE PERIOD ENDED 30 APRIL 2024

	BUDGET to year end \$	ACTUAL 30/04/2024 \$	ACTUAL 30/04/2023 \$
OPERATING ACTIVITIES			
Receipts from rates	9,242,785	7,108,362	6,662,418
Interest received	3,306	86,489	29,145
Receipts from other revenue	21,609,510	6,827,901	6,660,041
Payments to employees & suppliers	(12,520,284)	(13,357,808)	(11,469,900)
Interest paid	(327,183)	(272,258)	(177,353)
Goods & services tax (net)	-	(324,006)	(123,523)
Net Cash from Operating Activities	18,008,134	68,680	1,580,828
INVESTING ACTIVITIES			
Grants received for capital work	-	3,770,401	1,284,096
Purchase of investment property	(4,435,838)	-	-
Sale of property, plant & equipment	150,000	-	-
Purchase of property, plant & equipment	(18,446,669)	(6,182,953)	(2,980,460)
Purchase of forestry assets	-	-	-
Purchase of intangible assets	-	(30,000)	20,000
Purchase of non-financial assets	-	-	-
Purchase of current-financial asset	-	-	-
Payment into term deposits	-	-	-
Net Cash from Investing Activities	(22,732,507)	(2,442,551)	(1,696,365)
FINANCING ACTIVITIES			
Movement in borrowings	3,000,000	2,000,000	-
Net Cash from Finance Activities	3,000,000	2,000,000	-
NET INCREASE/(DECREASE) IN CASH & CASH EQUIVALENTS	(1,724,373)	(373,871)	(95,537)
OPENING CASH	3,339,805	3,414,063	2,789,686
CLOSING CASH BALANCE	1,615,432	3,040,192	2,694,149

Report to:	Council
Date:	29 May 2024
Subject:	Reserve Management Plans
Prepared by:	Zach Burns – Planning Officer
Input sought from:	M Hoggard – Policy, Strategy and District Plan Manager
Authorised by:	P Kearney – Senior Manager Corporate Services

1. PURPOSE

The purpose of this report is to provide an update to Council on Reserve Management Plans covering the relevant legislation, process, timelines, and number of reserves.

The Reserves Act 1977 requires, under section 40, that –

- 1) The administering body shall be charged with the duty of administering, managing, and controlling the reserve under its control and management in accordance with the appropriate provisions of this Act and in terms of its appointment and means at its disposal, so as to ensure the use, enjoyment, development, maintenance, protection, and preservation, as the case may require, of the reserve for the purpose for which it is classified.

Section 41 of this act refers to the use of Management Plans –

The administering body shall, within 5 years after the date of its appointment or within 5 years after the commencement of this Act, whichever is the later, prepare and submit to the Minister for his or her approval a management plan for the reserve under its control, management, or administration.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report
- 2) Notes that staff are beginning the process for developing Reserve Management Plans in a phased manner, and to undertake land status investigations as required.
- 3) Notes that staff will undertake communication to the public requesting feedback for the initial input for the drafting of reserve management plans.
- 4) Notes that budget requirements are still being defined and that elected members will be kept informed via the monthly planning reports.

3. BACKGROUND

Section 41 of the Reserves Act 1977 outlines the requirements for the administering body (Council in this case) to provide such a document for the use, enjoyment, maintenance, protection, and preservation. It is common for many Councils to not have a reserve management plan in place given competing priorities and resourcing, however, discussion amongst the Planning Department and Senior Management has determined that it is necessary to undertake preparation of these plans in a phased manner to ensure compliance. There is currently one (1) active Reserve Management Plan that relates to Kekeno Park in Ocean Ridge.

Appendix I is a table of all the Reserves in the District that are believed to be under Kaikōura District Council administration, management, or control.

Appendix II contains an indicative guide of how developing a Reserves Management Plan will look including the approximate timeframes. The process requires two (2) instances of public notification.

It is required by legislation that the public be notified of the Council’s intention to prepare the Reserve Management Plans to enable the public the opportunity to provide input/suggestions on what they would like to be considered. Once a draft has been prepared, there will be a further period that allows

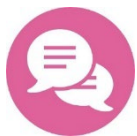
the public to make submissions on the draft plan. Following the public consultation period (two calendar months) there is an opportunity for the public to be heard prior to Council deliberations and amendments. Approval of any Reserve Management Plan would follow this process. Post approval, these will be sent to the Minister.

It is possible for more than one Reserve Management Plan to be prepared at any one time which is the Planning team and Senior Managements preference. Given priorities and resourcing, some resource consent processing may need to be outsourced while the reserve management plan development work is underway. Reserve management plan development will be based on a prioritisation of the reserves per appendix I.

4. NEXT STEPS

- Reserves per appendix I are prioritised.
- Council staff refine the reserve management development process, including legal review to ensure compliance (see appendix II)
- Council staff will prepare relevant communications for the public including process and timing.
- Land status checks will be carried out where relevant and most cost-efficient.

5. Community Outcomes Supported



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations

Appendix I
Reserves List (from the District Plan)

<u>Reserve ID</u>	<u>District Plan Classification</u>	<u>Legal Description</u>	<u>Internal ID</u>	<u>Listed Ratepayer</u>	<u>Gazette</u>
R1	Esplanade Reserve	Lot 9 DP 4480	1294		
R61	Scenic/Recreation	SEC 190 TN OF KAIKOURA	1449	KDC	Title Summary MB1B/637
R62	Scenic/Recreation	LOT 20 DP 1879	1450		New Zealand Gazette 1981 p 2254 Recreation purposes Gazette notice 41511
R19	Local Purpose	Lot 10 DP 9522	1350	KDC	Title Summary MB5C/1409
R63	Scenic/Recreation	Lot 16 DP 2088	1451	KDC	MB5D/1335
R64	Scenic/Recreation	Section 40 Block X Mt Fyffe SD (Top 10 Holiday Park)	1452	KDC	MB5B/297 (Records embodied in the register) MB6A/181
R29	Ngai Tahu		1361		
R30	Ngai Tahu		1362		
R32	Ngai Tahu		1363		
R33	Ngai Tahu		1364		
R34	Ngai Tahu		1365		
R35	Ngai Tahu		1366		
R36	Ngai Tahu		1367		
R37	Ngai Tahu		1368		
R65	Scenic/Recreation	Part Section 11 Block XV Hundalee SD	1453	Ngai Tahu	
R38	Ngai Tahu		1369		
R39	Ngai Tahu		1370		

R40	Ngai Tahu		1371		
R41	Ngai Tahu		1372		
R42	Ngai Tahu		1373		
R43	Ngai Tahu		1374		
R44	Ngai Tahu		1375		
R45	Ngai Tahu		1376		
R46	Ngai Tahu		1377		
R47	Ngai Tahu		1378		
R48	Ngai Tahu		1379		
R66	Scenic/Recreation	Section 11 Block XI Hundalee SD	1454	Ngai Tahu	
R67	Scenic/Recreation	Part Section 416 TN OF Kaikoura	1455	DoC	
R68	Scenic/Recreation	Crown Land Survey Office Plan 6234	1456	DoC/Crown	
R69	Scenic/Recreation	Lot 3 DP 6280	1457	DoC	
R70	Scenic/Recreation	Lot 6 DP 6280	1458	DoC	
R71	Scenic/Recreation	Section 479 TN OF Kaikoura (Takahanga Domain)	1459		
R72	Scenic/Recreation	Section 30 Block X Mt Fyffe SD (Racecourse)	1460		
R73	Scenic/Recreation	Part Section 9 Block X Mt Fyffe SD (Adjacent to the landfill)	1461		
R74	Scenic/Recreation	Section 475 TN OF Kaikoura	1462		New Zealand Gazette 1981 p 2254 Recreation Purposes Gazette notice 84384 – S.O. Plan 5333
R20	Local Purpose	Part Section 264 Kaikoura Suburban DIST (Cemetery)	1351		
R75	Scenic/Recreation	Part Lot 3 DP 392 (Churchill St Park)	1463	DoC/KDC	
R76	Scenic/Recreation	Lot 22 DP 1224	1464		New Zealand Gazette 1981 p 2254 Recreation reserve Section 16 of the Land Act 1924. (Part certificate of title 36/38).

R77	Scenic/Recreation	Lot 1 DP 1408	1465	Listed DoC	
R78	Scenic/Recreation	Section 468 TN OF Kaikoura (Esplanade Pool)	1466		
R79	Scenic/Recreation	Part Mangamaunu Sec 2 of 2 Block	1467		
R80	Scenic/Recreation	Part Mangamaunu Sec 3E of 2 Block	1468		
R81	Scenic/Recreation	Part Mangamaunu Sec 3C of 2 Block Part Mangamaunu Sec 3C of 2 Block Part Mangamaunu Sec 3B of 2 Block Part Mangamaunu Sec 3A of 2 Block Part Mangamaunu Sec 3B of 2 Block Part Mangamaunu Sec 3A of 2 Block Part Mangamaunu Sec 4 of 2 Block	1469	DoC	
R82	Scenic/Recreation	Mangamaunu Sec 4B1 of 2 Block	1470	DoC	
R83	Scenic/Recreation	Lot 2 DP 9106	1471	DoC	
R84	Scenic/Recreation	Part Section 14 Block XVI Kaitarau SD	1472	DoC	
R85	Scenic/Recreation	Part Mangamaunu Sec 4 of 2 Block	1473	DoC	
R86	Scenic/Recreation	Lot 5 DP 9106	1474	DoC	
R87	Scenic/Recreation	Part Mangamaunu Sec 1 of C Block	1475	DoC	
R88	Scenic/Recreation	Part Mangamaunu Sec 7 of 2 Block	1476	DoC	
R89	Scenic/Recreation	Part Mangamaunu Sec 7 of 2 Block	1477	DoC	
R90	Scenic/Recreation	Lot 1 DP 5655	1478	Crown	
R91	Scenic/Recreation	Section 5 Block IX Mt Fyffe SD	1479		
R21	Local Purpose	Section 3 Block XIII Mt Fyffe SD	1352	DoC	

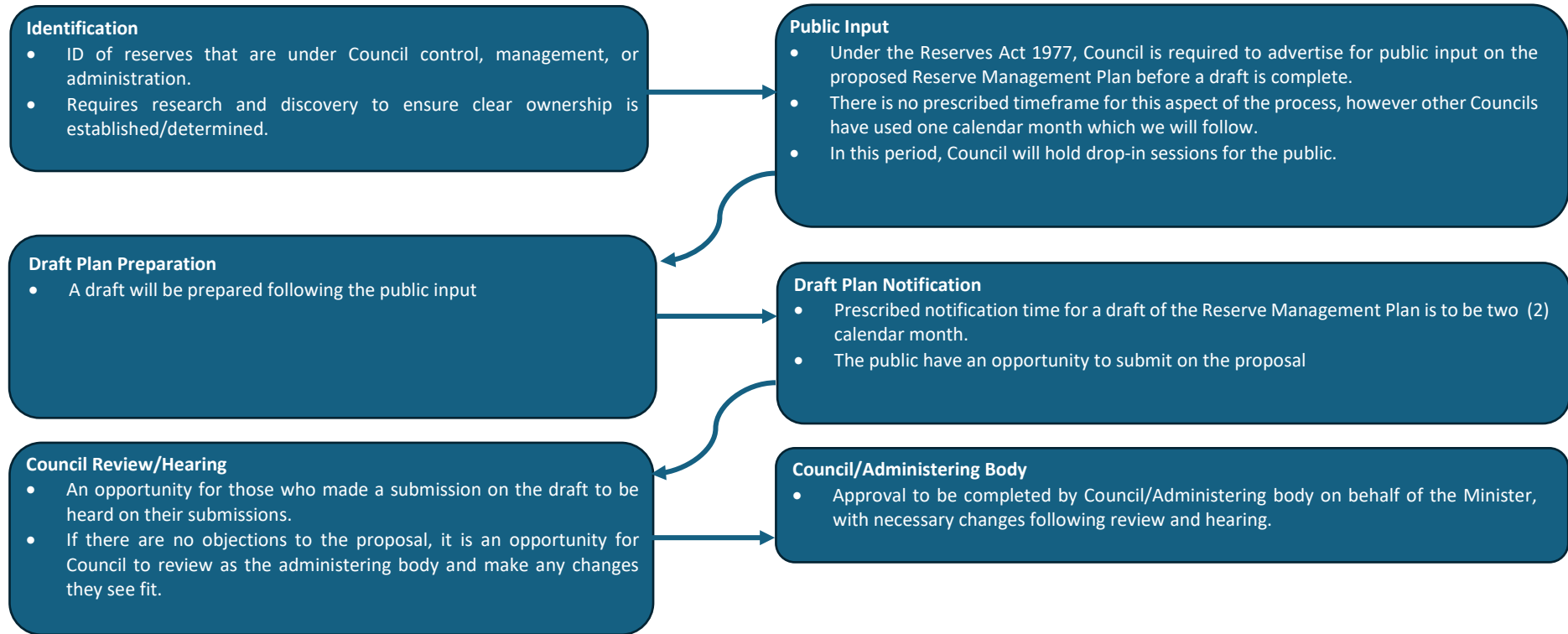
R22	Local Purpose	Section 6 Block VI Mt Fyffe SD	1353		
R23	Local Purpose	Part River Bed Block VI Mt Fyffe Survey District	1354		
R24	Local Purpose	Part River Bed Survey Office Plan 1324	1355		
R49	Ngai Tahu		1380		
R92	Scenic/Recreation	Lot 4 DP 6280	1480	Ngai Tahu	
R50	Ngai Tahu		1381		
R93	Scenic/Recreation	Lot 20 DP 1866	1481		
R2	Esplanade Reserve	Lot 3 DP 5452	1304		
R94	Scenic/Recreation	Section 1 SO 6966	1482	DoC	
R95	Scenic/Recreation	Section 23 Block XV Hundalee SD	1483	DoC	
R96	Scenic/Recreation	Lot 3 DP 8716	1484	DoC	
R97	Scenic/Recreation	Lot 2 DP 8716	1485	DoC	
R98	Scenic/Recreation	Lot 1 DP 8716	1486		
R99	Scenic/Recreation	Lot 2 DP 8563	1487		
R100	Scenic/Recreation	Lot 1 DP 5762	1432		
R101	Scenic/Recreation	Part Section 6 Block XV Hundalee SD	1433		
R102	Scenic/Recreation	Section 26 Block XV Hundalee SD	1434		
R103	Scenic/Recreation	Section 6 Block XVI Kaitarau SD	1435		
R104	Scenic/Recreation	Section 17 Block XVI Kaitarau SD	1436		
R105	Scenic/Recreation	Part Mangamaunu Sec 1C of 2 Block	1437	Māori Trustees	
R106	Scenic/Recreation	Part Mangamaunu Sec 2 of 2 Block	1438	DoC	
R3	Esplanade Reserve	Lot 4 DP 3970	1305		
R4	Esplanade Reserve	Lot 6 DP 3970	1306		
R107	Scenic/Recreation	Lot 1 DP 9106	1439	DoC	
R51	Ngai Tahu		1382		
R52	Ngai Tahu		1383		

R53	Ngai Tahu		1384		
R108	Scenic/Recreation	Part Section 9 Block X Mt Fyffe SD (South Bay/Ocean Ridge Forest)	1440	KDC	
R109	Scenic/Recreation	Section 38 Block XI Mt Fyffe SD	1441	KDC	
R110	Scenic/Recreation	Lot 2 DP 6280	1442	DoC	
R54	Ngai Tahu		1385		
R55	Ngai Tahu		1386		
R57	Ngai Tahu		1387		
R111	Scenic/Recreation	Section 43 Block XI Mt Fyffe SD	1443	KDC	Gazette notice 86553. S.O. Plan 5402
R5	Esplanade Reserve	Lot 4 DP 2193	1307		
R6	Esplanade Reserve	Lot 21 DP 3066	1308		
R7	Esplanade Reserve	Lot 11 DP 6297	1309		
R8	Esplanade Reserve	Lot 7 DP 6678	1310		
R9	Esplanade Reserve	Lot 20 DP 3066	1311		
R10	Esplanade Reserve	Lot 6 DP 4894	1295		
R11	Esplanade Reserve	Lot 5 DP 2549	1296		
R12	Esplanade Reserve	Lot 7 DP 2289	1297		
R13	Esplanade Reserve	Lot 12 DP 4995	1298		
R14	Esplanade Reserve	Lot 5 DP 6846	1299		
R15	Esplanade Reserve	Lot 4 DP 5115	1300		
R16	Esplanade Reserve	Lot 4 DP 4601	1301		
R17	Esplanade Reserve	Lot 5 DP 1886	1302		
R18	Esplanade Reserve	Lot 9 DP 4731	1303		
R112	Scenic/Recreation	Section 350 Kaikoura Suburban DIST	1444	DoC	
R113	Scenic/Recreation	Section 36 Block XI Mt Fyffe SD	1445	DoC	
R25	Local Purpose	Section 50 Block IX Mt Fyffe SD	1356	DoC	
R26	Local Purpose	Section 49 Block IX Mt Fyffe SD	1357	DoC	
R27	Local Purpose	Part River Bed Mt Fyffe Survey District	1358		

R58	Ngai Tahu		1388		
R114	Scenic/Recreation	Part Section 278 Kaikoura Suburban DIST	1446	DoC	
R115	Scenic/Recreation	Part Section 9 Block X Mt Fyffe SD (South Bay Racecourse & Pool)	1447	KDC	
R59	Ngai Tahu		1389		
R116	Scenic/Recreation	Lot 1 DP 5763	1448	DoC	
R60	Ngai Tahu		1390		

Appendix II

Reserve Management Plan Proposed Process – Subject to Review



Indicative Timelines:

Month	Action	Timing	Comment
May	Council Report	29 th May 2024	External review of process to have taken place
June	Initial Input Request to Community	1 month 3 rd June to 4 th July	Request to the community for initial input on selected reserves

July	Creation of Draft Mgt Plans	Approx. 2 months	
August	Creation of Draft Mgt Plans	4 th July to 13 th September	Further review required to determine timing.
September	Draft Management plans presented to council for public consultation	25 th September 2024	Relevant communications need to be developed for community consultation including feedback mechanism.
October	Public Consultation period opens	2 months	
December	Public Consultation closes	December 5 th 2024	Council report for hearing to be drafted
December	Hearing and deliberations	December 12/13 2024	TBC
December	Council Approval	December 18 2024	TBC

Report to:	Council
Date:	29 May 2024
Subject:	Community Services Team Update
Prepared by:	S Haberstock – Community Services Manager
Input sought from:	Community Services Team and partners
Authorised by:	P Kearney – Senior Manager Corporate Services

1. SUMMARY

The purpose of this report is to keep the Mayor and Councillors informed of the activities delivered by the Community Services Team and showcasing the strong partnerships we have with the Kaikōura community.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report for information.

3. ACTIVITY UPDATES

Building Financial Capability

The demand of financial advice is in high demand. Many clients have accessed Kiwi Saver due to hardship. There are 78 open cases with a total debt of \$737,000 and urgent arrears of \$27,555.00.

DEBT BY AGE:

18-25yrs	4
26-35yrs	11
36-45yrs	21
46-65yrs	42

TWP was successful with the tender for this contract, but revenue has been halved.



Temporary Housing

TWP has seen good movement in the temporary units during April. A family has moved out into affordable housing in the private sector.

Another family – Unit A - has moved into a sharing situation with a client from Emergency Housing. These have been good results. A 3rd person leaves in May.

There is still high demand with 7 on the waiting list, and 3 priority people will come from here to fill the vacancies. We haven't seen any movement in Social Housing but hope that quick progress is made on the Kiwi Street rebuild.

Housing Navigator

2 families are in Emergency housing.

2 families have been prevented from going into Emergency housing.

TWP will be continuing with an MSD Housing Navigator contract for 1 more year.

Foodbank

TWP has been inundated with unprecedented demand for food parcels in the last quarter.

JAN – APRIL 2024

118 food parcels – Families by Ethnicity – 78 European, 40 Māori

TWP has received support from the Kaikōura Community Op Shop to run a School Lunch programme for 12 months – they will donate \$1000 per month for this project, as well as general food support of \$1000 per month for 12 months.



Heartland Services

During the reporting period TWP has been busy trying to promote the Heartland space as a place where people can come together for groups, Hui/meetings/talks etc. and see Government Departments face to face.

The space is free for everyone to use, and we welcome inquiries. We help with technology and paperwork and help clients access on-line services.

In April we are starting a Community BBQ on the 4th Thursday of every month and hope to get a few people along and generate some more interest and make connections.

Te Ha o Mātauranga

Te Ha continues to provide alternative education to young people and staff have welcomed three new students this term. They took a group of girls to NZ Careers Expo in CHCH, had a tour around Ara and a visit to University of Canterbury to spark dreams and possibilities. They had a small group of girls on camp at Boyle River adventure centre this week. They have First Aid courses coming up in June, provided through our partnership with REAP Marlborough.

One of their staff members, Elbie Burnett, is currently Mayor Mackle's Tuia participant and has just completed her 2nd wananga away. This is a fantastic opportunity for her to grow her knowledge of Te Ao Māori, Tikanga and Te Reo.

The community shed guys are working on some photos and descriptions to start selling some of their wares via Trade me - this is an experiment to try generating self-sufficiency for the shed.

Mayor's Taskforce for Jobs

Lots of work setting up opportunities this month - they are taking their Youth Employability Programme (YEP) participants to Ara (Christchurch Polytech) for two days of taster courses - Building and Welding. They have Ara coming to Kaikōura to run LCQ and Barista courses.

Their YEP programme continues well with all participants completing the programme modules and now moving on to work exploration, experience, and volunteering. They attended the NZ Careers Expo in Christchurch recently.

They have seen good driver licensing success this month: 2 learners passed, 2 restricted passed, 9 mentoring sessions and 12 driving lessons.

Their employment placements continue, and their sustainable numbers are on track to meet their contracted numbers of 38 shortly.
All in all, a busy and productive month!

Other community group updates

Food resilience and reliance

A Brown is planning a community workshop with MSD as one of the key stakeholders. They will provide a strong lead alongside the community.

Maata Waka o Kaikōura

There has been a call from local Māori who do not whakapapa (connected by genealogy) with the local iwi and wish to have a voice. A register is being developed gathering details on whakapapa and iwi. The first hui is planned for 3 June 2024 with the intent that the following areas will be discussed.

Roopu name

Kaupapa - Kotahitanga: we are one, we are together.

Whakatauki - A proverb, a guide to remember the purpose of the roopu.

Roles and Responsibilities

Community interests and aspirations

Māori Wardens

We have two roopu, Kaikōura Māori Wardens and Nga Kaitiaki o Kaikōura Waratene Māori. Kaikōura Māori Wardens have a higher community profile. This group is often found supporting community events either mingling with the community or cooking sausages on the BBQ. Nga Kaitiaki o Kaikōura members are reaching out to look at opportunities where they can also actively support the community.

Takahanga Sports Courts

Quotes have been received in response to the tender document sent out in April for redevelopment work at Takahanga Community Courts and Main Power has come on board as naming sponsors, gifting a grant of \$60,000 (separate report to Council).

Our Users Group are aware of progress and are being kept informed as we have new milestones to share.

Takahanga Sports & Recreation Hub

S Wright attended a Takahanga Sports & Recreation Hub meeting where the constitution was finalised and process for recruitment of board members was discussed, currently being advertised through local channels.

Youth Council

Youth Council has a range of events planned for Youth Week (19th – 25th May). these are a combination of both youth based and community wide events.

Pensioner Housing

We have a new tenant moving into unit 3 at the beginning of June. The unit is currently being painted and having new carpet and benchtop installed. Annual inspections have been completed with minimal issues reported, all ticking along well.

Aging Well Kaikōura

We are preparing to go out with an advertisement for a project coordinator to complete a gaps analysis and strategy on behalf of the Aging Well group with funding that was received from Office for Seniors. We are aiming for this work to be completed by end of September.

b. Events

Old Beach Productions – 30th Anniversary: The Bones of our Past

We are waiting for further funding required to finished off this historical documenary on the celebration and culmination of the Takahanga Marae, showing the history of how the building of the marae came about and who was involved.

Pink Shirt Day 2024

Council staff and the community went all out to paint the town pink with the financial support from the Violence Free Network, facilitating the anti-bullying message. We distributed pink t-shirts and resources to businesses, education providers and community organisations to use throughout this week. Huge effort from the library who have made their space look amazing and really pushing the message of anti-bullying.

Lee Tepuia travelled from Blenheim and spoke at Kaikōura High School on Wednesday, sharing his message about experiencing and overcoming bullying.

Te Whare Putea hosted a Pink Shirt Day morning tea on Friday 17 May that was open to community as well as New World Kaikōura promoting the Kaupapa and really getting on board with spreading the message.

Te Tai O Marokura visited schools, community groups KDC and the library, presenting a pop quiz promoting antibullying presenting all teams with some small surprise prizes.

Wearing a pink shirt symbolizes a commitment to standing up against bullies and fostering an environment of inclusivity and empathy. It is about creating a community where all people feel safe, valued and respected, regardless of gender identity, sexual orientation, age, ability, religion or cultural background.



Health Day at the Pa

S Wright attended the health Day organised by Te Tai o Marokura at Takahanga Marae, a great event with lots of accessible health and wellbeing services in the one place and really good community attendance. A well organised event with great benefit to our community members.

Otago Medical Students

Otago University students Research Group were in Kaikōura last week and interviewed a wide range of our community to assist in their research. Their research includes Housing Affordability in Kaikōura, Climate Change and Parking.

Matariki planning

Planning is underway for a community Matariki event to be held on Thursday 4th July in the style of an evening market/event at the Memorial Hall and area surrounding. This is set to be a collaboration of many community groups and organisations along with some local businesses.

2) Community Grants

Sports NZ

We have 4 active projects from Round 1 and 2. Round 3 for 2023-2024. Round 3 is scheduled for 5 June 2024.

The available funds for 2023-2024 comprised of the annual allocation, a special one-off payment from Sport NZ and the balance from 2022-2023 of unspent funding (as approved by Sport NZ), which totalled \$19,824.41 for 2023-2024. With the number of applications received, we have increased the funding rounds from 1 to 3.

Creative Communities Scheme

We received and approved 3 projects.

- a. Wharenga – First Wave Photo Catalogue

- b. Inspiration Corner 2024
- c. Seaward Lions Youth Musical Recital 2024

A total of 13 projects are active for 2023-2024.

We received a one-off payment for Festival-funding from Creative NZ this year. The bulk of this funding was allocated to the Christmas Festival 2023 application held on December 2023. The assessment committee has allocated the left-over balance to be put towards the Matariki 2024 event planned for 7 July 2024.

George Low Fund

We have 3 active projects.

The next annual assessment hui is yet to be scheduled for 2024-2025. This will be posted on the KDC's website by 1 July 2024.

Community Initiative Fund

We have 6 active projects.

This community fund is now closed for 2023-2024. The scheduled dates for 2024-2025, are yet to be confirmed and will be posted on KDC's website.

General

All projects mentioned above will be uploaded to the KDC website by the end of June 2024.

The opening dates for 2024-2025 for the above community grants will be uploaded to the KDC website by 1 July 2024.

Kaikōura District Library

Below are our 3 community librarians getting right behind Pink Shirt Day and the anti-bullying message. Pink Shirt Day began in 2007 when a student in Nova Scotia was bullied for wearing a pink shirt to school. It has since been recognized annually worldwide as a day to stand against bullying.



Please see latest statistics below:

KAIKOURA DISTRICT LIBRARY



DASHBOARD
APRIL 2024

APRIL 2024

3,319

PEOPLE VISITED THE LIBRARY
THIS MONTH

NEW NEW NEW

We are excited to have had a furniture upgrade this month. Replacing donated chairs that were well worn and at a minimum 16+ years old!



We had the pleasure of welcoming NZ author Emma Stevens to our library. Emma spoke about her amazing life and adventures in the remote bush of Alaska

Based on the laughs and fun coming from that direction we can safely say it was thoroughly enjoyed by those in attendance!



AUTHOR VISIT

BORROWBOX LENDING ON PAR

After having BorrowBox for less than two years, our issues are already on par with the rest of our district. This means we are lending roughly the same amount of books per head of population as the larger areas in our district!



OUR SCHOOL HOLIDAY NEEDLE FELTING WORKSHOP WITH 18 IN ATTENDANCE

BOOK STATISTICS APRIL

	21/22	22/23	23/24
▲ ISSUES	1,783	2,450	2,748
▲ RENEWALS	283	207	208
▲ RETURNS	1,830	2,101	2,323

A WORLD CLASS LIBRARY SERVICE WHICH RETAINS ITS COMMUNITY VALUES

Kaikōura Emergency Management

Alison Moore successfully completed her CIMS4 training to understand the roles within Emergency Management. She will be applying this learning to reviewing the current Incident Management Team members to ensure that training is up to date, that their capacity and willingness to perform their roles still exists. We will then review the standard operating procedures to be followed in an event.

Quick Win: Alison has secured an agreement with the Kaikōura Cycling Club and the New Zealand Red Cross (NZRC) to rearrange their containers located at the Tar Depot to enable a canopy to be constructed to store the mobile trailer on site. This will provide a consolidated location for NZRC to work from in an emergency. The trailer is currently taking up critical space at the rear of the Police Department and is starting to deteriorate because it is not protected from the weather. She will continue to work with the local NZRC, Lorraine Diver, to plan and assist with completing this. (Note: The new layout plan has been reviewed by Mike Russell for his approval and does not require the additional land requested in the original proposal.)

Recovery work with volunteers is underway and A Brown is developing a database of Kaikōura volunteers, working through various community groups, NGOs, and Central Government agencies to

discuss and develop our various roles in case of a civil defence emergency. We are aiming to create a robust Kaikōura Volunteer database that will be available on day one of an event.

S Haberstock attended a Ru Whenua AF8 recovery workshop on the 10 May. Topics covered were:

- Consequence analysis
- Stakeholder analysis
- Risks and issues
- Recovery objectives
- Initial recovery communications

KDC is developing strong relationships with our neighbouring TA's so we can all work together collaboratively when the Alpine Fault erupts and share resources and support.

4. FINANCIAL IMPLICATIONS AND RISKS

None – expenditure remains within budgets.

5. COMMUNITY OUTCOMES SUPPORTED



Community

We communicate, engage and inform our community



Development

We promote and support the development of our economy



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment



Future

We work with our community and our partners to create a better place for future generations

Report to:	Council
Date:	29 May 2024
Subject:	Planning Update Report
Prepared by:	Zach Burns – Planning Officer
Input sought from:	P Egan – LIMs & Administration Officer F Jackson – Policy Planner M Hoggard – Strategy Policy and District Plan Manager
Authorised by:	Peter Kearney – Senior Manager Corporate Services

1. SUMMARY

This report provides a high-level update of what is occurring in the planning department. The key aspects to note are:

- LIM numbers continue to improve since the beginning of the year.
- Most Resource consents remain processed in-house (see attachment for details)
- Plan Changes 4, 5 & 6 continue to progress.
- Central Government reforms remain a work in progress.

Attachments:

- i. Resource consents in progress

2. RECOMMENDATIONS

It is recommended that the Council:

- 1) Receives this report for information.

3. BACKGROUND

3.1. Resource Consent Status

Attachment 1 includes a list of resource consents updated since the March 2024 Council report. The planning team has continued to resolve the outstanding deferred consents.

The planning department has been busy with resource consent and other workload in the last month. Based on upcoming projects it is likely that more resource consents will need to be externally processed, however, where possible, consents will continue to be processed internally.

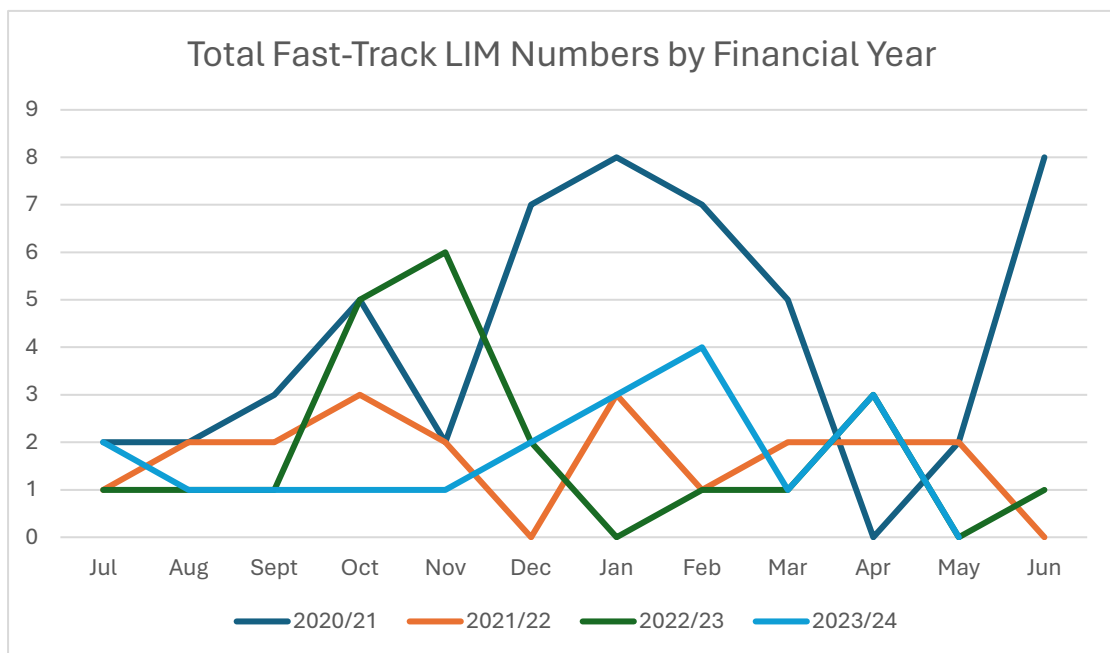
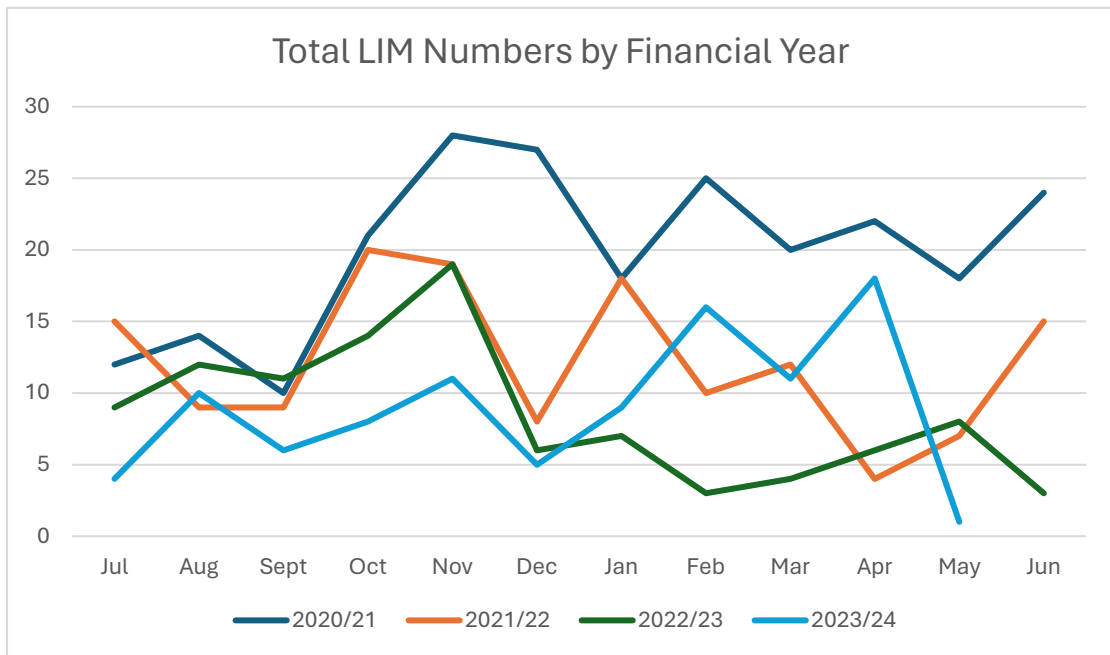
Progress has been made on previous consents that have required peer-reviewed Geotechnical Assessments and the number of long outstanding resource consents is being reduced. Planning continues to look to streamline feedback and communication with other departments in order to be on top of timeframes.

3.2. Land Information Memorandums

Since the end of April, LIM numbers have dropped off significantly, with only one (1) application coming in for May so far.

It seems after an influx of LIMs, the housing market may have dropped off or stagnating, although properties are still being placed on the market. A change of process of some real estate agents may also be contributing to this, as property files are being requested as opposed to LIM's. There are some

properties awaiting s223 and s224 sign offs, therefore, LIM numbers could potentially increase in the coming months.



3.3. District Plan Review

3.3.1. Plan Change 4 – Light Industrial Plan Change

The Plan Change 4 (Light Industrial Park) hearing took place on 25th-26th March 2024. The independent Commissioners requested further information and confirmed on 26th April that the hearing had closed. The commissioner’s recommendation for the Plan Change is included on the agenda in a separate report this month to Council. Following Council resolution, public notice will be published. This will be open for a 30-working day period, whereby appeals can be lodged by the applicants or any submitters to the Environment Court, if no appeals are received Council can affix the seal of the local authority formally approving the plan change in August.

Reviewing the overall timeframes, the plan change was notified on 28th September 2023 and decisions are intended to be made at this council meeting. This process has taken 8 months to complete and is well within the maximum two-year time period from notification to decision.

3.3.2. Plan Change 5 – Dark Sky Plan Change

The notification period for Dark Sky Plan Change 5 closed on 19th April 2024. 38 submissions were received, all in support. These are available to view on the Council website.

A period of further submissions was open from 2nd May to 16th May 2024. No further submissions were received.

Given the lack of submissions in opposition, a prehearing meeting will not be required, and the following steps remain:

- Commissioners need to be appointed; this is delegated to the Planning Staff in combination with the CEO.
- A staff report needs to be prepared including recommendations.
- Commissioners to make recommendation of decision to Council (typically by hearing process)
- Council makes a formal decision.
- Public notified of the decision occurs and 30 working day appeal period starts.
- If no appeals are received or once appeals are resolved the Council affixes seal, and the Plan Change becomes operative.

It is anticipated that independent commissioners will consider the Plan Change in a similar approach as has occurred with Plan Change 4, if similar time periods are applied as PC 4 all going well a decision is expected before the end of 2024.

3.3.3. Plan Change 6 – Ocean Ridge Plan

Plan Change 6 (Ocean Ridge extension) is progressing. There were discussions regarding the significance of Highly Productive Land (HPL), and whether or not the National Policy Statement for Highly Productive Land is applicable in this instance.

It was agreed by all parties that HPL was not relevant, however it highlighted an issue that needs to be addressed to avoid confusion going forward with the proposed Plan Change. The issue is around the zoning of the urban boundary to the western side of the site. Having considered previous Council reports and decisions, it has been agreed that the boundary was incorrectly mapped. This will require the flood hazard overlay, Ocean Ridge Comprehensive Living zone layer and urban boundary to be amended. This correction is in progress.



Map1: Area highlighted showing where spatial boundary does not meet property boundary.

Similarly, when the Kaikōura District Plan (KDP) was rehousing, an incorrect version of the Ocean Ridge Outline Development Plan (ODP) was added to the Ocean Ridge chapter. During the rehousing process, the amended version did not include all necessary zones.

These changes will be made as corrections and are intended to be incorporated into the operative plan at the same time Plan Change 4 receives the seal of Council.

3.3.4. Spatial Plan

Council staff have received mana whenua input and will continue working with the Runanga to refine direction. A meeting has occurred with consultants Boffa Miskell on 21st May and the Spatial Plan is continuing to progress. More details will be presented at the Council workshop on 5th June 2024. The workshop will also seek to develop a draft implementation plan to be included within the draft document.

3.4 Canterbury Regional Policy Statement

A review of the Canterbury Regional Policy Statement is occurring this is being driven by Environment Canterbury. A draft document is expected to be sent to Council in early June with formal notification expected in December. Staff will look to create a workshop with Councillors in July or August.

4. RELEVANT LEGISLATION

Resource Management Act 1991 (RMA) remains the relevant legislation.

4.1. Legislative Reforms Update

4.1.1. Resource Management Act amendment bill

The first phase of the RMA amendment bill was the repeal of the previous Natural Built Environment Act and spatial planning act was completed in December 2023.

The second phase of the process started with the commitment to introduce fast-track consenting for regionally and nationally significant projects to reduce costs and improve efficiency on projects. Phase two has involved the changes to the RMA to reduce regulation and enable development, boost infrastructure, housing, and primary industries, simultaneously protecting the environment.

There are two (2) bills to be introduced, amending the RMA, focusing amendments on the changes introduced for fast-track processing for short-term to medium-term impact, to be introduced this month. The second bill is yet to be finalised. Although, the government has signalled that it will include measures that aim to increase renewable energy as well as make medium density residential standards optional for Councils.

The third and final of the current planned phases involves replacing the RMA with new legislation based on the enjoyment of property rights intended to introduce this legislation in mid-2025.

4.1.2. Freshwater Farm Plan Changes

Introduced to change the freshwater farm plan system to make it more cost effective and practical. Changes are intended to enable farmers and growers to find the right solutions for their farm and catchment and to make sure the time and cost of completing a farm plan matches the level of risk. Farm plans can be used to identify environmental risks and plan actions to manage risks, considering property and catchment factors. Kaikōura District has previously had a limited number of freshwater farms however none are presently operating, and these changes appear unlikely to affect Kaikōura District.

4.1.3. Going for Housing Growth Work Programme Update

The programme is a joint venture between the Ministry of Housing and Urban Development and the Ministry for the Environment. They are trying to find a balance between zoning for housing growth and flexibility for councils to decide how growth occurs. Some Councils have made the changes already, however, if Councils wish to remove the standards, they will need to show they have housing capacity for 30 years.

The Government also wants to extend the National Policy Statement for Urban Development to encourage density and an increased mixed-use activity.

To help increase greenfield land availability, the National Policy Statement for Highly Productive Land (NPSHPL) is being reviewed by the Ministry for the Environment and the Ministry for Primary Industries with, Ministers commenting that Class 3 land will be removed from the NSPHPL.

In the coming months, the Government will introduce legislation focused on these areas. The 30-year Housing Growth Targets and the decision whether to opt out of the Medium Density Housing Requirements will be included through targeted amendments to the Resource Management Act 1991.

4.1.4. Climate Change Update – the second Emissions Reduction Plan

Work is currently underway to propose a second emissions reduction plan which is required by the end of 2024. The plan will set out actions to reduce emissions to meet the second emissions budget for the years 2026-2030. This is also a recently announced government target.

5. COMMUNITY OUTCOMES SUPPORTED



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We promote and support the development of our economy



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ATTACHMENT 1

1. Active and deferred Resource Consent, Flood Hazard Certificates and Other Consent Applications to 15th April 2024

“Deferred” applications are applications which have been placed on hold either on a request by the applicant or by Council requesting further information to better understand the effects of the proposed activity. Where applications are deferred the statutory processing clock (working days) is placed on hold.

No	RC ID	Applicant Name	RC Description	RC Location	Status / Notes	Days
1	1632	D & R NZ Ltd	Land Use (Mixed use building development)	26-36 West End	No change from June 2021 Council meeting. Deferred (s 92). Waiting for further information Neighbour’s approval was requested in September 2019 further information was requested in October 2019. A reminder was sent to applicant on the 20/07/2020. A follow up email has been sent in July 2021. Interim invoice has been sent. Further follow up has since taken place (June 2023 and the applicant has more recently come to the office to discuss) and proposal has been reduced. Council will not continue to process until payments have been cleared.	10
2	1777	John Drew	Relocation of building platform, boundary setbacks breached.	1481 D State Highway 1	The matter has been passed on to our enforcement team. On 30 th May 2023 a geotechnical report has been provided, staff are still awaiting the landscape assessment, the application remains on hold. A further follow-up letter has been sent 1 st March 2024 requiring an update by 31 st March 2024.	18
3	1797	Elisha Dunlea	Two lot subdivision	190 Mt Fyffe Road	Applicant had originally withdrawn application but have now asked to have the application put back on hold under s 92(1) as the consent was ready to be issued. Processed by RMG. Council staff need to speak with the applicants about this consent. Council has followed up with the applicant on 21 st June 2023, 7 th July 2023, 18 th September 2023 and again on 9 th February 2024.	11
4	1870	Mark Baxter	Outdoor Dinning Area – Temporary Activity	21 West End	On hold by the applicant - Limited notification has closed, a submission has been received from the neighbour, plans are to be amended and neighbour has said they will give approval provided fence built	65

					This application was limited notified, therefore, it remained active until the applicant requested the application to be placed on hold due to discussions with the affected party. The adjoining neighbour has agreed by email to provide written approval final documents are awaited. Processed in house	
5	1889	Kaikōura District Council	Earthworks in flood hazard area for Clarence/Waiatoa Bridge	Road reserve	Active Being processed by Resource Management Group S37 Issued for March 2024	89*
6	1892	Anthony Lund	Build a three bedroom dwelling with attached garage that intrudes the recession planes on north, East and West boundary of the property	148 South Bay Parade	Deferred Being processed by LMC	15
7	1895	Viatcheslav Meyn	To create 13 fee simple allotments including one access allotment and one balance allotment	427-671 Inland Road Kaikōura	Active Being processed in house The planning department had difficulties finding a geotechnical consultant to peer-review the application. There have been further delays with requests for further information, due to insufficient information being provided. There have also been internal delays due to the complexity of the consent. Draft Officers Report being reviewed, draft conditions being reviewed, some of draft conditions provided to applicant	170
8	1908	Moanna Farms Ltd	Earthworks within landscape area	20 Moana Road	Deferred – awaiting payment Follow-up email sent 19 th March 2024	-
9	1925	Fisher and Farr	Visitor accommodation and construction of a residential unit in the Fault Avoidance/awareness overlay	12B Louis Edgar Pl	Deferred Being processed in house Awaiting structural engineer information, flood hazard assessment and further neighbour approvals. Illegal plumbing works are also being investigated, enforcement may be required.	16
10	1930	David Hamilton	4 lot subdivision and amalgamation locating a building platform in the fault avoidance area	759 Mt Fyffe Road	Active Processed in house Draft officers report prepared for review, draft conditions provided to the applicant	43
12	1934	Ben Jurgensen	Flood hazard certificate	290 Red Swamp road	Deferred Processed in House Likely to be returned as it does not meet the criteria for a flood hazard certificate (Possible S88 return of application)	19

13	1940	Laura Finney	Visitor Accommodation	143 Torquay Street	Deferred Processed in house Further neighbour approvals required	9
14	1941	Brent Proctor	2-lot subdivision of land locating in the non-urban flood assessment area within mapped highly productive land	30 Old Beach Road	Active Processed in house Limited Notified	23
15	1942	Brent Proctor	Land Use – non-compliance with district plan standards in the general rural zone and transport standards	30 Old Beach Road	Active Processing in house Limited Notified	23
16	1943	Dayna Hamilton	2-lot subdivision in the general rural zone	849 State Highway 1	Granted Processed in house	24
17	1831 *01	Wolf brook Ltd	Variation to consent	17 Yarmouth Street	Granted Processing externally (RMG)	22
18	1893 *01	Wolf brook Ltd	Variation to consent	17 Yarmouth Street	Granted Processing externally (RMG)	22
19	1944	Christine McFertish	Establish a new hazard sensitive building in the debris inundation overlay	5 Kea Place	Granted Processed in house	19
20	1945	Ian Le Quesne	Establish a new hazard sensitive building in the debris inundation overlay	6 Endeavour Place	Active Processing in house Site visit complete Draft Officers report nearly complete	18
21	1678 *01	Andrew Chapman	Variation to consent	1370 SH1	Active Processing in house Awaiting final comments	27
22	1947	A, Kirkham	Visitor Accommodation	143 South Bay Pde	Active Processing externally (PLANZ)	6

*Section 37 Used – allowing doubling of timeframes

Resource Management (Discount on Administrative Charges) Regulations 2010

Was the application notified?	Was a hearing held?	Number of working days
Yes—public notification	Yes	130
	No	60
Yes—limited notification	Yes	100
	No	60
No	Yes	50
	No	20

July 2023 to March 2024 Resource Consent Compliance issued within Timeframes.

Percentage within timeframes	Percentage outside of timeframes
78%	22%*

*A number of these consents have been historic, and this reflects resolving these consents.

2. Notified consents.

Currently only one notified or limited notified consents are in progress:

- i. Mark Baxter has partly constructed the wall between the existing ROW [Right of Way] in an effort to obtain neighbours approval. The application still remains on hold at applicants request.
- ii. SU1941 & LU1942 has undergone limited notification for a subdivision that does not comply with the general rural zone density standards. The applicant was given the opportunity to provide affected party approvals but instead requested that the application be limited notified.

3. Monitoring

Regular meetings are now occurring with Jo York (Regulator Team Leader) regarding visitors accommodation and non-compliance with planning issues.

4. Road Stopping

None that the planning department is currently aware of.

5. General

- Project Information Memorandum processing is ongoing.
- Land Information Memorandum processing is ongoing.

Report	Council
Date:	29 May 2024
Subject:	Building and Regulatory Update
Prepared by:	Joanna York
Input sought from:	Rebecca Harding, Fiona Buchanan
Authorised by:	Will Doughty

1. SUMMARY

This is a routine report on recent activity in the BCA and regulatory areas of Council.

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives the report for information.

3. SUMMARY STATISTICS

BUILDING AND REGULATORY STATS

Building Reports	
Consent applications	4
Consents issued	5
CCC received	18
CCC granted	12
Inspections conducted	113
Inspection failed %	56%

Food Act 2014	
	
• New registrations	2
• Completed verifications	0

Sale and Supply of Alcohol

Licensing inspector - reports	
• Manager	2 New, 5 Renewal
• On licence	1 New
• Off Licence	0 Renewal
• Special Licence	1 On
• Temp Authority	0

Alcohol licensing administration - applications received

• New managers applications	4
• Renew Managers application	1
• Special Licence application	1
• Premises application	0

Alcohol licensing administration - licences issued issued

• Mangers certificates	4
• Special Licence	0
• Premises on/off/club	3



Fees

Total parking fees received including slipway
\$7432.79



	Registered dogs	1,246
	Un-registered	16
	Fees paid	\$65,294
	CSR's	25
	Impounds	0

• Illegal building complaints	1
• Noise complaints	2
• Notice to Fix	2
• Roaming stock	4
• Seals	2
• Seagulls	0
• Abandoned Vehicles	2
• General animal enquiries	0
• Resource Consents monitored	1
• Parking	0
• Freedom camping	5
• B.W.O.F processed	15

CSR's Received



4. BUILDING CONTROL

The following apply for the period April 2024

- Building Consent applications received **4**.
- Building Consents issued **5**.
- Code Compliance Certificate applications received **18**.
- Code Compliance Certificates granted **12**.
- Building Inspections conducted **113**.
- Inspection failed percentage **56%**.

5. SALE AND SUPPLY OF ALCOHOL ACT 2012

Notable events:

- Tri Agency meeting held with medical Officer of Health, Police and Licensing Inspector representatives.
 - Positive feedback from group regarding compliance matters.
 - No alcohol related driving offences have come from On Licensed premises thus far this calendar year.
 - Alcohol education event planned for Clubs and Special Licence applicants to be held in June.
- Compliance and monitoring scheduled for May.
- Two new On Licence applications sitting with inspector awaiting permission from Government agencies to hold an On Licence on publicly owned land.
- Communication with new sports facility regarding new On Licence.

6. FOOD ACT 2014

- New Registrations – 2
- Completed Verifications – 0
- Ian Shaw maintained regular communication with Senior Advisor, Maggie Wan, MPI regarding Food Act matters and updates.
- Liaison has been maintained with Jo York and Ian Shaw regarding Environmental Health, Alcohol Licensing and Food Safety matters.
- MPI are active with their current projects; one of which is their “Oversight Project”. This involves MPI senior staff monitoring the performance of Councils throughout NZ, including overdue verifications and escalations to registration Authorities and Food Safety Officers.
- Our FHS team meet regularly with MPI and ensure that the Council meets its obligations. Overdue verifications are sometime inevitable due to a number of reasons, but this is closely monitored by FHS administrators.

8. HEALTH ACT 1956

- Update on burnt-out Honey Mead premises: This site has been demolished and will undergo complete cleaning up by the end of May. The owner has been requested to place a Health Warning sign on the front of the property to alert passers-by of contamination.

9. REGULATORY SERVICES AND PARKING AND FREEDOM CAMPING

The focus for the regulatory team for the next month.

- Off site sign letters have been sent out.
- Visitor Accommodation information to go out in Rates newsletter this month (May) along with other media outlets before letters go out to individual accommodation owners.
- We now have two live monitoring schedule spread sheets for Illegal Building and Resource Consents which are updated and run-on two-week monitoring schedule. Our approach is education, information and then enforcement.
- Freedom Camping numbers are decreasing, however still remain
- Doggone lifetime tags have arrived, see below these will be ready to roll out in June for 2024-2025 registrations. Regulatory will be doing a big push to increase the numbers of registered dogs in the district.



10. REGULATORY MONITORING SCHEDULES COMPLETED

Area	Checked last month
Playgrounds <ul style="list-style-type: none"> • Gooches • Deal St • Beach Rd • South Bay 	4 4 4 4
Airport	4
Memorial Hall Op shop	4 4
Dog Pound	4

11. COMMUNITY OUTCOMES SUPPORTED

The work is in support of all/the following community outcomes.



Community

We communicate, engage, and inform our community.



Development

We promote and support the development of our economy.



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose



Environment

We value and protect our environment.



Future

We work with our community and our partners to create a better place for future generations.

Report to:	Council
Date:	29th May 2024
Subject:	Kaikōura Youth Council
Prepared by:	Kaikōura Youth Council and Staff

1. SUMMARY

We have had a full-on two months and are in the middle of Youth Week 2024! We have a lot of cool things happening this week and more training and events to look forward to!

2. RECOMMENDATION

It is recommended that the Council:

- 1) Receives this report for information.

3. BACKGROUND

Kaikōura Youth Council (KYC) are a group of young people making a difference to the Kaikōura community. They have been active in Kaikōura since 1999 and meet regularly after school at Te Hā o Mātauranga – Learning in Kaikōura, to work on youth issues, organise events and bring Kaikōura’s youth together.

KYC aims to help the Council engage with the youth of Kaikōura by facilitating a pathway of communication and representing youth in Council matters. All their work is to improve the ways of well-being (social, environmental, cultural, and economic) for the youth of Kaikōura.

KYC’s vision statement is Kaikōura youth are optimistic, confident and make valued contributions.

4. DISCUSSIONS

4.1- Youth Declaration Aotearoa

Co-Chair Kara Smith and KYC Member Anna Ki were accepted to go to the Youth Declaration Aotearoa Conference. They spent 4 days contributing to the Letter, making connections, and learning about the important areas of governance.

4.2- SADD Conference- Supported two young people to go to this

We were able to financially support two young people in our community to go down to Dunedin to attend the South Island Students Against Dangerous Driving (SADD) Conference. It was a five-day trip where they learnt about different events and campaigns around encouraging their local community to be safer drivers. Both young people came back excited and full of fresh ideas around supporting Kaikōura to be safer drivers.

4.3- Events Training

Two of our Youth Council members were able to go to Christchurch over the school holidays to attend a Youth Voice Canterbury training around Kia Rite Hoha, an event planning resource. This training will allow our young people to plan events more efficiently and will make it easy to organise and plan new opportunities in and around Kaikōura.

4.4- Youth Week:

We have had an amazing start to Youth Week! Monday, we had a lovely group join us for a walk around the peninsula which ended in a warm sausage sizzle which the Māori Wardens helped us with! (Photos below)

Tuesday, two youth council members went around town handing out Kindness (compliment cards, bubbles, and chocolate). We visited the High School, Hospital, Police, and an array of shops down West End. We were met with lots of thank you and appreciation.

We are very excited for the rest of the week with Chalk Wall on Wednesday, Crash Bang Cricket on Thursday as well as a free sausage sizzle and candy floss on Friday all in KHS.

We have heaps of people booked in to the Outdoor Movie night happening at Fyffe House on Saturday. We have had many businesses help us out with this including Coopers Catch who are providing the Fish n Chips and have given us the first \$500 of the orders for free, we have Doug O'Callahan providing the movies and screen for free, we have Mayfair helping with popcorn, as well as a whole heap of volunteers who will be helping on the night.

4.5- Top of the south

We are very excited for this year's Top of the South Hui, where all the Youth Councils from the top half of the South Island will be going to meet up and discuss the upcoming year and create connections. This year's hui will be held in Nelson on 17th June. We will be taking 6 of our members and Sarah Wright will be coming to help us.



5. COMMUNITY OUTCOMES SUPPORTED



Community

We communicate, engage, and inform our community.



Development

We promote and support the development of our economy.



Environment

We value and protect our environment.



Future

We work with our community and our partners to create a better place for future generations.



Services

Our services and infrastructure are cost effective, efficient and fit-for-purpose.