

**MINUTES OF THE COUNCIL MEETING HELD
FOLLOWING THE FINANCE AND POLICY COMMITTEE
AT 12.05PM ON WEDNESDAY 20 APRIL 2005 IN
MEMORIAL HALL SUPPER ROOM, ESPLANADE,
KAIKOURA**

PRESENT: Mayor Heays (Chair), Councillors B Seddon, B Woods, M McChesney, J Diver, J Macphail, S Thomas, M Pablecheque.

IN ATTENDANCE: S Grant (Chief Executive Officer), L Copping (Executive Officer).

1. MATTERS TO BE RAISED AS URGENT BUSINESS

1. Application for Leave – Councillor Diver

The meeting adjourned at 12.09 for lunch and the arrival of the Minister of Civil Defence, G Hawkins.

The meeting resumed at 1.10.

2. CONFIRMATION OF MINUTES

Council 16/03/05

Moved by Councillor Pablecheque, seconded by Councillor McChesney and resolved that the minutes of the Council meeting held on 16 March 2005 be confirmed as a true and accurate record.

3. ADOPTION OF REPORTS

a. Environmental Services Committee 16/03/05

Moved by Councillor Woods, seconded by Councillor McChesney and resolved that the report of the Environmental Services Committee meeting held on 16 March 2005 be adopted.

b. Finance and Policy Committee 16/03/05

Moved by Councillor Macphail, seconded by Councillor Seddon and resolved that the report of the Finance and Policy Committee meeting held on 16 March 2005 be adopted.

c. Social Services Committee 09/03/05

Moved by Councillor McChesney, seconded by Councillor Thomas and resolved that the report of the Social Services Committee meeting held on 9 March 2005 be adopted.

d. Works and Services Committee 16/03/05

Moved by Councillor Pablecheque, seconded by Councillor Seddon and resolved that the report of the Works and Services Committee meeting held on 16 March 2005 be adopted.

4. MINUTES TO BE RECEIVED

Hearings and Application Committee 08/03/05, 22/03/05 and 05/04/05

Moved by Councillor Diver, seconded by Councillor Woods and resolved that the minutes of the Hearings & Applications Committee meeting held on 08 March 2005, 22 March 2005 and 5 April 2005 be received.

5. MATTERS ARISING FROM MINUTES

Signage for West-End Toilets

Councillor McChesney noted Council had discussed placing signage advising the location of the West End toilets and enquired if this had been progressed.

The Chief Executive Officer advised signage could be installed if Council was happy to proceed with it.

Councillor Diver noted any signage needed to be at the entrance to the town rather than at the West End where there were already plenty of signs. Councillor Woods advised she felt toilet signage needed to be at the West End turn-off rather than up Churchill Street

Moved by Councillor Woods, seconded by Councillor Macphail and resolved that a finger sign be placed at the West End turn-off.

6. MINUTES ACTION LIST UPDATE

Report on Boat Parks – South Bay

The Chief Executive Officer updated Council with a verbal report. He advised there were presently 17-18 boat parks at South Bay, with a number of them allocated to Whale Watch and Dolphin Encounter, and the remainder allocated to commercial fishermen.

He advised there had never been any formal agreement with the boat parks, however over the course of time, some allocated parks had been passed on for use by friends of those they were originally allocated to.

It appeared to be an informal grey market which now needed controlling. Boat sizes had also increased over the years which had also added to the problem.

Councillor Thomas asked if the boat park area was tarmac. The Chief Executive Officer advised there had been plans to seal it originally however at that time it was felt that it would not be worthwhile with boats and tractors screwing in and out of parks. He advised there was an issue with a large pothole at the bottom of the boat ramp which kept appearing. Baskets had been used to correct the problem in the past, however they had proven to be useless and had broken within 45 minutes of use.

The Chief Executive Officer advised he was currently getting designs drawn up for the area, and more permanent repairs.

Councillor Seddon advised the South Bay boat area was a great asset, however Council was not getting enough money back in return and believed a review of current rental charges was needed in order to make the area self-funding.

7. ROAD NAMES – WINDLE INVESTMENTS LIMITED

A report was provided by the Planning Officer, advising resource consent had been granted to allow for the subdivision and development of Part 2 Section 97 and Section 98 Kaikoura Suburban District. The location of the site was on the south side of School House Road, directly to the east of the School site and involved the formation of previously unformed legal road.

The Chief Executive Officer advised often names suggestions were put forward by developers, however it was Council's responsibility to establish a name for a new road. The following road names were suggested:

- Mountain View Drive
- Windle Drive
- Titoke Drive

The Planning Officer advised the name Titoke Drive had been suggested as a suitable name as the Titoke bush was growing on the site.

The Chief Executive Officer advised this was the first street that had come up for naming for some 5-6 years and Council needed to address the issue of what committee it wished to delegate the naming of streets to.

Councillor Woods advised she had embarked on her own public consultation and had found that historically the area had been owned by the Taylor family. They were a large family and three of the daughters had resided there until 1970. She advised it had been suggested that the road be named Taylors Lane as a historical record of the original owners.

Councillor McChesney advised on the basis that Maori were here long before the Taylor family, she favoured the road be named Titoke Drive.

Councillor Seddon advised he felt it was a lot safer to name roads after a native bird or tree than after a family as names within families often changed.

Moved by Councillor McChesney, seconded by Councillor Pablecheque and resolved that Council name the newly formed road, being Part 2 Section 97 and Section 98 Kaikoura Suburban District, Titoke Drive, subject to confirmation that the bush on site being identified as the Titoke bush.

Discussion

Councillor Woods asked if it was appropriate for road naming not to go out for public consultation.

The Chief Executive Officer advised it may be worthwhile putting the issue out for public consultation for subdivisions on an individual basis, or a list could be formed of names that could be used.

Councillor Woods advised she felt if the public were consulted it would give the community ownership of the district.

Councillor Macphail suggested the public be consulted with just the options of Taylors Drive or Tetoke Drive.

Councillor Seddon advised he wished to support the motion as it stood.

***In Favour: Councillor Seddon
 Councillor Pablecheque
 Councillor Macphail
 Councillor McChesney
Against: Councillor Woods***

The motion was put and carried.

8. KAIKOURA DISTRICT COUNCIL SPEED LIMITS BY-LAW 2005

The object of the Bylaw was to allow Council to validate existing speed limits, define urban traffic areas and to alter speed limits throughout the district following Section 52A of the Transport Act 1962 being repealed on 30 June 2005 and being replaced by Land Transport Rule, Setting of Speed Limit 2003, Rule 54001.

Council resolved at the meeting of 17 February 2005 that the Special Consultative procedure be undertaken prior to the

adoption of the speed Limits Bylaw. No submissions were received at the time of submissions closing on 24 March 2005.

Moved by Councillor Seddon, seconded by Councillor Macphail and resolved that Land Transport Rule, Setting of Speed Limit 2003, Rule 54001 be adopted.

Discussion

Mayor Heays suggested a workshop be held to discuss and identify possible roads within the district which Council felt needed changing.

The Chief Executive Officer advised quite a number of roads had already been identified as worthy of changing, and these roads would be looked at initially. He further noted he was happy to accept suggestions of any further roads that may need looking at in the future.

9. ADELPHI HOTEL OUTDOOR DECK

Included in the agenda was a report from the Chief Executive Officer, along with copies of all written correspondence received over the past few months in relation to the Adelphi outdoor dining deck. Also included was the following recommendation:

That the applicant be given an extension of time for the use of the site until 30 September 2005 and that the winter rate currently charged for outdoor dining be implemented.

Council resolved at it's meeting of 15 December to grant approval to D Simpson for an outdoor deck to be erected on the loading zone, on a trial basis for the summer period.

The Chief Executive Officer advised the trial period was due to expire on 30 April 2005 and Council now needed to decide if it wished to continue with the arrangement.

Councillor Woods advised she believed she had voted against the motion of 15 December where Council had approved a trial period for the Adelphi Hotel outdoor deck, further advising she wished this to be amended and noted.

Councillor McPhail asked if submissions had been called for throughout the trial period. He further advised he had been looking for guidance in the community, and to date had not received any, and suggested the public be consulted.

The Chief Executive Officer advised Council had a Significance Policy which was used if issues were thought to be significant, at which time they would then go out to the public and consult.

The Chief Executive Officer advised if Council saw the establishment of an outdoor deck as significant then it should go out for public consultation. He advised it was entirely up to Council as to how it wished to arrive at making a decision.

Discussion

Councillor Diver noted that the initial application from D Simpson for the outdoor deck stated that the leaser of the Adelphi Backpackers was in support of the deck however it had since shown that he was not in favour. He advised he had also spoken to delivery drivers who had disagreed with the deck on its present site and would prefer the loading zone was retained. Councillor Diver advised the majority of people he had spoken with had felt there was enough space for the deck to be placed in the Adelphi carpark next to Zuzu's café.

Councillor Diver advised another point of discontent seemed to be the size of the deck. It appeared many of the people that had supported the deck initially now felt it was a lot larger than was originally envisaged.

Councillor McChesney noted she had moved the motion in the first place to allow the deck to be trialed, however feedback included in the agenda indicated that the public were not happy with it. She advised a solution would be for the deck to be placed in the Adelphi carpark.

Councillor Macphail acknowledged Councillor McChesneys suggestion however he noted out of approximately 2500 ratepayers, only thirteen responses had in fact been received.

Councillor Pablecheque noted the loading zone prior to the deck being installed had been available as a loading zone only until midday, however the new loading zone site provided a loading zone 24 hours per day.

Councillor Seddon advised the trial period was the actual period Council was seeking feedback in support or against and noted no letters of support had been received. He further noted there appeared to have been a lot of congestion in the town centre.

Councilor Seddon advised he believed the loading zone should be moved to outside the Adelphi Backpackers and that D Simpson place the deck within his own property.

Councillor Woods advised she felt comments made in a letter received from Harnetts Butchery which was included in the agenda, were particularly relevant to the issue and should be noted.

Councillor Macphail advised he would like to remind Council that the placing of the deck occurred while the footbridge was being constructed in the town centre which he felt had added to the issue of congestion and had caused more disruption than was necessary. He felt the deck was large but very visible and advised he supported the deck in its trial location however he was also aware it had upset a lot of people.

Councillor Seddon advised if Council went along with the suggested recommendation then the situation would just be prolonged. He expressed concern at the proliferation of such outdoor structures if the deck remained. Although it was a great concept, he felt the town was not quite ready for it.

Councillor Seddon advised congestion in the West End was fairly bad as it was and anything that impeded traffic flow in the West End was a no-go at the moment.

Councillor Pablecheque noted if Council reverted back to using the old loading zone, and the loading bay had cars parked in it after midday, then trucks would double park and cause more congestion. He advised he felt the town had gained good extra parking with the parking now provided for the public at the Adelphi Hotel.

Moved by Councillor Pablecheque, seconded by Councillor Macphail and resolved that the applicant be given an extension of time for the use of the site until 30 September 2005 and that the winter rate currently charged for outdoor dining be implemented.

Discussion

Councillor Woods questioned whether Council was going to consider the feedback it had received.

The Chief Executive Officer advised the rationale for arriving at 30 September for the extension was in order to allow time for the Urban Design group to progress with a clear picture of design for the West End.

The motion was put and lost

Against: Councillor Seddon
Councillor Woods
Councillor Diver
Councillor McChesney

Abstained: Councillor Thomas

10. TRANSIT NZ PROPOSED ROAD WIDENING OF BEACH ROAD.

The District Planner presented a report in relation to Transit New Zealand's proposal to widen part of Beach Road and its intention to lodge in the near future a Notice of Requirement to Kaikoura District Council.

She advised given the potential adverse effects on the wider community it was considered appropriate to refer the matter to Council in order to obtain its view and to seek guidance prior to exercising delegated function.

The District Planner advised Transit had stated they would like to proceed on a non-notified basis and consult with just the affected neighbours, however she felt it should be notified as the effects would not be just on locals and neighbours but could have adverse effects on the wider community. The District Planner noted there could however be issues if it became notified.

The District Planner advised the original designation to widen the road was removed in 1992 from the Transitional Plan. She advised a lot of things had changed such as the volume of trucks, and general traffic and it was now felt it should be notified with the wider public consulted.

Councillor Seddon asked how such widening would affect the newly upgraded footpaths on Beach Road. The Chief Executive Officer advised the widening was not currently in Transit's ten year plan, however he further noted Transit's ten year plan was a renewable plan every year so it could change and affect the footpaths. He advised Council could halt all footpath upgrades and they could remain in their present state for 10-15 years, however on the other hand Transit could review its ten year plan and commence next year.

The Chief Executive Officer advised by requesting Transit to proceed via the notified process it would allow Council to obtain feedback from the public for outcomes of that area in the future.

Councillor Diver agreed it should be notified and that the public be consulted.

Moved by Councillor Macphail, seconded by Councillor Diver and resolved that Transit New Zealand's proposed widening of Beach Road be a notified consent.

11. MAYOR'S REPORT

Mayor Heays presented his report and reminded Councillors of the need to progress workshops and meetings for Councils LTCCP workstreams.

The Chief Executive Officer supported this and advised it was up to the leader of each group to decide how they wished to progress their workstream with the focus of developing outcomes for the 2006 LTCCP.

Moved by Councillor Woods, seconded by Councillor Macphail and resolved that the Mayor's report be received.

12. URGENT BUSINESS

Leave of Absence

Councillor Diver requested leave of absence from the Council meetings of 18 May 2005.

Moved by Councillor Woods, seconded by Councillor Seddon and resolved that Councillor Diver be granted leave of absence for the Council meetings of 18 May 2005.

Moved by Mayor Heays, seconded by Councillor Pablecheque and resolved 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 16/03/05*
- b. Receipt of Minutes of Finance & Policy Public Excluded meeting on 16/03/05*
- c. Receipt of Minutes of Hearings & Applications Public Excluded meetings on 08/03/05, 22/03/05, and 05/04/05.*
- d. Request for Road Closure*

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 16 March 2005.	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 Finance & Policy Public Excluded meeting held 16 March 2005.	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to enable the Local	Section 48(1)(a) and 7(2)(b)

	Authority to deliberate in private on its decision or recommendation.	
Minutes of the Hearings & Applications Public excluded meetings held 8 March 2005, 22 March 2005, and 5 April 2005.	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)
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)

There being no further business the meeting closed at 3.25pm

Confirmed on day of2004

*By K J Heays
(Mayor)*