

KAIKŌURA DISTRICT COUNCIL EXTRAORDINARY MEETING HELD AT 9.00AM ON WEDNESDAY 29 JANUARY 2025 IN TOTARA, COUNCIL CHAMBERS, 96 WEST END, KAIKOURA

Date:	Wednesday 29 January 2025
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

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. Confirmation of Minutes:

6.1 Extraordinary Council meeting minutes dated 18 December 2024 page 3

7. Review of Action List page 7

8. Matters of Importance to be raised as Urgent Business

9. Public Excluded Session

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

- a) Temporary Accommodation Status Report
- b) Public Excluded Minutes dated 18 December 2024
- c) Harbour Financial Matters – verbal update

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

General subject of each to be considered	Reason for excluding the public	Grounds of the Act under which this resolution is made
Temporary Accommodation Status Report	This contains contractual information which may still change, the information 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)
Public excluded council meeting minutes dated 18 December 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters and Waiau Toa Clarence Valley Access Project	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.
Harbour Financial Matters – verbal update	Verbal update on subject previously brought to Council around ongoing negotiations which is commercially sensitive	Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(2)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

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

Temporary Accommodation Status Report: The release of this information could impact KDC's negotiation ability. Information will be made publicly available in due course.

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

10. 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 EXTRAORDINARY MEETING HELD ON
WEDNESDAY 18 DECEMBER 2024 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

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

IN ATTENDANCE: P Kearney (Acting Chief Executive), D Clibbery (Senior Manager Operations), Z Burns (Planning), F Jackson (Policy Planner), Josh Marshall (Associate – Gascoigne Wicks), B Makin (Executive Officer-Minutes)

1. KARAKIA
2. APOLOGIES
3. DECLARATIONS OF INTEREST
4. PUBLIC FORUM
5. FORMAL DEPUTATIONS

6. MINUTES TO BE CONFIRMED

6.1 Council meeting minutes dated 27 November 2024

RESOLUTION

That the Council confirms as a true and correct record, the circulated minutes of a Council meeting held on 27 November 2024.

Moved: Deputy Mayor J Howden

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

6.2 Extraordinary Council meeting minutes dated 11 December 2024

RESOLUTION

That the Council confirms as a true and correct record, the circulated minutes of a Council meeting held on 11 December 2024, subject to amendments:

- *“definition 17” should be “section 17”*
- *“Isse us” should be “issues”*
- *“the purpose of the RMA is to guide those decisions” this should be reference to the “RMP”, not the “RMA”.*

Moved: Councillor L Bond

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

7. REVIEW OF ACTION LIST

The Action List was reviewed and noted.

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

9. MATTERS FOR DECISION

9.1 Esplanade Reserve Management Plan (RMP) Adoption

It was noted that delegation is not required from the Minister of Conservation and an amended recommendation was put forward by Mayor C Mackle to open the discussion.

Suggestions were made to include wording around ensuring public enjoyment and safety such as maintenance and upgrading facilities. This led to a discussion around other safety regulations (building safety standards and playground standards) and legal advice cautioned the Council against including this in the RMP.

Two key changes were highlighted; a definition of open space was included in 3.1 to provide more clarity on what was being referred to. Legal advice was sought on this definition. As guided by Council at the Hearings, the area of open space has been amended to no less than 40% of the site area on 3.4.2 (b). The measured areas identified by M Hoggard have also been included.

Councillor J Diver, Councillor K Heays and Councillor T Blunt were against there being “no less than 40% of open space” commenting that it was still too small a percentage. Council staff advised that this does not indicate that the remaining space is only for commercial use.

AMENDED RESOLUTION

THAT the Council:

- a) *That Council thanked members of the community who provided feedback throughout the consultation process and those who spoke at the Hearing for the proposed Plan.*
- b) *That Council receives this report with amendments to the Draft Reserve Management Plan that was out for consultation following hearings and deliberations*
- c) *That Council adopt the Esplanade Recreation Reserve, Reserve Management Plan as attached.*

Moved: Deputy Mayor J Howden

Seconded: Councillor V Gulleford

Against: Councillor J Diver, Councillor K Heays, Councillor T Blunt

CARRIED

9.2 Spatial Plan Adoption

An amended recommendation was put forward by Council staff, following a discussion with the Ocean Ridge team who requested two minor changes since the hearings. The map as depicted is not correct and they are concerned the zoning isn't in line with what it should be. It was recommended that the colouring be reverted to the draft version and include the wording 'zoning density will be explored through the plan change'.

Council staff highlighted the other amendments to the Spatial Plan on page 32 of the agenda and appendix 2 on page 77.

AMENDED RESOLUTION

That the Council:

- a) Note the contents of this report;
- b) Acknowledges the completion of the SCP process and the feedback from submissions received presented at the public hearing;
- c) Approves the final version of the Spatial Plan for adoption, subject to those minor changes.

Moved: Councillor L Bond

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

9.3 Building Consents Low Risk Exemption Fees

RESOLUTION

THAT:

- a) The report is received.
- b) A new fee category of Building Consent Exemptions for works with extremely low risks and very limited need for Building Control Authority input with a fee of \$250 inclusive of GST is created as described in this report.

Moved: Councillor V Gulleford

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

10. 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) Waiau Toa Clarence Valley Access Project
- b) Public Excluded Minutes dated 27 November 2024

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
Waiau Toa Clarence Valley Access Project	The report contains information relating to the land at the Waiau Toa Clarence Valley, this information is commercially sensitive.	Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Public excluded council meeting minutes dated 27 November 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters, license to occupy and private information relating to blocks of land.	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.

*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:

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

Moved: Mayor C Mackle

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 9.33 am.

The meeting moved out of the Public Excluded Session at 10.10 am.

11. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 10.10 am.

CONFIRMED _____ Chairperson
Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

UNCONFIRMED MINUTE

**ACTIONS FROM COUNCIL MEETINGS
AS AT 23 JANUARY 2025**

OPEN ACTION ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
1	<i>Quarterly Progress Reports from 1-Jul FY 24-25</i> Museum, Sports Tasman, Mayfair, Kaikōura Rugby Club – Takahanga Facility Project Team, TeHa, A&P Association, Wildlife Centre Trust, Takahanga Bowling Club, Kaikōura Red Cross Branch, Kaikōura Bowling Club, Miniature Rifle Club, Croquet Club, Netball Centre,	-	February 2025 April 2025 July 2025	Report tabled to October 2024 meeting.
2	Response to Public Forum speakers – July meeting	W Doughty / P Kearney	Ongoing	Responses sent. Following up further to J Ward on Trotting Club. Met with J Ward and further update to follow.
3	Follow up with Councillor J Diver’s query around service requests.	S Haberstock	February 2025	
4	Amend typo’s in the report graphics	J York	February 2025	