

**MINUTES OF THE COUNCIL MEETING HELD
FOLLOWING THE FINANCE AND POLICY COMMITTEE
AT 11.49AM ON WEDNESDAY 15 FEBRUARY 2006 IN
MEMORIAL HALL SUPPER ROOM, ESPLANADE,
KAIKOURA**

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

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

APOLOGIES: Councillor McChesney

Moved by Councillor Woods, seconded by Councillor Seddon and resolved that apologies be accepted.

1. CONFIRMATION OF MINUTES

Council 21/12/2005

Moved by Councillor Macphail, seconded by Councillor Diver and resolved that the minutes of the Council meeting held on 21 December 2005 be confirmed as a true and accurate record.

3. ADOPTION OF REPORTS

a. Works and Services Committee 21/12/2005

Moved by Councillor Pablecheque, seconded by Councillor Seddon and resolved that the report of the Works and Services Committee meeting held on 21 December 2005 be adopted.

b. Environmental Services Committee 21/12/2005

Moved by Councillor Woods, seconded by Councillor Macphail and resolved that the report of the Environmental Services Committee meeting held on 21 December 2005 be adopted.

c. Finance and Policy Committee 21/12/2005

Moved by Councillor Macphail, seconded by Councillor Pablecheque and resolved that the report of the Finance and Policy Committee meeting held on 21 December 2005 be adopted.

d. Social Services Committee 14/12/2005

Moved by Councillor Thomas, seconded by Mayor Heays and resolved that the report of the Social Services Committee meeting held on 14 December 2005 be adopted.

e. Tourism & Development Committee 14/12/2005

Moved by Councillor Thomas, seconded by Councillor Macphail and resolved that the report of the Tourism & Development Committee meeting held on 14 December 2005 be adopted.

4. MINUTES TO BE RECEIVED

Hearings and Application Committee 28/11/2005 & 13/12/2005

Moved by Councillor Diver, seconded by Mayor Heays and resolved that the minutes of the Hearings & Applications Committee meetings held on 28 November 2005 and 13 December 2005 be received.

5. MATTERS ARISING FROM CONFIRMED MINUTES

Alcohol Ban

Councillor Thomas asked if Council had looked at sourcing by-laws from other local authorities.

The Chief Executive Officer advised the working party set up to investigate this matter should be seeking such information and reporting back to Council.

Dog Control Policy

The Chief Executive Officer advised this item would be included in the March agenda.

6. MINUTES ACTION UPDATE LIST

Working Party – Alcohol Ban

Councillors on the working party charged with investigating an alcohol ban in the district were expected to meet within the next few weeks. It was noted both Hanmer Springs and Hurunui had liquor bans in their districts.

7. POLICE POWERS RE ALCOHOL/INTOXICATION

Included in the agenda was a report provided by Council's Solicitor following a request at the December meeting on the powers of Police in terms of alcohol and intoxicated persons in public places.

The Chief Executive Officer advised if Council was looking at putting in place a by-law for alcohol it could include whatever Council wished. Provided it was legal it would provide Police with the authority to implement such a by-law. He advised Police powers were presently limited.

Councillor Thomas advised Sergeant R Smith of Kaikoura Police attended the Social Services Committee meeting earlier in the month and spoke of the problem with people drinking outside of bars, not actually having bought the alcohol from the bars and how they were unable to be moved on by either Police or bar managers.

Councillor Woods advised Councillors this matter had arisen mainly from Seafest and believed Council was obliged to do something positive, suggesting the working group attack the matter vigorously.

The meeting adjourned for lunch at 12.06pm and resumed at 1.05pm.

8. REMUNERATION AUTHORITY 2006/07 INDICATIVE POOL

The Chief Executive Officer advised the Remuneration Authority had reviewed remuneration for Elected Members and required confirmation from Council as to how the indicative pool was to be split.

Moved by Councillor Seddon, seconded by Councillor Pablecheque and resolved that the Remuneration Authority be advised that the 2006/07 Indicative Pool be split as follows:

- *Mayor* *\$39,700*
- *New Pool* *\$98,700 - to be split evenly between 7 Councillors being \$14,100 per Councillor per annum.*

The motion was put and carried.

9. RECOMMENDATION FROM SOCIAL SERVICES COMMITTEE

Included in the agenda was a recommendation from the Social Services Committee that Council continue moving in the direction of setting speed limits in the district.

The Chief Executive Officer advised the Social Services Committee had also advised they wished to be involved in the process of setting speed limits throughout the district. Council would need to review those roads it believed needed reviewing and it's engineers would provide an initial report based on national guidelines.

10. MAYOR'S REPORT

Mayor Heays presented his report including a suggestion to feature photographs of Councillors in the local newspaper with appropriate contact details following calls being received by himself and Council staff asking who to contact about specific matters. Mayor Heays advised he believed it was important people understood the roles in and around Council, including chairmanships and active memberships on various internal and external committees of each Councillor and noted it would be an excellent public relations exercise.

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

11. COMMITTEE UPDATES

District Plan

Councillor Seddon advised he believed all District Plan objections could be resolved via mediation.

Friends of Lyell Creek

Councillor Thomas advised he had attended a recently meeting and was amazed at the amount of work exercised on the water quality of Lyell Creek over past years and noted farmers had voluntarily fenced their properties from the creek.

Sport Tasman

Councillor Diver advised Sport Tasman's February Board Meeting would be held in Kaikoura.

Creative Communities

Councillor Woods advised she had received a call from a patchwork guild looking for a venue to exhibit their works over the weekend of Trash to Fashion and asked if Councillors new of a suitable venue. The following venues were suggested:

- Act One
- Mayfair Theatre
- Airport Terminal

Hearings & Applications

Councillor Macphail advised committee member B Edwards had left the district and asked if he was being replaced.

Councillor Diver advised he believed Council's Planning Officer's would be discussing the matter with the Chief Executive Officer.

Runanga

Councillor Seddon advised he would be attending the launch of the Runanga Environment Management Plan on Friday 24 February.

12. RECOMMENDATION FROM TOURISM & DEVELOPMENT COMMITTEE'

Included in the agenda was a recommendation from the Tourism & Development Committee recommending that the following core principles be used as a guide in formalizing future policies regarding freedom camping:

- That the protection of the natural environment is paramount
- That the health and safety of all users is protected
- To promote awareness regarding the cultural importance of the coastline including its use for mahinga kai (food gathering)
- That the opportunity for all users to interact with and enjoy the natural environment should be maximized.

The Committee further asked Council to consider extending the role of the West End caretaker to assist in reducing coastal pollution at camping and amenity areas along the Kaikoura coastline with a main focus of the

role to include informing and educating coastal users regarding appropriate use of the coastline.

Also included in the agenda was a report provided to the Tourism & Development Committee at its meeting of 8 February, jointly prepared by Council's Environmental Development Officer and Tourism Officer.

Councillor Thomas advised the Tourism & Development Committee believed Council needed to address the issue of freedom camping and noted it was a national issue not just a regional issue. He advised there was a lot of reading in the report provided and believed Council needed to get a firm policy underway as to where it stood with regard to freedom camping in the district.

Councillor Macphail advised there was currently huge concern at the amount of litter left lying around the district and toileting on the beaches and there were often cars, tents and campervans parked overnight at the Lookout Point and at South Bay. He believed strong policy needed to go forward on what Council wished to happen in the district as the public were getting sick of the lack of action. He advised the recommendation from the Tourism & Development Committee set out a basic underlying theme and believed Council should develop a policy from that recommendation.

Councillor Seddon advised he believed Council must address this matter by next year as everyone that lived in Kaikoura loved the place and did not want to see it ruined. Councillor Seddon suggested instead of having a paid person, a person from each area could be a warden for their area once they had some powers to carry out the core principles set out by the Tourism & Development Committee. He believed it would be the best way to deal with it if they had the support of the Council.

Councillor Diver asked if there was a map of Kaikoura showing Council's jurisdiction and suggested this be looked at before Council went leaping into a policy. He further asked what jurisdiction Council had over land belonging to Department of Conservation, Ngai Tahu and Transit New Zealand.

The Chief Executive Officer advised while Department of Conservation, Transit New Zealand and Ngai Tahu each had land in the district there was still quite a lot of land that was no mans land. He advised he did not see the land ownership as the issue but rather where Council wanted to go as a district and what could be done to prevent it being spoilt and maintained as a pristine environment.

Councillor Woods advised she believed Council needed to progress with some form of enforcement by way of policy and legislation that backed up a volunteer and noted it would be a sad thing if people were not allowed to freedom camp and it may well have to be restricted to near by dump sites and public facilities.

Mayor Heays advised it was interesting to note of all the groups he had been approached by and spoken with, there had only been one group that felt freedom camping should be banned. While the majority did not object to one or two nights freedom camping, the issue was location.

Councillor Thomas felt the majority of campers wanted to do the right thing and needed educating on what the right thing was. He advised an educational approach along with a bylaw to allow authority to move campers on was required and believed a warden system would work.

The Chief Executive Officer advised he was unsure of what the main concerns were and asked was it actual campers, or people spoiling the environment, further adding freedom camping appeared to be an issue for about 3 weeks of the year. He advised of a Kaikoura guardians group that was currently trying to develop policies with a large number of stakeholder groups including representatives from Department of Conservation, Runanga, Recreation/Commercial Fishermen, Coastal Marine & Protection Society and Coastguard to put in place principals similar to those outlined in the recommendation from the Tourism & Development Committee and suggested Council may well like to write to that group on the matter.

The Chief Executive Officer also advised the local Iwi Management Plan was due to be launched at the end of February and there may well be some issues in that in terms of freedom camping. He advised in terms of statutory planning Council would be required to take those issues on board.

Councillors Macphail and Thomas advised freedom camping was not a perceived issue, but a real problem that occurred all year round.

Councillor Seddon advised a strong policy and strategy would be required to stop the type of freedom camping that had recently occurred at Black Miller, where a large group had monopolized a particular part of the coastline for three weeks.

Mayor Heays advised there appeared to be a consensus that direction needed to be made with a choice of one or two roads and suggested the Environmental Development Officer and Tourism Officer be charged with suggesting the direction Council should take.

Moved by Councillor Seddon, seconded by Councillor Woods and resolved that Council develop a policy on freedom camping for the district and that the following core principles be used as a guide in its formalization:

- ***That the protection of the natural environment is of paramount importance***
- ***That the health and safety of all users are protected***

- ***To promote awareness regarding the cultural importance of the coastline including its use for mahinga kai (food gathering).***
- ***That the opportunity for all users to interact with and enjoy the natural environment should be maximised***

Referring to the second part of the Tourism & Development Committee recommendation where the committee asked Council to consider extending the role of the West End caretaker to assist in reducing coastal pollution at camping and amenity areas, Councillor Diver noted it was not the role of Councillors to direct staff, but that of the Chief Executive Officer.

The Chief Executive Officer advised if specific resources were required to implement a policy then Council would be the first to hear of the resources required and noted staff liaised with Innovative Waste Kaikoura to pick up material from time to time.

Councillor Woods asked if the guardian group would be able to take this issue on.

The Chief Executive Officer advised once Council had arrived at a strategy for protecting the environment it would be passed to the guardian group and would also form part of the outcomes of Council's Long Term Council Community Plan.

Councillor Seddon supported recent comments in the Kaikoura Star where it was noted South Bay reserve could be used as a camping facility for overflow.

Moved by Councillor Seddon, seconded by Councillor Pablecheque and resolved that P McGahan have speaking rights.

P McGahan noted Council had a by-law that clearly made provision for the upholding of Council signage and asked why it had never been upheld.

Mayor Heays advised it was up to Council as to whether it wished to enforce the by-law and noted the by-law related only to Council owned areas and roads.

P McGahan stated he was passionate about the district's environment and very concerned that no action had happened toward protecting it when Council had adopted a Green Globe environment policy.

P McGahan expressed concern that he had identified serious rubbish and toileting issues throughout the district previously and Council had not taken ownership of it nor dealt with it. He believed good outcomes would not be achieved by volunteers and deferring the matter to another group was inappropriate.

P McGahan advised he did not believe it was a complex problem to deal with and that it was critical Council worked with Transit over the matter as they had a large role to play also.

The Chief Executive Officer advised Councillors to contact the Environmental Development Officer or Tourism Officer, whom were charged with developing a policy on freedom camping, with any points or issues they wished to see addressed.

Councillor Woods requested a map of the district with problem spots marked in order of priority.

13. PUBLIC EXCLUDED SESSION

Moved by Councillor Seddon, 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 21/12/2005*
- b. Confirmation of Minutes of Council Public Excluded meeting on 21/12/2005*
- c. Authority to Proceed with Rating Sale*

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 21 December 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 Environmental Services Public Excluded meeting held 21 December 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)
Authority to Proceed	The exclusion of the public from	Section 48(1)(a)

with Rating Sale.	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.	and 7(2)(b)
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There being no further business the meeting closed at 2.40pm.