

KAIKOURA DISTRICT COUNCIL MEETING FOLLOWING THE FINANCE AND POLICY COMMITTEE MEETING ON THURSDAY 17TH FEBRUARY 2005, IN MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

AGENDA

1. *Apologies*

2. *Matters of Importance to be raised as Urgent Business*

3. **Minutes to be Confirmed:**

- *Council 15/12/04*

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Reports to be Adopted:

- *Environmental Services Committee 15/12/04*
- *Finance and Policy Committee 15/12/04*
- *Social Services Committee 08/12/04*
- *Works and Services Committee 15/12/04*

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Minutes to be received

- *Hearings and Applications Committee 23/11/04*
- *Hearings and Applications Committee 30/11/04*
- *Hearings and Applications Committee 07/12/04*
- *Hearings and Applications Committee 07/12/04*
- *Hearings and Applications Committee 14/12/04*
- *Hearings and Applications Committee 21/12/04*
- *Hearings and Applications Committee 11/01/05*
- *Hearings and Applications Committee 18/01/05*
- *Hearings and Applications Committee 25/01/05*

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4. *Matters arising from Confirmed minutes*

5. *Minutes Action List Update*

21 MAY 2003			
Council	Report on allocation of boat parks at South Bay and the present use of these parks.	Stuart Martin	In progress
15 DECEMBER 2004			
Council	Arrange workshop to discuss Council's remuneration structure	Kevin	Item No. 8 Page 159

6. *Kaikoura Civil Defence Appointments*

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7. *Canterbury Local Authorities Triennial Agreement*

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8. *Council's Remuneration Structure Post-Election* *page 159*
9. *Kaikoura District Council Speed Limits By-Law* *page 160*
10. *Mayor's Report* *page 169*
11. *Urgent Business*
12. *Council Public Excluded Session*

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

- a. Confirmation of Minutes of Council Public Excluded meeting on 15/12/04*
- b. Receipt of Hearing & Applications Public Excluded meetings on 23/11/04, 30/11/04, 7/12/04, 14/12/04, 11/01/05, 18/01/05, 25/01/05.*
- c. Receipt of Environmental Services Public Excluded meeting on 15/12/04*
- d. Community Service Award*
- e. Request for Road Closure*
- f. CEO Remuneration*

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) and 7(2)(i) 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 passing this resolution in relation to each matter	Grounds of the Act under which this resolution is made
Minutes of the Council Public Excluded meeting held 15/12/04.	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
Minutes of the Hearing & Applications Committee meetings held 23/11/04, 30/11/04, 7/12/04, 14/12/04, 11/01/05, 18/01/05, 25/01/05.	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
Minutes of Environmental Services Committee meeting held 15/12/04.	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
Community Service	The exclusion of the public from the	Section 48(1)(a)

Award	whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	and 7(2)(b)
Request for Road Closure	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
CEO Remuneration	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local Authority to deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)

7. Canterbury Local Authority Triennial Agreement

Section 15 of the Local Government Act 2002 requires

- (1) “Not later than 1 March after each triennial general election of members, all local authorities within each region must enter into an agreement containing protocols for communication and co-ordination among them during the period until the next triennial general election of members.”

Attached is a copy of the draft agreement approved by the Mayoral Forum for release to Territorial Local Authorities for their consideration. The agreement meets the legislative requirement. The forum would like Councils to consider the draft and suggest any possible changes.

In developing the document, the aim was to keep it as simple as possible and as can be seen by the number of authorities involved, it had the potential of becoming extremely complex.

Significant new activities proposed by the regional Council are covered by section 16 of the Local Government Act 2002 with subsection (1) setting out when the section applies and subsection (2) detailing what the regional council must do to comply with the legislation. Each triennial agreement must (15)(2) include a statement of the process for consultation on proposals for new regional Council activities. This draft agreement also provides for that eventuality.

Council's have now been requested to ratify the attached draft.

It is therefore recommended that the Canterbury Local Authorities Triennial Agreement be adopted by Council.

8. Remuneration Structure – Post Election

At the Council meeting of 17 November 2004, Council resolved to recommend the remuneration for Councillors for the 2004-2005 year to 30 June 2005 for consideration by the Remuneration Authority, that the pool be split evenly amongst the seven Councillors.

Under the current method of remuneration, the Mayor is paid \$36,330 while each Elected Member is paid \$12,752.85 per annum.

At its meeting of 15 December 2004, it was further resolved that Council hold a workshop early February 2005 to further investigate and discuss Council's remuneration structure.

As a result of that workshop it is recommended that the decision on 17 November 2004 be instigated.

Recommendation

It is therefore recommended that Council recommend for Councillors for the 2004-2005 year to 30 June 2005 for consideration by the Remuneration Authority, that the pool be split evenly amongst the seven Councillors.

9. PROPOSED KAIKOURA DISTRICT SPEED LIMITS BY-LAW 2005-02-11

As previously reported, Section 52A of the Transport Act 1962 is to be repealed on 30 June 2005 and replaced by Land Transport Rule, Setting of Speed Limit 2003, Rule 54001.

Presently Council does not have the authority to set speed limits throughout the district, however pursuant to Section 684(1)(13) of the Local Government Act 1974, the Local Government Act 2002 and Land Transport Rule: Setting of Speed Limits 2003, the Kaikoura District Council must now set a By-Law in order to validate existing speed limits, define urban traffic areas and establish a register.

The objective of this Bylaw is to allow the Kaikoura District Council to validate existing speed limits, define urban traffic areas and to alter speed limits throughout the district accordingly.

There are now new procedures for making By-Laws in terms of the Local Government Act 2002 that are different to the Local Government Act 1974.

Prior to making a By-Law, Council must determine whether a By-Law is appropriate and that it is the best mechanism to manage the particular issue under discussion.

Prior to adopting this By-Law, Council must go through the Special Consultative Procedure to obtain feedback from the community. Submissions must be open for a least one month prior to Council adopting the By-Law. It is proposed that submissions be called for and that Council consider the adoption of the Speed Limits By-Law at the meeting of 20 April 2005.

Recommendation

That the Special Consultative Procedure be undertaken and that Council consider the adoption of the Speed Limits By-Law at the meeting of 20 April 2005.

Mayor's Report – Feb 2005

Welcome home Councillor Barbara Woods from the States and cruising the Bahamas and indeed each member of the Council as well as the Council staff – a welcome back to the Council year.

Including

- The placement of the Adelphi Out Door Dining Area,
- The close inspection of the West End re: the visual impact as it is, and what can be fixed, repaired and/or replaced or removed.
- Meeting with Sir Kerry Burke and Robert Johnson from Ecan
- Various Hearing and Application Committee meetings
- Assisting Mike Kennedy with the organizing of programmes of Public Education & Awareness regarding our Tsunami/Earthquake warning systems, suggested readiness requirements, possible causes/effects etc.
- Attendance at the “Making good decisions” Seminar and Course in Nelson with other members of the Hearings & Applications Committee over 3 days.

Coming up over the next Month:

- Friday 18 Feb – Mayoral Forum
- Thursday 24 Feb – Primary Health Organisation Board Presentation Day
- Friday 25 Feb – Zone 5 Meeting – Nelson
- Monday 28 Feb - Mayors for Jobs – CHCH – 2 Days
- Monday 7 March – Canterbury Waste – CHCH
- Tuesday 8 –Oaro - Residents Civil Defense TBC
- Wednesday 9 March – Kekerengu/Clarence Civil Defense TBC.

Please feel free to offer any contribution to these events or request feedback.

WORKSTREAMS:

A timely reminder of the commitment we made to the Work stream Programmes discussed at Maruia Springs.

- . **INFRASTRUCTURE** – Councillors J Diver and J Macphail
- . **STRUCTURE PLAN** – Councillor M McChesney
- . **MOUNTAINS TO SEA** – Councillors B Seddon, J Macphail
- . **URBAN DESIGN** – Councillors B Seddon, S Thomas
- . **EDUCATION/YOUTH & ELDERLY** – Mayor Heays, Councillors J Macphail, M McChesney, B Woods
- . **TOURISM** – Tourism & Development Committee

Interest has been shown by members of the community to join us and Linda is coordinating these expressions.

Cheers

Kevin

