

**KAIKOURA DISTRICT COUNCIL MEETING FOLLOWING THE FINANCE AND POLICY COMMITTEE MEETING ON WEDNESDAY 21 FEBRUARY 2007, 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 20/12/2006* *page 68*
  
  - Reports to be Adopted:**
    - *Works & Services Committee 20/12/2006* *page 77*
    - *Environmental Services Committee 20/12/2006* *page 79*
    - *Finance and Policy Committee 20/12/2006* *page 82*
    - *Social Services Committee 06/12/2006* *page 84*
    - *Social Services Committee 07/02/2007* *page 87*
  
  - Minutes to be received**
    - *Hearings and Applications Committee 19/12/2006 & 16/01/2007* *page 90*
4. *Matters arising from Confirmed minutes*
5. *Road Names – R D Hughes (Stage II)* *page 113*
6. *Remuneration Authority 2007-2008 Indicative Pools* *page 124*
7. *Review of Gambling Venue Policy* *page 134*
8. *Consideration of Submissions – Kekenok Park* *page 150*
9. *Consideration of Submissions - Draft Coastal Development Plan* *page 165*
10. *Request from Lions Club of Seaward Kaikoura – To Erect a Town Clock* *page 167*
  - **M Harnett, J Syme & L Robinson will be present**
11. *Application to Lease Recreation Reserve Land on Rorrison's Road* *page 168*
12. *Ministry of Education - Community Initiated Education Plan* *page 181*
13. *Committee Updates*
14. *Mayor's Report* *page 183*

**15. Urgent Business**

**16. 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 20/12/2006*
- b. Confirmation of Minutes of Finance & Policy Public Excluded meeting on 20/12/2006*
- c. Lease of Rorrison's Road – Kaikoura Pony Club*
- d. Assignment of Lease – Kaikoura Airport Services Ltd*

*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:*

<b>General subject of each to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds of the Act under which this resolution is made</b>
Minutes of the Council Public Excluded meeting held on 20 December 2006	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.	<b>Section 48(1)(a) and 7(2)(b)</b>
Minutes of the Finance & Policy Public Excluded meeting held on 20 December 2006	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.	<b>Section 48(1)(a) and 7(2)(b)</b>
Lease of Rorrison's Road reserve land – Kaikoura Pony Club.	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.	<b>Section 48(1)(a) and 7(2)(b)</b>
Assignment of Lease – Kaikoura Airport Services Ltd	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.	<b>Section 48(1)(a) and 7(2)(b)</b>

## Road Names – R D Hughes Ltd (Stage II)

### ***MATTERS FOR RECOMMENDATION TO COUNCIL***

### ***ROAD NAMES RD HUGHES HOLDINGS LTD (OCEAN RIDGE STAGE II)***

#### **Background:**

In the Council meeting of 21 September 2005 the Council resolved that it adopt a list of native bird, plant, marine mammal and fish names to be used as a guide for the naming of future roads created through subdivision which can be updated and amended as necessary. This list is attached as appendix I to this report.

Since this time the Kaikoura District Council has agreed to a list of names for Stage 1 of the Ocean Ridge Development which reflect local history of the area. Refer site plan attached.

An application has now been received for the Stage 2 subdivision of the Ocean Ridge Development. As part of this application the applicant has commented:

*“One new road is included in the Stage 2 proposal. Given Councils agreement to allow a European historical road name theme throughout the Ocean Ridge Development the following names have been submitted for Councils consideration.*

***Knowles Crescent*** - HH Knowles appointed the first part-clerk of the newly formed KDC in 1879. He was also master of the Town School.

***Dickenson Drive*** - Thomas Dickenson possessed the first lease of the Snowflake run in 1868, 9000 acres of rugged country south of the headwaters of the Kowhai River.”

A name is therefore required for the new area of road which will vested in the Kaikoura District Council, this is at the Councils discretion.

The Local Government Act 1974 provides as follows

*319. General powers of councils in respect of roads*

*The council shall have power in respect of roads to do the following things:*

*(j) To name and to alter the name of any road and to place on any building or erection on or abutting on any road a plate bearing the name of the road:*

*319A. Initial naming of roads*

*Where the council names any road for the first time, it shall, as soon as conveniently may be after doing so,—*

*(a) Advise the District Land Registrar of the land registration district within which the land is situated, who shall note his records accordingly; and*

*(b) Advise the Chief Surveyor of the land district within which the land is situated.*

## **Suggested Road Names**

The applicant now seek approval for road names as outlined in the resource consent application be either *Knowles Crescent* or *Dickenson Drive*. RD Hughes current preference is for Knowles Crescent.

### **Recommendations:**

*That Council decide an appropriate road name for the new legal roads to be vested.*

## **APPENDIX I**

### *POSSIBLE NEW ROAD NAMES FOR THE KAIKOURA DISTRICT.*

Following on from August's Council meeting 2005, the Biodiversity Officer was requested to compile a list of native Flora & Fauna of the Kaikoura District, in order to assist Council in naming new streets/roads throughout the district, as new subdivisions come on line.

The following is such a list incorporating native birds, plants, fresh water fish, some reptiles, marine mammals & marine fish. It also includes Kaikoura's mountains, hills, rivers, streams, creeks, bays and other topographical features that may be considered as possibilities.

PLEASE NOTE: This list has been based from 'Taonga species of the Ngai Tahu rohe' (Bluff in the South, to the White Bluffs, just north of Ward, in the north), the 'Threatened Species Occasional Publication 23' of Department of Conservation and various agency web pages. This list has also had input from Forest & Bird, Queen Elizabeth the Second Trust (QEII), an independent ecologist and the Department of Conservation.

HOWEVER, it is NOT a complete list of the species that are found within our district and has been compiled in conjunction with local knowledge, external expertise & advice. There may be discrepancies within the information and it cannot be taken as 100% accurate. It is a GUIDE only.

Most of the species found on this list and in the Kaikoura area, are not ENDEMIC to this area. They are found elsewhere in the country in many cases. The only true endemic species to Kaikoura is the Hutton Shearwater.

(Endemic – an indigenous specie that breeds only within a specified region or locality and is unique to that area).

### Key:

\* ***Found in Kaikoura District***

\*\* Low numbers, rare visitors, or uncommon species to our district

I/U Road name already in use.

## Birds.

Name in Maori	Name in English	Scientific Name
Hoiho**	Yellow-eyed penguin	<i>Megadyptes antipodes(stable)</i>
Kāhu*	Australasian harrier	<i>Circus approximans</i>
Kākā** (I/U)	South Island kaka	<i>Nestor meridionalis meridionalis</i>
Kahu*	Harrier	
Kākāriki**	New Zealand parakeet	<i>Cyanoramphus spp.</i>
Kakaruai*	South Island robin	<i>Petroica australis australis</i>
Kaki	Black stilt	<i>Himantopus novaezelandiae</i>
Kāmana*	Crested grebe	<i>Podiceps cristatus</i>
Kārearea**	New Zealand falcon	<i>Falco novaeseelandiae (Nationally Threatened)</i>
Karoro*	Black-backed gull	<i>Larus dominicanus</i>
	Black billed gull*	<i>Larus bulleri(serious decline)</i>
	Black fronted tern*	<i>Sterna albobstriata (serious decline)</i>
	White fronted tern*	<i>Sterna striata striata</i>
Kea* (I/U)	Kea	<i>Nestor notabilis (Nationally threatened)</i>
Kōau*	Black shag	<b>Phalacrocorax carbo</b> (Sparse)
	Pied shag*	<i>Phalacrocorax varius varius(Sparse)</i>
	Little Black Shag*	<i>Phalacrocorax sulcirostris (Sparse)</i>
Koekoēā**	Long-tailed cuckoo	<i>Eudynamys taitensis</i>
Kōparapara or Korimako*	Bellbird	<i>Anthornis melanura melanura</i>
Kororā*	Blue Penguin	<i>Eudyptula minor</i>
Kōtare* (I/U)	Kingfisher	<i>Halcyon sancta</i>
Kōtuku** (I/U)	White heron	<i>Egretta alba</i>
Kōwhiowhio**	Blue duck	<i>Hymenolaimus malacorhynchos</i>
	Marsh Crake*	<i>Porzana pusilla affinis (Sparse)</i>
	Spotless Crake*	<i>Porzana tabuensis plumbea (Sparse)</i>
Kūkupa/Kererū*	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae (Gradual decline)</i>
Kuruwhengu/ Kuruwhengi*	New Zealand shoveller	<i>Anas rhynchotis Kuruwhengi</i>
Matuku moana*	Reef heron	<i>Egretta sacra</i>

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
Miromiro*	South Island tomtit	<i>Petroica macrocephala macrocephala</i>
Pākura/Pūkeko*	Swamp hen/Pukeko	<i>Porphyrio porphyrio</i>
Pārera*	Grey duck	<i>Anas superciliosa</i> ( <b>serious decline here, secure overseas</b> )
Pāteke	Brown teal	<i>Anas aucklandica</i> ( <b>Locally extinct</b> )
Pihoihoi*	New Zealand pipit	<i>Anthus novaeseelandiae</i>
Pīpīwharau*	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Piwakawaka*	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka*	Pied stilt	<i>Himantopus himantopus</i>
Pūtakitaki*	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro*	Grey warbler	<i>Gerygone igata</i>
Ruru koukou*	Morepork	<i>Ninox novaeseelandiae</i>
Tara*	Terns	<i>Sterna spp.</i>
Tawaki**	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete*	Grey teal	<i>Anas gracilis</i>
Titi*	Sooty shearwater* Muttonbird/ <b>Hutton's shearwater*</b> and Common diving petrel** and South Georgian diving petrel** and Westland petrel* Cook's petrel** Broad-billed prion** and White-faced storm petrel**	<i>Puffinus griseus</i> and <b><i>Puffinus huttoni</i> (Nationally threatened)</b> and <i>Pelecanoides urinatrix</i> and <i>Pelecanoides georgicus</i> and <i>Procellaria westlandica</i> and <i>Pachyptila turtur</i> and <i>Pachyptila vittata</i> and <i>Pelagodroma marina</i> and <i>Pterodroma cookii</i> and <i>Pterodroma inexpectata</i>
Tititipounamu*	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Toroa*	Albatrosses and Molyhawks	<i>Diomedea spp.</i>
Tūi*	Tui	<i>Prothemadera novaeseelandiae</i>
Weka* (I/U)	Western weka	<i>Gallirallus australis australis</i> ( <b>Serious decline</b> )
	Brown Creeper*	<i>Mohoua novaeseelandiae</i>
	Waxeye/Silver eye*	<i>Zosterops lateralis</i>
	Red Billed Gull*	
	Kingfisher*	<i>Halcyon sancta</i>
	Banded Dotterel*	<i>Charadrius bicinctus bicinctus</i> ( <b>Gradual decline</b> )
Putangitangi	Paradise Shelduck	<i>Tadorna vaiegata</i>

## Plants.

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
Akatorotoro*	White rata	<i>Metrosideros perforata</i>

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
Arube *	Fern root (bracken)	<i>Pteridium aquilinum</i> var. <i>esculentum</i>
Harakeke*	Flax	<i>Phormium tenax</i>
Horoeka *	Lancewood	<i>Pseudopanax crassifolius</i>
	Fierce Lancewood	<b>(Sparse)</b>
Houhi *	Mountain ribbonwood	<i>Hoheria lyallii</i> , <i>Hoheria glabrata</i>
Kahikatea*	Kahikatea/white pine	<i>Dacrycarpus dacrydioides</i>
Känuka *	Kanuka	<i>Leptospermum ericoides</i>
Manuka*	Manuka	<i>Leptospermum scorparium</i>
Käpuka *	Broadleaf	<i>Griselinia littoralis</i>
Karaopitita*	supplejack	<i>Ripogonum scandens</i>
Karaka *	New Zealand laurel, karaka	<i>Corynocarpus laevigatus</i> ( <b>Not a true KK native</b> )
Karamü *	coprosma	<i>Coprosma robusta</i> , <i>Coprosma lucida</i> , <i>Coprosma foetidissima</i>
Kätote *	Tree fern	<i>Cyathea smithii</i>
Kiekie *	Kiekie	<i>Freycinetia baueriana</i> subsp. <i>banksii</i>
Korokio*	Korokio, korokia Wire-netting bush	<i>Corokia cotoneaster</i>
Koromiko/Kökömuka*	Koromiko	<i>Hebe salicifolia</i>
Kötukutuku *	Tree fuchsia	<i>Fuchsia excorticata</i>
Köwhai/Köhai* (I/U)	Kowhai	<i>Sophora microphylla</i>
Mamaku *	Tree fern	<i>Cyathea medullaris</i>
Mänia *	Sedge	<i>Carex flagellifera</i>
Mänuka Kahikätoa*	Tea tree	<i>Leptospermum scoparium</i>
Mäpou *	Red matipo	<i>Myrsine australis</i>
Matai *	Matai, black pine	<i>Prumnopitys taxifolia</i>
Miro *	Miro, brown pine	<i>Podocarpus ferruginea</i>
Ngaio *	Ngaio	<i>Myoporum laetum</i>
Nīkau **	New Zealand palm	<i>Rhopalostylis sapida</i>
Pänako *	Species of fern	<i>Botrychium australe</i> , <i>Botrychium bifforme</i>
Pätotara*	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pingao *	Pingao	<i>Desmoschoenus spiralis</i>
Pökäkä *	Pokaka	<i>Elaeocarpus hookerianus</i>
Ponga/Poka*	Tree fern	<i>Cyathea dealbata</i>
Raupō*	Raupō, bulrush	<i>Typha orientalis</i>
Rautāwhiri/Köhühü *	Black matipo, mapou	<i>Pittosporum tenuifolium</i>
Rimu *	Rimu, red pine	<i>Dacrydium cupressinum</i>
Rimurapa*	Bull kelp	<i>Durvillea antarctica</i>
Taramea*	Speargrass, Spaniard	<i>Aciphylla</i> spp. <b>(Sparse)</b>
Tarata *	Lemonwood, Tarata	<i>Pittosporum eugenioides</i>
Tawai *	Beech	<i>Nothofagus</i> spp.
Ti rākau/Ti Kōuka*	Cabbage tree, Ti kouka	<i>Cordyline australis</i>
Tikumu *	Mountain daisy	<i>Celmisia spectabilis</i> , <i>Celmisia</i>

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
		<i>semicordata</i>
Titoki * (I/U)	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa *	Mountain toatoa Celery pine	<i>Phyllocladus alpinus</i>
Toetoe *	Toetoe	<i>Cortaderia richardii</i>
Tötara *	Totara	<i>Podocarpus totara</i>
	Halls' s Totara*	<i>Podocarpus cunninghamii</i>
Tutu *	Tutu	<i>Coriaria</i> spp.
Wharariki*	Mountain flax	<i>Phormium cookianum</i>
Whinau *	Hinau	<i>Elaeocarpus dentatus</i>
Wi *	Silver tussock	<i>Poa cita</i>
Wiwi*	Rushes	All indigenous species of <i>Juncus</i> , <i>Juncus</i> spp. and <i>Juncus maritimus</i>
Puahou*	Five finger	<b>Pseudopanax arboreus</b>
Ake Ake*		<b>Dodonaea viscosa</b>
Porokaiwhiri*	Pigeon Wood	<i>Hedycarya arborea</i>
Mahoe*	Whiteywood	<i>Melicytus ramiflorus</i>
	Marlborough Rock Daisy*	<i>Pachystegia insignis</i> ( <b>Sth Marl. Endemic</b> )
	Small rock daisy**	<i>Pachystegia minor</i> ( <b>Nationally Threatened</b> )
	NZ Lilac**	<i>Heliohebe hulkeana</i> ( <b>Sth Marl. Endemic</b> )
	Pink Broom**	<i>Carmichalia glabrescens</i> ( <b>Sth Marl. Endemic</b> )
	Hectors Tree Daisy**	<i>Oleria hectorii</i> ( <b>Sth Marl. Endemic</b> )
	Limestone Broom**	<b>Carmichalia astonii</b> (Sth Marl. Endemic)
	Weeping Broom**	<b>Carmichalia stevensonii</b> (Sth Marl. Endemic)
	Native verbena**	<i>Teucrium parvifolium</i> ( <b>Sth Marl. Endemic</b> )
	Porcupine scrub*	<i>Melicytus alpinus</i>
	Snow tussock*	<i>Chionochloa flavescens</i>
Wharariki	Mountain Flax*	
Inaka*		<i>Dracophyllum uniflorum</i>
	Leafless Clematis*	<i>Clematis afoliata</i> ( <b>Sth Marl. Endemic</b> )
	Leafless Lawyer*	<i>Rubus squarrosus</i> ( <b>Sth Marl. Endemic</b> )

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
	Narrow leaved Lacebark*	<i>Hoheria angustifolia</i>
	Mountain Lacebark*	<i>Hoheria lyallii</i>
Tarata*	Lemonwood	<i>Pittosporum eugenioides</i>
Putaputaweta*	Marble Leaf	<i>Carpodetus serratus</i>
	Narrow leaved Mahoe*	<i>Melicytus lanceolatus</i>
Papauma*	Broadleaf	<i>Griselinia littoralis</i>
Puka*	Broadleaf	<i>Griselinia lucida</i>
Makomako*	Wineberry	<i>Aristotelia serrata</i>
	Golden Speargrass*	<i>Aciphylla aurea</i>
	White Fuzzweed**	<i>Vittadinia australis (Sparse, data deficient)</i>
	Limestone gentian **	<i>Gentianella astonii(Nationally Threatened)</i>
	Button Daisy*	<i>Leptinella pyrethriflora</i>
Matagouri*	Wild Irishman	<i>Discaria toumatou</i>
Tauhinu*	Golden Cotton Wood	<i>Ozothamus leptophylla</i>
	Porcupine shrub*	<i>Melicytus alpinus</i>
	Mistletoes Coral Mistletoe**	<i>Ileostyles micranthus</i> <i>Korthalsella salicornioides</i> <b>(Nationally Threatened)</b>
Akiraho*	Coastal Tree Daisy*	<i>Olearia paniculata</i> <i>Olearia solandri</i>
Kohuhu*		<i>Pittosporum tenuifolium</i>
Kaikomako*		<i>Pennantia corymbosa</i>
Mamaku*	Tree fern	<i>Cyathea medullaris</i>
	Rangiora*	<i>Brachyglottis repanda</i>
Kawakawa*	Pepper Tree	<i>Macropiper excelsum</i>
	White climbing rata*	<i>Metrosideros perforate</i> <i>Metrosideros diffusa.</i>
Niniaio*		<i>Helichrysum lanceolatum</i>
	Leather leaf fern	<i>Pyrrosia eleagnifolia</i>
Maire**	Black Marie	<i>Nestegis cunninghamii</i>
Tawa**		<i>Beilschmiedia tawa</i>

## Marine Mammals & Fish.

<b>Name in Maori</b>	<b>Name in English</b>	<b>Scientific Name</b>
Ihupuku**	Southern elephant seal	<i>Mirounga leonine(legally protected, no's recovering)</i>
Kekeno*	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paikea*	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa*	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka/Whakahao**	New Zealand sea lion Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā**	Southern right whale	<i>Balaena australis (No's recovering)</i>

	Hector's Dolphins**	<i>Cephalorhynchus hectori</i> "South Island". <b>Nationally vulnerable, Conservation dependant.</b>
	Dusky Dolphin*	<i>Lagenorhynchus obscurus</i>
	Killer Whale, Orca**	<b>Orcinus Orca</b>
	Common Dolphin*	<b>Delphinus delphis</b>

Kaura*	Crayfish	
Paua*	Blackfoot	
Koeaea*	Butterfish	
Moki*	Blue Moki	
Kohekohe*	Trumpeter	
Kahawai*		
Haku**	Kingfish	
Kahawai*		
Hapuku*	Groper	
Arara*	Trevaley	
Tarakihi*		
Kutai*	Mussels - Green	
Hoka*	Red Cod	
Kina*	Sea Urchin	
Rawaru*	Blue Cod	
Kupara*	John Dory	
Tio Repe*	Oysters	
Tuangi*	Cockles	
Pipi*	Pipi's	
Kumukumu*	Red Gurnard	
Pohi Akaroa*	Sea Perch	

**Fresh water species.**

	Common Bully*	<i>Gobiomorphus cotidianus</i>
	Upland Bully*	<i>Gobiomorphus breviceps</i>
	Bluegill Bully*	<i>Gobiomorphus hubbsi</i>
	Giant Bully*	<i>Gobiomorphus gobioides</i>
	Redfinn Bully*	<i>Gobiomorphus huttoni</i>
Inanga*	Whitebait.	<i>Galaxias maculatus</i>
	Black Flounder**	<i>Rhombosolea retiaria</i>
Piharau*	Lamprey	<i>Geotria australis</i>
Koaro*	Common River galaxias	<i>Galaxias brevipinnis</i>

	Torrent Fish*	<i>Cheimarrichthys fosteri</i>
Tuna*	Long Finned Eel	<i>Anguilla dieffenbachii</i>
	Short Finned Eel*	<i>Anguilla australis</i>
	Common Smelt*	<i>Retropinna retropinna</i>
	Shortjawed Kokopu	<i>Galaxias postvectis</i>
	Alpine Galaxias	<i>Galaxias paucispondylus</i>
	Dwarf Galaxias	<i>Galaxias divergens</i>
	Canterbury Galaxias	<i>Galaxias vulgaris</i>

### Reptiles.

	Rough Gecko	<i>Naultinus rudis</i> ( <b>Gradual decline, human induced</b> )
	Spotted skink	<i>Oligosoma lineoocellatum</i> ( <b>gradual decline, human induced</b> )
	Scree Skink	<i>Oligosoma waimatense</i> ( <b>Gradual decline, human induced</b> )
	Black eyed gecko	<i>Hoplodactylus kahutarae</i> ( <b>Sparse</b> )

### Topographical features etc. (Topographical map 262-11 Kaikoura)

<b>Hills/Mtn's from Nth - Sth</b>	<i>Creeks/Rivers – Nth to Sth</i>	<b>Bays &amp; other coastal features – Nth - Sth</b>
Isolated Hill	Benmore Stream	Willawa Point
Brian Boru	Kekerengu River	Kekerengu
Ben More	Nidd Stream	Waipapa Bay
Napolean	Wharf Stream	Okiwi Bay
Mead Hill	Swale Stream	Paparoa Point
Mt Union	Ouse Stream	Ohau Point
Chalk Range	Boundary Stream	Half Moon Bay
Burnt Saddle	Valhalla Stream	Rakautara
The Pikes	Limburn Stream	Mangamaunu
The Mole Hill	Mead Stream	Hapuku
Gibson Spur	Deadman Stream	Point Kean
Peninsula	Branch Stream	Kaikoura Peninsula
Tapuea-o-Uenuku	GibsonStream	East Head
Totara Saddle	Washdyke Stream	Atia Point
Calf Saddle	Bob Stream	South Bay
Cukoo Saddle	McLean Stream	Peketa
Black Hill	Clarence River	Pinnacle Rock

Saddle Camp	Dart Stream	Rileys Lookout (Panau Isl.)
Carrion Hill	George Stream	Goose Bay
Mackintosh Knob	Muzzle Stream	Oaro
George Saddle	Miller Stream	Pukaroro Rock
Haycock Saddle	May Stream	Spy Glass Pt (Piripaua)
Constitution Hill	Jam Stream	Hamuri Bluffs
Middle Hill	Wharekiri Stream	
Tarahaka	Stewart Creek	
Fidget Spur	Bluff River	
Te ao Whekere	Fidget Stream	
Mt Alexander	Snowy Stream	
Batty	Happy Valley Stream	
Sullivans Knob	Jordan Stream	
Jacobs Ladder	Parapara Stream	
Rangiaeta	Rakautara Stream	
Limestone Hill	Dubious Stream	
Manakau	Clinton River	
Uwerau	Puhi Puhi River	
Mt Stace	Lacebark Stream	
Mt Saunders	Hapuku River	
Kowhai Saddle	Limestone Stream	
Gables End	Harnetts Creek	
Humpback	Waimangarara River	
Kaitoa	Tytler Stream	
Mt Fyffe	Snowflake Stream	
Sandy Saddle	Middle Creek	
Snowflake	Luke Creek	
Red Hill	Kowhai River	
Warder	Ewelme Stream	
Palmer	Rakanui Stream	
Warder Neck	Kahutara River	
The Beacon	Seymour or Herring Stream	
Cairn	Cold Stream	
Blind Saddle	Linton Creek	
Swyncomb	Cribb Creek	
Gore Basin	The Fell	
Mt Clear	Gore Stream	
Black Hill	Alfred Stream	
Bushy Saddle	Palmer Stream Sawyers Creek	
Mt Ross	Green Burn	
Rangamahoe	Waikene Stream	
Poho o te atau	Ote Makura Stream	
Monument	Oaro River	
	To Moto Moto Stream	

It is therefore recommended that Council adopted the above list to be used as a guide for naming of future roads created through subdivision and can be updated/amended as necessary.

## **Remuneration Authority 2007/08 Indicative Pool**

At the Council meeting of 15 February 2006, Council resolved that the Remuneration Authority indicative pool be split evenly amongst the seven Councillors.

Under the current method of remuneration, the Mayor is paid \$40,000.00 while each Elected Member is paid \$14,100.00 per annum.

The attached table sets out the pool totals and Mayoral gross salaries for 2007/08

### **Recommendation**

*It is therefore recommended that the Remuneration Authority be advised that the 2007/08 indicative pool be split as follows:*

<i>Indicative Pool</i>	<i>\$145,000</i>
<i>Mayor</i>	<i>\$ 42,500</i>
<i>Net Pool</i>	<i>\$102,500 (to be split evenly amongst seven (7) Councillors).</i>

# Gambling Venue Policy Review

## Background

In 2003 Government passed the Gambling Act. Section 101 of this act states that a Territorial Authority must adopt a class 4 Gambling Venue Policy and that in adopting a policy the Territorial Authority must pay regard to the social impact of gambling within its district. In July 2004 Kaikoura had one of the highest ratios of gaming machines per adult persons in the area. There were 4 class 4 venues and 55 machines. This is a ratio of 1 machine per 46 adult residents compared to the New Zealand average at that time which was 1 machine per 116. The population of Kaikoura has increased since this time and the number of gaming machines is currently 51, giving a ratio of 1 machine per 71 adult residents. The current national average is 1 machine per 180. (Problem Gambling Foundation)

The Kaikoura District Council adopted its first and current Class 4 Gambling Venue Policy in July 2004 (*Appendix One*).

Section 102 (5) of the Gambling Act 2003 requires the council to review its policy on class 4 gambling venues within three years of the adoption of the original policy.

## Purpose of this report

The purpose of this report is to provide background information to undertake the policy review process and to provide Stakeholders and the Kaikoura District community with information relevant to Class 4 gambling within a District context.

In order to ensure balanced information is provided I have consulted all key stakeholders connected to this industry including:

- Local representatives in the gambling industry including venues and the corporate societies the gaming machines belong to.
- Problem Gambling Service Providers;
- Maori;
- Social Service Agencies;
- Government departments including DIA, MOH

## Purpose of the Policy

The main purpose of the Gambling Venue Policy is to reflect the objectives of the Gambling Act 2003 section 101 (*Appendix Two*). These objectives are:

- To control the growth of gambling;
- To prevent and minimise the harm to the community caused by gambling, including problem gambling;
- Authorise some gambling and prohibit the rest;
- Facilitate responsible gambling;
- Ensure the integrity and fairness of games;
- Limit opportunities for crime or dishonesty associated with gambling;
- To ensure money from gaming machines benefits the community;
- Facilitate community involvement in decisions about the provision of gambling. (Gambling Act, 2003)

## Objectives of the Gaming Venue Policy

- To control the growth of gambling;

- To prevent and minimise the harm to the community caused by gambling, including problem gambling;
- To control the growth of electronic gambling machine gambling in the district;
- To allow those who wish to participate in electronic gambling machine and TAB gambling to do so, safely and responsibly, within the district. (Kaikoura District Council Gambling Venue Policy, 2004)

The introduction of the requirement for local authorities to have a class 4 gambling venue licence policy is intended to allow communities to have some influence over class 4 gambling in their community, and in particular to be able to control where venues may be established and how many machines are able to be in each venue. The Act, however, only provided limited ability for local authority policy to influence venues established prior to 2001.

### **Class 4 Gambling Venues**

The Gambling Act 2003 categorises gaming (pokie) machines and race and sports betting as Class 4 gambling, so any venue that houses these activities is therefore categorised as a Class 4 Gambling Venue.

### **Gambling in New Zealand**

Gambling is a popular form of entertainment in New Zealand. A 1999 study by Abbott and Volberg found that 94% of adult New Zealanders gamble and 48% do so regularly. Of this number 83% have never experienced any gambling problems. According to a 2002/03 survey the most popular forms of gambling in New Zealand are Lotto (58%), Instant Kiwi (29%), non casino gaming (12%), track betting (11%) and casino (8%) (Ministry of Health, 2006. Problem Gambling in New Zealand, Analysis of the 2002/03 NZ Health Survey).

### **Gambling Expenditure**

Expenditure on gaming appears to have peaked in the medium term. New Zealanders have almost tripled their spend on various forms of gambling over the past 10 years from \$695 million in 1995 to \$2 billion in 2005. Approximately \$38 million is gambled each day in New Zealand and \$5.5 million is lost (PGF, 2007).

<b>Sector</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
<b>Racing</b>	\$224m	\$228m	\$234m	\$239m	\$247m	\$258m
<b>Lotteries Commission</b>	\$268m	\$251m	\$239m	\$282m	\$280m	\$321m
<b>Gaming Machines</b>	\$597m	\$777m	\$941m	\$1 035m	\$1 027m	\$906m
<b>Casinos</b>	\$369m	\$410m	\$457m	\$484m	\$472m	\$493m
<b>Total</b>	<b>\$1 459m</b>	<b>\$1 667m</b>	<b>\$1 871m</b>	<b>\$2 039m</b>	<b>\$2 027m</b>	<b>\$1 997m</b>

Expenditure on non-casino gaming machines has been the primary mode of gambling responsible for elevated levels of spending. Gaming machines outside Casinos were introduced in 1994 and expenditure nationally has risen from \$597 million in 2001 to \$906 million in 2006, peaking in 2004 at \$1 035 million. \$2.8 million is lost on non-casino gaming machines every day. The median amount gamblers lose jumped to \$900 in contrast to \$800 for the previous three years. As most problem gamblers come from poorer communities the loss of income for their families is significant. (Gambits, Dec 2006)

**The Problem Gambling Foundation estimate that \$2.4 million is lost each year in gaming machines in Kaikoura. That works out to be \$6600.00 each day.**

Expenditure on gaming machines has fallen over the past couple of years. It is thought this could be due to increased compliance costs associated with the Gambling Act 2003, smoke free bars and local authority Gambling Venue policies.

### **Gaming Machine and Venue Numbers**

The number of gaming machines in New Zealand has reduced from 25 221 in 2003 to 20 739 in June 2006 (DIA website).

When Kaikoura District Council introduced its gaming venue policy in 2004 there were 55 Gaming Machines located in four venues including:

<b>Name of Venue</b>	<b>No. of Machines</b>	<b>Corporate Society</b>
<b>Lobster Inn Motor Lodge</b>	18	Pub Charity
<b>Adelphi Bar</b>	18	NZ Community Trust
<b>New Commercial Hotel</b>	9	Scottwood Trust
<b>Blue Pacific Hotel</b>	10	Pub Charity

Lobster Inn Motor Lodge, Adelphi and New Commercial Hotel have maintained the same number of gaming machines. In March 2006 the Blue Pacific Hotel closed down and Robbies Bar and Bistro applied for consent to operate 9 gaming machines. KDC Gaming Venue policy states new gaming premise can only be granted consent to operate 6 machines for the first 2 years of operation. Robbies Bar and Bistro were granted consent to install 6 gaming machines run by Eureka Trust. There are currently 51 gaming machines operating in the Kaikoura District.

The current policy allows for a maximum of 60 gaming machines in the district.

### **Distribution of Proceeds from Gaming Machines**

#### **Corporate Societies**

All gaming machines are owned by corporate societies who pay venues a weekly fee in order to operate and service the machines on their behalf. These societies are responsible for administering and returning at least 33% of income generated from gambled in gaming machines to community groups. With \$1 027 million in revenue generated from gaming machines in New Zealand in 2005, this equates to \$350 million plus being distributed in grants to communities.

Corporate Societies operating in the Kaikoura District were contacted via letter dated 19<sup>th</sup> of December 2006 requesting information on the following points:

- The amount of income that was generated at your venue via the operation of gaming machines for the period 1<sup>st</sup> of July 2005 to 30<sup>th</sup> June 2006.
- The details of all applications received from persons or groups in the District for grants of net proceeds from class 4 gambling, including whether applicants have been accepted or declined for the period 1<sup>st</sup> of July 2005 to 30<sup>th</sup> June 2006?
- The amount of net proceeds from class 4 gambling granted in each case for the period 1<sup>st</sup> of July 2005 to 30<sup>th</sup> of June 2006?
- How many people have you identified, provided information to, or excluded due to problem gambling?

To date the only responses to the letter dated 19<sup>th</sup> December 2006 have been from Pub Charity and Scottwood Trust. Information regarding the New Zealand Community Trust and the Eureka Trust has been taken from their annual reports and websites.

### **New Zealand Community Trust**

This society operates 18 gaming machines in the Kaikoura District at the Adelphi Hotel on the West end. Information obtain from there website suggests that for the period 1<sup>st</sup> July 2005 to 30 June 2006 the Trust made 11 grants within the Kaikoura District totalling \$60 188.06. Grants were made to the following groups:

• Kaikoura District Council	\$20 000.00
• Kaikoura Golf Club Inc	\$ 6 000.00
• Kaikoura Historical Society Inc	\$ 5 000.00
• Kaikoura Judo Club	\$ 1 897.51
• Kaikoura Squash Rackets Club	\$ 2 589.55
• Kaikoura Softball Club	\$ 1 500.00
• Kaikoura Trotting Club Inc	\$ 6 000.00
• Kaikoura Agricultural and Pastoral Assn	\$ 1 400.00
• Kaikoura Memorial Hall Committee	\$ 2 000.00
• Kaikoura Boardriders	\$ 3 000.00
• Kaikoura Historical Society Inc	\$ 866.65
• Kaikoura Volunteer Coastguard Assn Inc	\$ 9 000.00
• Te Whare Putea Inc	\$ 1 000.00

**TOTAL** **\$60 188.06**

Income Generated through gaming machine operations for the period 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 was:  
*Not stated*

There is no record of applications made by groups that were declined.

Exclusion orders issued: *Information unavailable*

### **Eureka Trust**

This society has operated 6 gaming machines at Robbies Bar and Bistro on Beach Road since July 2006. Although they started operating outside the period in question there have been \$45 000.00 worth of community grants made:

• Kaikoura Trotting Club	\$30 000.00 (2005)
• Kaikoura Trotting Club	\$10 000.00 (2006)
• Kaikoura Volunteer Coastguard Assn	\$ 5 000.00

**TOTAL** **\$45 000.00**

Applications declined by the Eureka Trust over 2005/06.

- Kaikoura Pony Club
- Kaikoura Judo Club
- Kaikoura Memorial Hall
- Kaikoura Primary School
- Kaikoura Suburban School

Since beginning operation in July 2006 Robbies have issued one self-exclusion order.

### **Scottwood Trust**

This society operates 9 gaming machines at the New Commercial Hotel on Brighton Street. For the period 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 the society made 4 grants to groups with in the Kaikoura community totalling \$17 561.00. The grants were made to the following groups:

- |  |             |
|--|-------------|
| • Kaikoura Primary School                  | \$ 1 280.00 |
| • Kaikoura Volunteer Coastguard Assn       | \$10 000.00 |
| • Barnardos Kaikoura Early Learning centre | \$ 3 781.00 |
| • Kaikoura Aero Club                       | \$ 2 500.00 |

**TOTAL** **\$17 561.00**

Applications decline over this period include:

- Kaikoura A&P Assn Inc
- Kaikoura Community Gym
- Te Whare Putea Inc
- Kaikoura Memorial Hall Inc

The most common reason an application is declined is that it does not meet Trust criteria. This includes requirements established by the Department of Internal Affairs, as well as the Trusts own policies.

**Income Generated through gaming machine operations for the period 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 was: \$179 306.13**

**Exclusion orders issued: None**

### **Pub Charity**

This society operates 18 gaming machines at Lobster Inn Motor Lodge on Beach Road, and prior to March 2006 operated 10 gaming machines at the Blue Pacific Hotel. For the period 1<sup>st</sup> July 2005 to 30 June 2006 the society made 22 grants to groups in the Kaikoura community totalling \$121 243.95. Group who received these grants include:

- |   |             |
|---|-------------|
| • Friends of Kaikoura Library               | \$ 3 787.83 |
| • Kaikoura Croquet Club Inc                 | \$ 1 712.97 |
| • Kaikoura Enhancement Trust                | \$ 4 000.00 |
| • Kaikoura Historical Society Inc           | \$ 9 000.00 |
| • Kaikoura Netball Centre                   | \$ 481.58   |
| • Kaikoura Trotting Club                    | \$10 000.00 |
| • Marlborough Branch of NZ Historic Society | \$ 1 660.10 |
| • Order of St John Kaikoura                 | \$ 2 366.00 |
| • Takahanga Bowling Club (Inc)              | \$ 2 221.33 |
| • Kaikoura Aero Club Inc                    | \$ 1 050.00 |
| • Kaikoura Squash Club                      | \$ 1 129.20 |
| • Te Whare Putea Inc                        | \$ 1 000.00 |
| • Kaikoura Bowling Club                     | \$ 5 644.44 |
| • Kaikoura Bowling Club                     | \$ 5 680.00 |
| • Kaikoura A&P Assn                         | \$13 188.90 |
| • Kaikoura Volunteer Coastguard Assn Inc    | \$19 500.00 |

• Lynton Downs School	\$ 2 020.00
• Kaikoura Golf Club Inc	\$20 000.00
• Kaikoura Judo Club	\$ 3 330.00
• Kaikoura Pony Club	\$ 5 471.60
• Kaikoura Rugby Football Club	\$ 4 000.00
• Takahanga Bowling Club Inc	\$ 4 000.00

**TOTAL** **\$121 243.95**

Application that were declined for the same period are as follows:

- Kaikoura Memorial Hall Committee
- Kaikoura Trotting Club
- Kaikoura Board Riders
- Kaikoura District Council
- Kaikoura Memorial Hall Committee
- Innovative Waste Kaikoura
- Kaikoura Enhancement Trust
- Hapuku School
- Kaikoura Boardriders
- Kaikoura Primary School
- Woodbank School

**Income Generated through gaming machine operations for the period 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 was: \$551 577.92**

Pub Charity noted that it is limited in its ability to distribute money in Kaikoura by the amount of “approvable” applications it receives. It advises that although it did not reach the 37% target in donations for the period the residual money has been retained for future use within Kaikoura.

**Exclusion orders issued:** One self exclusion order was initiated and the venue have presented one person with information on problem gambling. A number of unidentified people have sourced information on problem gambling freely available in the gaming room.

The amount of money returned to the Kaikoura community for the 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006 period through grants from the proceeds of gaming machines totals **\$198,993.01** (excluding Eureka Trust as most of this money is from outside this period). This is drawn from the \$2.4 million spend on the gaming machines in Kaikoura over the same period.

While many groups benefit from gaming machine funding there is a general concern from social service agencies that proceeds are flowing from poorer parts of our community into more affluent sectors.

It is noted that a large portion (23%) of the monies returned to the community went to the Trotting Club.

### **Social Impact of Gambling in the Community**

Gambling is a popular form of entertainment for New Zealanders, with a study in 1999 finding that 94% of adult New Zealanders gamble and 48% do so regularly. Of this number 83% have never experienced any gambling problems (Abbott, M and Volberg, R, “Taking the Pulse of Gambling and Problem Gambling in New Zealand”, Report to Department of Internal Affairs, 2000).

It has been argued that the social costs associated with non-casino gambling outweigh the economic benefits the community receives in the form of grants.

2003 Ministry of Health Study shows that pokie machines are concentrated in the most vulnerable communities. 47% of venues are in Decile 3, 2 and 1 areas. In Decile 1 there is one machine for every 75 people and in Decile 9 there is one machine per 465 people. The Problem Gambling Foundation found that losses in Gaming Machines involved a small percentage of the population, and they are predominantly living in low socio-economic communities. The 2001 median income in Kaikoura (\$15 600.00) was substantially lower than the national median (\$18 500.00). This and the high ratio of gaming machines in the Kaikoura District suggest that Kaikoura is likely to fall into this range.

### **Problem Gambling in the Community**

Problem gambling is a serious issue for both those directly affected and for the community at large. It is estimated by the Problem Gambling Foundation that there are 50 000 problem gamblers nationally which is 3% of gamblers. This 3% accounts for 24% of the expenditure on gambling (PGF). For every problem gambler there is spin off problems in the wider community with estimates that 5 to 7 people are negatively affected by each problem gambler and experience impacts on health, mental health, family relationships, violence, crime and deprivation effects on families. In 2002 over 80% of those seeking help for their gambling indicated Gaming Machines as their primary mode of gambling (PGF). Only 12% of problem gamblers seek help for their problem. (Gambits, Dec 2006)

There were 2875 new callers to Gambling Problem Helpline in 2005 increasing from 2628 in 1998. Personal counselling has also increased from 923 in 1997 to 4010 in 2005. In 2005 over 73.7% of those who received treatment and 76.5% of Gambling Helpline new customers said non-casino gaming machines was their primary mode of gambling (PGF).

Certain population groups are more vulnerable to gambling problems. Risk factors associated with current problem and probable pathological gambling are ethnicity (Maori and Pacific Islanders have a high prevalence rate); labour force status (employed people); and education (no qualifications or vocational/trade qualifications) (Abbott and Volberg, 2000). Kaikoura has higher proportions than the national average of those population groups identified as most at risk (Problem Gambling Foundation). The local problem gambling counselling service advises gambling is definitely a serious issue within the Kaikoura community and is having negative spin offs within the community at large.

### **Recommendations**

Taking all of the information into account and bearing in mind the objectives of the Gambling Act 2003 and the Kaikoura District Gambling Venue Policy it seems that there are two options to be considered:

- Cap machine numbers at existing policy limits
- District ban on new machines (sinking lid policy)

#### **Option One: Cap machine numbers at existing policy limits**

This option assumes that the existing policy provides an adequate level of gaming machines and adequately controls the growth of gambling in the Kaikoura District. This allows for 9 more gaming machines in the district, the maximum total being 60 machines.

### **Option Two: District ban on new machines (sinking lid policy)**

A sinking lid policy is the strongest position Council can adopt to prevent the growth, and effect a gradual decline, of gaming machines in the district. If this option were adopted consent would not be given for new gaming machine venues and machines and over time the number of machines would diminish through attrition. This may eventually affect monies received through community grants, although as we do not use all monies available to us currently it may not be an issue.

### **Conclusions**

- The National Gaming machine spend has dropped in 11.8% in 2005/06 from the previous financial year. However \$906 million is still double what was spent in 1999/2000 (\$450 million).
- Approximately \$38 million is gambled each day in New Zealand and \$5.5 million is lost (PGF, 2007)
- The median amount gamblers lose jumped to \$900 in contrast to \$800 for the previous three years. As most problem gamblers come from poorer communities the loss of income for their families is significant. (Gambits, Dec 2006)
- Expenditure on non-casino gaming machines has been the primary mode of gambling responsible for elevated levels of spending.
- \$2.4 million is lost each year in gaming machines in Kaikoura.
- Corporate Societies returned \$198,993.01 to the community for the period 1<sup>st</sup> July 2005 to 30<sup>th</sup> June 2006. It would seem that this is less than 37% of gaming profits, but it is advised that the remaining money has been set aside for suitable applications.
- 23% of monies returned to the community went to the Trotting Club.
- The number of gaming machines in the Kaikoura District has fallen during the last three years from 55 to 51, reflecting the national trend which has seen decreases from 25 000 in 2003 to 20 571 in 2006. This is a decline of 20%.
- The number of gaming venues in Kaikoura has remained static since 2004 with The Pacific View Hotel closing down in March 2006 and Robbies Bar and Bistro becoming a gaming venue in March 2006. The number of gaming venues nationally has decreased from 2122 venues to 1676.
- Problem gambling is a serious issue for both those directly affected and for the community at large. It is estimated by the Problem Gambling Foundation that there are 50 000 problem gamblers nationally. The Kaikoura Problem Gambling Counsellor advises that it is a serious problem in our district.
- Only 12% of problem gamblers seek help for their problem. (Gambits, Dec 2006).
- 87% of problem gamblers nationally cite gaming machines as their main mode of gambling. (Gambling Helpline Statistics, 2006)
- Kaikoura District has put measures in place to control the growth of gambling by capping the number of gaming machines at 60. The current number in the area is 51.

### **Stakeholders Consulted**

#### **Local representatives in the Gambling industry:**

- Lobster Inn Motor Lodge – Julie and Neil Pablecheque, 115 Beach Road, Kaikoura
- Adelphi Bar and Restaurant – Name, West End, Kaikoura
- New Commercial Hotel – Name, Cnr Brighton and Torquay Streets  
Kaikoura

- Eureka Trust – PO Box 26-098, Christchurch
- Robbies Bar and Bistro – Name, PO Box 5244 Papanui, Christchurch
- New Zealand Community Trust – PO Box 10 857, Wellington
- Pub Charity – PO Box 27-009, Wellington
- Scottwood Trust – PO Box 499, Hamilton
- Harkness Henry & Co – Private Bag 3077, Hamilton
- The New Zealand Racing Board – Gary Hooper, PO Box 38899, Wellington Mail Center 6332

**Problem Gambling Service Providers:**

- Problem Gambling Foundation of New Zealand – Adrian Straayer, PO Box 11 179 Manners Street, Wellington
- Department of Internal Affairs – Marama Takao PO Box 1149, Nelson
- Problem Gambling Foundation – Lauren Cundall, PO Box 13094, Christchurch
- Problem Gambling Foundation – Lynda Kitchingham, Clarence Valley Road, RD1, Kaikoura
- Ministry of Health – Shayne Nahu, Project Leader, Problem Gambling  
Shayne\_Nahu@moh.govt.nz

**Social Service Agencies:**

- Te Whare Putea - Jenny Bolton Roche, Unit 3, 78 Beach Road, Kaikoura
- Linda Craig - CDHB

**Maori:**

- Te Tai O Marokura – Riria Allen, PO Box 44, Kaikoura
- Te Tai O Marokura – Colleen Lee, PO Box 44, Kaikoura
- Te Runanaga O Kaikoura – Ma-rea Unahi, PO Box 39, Kaikoura

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Eureka Trust website, [www.eureka.org.nz](http://www.eureka.org.nz)

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New Zealand Community Trust website, [www.nzct.org.nz](http://www.nzct.org.nz)

New Zealand Government. Gambling Act 2003.

Problem Gambling Foundation website, [www.pgfnz.co.nz](http://www.pgfnz.co.nz)

Pub Charity website, [www.pubcharity.org.nz](http://www.pubcharity.org.nz)

Scottwood Trust website, [www.scottwood.org.nz](http://www.scottwood.org.nz)

The Problem Gambling Committee "Problem Gambling Counselling in New Zealand: 2002 National Statistics". 2002.

*Appendix One:*



## **Gambling Venue Policy**

### **1. Objectives**

- 1.1 To control the growth of gambling;
- 1.2 To prevent and minimize the harm to the community caused by gambling, including problem gambling;
- 1.3 To control the growth of electronic gambling machine gambling in the district;
- 1.4 To allow those who wish to participate in electronic gambling machine and T.A.B. gambling to do so, safely and responsibly, within the district.

### **2. Where Class 4 Gambling Venues and TAB Venues may be established**

Class 4 Gambling Venues and TAB Venues may be established within the Kaikoura District subject to:

- 2.1 Meeting application and fee requirements;
- 2.2 The venue having a 'host responsibility' and gambling harm minimization policy and staff training program;
- 2.3 Not being a venue primarily associated with family or children's activities.
- 2.4 New venues must provide a separated area for Class 4 Gambling;
- 2.5 Established venues applying to increase the number of gaming machines within the venue must provide a separated area for Class 4 Gambling.

### **3. Number of gaming machines to be allowed**

- 3.1 New venues shall be allowed a maximum of 6 (six) gaming machines for the first 2 years of operation;

- 3.2 Venues with licenses issued after 17 October 2001 and operating fewer than 9 gaming machines shall be allowed to increase the number of gaming machines operated at the venue to 9;
- 3.3 Existing venues with licences issued before 17 October shall be able to increase the number of gaming machines in the venue to no more than 9;
- 3.4 The number of pokie machines proposed for the venue being able to be met within the overall district cap that is specified in this policy;
- 3.5 Where two or more clubs or societies legally and physically combine their premises, they may apply to have up to 9 machines or the sum of the number of machines specified in all the clubs class 4 licences at the time of application, whichever is the lesser of the two numbers.

#### **4. Overall cap on venues and the number of pokie machines in the Kaikoura district**

- 4.1 The total number of pokie machines (including all those licensed on or prior to 17 October 2001, in the district may not exceed 60 (Sixty).

#### **5. Incompatibility of Class 4 Gambling Venues**

Class 4 gambling venues must not be located in premises that are incompatible with other predominant uses of the premises or of other premises located in close proximity.

#### **6. External Exposure and Advertising**

Gaming machines must not be visible from the street, road or highway and no advertising is permitted, including sandwich board and prize money advertising of any description if able to be seen from the exterior of the premises.

#### **7. Host Responsibility**

- 7.1 All operational staff to have undertaken training on dealing with problem gamblers;
- 7.2 Gaming Machine venues must display problem gambling material and offer support and supervision for those affected.
- 7.3 Applicants to show existing proactive problem gambling policies and implementation plans, and the ability to monitor and manage these.

#### **8. Applications**

Applications for territorial authority consent must be made on the approved form and must provide:

- 8.1 Name and contact details of the applicant;
- 8.2 Street address of the premises;
- 8.3 A site plan covering both gambling and other activities proposed for the venue;
- 8.4 Details of liquor licence(s) applying to the premises;
- 8.5 Any relevant gambling harm minimization policies;

**9. Application Fees**

*These will be set by the Council from time to time, and shall include consideration of:*

- 9.1 The cost of processing the application, including any consultation and hearings involved;
- 9.2 The cost of establishing and triennially reviewing the Class 4 Gambling Venue and TAB Venue policy;
- 9.3 The cost of inspecting Class 4 Gambling Venues on a regular basis to ensure compliance with consent conditions;
- 9.4 A contribution towards the costs of triennial assessments of the economic and social impact of gambling in the district.

**10. Decision Making**

- 10.1 Upon receipt of a complete application form containing all required information and the full application fee, the Council has 30 working days to determine a decision;
- 10.2 The decision on an application will be made at an officer level pursuant to delegated authority and be based on the criteria detailed in this policy.

**11. Monitoring and Review**

- 11.1 The Council will review the policy within 3 years of its adoption and then within 3 years after that review and each subsequent review is completed;
- 11.2 The Council will monitor the social and economic impact of gambling on the community as part of the policy review process;
- 11.3 The Council may amend this policy as a result of the findings of the social and economical impact monitoring;
- 11.4 Any review of amendment of this policy will be undertaken in accordance with the special consultative procedure outlined in the Local Government Act 2002.

**12. Commencement of Policy**

**12.1** This policy is to be adopted by the Council in accordance with the special consultative procedure;

**12.2** This policy will take effect from the day after it's adoption by the Council.

*Appendix Two:*

## **Gambling Act 2003**

Public Act 2003 No 51

Date of assent 18 September 2003

### **101 Territorial authority must adopt class 4 venue policy**

(1) A territorial authority must, within 6 months after the commencement of this section, adopt a policy on class 4 venues.

(2) In adopting a policy, the territorial authority must have regard to the social impact of gambling within the territorial authority district.

(3) The policy—

(a) must specify whether or not class 4 venues may be established in the territorial authority district and, if so, where they may be located; and

(b) may specify any restrictions on the maximum number of gaming machines that may be operated at a class 4 venue.

(4) In determining its policy on whether class 4 venues may be established in the territorial authority district, where any venue may be located, and any restrictions on the maximum number of gaming machines that may be operated at venues, the territorial authority may have regard to any relevant matters, including:

(a) the characteristics of the district and parts of the district:

(b) the location of kindergartens, early childhood centres, schools, places of worship, and other community facilities:

(c) the number of gaming machines that should be permitted to operate at any venue or class of venue:

(d) the cumulative effects of additional opportunities for gambling in the district:

(e) how close any venue should be permitted to be to any other venue:

(f) what the primary activity at any venue should be.

### **102 Adoption and review of class 4 venue policy**

(1) A policy on class 4 venues under section 101 must be adopted in accordance with the special consultative procedure in section 83 of the Local Government Act 2002 and, for the purpose of subsection (1)(e) of that section, the territorial

authority must give notice of the proposed policy, in a manner that the territorial authority considers appropriate, to—

- (a) each society that holds a class 4 venue licence for a venue in the territorial authority district; and
- (b) organisations representing Māori in the territorial authority district.

(2) A policy may be amended or replaced only in accordance with the special consultative procedure, and this section applies to that amendment or replacement.

(3) Subsection (1)(b) does not affect the ability of a territorial authority to take similar action in respect of any other population group.

(4) A territorial authority must, as soon as practicable after adopting, amending, or replacing a policy, provide a copy of the policy to the Secretary.

(5) A territorial authority must complete a review of a policy within 3 years after the policy is adopted and then within 3 years after that review and each subsequent review is completed.

(6) A policy does not cease to have effect because it is due for review or being reviewed.

## **Consideration of Submissions – Kekeno Park**

The Draft Reserve Management Plan set out the principles for managing the reserve in consideration of the use, enjoyment, protection, maintenance and development of the reserve. Kekeno Park, Ocean Ridge Subdivision will be vested to Kaikoura District Council as a Recreation Reserve.

Under the Reserves Management Act, Section 619, the required two month public notice period for the Kekeno Park Draft Reserve Management Plan concluded on Monday 5<sup>th</sup> February 2007- there were no submissions received

### **Recommendation**

*It is recommended that Council adopt the management plan for Kekeno Park.*

## Consideration of Submissions – Draft Coastal Development Plan

Following community consultation and the Council workshop (17<sup>th</sup> January 2007), it can be summarised that there was support from both councillors and the community for a long term development plan that ensures the future recreation, environmental and scenic value of the coastal strip are maintained.

Following a site visit, discussions at the Council Workshop included the following points:

- Considering the pines were planted as an investment with a planned harvest program the long term management of the coastal strip needs to be considered. According to the harvesting plan the pines will be progressively felled over the next 20 years- the first 3 hectares scheduled for felling in 2008.
- A recent quote valued the entire pine plantation at \$80,000 (including the Lions Club section). It was suggested that the decline in the value of pine plantations does not warrant replanting the site with pines in the future- wider community benefit would be realised through enhancing the area for recreational pursuits.
- Native species could be planted in existing gaps among the pines.
- Council have prioritised and budgeted works outlined within the Coastal Management Strategy and these priorities should not be altered (i.e. walkway development near Jimmy Armers etc).
- Preliminary discussions with DOC suggest the development proposal is not likely to impact negatively on the nesting shore birds.
- The Lions Club manage 3.2ha of pines from the Golf Club to the Kowhai River.
- The involvement of RD Hughes could be beneficial to the community, enabling Council to better plan, implement and manage redeveloping the coastal strip.
- The recreational opportunities within the plantation are significant. Future development must incorporate multiple use trails. Examples of multiple use tracks, such as Bottle Lake Forest Park in Christchurch could be considered.
- Council are obliged to develop a walking/cycle path to link Ocean Ridge residents with South Bay within the next 2 years.
- The proximity of the pines to the power lines is a hazard, especially with additional power lines required for the Ocean Ridge subdivision.
- Removing a strip of pines approximately 30 metres from the road verge towards the coast would allow for the development of a meandering walking track, suitable for prams, pushbikes and commuters between Ocean Ridge and South Bay. This strip would be regenerated with native plants shielding the track from the road.
- The removal of the pines is likely to require intensive regenerating practices and associated costs for many years. Such detail (i.e. time frames, costings etc) could be obtained from an experienced plant specialist.
- Retaining the pines for purely recreational purposes is a consideration.
- The regeneration of the site can be made less labour and costly by allowing non native plants to act as a nursery crop. Over time the natives will proliferate and continually regenerate.
- Provision of water at the site will ensure native plantings have greater opportunity to establish themselves.
- The majority of submitters were not opposed to the harvesting of the pines, their concerns lay with the provision of only one track for a variety of user groups.

***In consideration of public submissions, council workshop and the long term vision for the coastal area, it is recommended that the Coastal Development Plan be amended as outlined below and adopted as the long term development plan for this coastal area.***

- retain existing tracks used by varied recreational groups throughout future harvesting and redevelopment process.
- alter time frames to reflect the planned harvest regimes for the pines. The pine trees, an investment crop jointly owned by Council and the Lions Club, were planted with a planned and progressive harvest program over the next 30 years (3.5 ha due for harvesting in 2008: 8.10 ha due in 2022: Lions Club manage 3.2 ha).
- remove approximately 20-30 metres of pines from the road verge towards the coast, to remedy safety concerns raised by Mainpower for the area between the Caves and Ocean Ridge entranceway.
- develop a walking track between Ocean Ridge and South Bay, where the pines are removed to account for the electricity poles. The track surface should be suitable for prams and bicycles and landscaped with native plants shielding the track from the State Highway.
- continue development of native coastal grassland from South Bay corner towards the Caves: planting clusters of native plants, removing wilding pines. Retain existing horse/4 wheel motor bike track and develop a walking track as detailed above.
- remove planned time frames for developing toilet and playground facilities. Such facilities should remain as a future option but are currently considered unnecessary.
- water access should be considered for new plantings and pest control included in maintenance of new plantings.
- the coastal development plan could be included as an extension to the Coastal Management Strategy, enabling works to be budgeted and prioritised appropriately.



# The Lions Club of Seaward Kaikoura



30<sup>th</sup> January 2007

General Manager  
Mr Stuart Grant,  
Kaikoura District Council

Dear Stuart,

Re Kaikoura Town Clock as a Tribute to the Kaikoura Women.

The Lions Club of Seaward Kaikoura are exploring ideas of erecting a Town clock at a suitable site in Kaikoura where it would become a feature for our town.

The clock will have 3 clock faces, representing the women of Kaikoura

1. The women of our proud Kaikoura past
2. The women of the present
3. and the women who are the future of our town.

- The idea briefly is that it be a project for the women of our town, to contribute to the design, building etc and be a voluntary effort.
- The Women of Seaward Lions would like to name the clock and be acknowledged as a Seaward Lions project
- Our plan would be to landscape the area of this tribute and provide a plaque with accurate Historical facts.
- When the project is completed that it be officially handed over to the Kaikoura District Council for their ownership.

We are seeking your approval, and with that, all the details we would have to adhere to, to start the project.

Seaward Lions will definitely publicise the project and fund raising would take place.

Our time frame if attainable would be 18 months. Research to date of the cost for the mechanical clocks would be approximate \$20,000.

Thankyou for considering our idea, we look forward to attending your council meeting February 21<sup>st</sup> at a time to be advised to answer any questions and to hearing from you in the near future.

Yours sincerely,

Marie Harnett

## Report to Council

### **Application to Lease Recreation Reserve Land on Rorrison's Road**

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At its meeting on 20 December 2006, Council resolved that it agree in principle to a long term lease with Kaikoura Pony Club for it to lease the Rorrison's Road site, and that Council publicly advertise the proposal.

Attached for Council information is the proposed lease for advertising. In essence the lease is for a term of 33 years, commencing July 2007 with a right of renewal at Council's discretion. The initial yearly rental will be \$500 per annum, to be reviewed every three years. Activities to be allowed on the site are all activities associated with the Pony Club and the Lessee cannot assign or transfer any part of the land without the written consent of the Council. Any buildings to be located on the site have to be approved by the Council and should the lease be terminated there is no automatic expectation that the improvements will be acquired by the Council.

*It is therefore recommended that the attached draft lease be advertised in terms of the Reserves Act for public comment.*



**KAIKOURA  
DISTRICT COUNCIL**

**KAIKOURA PONY  
CLUB**

**LEASE**

**KAIKOURA DISTRICT COUNCIL**

**LEASE OF RECREATION RESERVES FOR STANDS – PAVILIONS ETC**

(Section 54(1)(c) of the Reserves Act 1977)

WHEREAS THE KAIKOURA DISTRICT COUNCIL (hereinafter called “the Lessor”) being registered as the proprietor of an estate in fee simple as a reserve for recreation purposes in pursuance of the Reserves Act 1977 subject however to such encumbrances, liens and interests as are notified by memorandum under-written or endorsed hereon in the piece of land situated in **Rorrison Road** containing **approximately 2.8012 hectares** be the same a little more or less being **Lot 1 DP1408 Block X Mt Fyffe Survey District** shown marked **in red** on the diagrams annexed hereto

NOW THEREFORE THIS DEED WITNESSETH that in consideration of the rent hereinafter reserved and the covenants and conditions on the part of the Lessee hereinafter expressed and implied the Lessor

DOES HEREBY LEASE to **Kaikoura Pony Club** a duly incorporated society having its registered office **C/- ....., Kaikoura** (hereinafter called “the Lessee”) all the said lands to be held by the Lessee as tenant for the term of **33 years** commencing on the **1<sup>st</sup> day of July 2007** at the yearly rental for the first year of **\$500.00** incl.GST to be paid in advance on the first days of the months of July and January in each and every year during the said term and so that the rent, for any portion of a half-year shall be apportioned and always paid in advance subject to the following covenants and restrictions:

- 1. (a)** THAT the Lessee shall pay unto the Lessor, or other authority for the time being having charge of the said land, the rent hereinbefore reserved together with Goods and Services Tax thereon at the time and in the manner aforesaid free of exchange and all other deductions and shall also pay and discharge all rates, assessments, charges, liens, impositions, taxes or other charges whatsoever now or hereafter to become payable in advance for or in respect of the said land or any part or parts thereof.
- (b)** THAT the rent hereinbefore specified shall be reviewed on the 1st day of April in each and every third year throughout the term of this lease and the Lessee agrees to pay such adjusted rental as may become payable as a result of each review as shall be determined in the Lessor's absolute

discretion. The first said review to take place on 1 April 2010 with any new rental amount to take effect from 1 July following the review.

2. **THAT** the Lessee shall use the said land solely for the purpose of undertaking the activities of a **Pony Club**. Such activities must be consistent with the activities of the National Pony Club movement which may include but would not be limited to

- Installing an all weather arena and car parking area
- Installing a club house and shed for a jump trailer
- Building various types of jumps and fencing options
- Obtaining power and installing toilets
- Grazing and hay making

and if at any time the Lessor is of the opinion that the land is not being used or is not being sufficiently used for that purpose the Lessor after making such enquiries as the Lessor thinks fit and giving the Lessee an opportunity of explaining the usage of the said land and if satisfied that said land is not being used or is not being sufficiently used for the purpose specified may terminate the Lease on such terms as the Minister approves.

3. **THAT** the Lessee will not assign, transfer, mortgage or part with possession of the said land or any part or parts thereof or any building upon the said land without the consent in writing of the Lessor first had and obtained but such consent shall not be unreasonably or arbitrarily withheld in the case of a solvent and respectable assignee who intends to use the said land for the purposes as set out in Clause 2 hereof **PROVIDED HOWEVER** that the Lessee may with the prior written consent of the Lessor sublet the said land to sports bodies or other similar organizations.

4. **THAT** the Lessee shall at all times during the said term and to the satisfaction of the Lessor prevent the growth or spread of noxious weeds or plants upon the said land and shall duly and fully comply in respect thereof with all the provisions of the Noxious Plants Act 1978 or any

amendments thereof and shall free and keep free the said land from rabbits and other noxious vermin.

5. THAT the Lessee shall at all times during the said term keep all buildings, fences, enclosures and other improvements now erected or made or which may hereafter be erected or made on the said land or on the boundaries thereof in good repair, order and condition and will not without the prior written consent of the Lessor pull down or remove such improvement or any part or parts thereof.
6. THAT the Lessee shall not discriminate in any manner against or refuse facilities to any person or persons except on the- grounds of misconduct or misdemeanour or uncleanness or by reason of the fact that the sports club building and facilities are fully occupied and will at all times observe a strictly uniform and impartial attitude as to admission rates and services and in all respects to all persons except as aforesaid the Lessee will afford as efficient a service as is usual for the undertaking mentioned in Clause 2 hereof. If the Lessor considers the charges made by the Lessee to be excessive and the Lessee is unable to justify such charges to the satisfaction of the Lessor the Lessee shall reduce such charges to a figure that it considers acceptable to the Lessor.
7. THAT the Lessee shall permit any person or persons appointed by the Lessor to inspect the said land and all buildings, erections and installations situated thereon and the Lessee will within a reasonable time remedy any defect of which written notice shall be given.
8. THAT the Lessee shall not erect or place any further buildings on the said land without the prior approval in writing of the Lessor and the prior consent in writing of the Minister of Conservation. The Lessee shall not erect or display any signs or hoardings or advertising materials of any description on the said land or buildings without the prior consent of the Lessor first had obtained which shall not be arbitrarily withheld.

9. THAT all buildings shall comply with the by-laws and Code of Ordinances and all health requirements of the relevant local authorities.
  
10. THAT the Lessee shall not cause or suffer any damage or injury to any trees on the said land and the Lessee will at all times during the said term use all reasonable means to preserve . and protect all trees and shrubs thereon and the Lessee will not cut down any trees whatsoever upon the said land without the consent in writing of the Lessor first had and obtained.
  
11. THAT the Lessee will not dispose of any rubbish on the said land and will not permit fires to be lighted save and except under such conditions as may be determined by the Lessor and will use its best endeavours to avoid the risk of fire and to prevent grass and other fires upon the said land.
  
12. THAT the Lessee will not carry on or permit to be carried on any noxious, noisome or offensive act, trade, business, occupation or calling upon the said land and will refrain from causing any noise or other disturbance likely to disturb adjoining occupiers of land whether belonging to the Lessor or not.
  
13. THAT the Lessee will insure all buildings and structures on the land within the meaning ascribed to those words in the Fourth Schedule to the Land Transfer Act 1952 and will produce to the Lessor on demand the receipt or receipts for the annual or other premiums payable on account thereof and the policy or policies and all moneys received pursuant to any such insurance shall be expended in or towards the repair, reinstatement and re-erection of buildings or structures on the said land PROVIDED HOWEVER that if the Lessor determines that such destroyed or damaged buildings are not to be repaired, reinstated or re-erected the Lessee shall forthwith remove -the damaged or destroyed building or buildings or the remains thereof and shall forthwith restore the area to the satisfaction of the Lessor and that in such event the cost of removing damaged or destroyed buildings and restoring the area shall be paid from the proceeds of the insurance as aforesaid and the balance shall be paid to the Lessee or other persons entitled to the same if any.

**AND IT IS HEREBY** agreed and declared by and between the Lessor and the Lessee as follows:

**14.** THAT the Lessee shall have no automatic right to a renewal of this lease however a renewal lease may be granted if the Kaikoura District Council is satisfied that the terms and conditions of the lease have been complied with.

**15.** THAT the Lessee shall have no right of acquiring or purchasing the fee simple of the said land.

**16.** THAT if:

**(a)** The rent hereby reserved or any part thereof shall be in arrears or unpaid on any day on which the same ought to be paid and shall remain unpaid for thirty (30) days thereafter whether the same shall be lawfully demanded or not, or

**(b)** Default is made by the Lessee in the full and faithful performance and observance of any of the covenants, conditions and restrictions contained in this Lease, or

**(c)** The Lessee shall be wound up or dissolved or go into voluntary liquidation (other than for the purpose of reconstructing the Lessee) or enter into any composition with or assignment for the benefit - of its creditors or being a limited liability company an order is made or an effective resolution for winding up or a receiver of the assets or any part thereon is appointed or if the Lessee -shall cease to function, or

**(d)** The Lessor is not satisfied that the Lessee has adequately complied with the provisions of these presents requiring the Lessee to provide services for the public and the Lessor has given written notice to the Lessee specifying the breach or default and requiring the same to be remedied within the time stated therein being not less than three (3) months then in any such case it shall be lawful for the Lessor forthwith without suit, notice or demand to enter into and upon the demised land or any part thereof in the name of the whole and determine this Lease whereupon the said land shall revert to the Lessor but without discharging the Lessee from liability for rent

due or accruing due or from any previous breach of the covenants conditions or restrictions herein contained or implied and the Lessee shall not be entitled to compensation for any improvements effected by the Lessee on the said land but on such termination as aforesaid the Lessee may with the consent of the Lessor in its absolute discretion remove within such time as the Lessor shall determine such improvements as were effected by the Lessee and shall leave the said land in a clean and tidy state to the satisfaction of the Lessor.

**17.** SUBJECT to the provisions hereafter contained on termination of the Lease under the termination clause or otherwise the land together with all improvements thereon shall revert to the Lessor without compensation payable to the Lessee or otherwise.

**18.** THAT -

**(a)** If the Lessee shall surrender this Lease then where the Lessor is of the opinion that the said land shall again be leased the Lessor shall cause a valuation to be made of the improvements that are then on the said land and as soon as possible thereafter shall publicly offer the said land for lease as a sports club building weighted with the value of improvements belonging to the outgoing Lessee.

**(b)** Where the Lessor is of the opinion that the leasing of the said land is being hindered by reason of the value of the improvements being excessive or of the terms for payment being onerous the Lessor may at its discretion from time to time reduce the value of the improvements or vary these terms as the case may be and again offer the said land and improvements for lease until such time as an offer suitable to the Lessor is received for the land and improvements.

**(c)** Where the said land and improvements are acquired under the provisions of this clause by an incoming Lessee the value of the improvements shall be paid by him in cash before he is admitted into possession of the said land and from the amount so paid the Lessor shall be entitled to deduct and retain any moneys due and owing to the Lessor for any breach or default and shall forthwith pay the remainder to the Lessee hereunder PROVIDED that the value of the

improvements or any part thereof may be paid by installments over a period of years or be secured by way of mortgage to the outgoing Lessee.

Any payment by installments over a period of years shall be subject to such conditions as to payment of interest and otherwise and any mortgage shall contain such provisions as the Lessor thinks fit.

19. THAT if on the expiry of the Lease created by these presents or on the Lessee surrendering this Lease the Lessor determines that the said land should not again be leased then the Lessee shall not be entitled to compensation for any improvements effected by the Lessee on the said land but on such expiry the Lessee may with the consent of the Lessor remove within such time as the Lessor shall determine such improvements as were effected by the Lessee and shall leave the said land in a clean and tidy state to the satisfaction of the Lessor PROVIDED HOWEVER that should the Lessor consider such improvements to be of value to the Lessor the Lessor may acquire the same on paying to the Lessee the value of such improvements as arrived at in accordance with Clause 18(a) hereof.
20. THAT the Lessee shall indemnify the Lessor and the Minister of Conservation against all or any claim, injury, damage or loss which may arise during the construction, erection or operation of any authorised building or works including permitted alterations, maintenance and additions thereto and shall further indemnify the Lessor and the Minister of Conservation against all and any claim, injury, damage or loss which may arise during the said term.
21. THAT the Lessee will not use or remove any mineral of whatsoever nature or description on or under the said land or otherwise injure the surface except where necessary for permitted buildings without the consent in writing of the Lessor and only as the said Lessor may direct.
22. THAT:

- (a) The Lessee may at its own cost provide all necessary workmen and caretakers to maintain, supervise and control the said land.
- (b) Any caretaker may refuse to admit to the said land or may remove from the same any person who:

  - (i) Is a disorderly or disreputable person;
  - (ii) By reason of intoxication or other reason is not in a fit and proper condition to use the said land;
  - (iii) Is not properly or decently attired and clean in person;
  - (iv) Behaves in an indecent or disorderly manner or who annoys or is offensive to any other person using the said land;
  - (v) Acts contrary to any of the rules for the conduct of persons using the said land provided however that any omission or failure to observe any-such rule if made in good faith and if any person so offending complies with such rule upon his attention being drawn to it shall not be deemed to be a reason for his removal or expulsion;
  - (vi) Fails or refuses to comply with any lawful request of the caretaker given for the purpose of enforcing the rules or of preserving the proper management and preservation of the said land and the comfort and convenience of the persons using the same;
  - (vii) Wilfully damages or destroys any of the property of the said Lessor or Lessee.
- (c) Throughout this Lease the term 'caretaker' shall be deemed to mean and include any person for the time being appointed by the Lessee to supervise and control the use of the said ground by persons playing thereon or using the same.

23. THAT the Lessee shall be entitled to exclusive possession of the said land and any building-  
thereon but only to the extent as prescribed by Subsection 53(d) and 53(e) of the Reserves Act  
1977 and the said provisions of the said Subsections shall apply to this Lease.
24. THAT it shall be lawful for any member of the public to enter and re-enter for a reasonable time  
of the said land and within the said building at all times when the said land shall open for use,  
without payment of any fee, unless for the principal activity of the Lessor except on those days  
when entry to the land is restricted pursuant to Clause 2 hereof and any such person so entering  
or remaining on the said property shall not be deemed to be a trespasser while that person  
conducts and behaves himself or herself in an orderly and seemly manner and refrains from  
hindering or obstructing play upon the said land PROVIDED HOWEVER that the right of  
public access herein contained shall not be deemed to authorise any such member of the public  
to enter any club house used or owned by the Lessee on the said land without the express  
consent of the Lessee.
25. THAT:
- (a) Any person of good repute may join the Lessee upon paying the required entrance fee and  
annual subscription and upon agreeing to comply with the rules of the Lessee PROVIDED  
HOWEVER that the Lessee may close its membership at not less than 500 members and  
thereafter whenever a vacancy occurs for membership the Lessee shall give preference for new  
membership to a person or persons resident in the surrounding district in the proportion of two  
such residents for each non resident.
- (b) Notwithstanding anything to the contrary herein in the case of a person applying for  
membership of the Lessee and such application being refused the Lessee shall if so requested  
by the Lessor call a special general meeting of the members of the Lessee and upon the same  
being called a vote shall be taken among the members then present as to the election of such  
person as a member of the Lessee and should a majority of twothirds of the voters be in favour  
of such person's admission then such person shall thenceforward be entitled to all the  
privileges and be subject to all the duties incidental to membership of the Lessee.

26. THAT the Lessee is to make the whole or part of the said land or building available from time to time, at reasonable charges, to such other voluntary organisations using the reserve for activities associated with the outdoor use of the reserve or in special circumstances for recreation or community activities not directly associated with outdoor recreation.
27. THAT these presents are intended to take effect as a lease under Section 54(1)(c) of the Reserves Act 1977 and the provisions of the said Act and of the regulations made thereunder applicable to such lease shall be binding in all respects upon the parties in the same manner as if such provisions had been fully set out herein.
28. THAT in the case of any difference or dispute arising as to any clause, matter or thing herein contained or implied or as to the construction hereof or arising in any way in respect of this Lease and unless the particular decision should be arrived at by the Minister of Conservation in accordance with the Reserves Act 1977 such difference or dispute shall be referred to the arbitration of two independent persons one to-be chosen by the Lessor and the other to be chosen by the Lessee and an umpire to be chosen by the arbitrators before entering upon the consideration of the matters submitted and every such reference shall be deemed a submission to arbitration within the meaning of the Arbitration Act 1908 or any Act in substitution therefore and shall be conducted and take effect accordingly except only in so far as the provisions of the said Act are hereby expressly modified.
29. THAT the foregoing clauses notwithstanding, conditions described in the attached schedule shall apply.
30. THAT the Lessee will pay the costs and expenses of and incidental to the preparation and execution of this Lease and counterpart, if any.

THE LESSEE the said **Kaikoura Pony Club** does hereby accept this Lease of the above described lands, to be held by it as Lessee and subject to the conditions, restrictions and covenants above set forth.

**DATED this** \_\_\_\_\_ **day of** \_\_\_\_\_ **2007.**

**THE COMMON SEAL OF THE** )  
**KAIKOURA DISTRICT COUNCIL** )  
**was hereunto affixed as Lessor in** )  
**the presence of:** )

..... **Mayor**

..... **Chief Executive Officer**

**THE COMMON SEAL OF THE** )  
**KAIKOURA PONY CLUB** )  
**was hereunto affixed as Lessee in** )  
**the presence of:** )

..... **President**

..... **Committee member**

..... **Secretary**

Greetings and welcome to Council 2007!

## Mayor's Report

Despite the seemingly unsettled summer, your council staff have been hard at it and continuing the good work of 2006.

I, as Mayor, have received a ute load of written information- of which the relevant ones are available in the "correspondence box" in my office. Please feel free to browse and/or read with intensity.

These include

- A registration to the Parliamentary Commissioner of the Environments celebration of its 1<sup>st</sup> 20 Years.
- The Accord between Coca-Cola and McDonalds and the NZ Food Industry and their "commitment" to the improving health of our youth.
- An invitation to council and/or staff to join the Circle of Courage cycling team as they enter our district. An invitation I declined and arranged for local Schools to be associated with if they see fit.
- A discussion paper from LGNZ regarding the Local Government Rating Enquiry. This was the Paper presented to the independent enquiry by LG Funding Group.
- A letter from The Rt Hon W Peters and Hon M Burton introducing us to the "Super Gold Card,"- details of which are to be found in the Social Services minutes of Feb.
- Ministry of Health's annual report "*Implementing NZ Health Strategy 2006*"
- Land transport NZ Annual Report.
- Regional Update – Telecom
- Conference invitation to "Transport-the next 50 years" – CHCH July 25-27 2007
- The Mayors taskforce for Jobs has undertaken a re-branding exercise and have distributed information packs and leaflets. This includes a DVD, pamphlets and brochures. ( Tabled )

**ICLEI** has offered council a sum of \$2000.00 to assist with the costs of an elected member and a key staff member to attend the "Accelerate Now" conference for Local Governments for Sustainability in Melbourne May 2-5 2007.

The conference is run by the ICLEI organization of LG's and is an opportunity that Kaikoura cannot afford to not be involved with considering its already strong and robust commitment and goals in this area. I believe that the agenda, site visits and keynote speakers could have an important influence on how we as a council can support and lead our community into the era of climate change and how we can assist in mitigating this.

I believe elected Mayors of all NZ Districts and at least one key staff member should be actively supporting the principals and actions of the organizations associated with this global issue - through participation, sharing of knowledge and practices and leading by example.

Kaikoura can continue and extend its current trend and expertise in the practices of sustainability and be an example to others and attendance at this forum can only help with this.

This is also a good opportunity also to try and assess the real relevance of the issue to us and gauge any impending effects and mitigating actions.

I intend to attend the conference, and with the assistance of the Government grant / personal funds etc Nicole and Deputy Mayor Barb will also attend all or part of it.

I believe council should support my inclusion in this conference, as with Nicole's ( Environmental Development Officer) and the registration of Barb to the conference.

Cost breakdown is as follows.

<b>Expenses</b>	Mayor	Deputy Mayor	Council Officer
Registration	\$790	\$570	\$810
Flights	\$485	\$405	\$485
Accommodation	\$500	\$500	\$500
Meals etc	\$250	\$250	\$250
Transport	\$100	\$100	\$100
	<b>\$2125</b>	<b>\$1825</b>	<b>\$2145</b>
<b>Total expense</b>	<b>\$6095</b>		
<b>Funding contributions</b>			
Mayor	\$600		
Deputy Mayor	\$1450		
CCP	\$2000		
<b>KDC</b>	<b>\$2045</b>		

Cost to council is noted

at \$2045.00 –

It is noted that a presentation of some description yet to be determined, will be offered to the community on return.

**Recycling.**

The last week has seen Nicole, Ian Challenger and I conduct a series (5) of evening rural community meetings throughout the district focusing on “Enhancing Rural Recycling ” and the introduction of the Sulo Bins to key rural locations – as discussed at the November ( ZORG ) workshop.

It is fair to say that the proposed system has been positively received and is widely seen as ultimately a more efficient, hygienic, economical and visually acceptable enhancement to rural recycling.

Cheers ..... and welcome back.

Kevin