

**MINUTES OF THE COUNCIL MEETING HELD
FOLLOWING THE FINANCE & POLICY COMMITTEE
MEETING AT 11.19AM ON WEDNESDAY 16 MAY 2007 IN
MEMORIAL HALL SUPPER ROOM, ESPLANADE,
KAIKOURA.**

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

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

APOLOGIES: Councillor M McChesney

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

1. MATTERS TO BE RAISED AS URGENT BUSINESS

1. Community Facility Update – Public Excluded *Mayor Heays*

2. CONFIRMATION OF MINUTES

Council 18/04/2007

Moved by Councillor Woods, seconded by Councillor Pablecheque and resolved that the minutes of the Council meeting held on 18 April 2007 be confirmed as a true and accurate record.

3. ADOPTION OF REPORTS

a. Works & Services Committee 18/04/2007

Moved by Councillor Pablecheque, seconded by Councillor Macphail and resolved that the report of the Works & Services Committee meeting held on 18 April 2007 be adopted.

b. Environmental Services Committee 18/04/2007

Moved by Councillor Woods, seconded by Councillor Thomas and resolved that the report of the Environmental Services Committee meeting held on 18 April 2007 be adopted.

c. Finance & Policy Committee 18/04/2007

Moved by Councillor Macphail, seconded by Councillor Pablecheque and resolved that the report of the Finance & Policy Committee meeting held on 18 April 2007 be adopted.

d. Social Services Committee 02/05/2007

Moved by Diver, seconded by Councillor Woods and resolved that the report of the Social Services Committee meeting held on 02 May 2007 be adopted.

e. Tourism & Development Committee 11/04/2007
Moved by Councillor Macphail, seconded by Mayor Heays and resolved that the report of the Tourism & Development Committee meeting held on 11 April 2007 be adopted.

4. MINUTES TO BE RECEIVED

Hearings & Applications Committee 08/03/2007,13/03/2007 & 03/04/2007
Moved by Councillor Diver, seconded by Councillor Woods and resolved that the minutes of the Hearings & Applications Committee meetings held on 08 March 2007, 13 March 2007 and 3rd April 2007 be received.

5. MINUTES ACTION LIST UPDATE

Management of Motorbikes at South Bay Reserve

The Chief Executive Officer advised this matter was in its very early stages. He had had discussions with Department of Conservation on potential strategies they had put in place in other regions, however to date he had not spoken with Environment Canterbury or NZ Police. This matter would be delegated to a staff member to drive and would require meetings with other agencies to look into present rules and regulations to enable it to be managed.

6. RECOMMENDATION FROM SOCIAL SERVICES COMMITTEE

Included in the agenda was a recommendation from the Social Services Committee for the speed limits of the following roads to be lowered to 30 kilometres per hour:

- Deal Street;
- Moa Road (circuit);
- West End from the Library to State Highway intersection.

The Chief Executive Officer advised Council needed to indicate if it wished these roads to be included onto a list that was about to be developed and that a list of roads suggested to be changed would be provided to Council at its June meeting. Once Council identified and adopted the roads it wished to change it would then need to go through the public consultation process. The aim was to identify all roads that Council felt needed speed limits changed and put them all through the public consultation process at the same time.

Moved by Councillor Seddon, seconded by Councillor Pablecheque and resolved that Deal Street, Moa Road circuit, and the West End from the Library to State Highway intersection, be included on a list for speed limit review.

Councillor Diver suggested Council read the requirements for reducing road speeds before starting to reduce speeds as some roads, such as Moa Road, may require engineering in order to lower the speed. He believed Council also needed to identify when a speed limit was suggested as

currently being too fast whether it was a perceived problem or a real problem.

The Chief Executive Officer advised there would be some roads where it was obvious what the speed should be and there would be others that would require more information in order to make a judgement. Councillor Diver felt Council should not name roads and get peoples hopes up before it had looked at the full criteria. Councillor Seddon concurred with Councillor Diver. The Chief Executive Officer advised a list of suggested roads would be brought back to Council and urged Councillors to speak with the Asset Manager or Engineering Support Officer of any specific roads they wished included on the list for review.

7. CHANGE OF MEETING DATE

Due to attendance by the Chief Executive Officer, Mayor and three Councillors at the local Government New Zealand Annual Conference being held in Dunedin 15-18 July, it was requested that the July meeting date be changed from 18 July to the following week, being 25th July.

Moved by Councillor Macphail, seconded by Councillor Pablecheque and resolved that the Council meeting date of 18 July 2007 be changed to Wednesday 25th July 2007.

8. CANTERBURY REGIONAL COUNCIL REGIONAL POLICY STATEMENT REVIEW

Included in the agenda were formal comments prepared on behalf of Council by Council Staff on the review issues of the Canterbury Regional Policy Statement. The date for receiving formal comments was set for 14 May 2007. Given the timeframes, it was noted the comments had already been lodged with Environment Canterbury.

Moved by Councillor Pablecheque, seconded by Councillor Woods and resolved that Council receive the information included in the report and that it endorses the formal comments on the review of the Canterbury Regional Policy Statement.

9. FORMATION OF SUB COMMITTEE

Following a request at the Council meeting of 18 April 2007, a recommendation was included in the agenda that a sub-committee of councilors be formed for the purpose of considering requests for the naming of roads within the district.

Councillor Seddon asked what power the sub-committee would have as he believed it would be pointless having a subcommittee if it had to recommend back to Council. The Chief Executive Officer concurred with Councillor Seddon and advised at this stage it was envisaged that the sub-committee would report back to Council with a recommendation however the sub-committee could be given delegated authority to approve names of roads. Councillor Diver advised the reason he had suggested a sub-committee be formed was to stop silly debate in the public forum and such a committee, even without delegation, would save time for the Council.

Councillors J Diver and Seddon volunteered to be on the Road Naming sub-committee. Councillor Woods nominated Councillor Thomas to the sub-committee. Councillor Thomas declined due to the distance he would have to travel to meetings now that he was residing outside of the district. In her absence, Councillor McChesney was nominated by Councillor Pablecheque.

Moved by Mayor Heays, seconded by Councillor Pablecheque and resolved that a subcommittee be formed consisting of Councillors J Diver, B Seddon and M McChesney and that should Councillor McChesney decline to go on the subcommittee that she be replaced by Councillor Pablecheque and that the subcommittee make recommendations to Council.

10. PUBLIC FORUM

1. P McGahan - Pedestrian Safety

P McGahan recalled to Councillors a presentation he had given some two years earlier where he had expressed concern at the narrowness of the road from the Old Wharf to Jimmy Armers beach. While he accepted there was a process to be followed he felt there was some urgency with this matter as it was a safety issue. P McGahan advised the area was a high level visitor area and was part of the footpath loop created jointly by Council and Department of Conservation and a cyclelane and narrow walkway would be an extension to the track. P McGahan supported a reduced speed limit of 30 kilometres per hour. He noted Council's Coastal Strategy identified a boardwalk around that area of road however he felt that would be an impractical solution and suggested there was scope for the narrowest part to be widened without cutting into the bank. He further noted a lot of cars entered the loop of road by Fyffe House very fast and that Council may like to extend a lowered speed limit through to that section also. The Chief Executive Officer advised \$50,000 had been allocated within the budget for pedestrian access around the old wharf site and that Council was currently in the process of drawing up a list of roads to be addressed for amending the speed limits of and that area could certainly be included on the list, although having said that it would still be subject to meeting national guidelines. Councillor Pablecheque advised that particular area had been of concern to Council for some time and Council now had the tool to do something about it. Councillor Seddon suggested Council should look into the cost of taking the bend out of the road, and making it straight.

2. P McGahan - Bunding at Slipway

P McGahan spoke on behalf of the Kaikoura Marine & Coastal Protection Society of concerns about the slipway adjacent to the old wharf and tabled a report which had also been forwarded to Environment Canterbury. The society supported the slipway being used for the maintaining of boats however it had concerns of pollution from the boats entering the sea as there was no containment of the pollution. The society had had concerns for some time however a recent diesel spill had brought the matter back into focus. Water blasters were often used for

cleaning the undersides of boats with all the material dropping into the slipway and eventually into the sea. The society was concerned particularly because it had a strong interest in the Rahui, and believed some type of discharge permit may be required and wished to see some action taken by Council in containing the material so it could be disposed of correctly.

P McGahan advised a solution to this could be achieved by a bund structure being put in place to contain any spillage or any leftover materials when boats were scrapped down.

The Chief Executive Officer advised Council had gone through the process in the mid 1990's to get a resource consent for such activity however it was put on hold a number of times and eventually withdrawn as it was no longer required for slippage purposes. The slipway was then leased with the understanding that the lessee's would obtain the various discharge consents required. The Chief Executive Officer concurred with P McGahan that the area was a vital environmental area that needed to be better managed. If it was not being appropriately managed by the current users then it needed to be revisited and discussed with Environment Canterbury.

11. COMMITTEE UPDATES

Sport Tasman & Marlborough Forestry

Councillor Diver advised he would be attending a Sport Tasman meeting and a Marlborough Forestry meeting in the coming week.

Climate Change Conference

Councillor Woods advised she had recently attended a climate change conference in Melbourne and noted New Zealand was trying extremely hard with carbon trading.

West End Working Party

Councillor Macphail advised the working party had met briefly following the last Council meeting and were currently in the process of obtaining quotes.

12. SUBMISSIONS TO DRAFT GAMING VENUE POLICY

Nine submissions were received on the review of the draft Gaming Venue Policy with seven submitters wishing to be heard in support of their submission.

K Morgan - Problem Gambling Foundation

Council was congratulated for exploring options aimed at limiting the harm caused by gambling. The Problem Gambling Foundation advised they supported a district ban on any new venues and gambling machines in the district as they believed such a ban would reduce the risks of problem gambling. The Foundation believed gambling was demoralizing parts of the community and that New Zealand communities were being exploited through gambling. The Foundation noted the recent Local Service Mapping Report produced by the Ministry for

Social Development highlighted gambling as a priority concern for the Kaikoura district. The Foundation believed the availability of gambling opportunities was a large part of the problem and increasing machines in the Kaikoura district would mean the incidents of problem gambling would increase.

F Webber – Charity Gambling Association Inc.

The Charity Gambling Association advised there was a social contract in communities for those with a healthy view of gambling and for those that had lost control of their gambling, which was enshrined in the Gambling Act 2003. It favoured policies to provide the highest degree of reasonable opportunity for licensed charitable gaming organizations in order to maximize opportunities for raising community funds and advised it appeared problem gambling remained at a constant level regardless of the reduction in machines.

Problem Gambling Foundation – D Coom (Regional Manager) and M Richardson (Policy Advisor)

The Foundation advised they supported a district ban on any new venues and gambling machines in the district and advised they were not an anti gambling group and sought a controlled balanced policy that would benefit the community. Kaikoura had the highest density of gaming machines in the country. The number of clients the Foundation had in Kaikoura was an issue and they believed there were not enough services available for problem gamblers in the Kaikoura district.

The Foundation congratulated Council on its Kaikoura Community Report Local Services Mapping 2006 and noted the main issue in the report was gambling.

Councillor Woods asked if any research had been undertaken on the connection of youth gaming parlors to attending gaming parlors in adulthood. The Foundation advised studies were currently in place but were still in their infancy.

Mainland Foundation – K Wood & J Ryan

J Ryan advised he was present on behalf of his Australian employer who owned property in Kaikoura where he was currently looking at putting gaming machines into. New South Wales, in Australia, had one of the most successful systems in the world with over 100,000 gaming machines. Venue owners that housed gaming machines had to be completely responsible with the way they dealt with gaming. There was very strict criteria that venues were unable to be identified from the outside and it was standard practice in New South Wales for all venues to submit impact assessment reports.

K Wood spoke for Mainland Foundation advising he would like to see an opportunity for expansion with a venue that offered top class facilities which included gambling machines.

After listening to submitters, Council felt it needed to review the case law on this matter at the next Council meeting.

13. REVOCATION OF MOTION

Included in the agenda was a notice of motion to rescind part 1 of the following motion:

- 1) proceed with the installation of a single pan Norski wilderness toilet on the Road Reserve at Kiwa Road at Site A, in close proximity to the Meatworks surf break.**
- 2) Staff to work with community members and report back to Council on the development of a management plan to enhance recreational opportunities and reduce environmental and cultural impacts at Mangamaunu and Kiwa Road.**

It was proposed that part 1 be replaced with ***“That Council reinvestigate the specific location of a public toilet on Kiwa Road”***.

The Notice of Motion was signed by Councillors Pablecheque, Diver and McChesney.

Councillor Pablecheque advised he was asked to reinvestigate this matter by K & G Boyd. A site visit was undertaken which raised the question that the site may be too close to the sea.

Councillor Seddon advised he was absent for the original resolution and noted this matter had been going on for some time.

Councillor Thomas advised he supported the original motion and noted Council needed to be careful it was not changing the decision for one small group.

Councillor Diver supported rescinding the motion.

Councillor Woods supported rescinding the motion.

Councillor Macphail advised a lot of work had been put into this issue and it felt like Council was binning 18 months of hard work by a dedicated working party. Councillor Macphail did not support rescinding the motion.

Mayor Heays advised he believed the Council and the working party had satisfied all parties and that the procedure had been fair. If Council rescinded the motion it was taking a step backwards. Mayor Heays did not support rescinding the motion.

Councillor Seddon expressed concern and found it confusing that Councillor McChesney had been on the working party but yet she had signed the revocation.

Moved by Councillor Pablecheque, seconded by Councillor Woods and resolved that Council rescind Part 1 of the following motion:

- 1) *proceed with the installation of a single pan Norski wilderness toilet on the Road Reserve at Kiwa Road at Site A, in close proximity to the Meatworks surf break.*
- 2) *Staff to work with community members and report back to Council on the development of a management plan to enhance recreational opportunities and reduce environmental and cultural impacts at Mangamaunu and Kiwa Road.*

and that it be replaced as follows:

- 1) *That Council reinvestigate the specific location of a public toilet on Kiwa Road*
- 2) *Staff to work with community members and report back to Council on the development of a management plan to enhance recreational opportunities and reduce environmental and cultural impacts at Mangamaunu and Kiwa Road.*

*Against: Councillor Macphail
Mayor Heays
Councillor Thomas*

The Chief Executive Officer advised the decision would go back to the delegated staff member who would pull the working party together again to identify a specific site and the process would be the same. It was noted if there were meetings for the working party, advice would go out to all Councillors so that they had the option to attend.

14. MAYOR'S REPORT

Mayor Heays presented his report. Mayor Heays advised he was seeking the support of the Mayor of Waimakariri District Council regarding the one lane Hurunui Bridge on State Highway 1 which would be followed by an approach to Transit.

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

16. COUNCIL PUBLIC EXCLUDED

Moved by Councillor Pablecheque, seconded by Councillor Seddon 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 18/04/2007*
- b. Adoption of Report of Works & Services Committee Public Excluded meeting on 18/04/2007*
- c. Receipt of Minutes of Hearings & Applications Committee Public Excluded meeting on 08/03/2007*

There being no further business the meeting closed at 3.30pm.

