

# **MINUTES OF THE COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 19 MAY 2010 IN MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.**

**PRESENT:** Mayor K Heays (Chair), Councillors J Diver, D Holmes, N Pablecheque, J Ransley, M McChesney, J Macphail, B Woods.

**IN ATTENDANCE:** S Grant (Chief Executive Officer), S Syme (Executive Officer).

## **1. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS**

- 1) Leave of Absence (Councillor Macphail)**
- 2) Commercial Whaling (Councillor Woods)**

## **2. OPEN FORUM**

No members of the public wished to be heard in the open forum.

*The Council meeting adjourned at 9.01am and resumed at 11.12am*

## **3. CONFIRMATION OF MINUTES**

**Council 21/4/2010**

*Moved by Councillor Woods, seconded by Councillor McChesney and resolved that the minutes of the Council meeting held on 21 April 2010 be confirmed as a true and accurate record.*

## **4. ADOPTION OF REPORTS**

**Works and Services Committee 21/4/2010**

*Moved by Councillor Holmes, seconded by Councillor Pablecheque and resolved that the report of the Works and Services meeting held on 21 April 2010 be adopted.*

**Environmental Services Committee 21/4/2010**

*Moved by Councillor Ransley, seconded by Councillor Holmes and resolved that the report of the Environmental Services meeting held on 21 April 2010 be adopted.*

**Finance & Policy Committee 21/4/2010**

*Moved by Councillor Pablecheque, seconded by Councillor Macphail and resolved that the report of the Finance and Policy Committee meeting held on 21 April 2010 be adopted.*

**Tourism & Development Committee 14/4/2010**

*Moved by Councillor Macphail, seconded by Mayor Heays and resolved that the report of the Tourism and Development Committee meeting held on 14 April 2010 be adopted.*

## **5. MINUTES TO BE RECEIVED**

**Hearings and Applications Committee 10/3/2010**

*Moved by Councillor Diver, seconded by Councillor Woods and resolved that the minutes of the Hearings and Applications Committee meeting held on 10 March 2010 be received.*

#### **6. MATTERS ARISING FROM CONFIRMED MINUTES**

##### **Freedom Camping**

Councillor Macphail advised the Tourism and Development committee had made a recommendation to Council that they would like to see information / welcome boards for the entrances to the town investigated. The Chief Executive Officer advised Council staff were currently undertaking an investigation and could work through the Tourism and Development Committee. He advised when various options and models had been investigated how much Council wanted to spend would be looked at.

#### **7. RESIGNATION OF COUNCILLOR**

A letter of resignation had been received from Councillor McChesney advising she would be unavailable for meetings following the June Council meeting. The Chief Executive Officer advised the resignation of a Councillor created an extraordinary vacancy. Council could either resolve to fill the vacancy by appointment or resolve not to fill the vacancy. He advised a by-election was not required to fill the vacancy. It was noted there was only one Social Services Committee meeting and three Council meetings following the June Council meeting and the Local Government Elections.

*Moved by Councillor Diver, seconded by Councillor Woods and resolved that Council accept Councillor McChesney's resignation effective as of 17 June 2010 and that the vacancy is not to be filled as per section 117(3)(b) of the Local Electoral Act 2001.*

#### **8. LICENCE TO OCCUPY – ALLOCATION CRITERIA**

Criteria for the allocation of Licence to Occupy Sites at Jimmy Armers, Esplanade and South Bay had been carried over from the April Council meeting.

The Chief Executive Officer advised Council staff had contacted other local authorities to see if they had criteria which they used for allocating Licence to Occupy Sites. Unfortunately no other local authority seemed to have a similar situation.

Suggestions from discussions held at the April Council meeting had been listed as criteria and the Chief Executive Officer advised these would be used for allocation of sites unless Council directed otherwise. It was noted if Council was putting together a licence for an operator who did not sell food the Licence agreement would be amended accordingly. Discussion was held around drinking in public places and liquor licencing rules. Councillor McChesney felt operators should be allowed BYO. Councillor Pablecheque advised in order to have a BYO licence corkage would have to be charged and managers would need to be on duty.

Councillor Macphail noted it was not stated anywhere that operators were restricted to one site. It was generally felt one site per location per operator should be added to the criteria which meant one person could not monopolize the situation.

Councillor Pablecheque believed if monitoring of the sites was required then the Licence holder should pay the costs. The Chief Executive Officer advised if the Licensee had met the conditions of their Licence they should not be subjected to further fees. Councillor Diver felt if the Licence holder was in breach of Licence conditions then monitoring charges should apply.

***Moved by Councillor Woods, seconded by Councillor Macphail and resolved that Council agree to the following criteria for the allocation of sites for future years;***

- ***Allocation will endeavour to provide a variety of product mix***
- ***Allocation will endeavour to ensure applicants physically utilise any allocated sites.***
- ***Allocation will not be given to any applicant wishing to sell alcohol from the site.***
- ***An extra site will be made available for local non profit making organisations to use for one off fundraising activities.***
- ***Allocation will require the Licence holder to commence trading by 1 October in the Licence year.***
- ***An operator will only be granted one site per location***
- ***If monitoring of the Licence conditions is required and the Licence holder is found to be in breach of the Licence to Occupy conditions the cost of monitoring will be borne by the Licence holder.***

***The Council meeting adjourned for lunch at 11.55am and resumed at 1.00pm.***

## **9. UNIVERSITY OF CANTERBURY ENGINEERING SOCIETY**

Michael Cook, President, and Loren Burnett of the University of Canterbury Engineering Society (ENSOC) were in attendance to present ideas for the Undie 500 Charity Drive 2010. They advised ENSOC had been founded in 1897 and they organised a range of both academic and social events.

The Undie 500 was originally started in 1988 with students driving to Dunedin for the weekend. M Cook advised although the actual event was extremely well organised and well controlled, problems had arisen once the event had finished. Even though these problems had arisen following the event they believed it was still part of their responsibility to their members and the New Zealand public to ensure the entire weekend was safe, well controlled and beneficial to all parties.

M Cook advised the key issues from previous years had been the lack of an organised event at the end of the charity drive. He advised while

ENSOC was committed to organising the Undie 500 Charity Drive to continue in future years, they did not promote or condone any unlawful or antisocial behaviour and they would put measures in place to ensure that trouble did not occur in the future.

ENSOC advised the three main objectives behind providing a well controlled, secure and enjoyable concert event at the final venue of the rally were;

- To run the 22<sup>nd</sup> Anniversary for the Undie 500 in a safe and mutually beneficial manner for the participants, the local authorities and residents of the chosen region.
- To provide controls to ensure the safety of the Undie 500 participants and the community and to prevent the antisocial behaviour seen in the last four years.
- To provide the destination region a unique, youthful event that would have positive media attention and significant benefits to the community.

M Cook advised ENSOC would be reformatting the event and the event would be for ENSOC members only. There would be an organised event at the rally destination with a festival like environment during the day and no BYO alcohol on site. They advised a number of control measures would be put in place like a high ratio of security, controlled bar with licensed bartenders, alcohol management plan and the event would be completely enclosed outside of the town centre.

ENSOC believed the event could benefit the Kaikoura District in the following ways; a large influx of students would provide local economic benefits, an opportunity for local residents to sell products on site, charity donations and the potential for similar benefits to the local community as an event such as Seafest. M Cook advised the event would be held on the 17<sup>th</sup> and 18<sup>th</sup> of September.

Mayor Heays enquired how many people ENSOC predicted would attend the event. M Cook advised they had planned for 1,000 tickets. Councillor Macphail enquired if ENSOC had a health and safety plan for the event. M Cook advised their event managers had suggested a health and safety plan be put in place. M Cook further advised ENSOC would like the backing of Council for the event. Councillor Diver enquired why the rally could not finish on the University campus. M Cook advised there was no venue available for use and they wished to avoid student centres and areas with large youth populations. He further advised they would like to hold the event on private property away from the town where tent accommodation could be set up. As part of the carnival atmosphere rugby games or engineering events would be planned. M Cook and L Burnett retired from the meeting.

Mayor Heays advised Marlborough had said no to ENSOC with regard to the Undie 500 Charity Drive. Councillor Woods enquired if there was any reason why ENSOC could not make the event a private function and for what purpose did they need Council on side. The Chief Executive

Officer advised whether or not Council supported the event ENSOC could still go through the appropriate consent process.

Councillor McChesney felt the event would be good for the town and shops would get spin off from the event. The Chief Executive Officer advised the 'Roots' festival had been held in the District in the past. He advised the event had been self contained and there had been benefits for the town and they had been through the appropriate processes to obtain consent for the event.

Councillor Macphail advised he had no issues with the event as long as they did the right thing and felt the Police needed to be spoken to regarding any concerns they may have. Councillor Pablecheque felt if ENSOC complied with the processes in place then it should be a good event. Councillor Macphail advised the Tourism and Development Committee had an agenda to increase events in the town and suggested the Tourism and Development committee could work with and try and support and guide the event organisers.

***Moved by Councillor McChesney, seconded by Councillor Macphail and resolved that Council does not object to ENSOC proceeding with obtaining the appropriate consents required to hold the Undie 500 charity drive event in the Kaikoura District.***

***Hearing Commissioners Councillor Woods, Councillor Diver and Mayor Heays abstained from voting on this matter as they may be required to hear a future application for an event of this nature.***

## **10. YOUTH COUNCIL**

Kaikoura Youth Council members were in attendance to introduce themselves to Council. E Parkinson advised for the up coming Youth Week, Youth Council would be spending time with preschoolers at Barnardos and hosting an activities afternoon with the Primary School. He advised parents had been invited to the Primary School event.

## **11. COMMITTEE UPDATES**

### **Mayfair Theatre**

Councillor Woods advised 'Excuse for an Outing' had hosted an event at the Mayfair theatre. She advised 68 tickets had been sold for the event. She further advised the Mayfair Theatre committee were investigating corporate sponsorship at the theatre.

### **KITI**

Councillor Macphail advised the i-Site building redevelopment was going according to plan and the exterior was due to be completed by the end of June or early July.

### **Marlborough Regional Forestry**

Councillor Diver advised he had attended a Marlborough Regional Forestry meeting. He advised Council could expect to receive \$50,000 before the end of the financial year. Councillor Holmes had attended the

Marlborough Regional Forestry field trip and advised he had seen some interesting growth rates for Eucalyptus.

## **12. MAYORS REPORT**

Mayor Heays and the Chief Executive Officer had attended the Zone 5 & 6 meeting in Dunedin. Speakers and presenters included Nick Smith and Rodney Hide. The Chief Executive Officer advised the government was on an economic drive and any changes to the Resource Management Act were about trying to enable people to achieve and enabling a lot more development. The rules around aquaculture were also being reviewed.

## **13. URGENT BUSINESS**

### **1) Leave of Absence**

Councillor Macphail requested leave of absence for the June Council meeting. Councillor Woods also requested a leave of absence for the same meeting.

***Moved by Mayor Heays, seconded by Councillor McChesney and resolved that leave of absence for the June Council meeting for Councillor Macphail and Councillor Woods be approved.***

### **2) Commercial Whaling**

Councillor Woods enquired if Council would be making a submission opposing the reintroduction of commercial whaling. Councillor Macphail advised there was no call for submission but letters could be sent which the Tourism and Development Committee had done. Councillor Diver advised the commercial whaling proposal was around the quota system which could be pulled back or extended and would remove the scientific approach to whaling which was currently used.

Mayor Heays advised he supported the stance of the Tourism and Development Committee. Councillor Macphail advised he understood the reasoning behind the government's stance but did not believe it was the right idea. Councillor McChesney advised she agreed in principal with the proposal and that it was a way of trying to cut back on the number of whales being killed but she did not trust it would work. Councillor Ransley advised he did not support legalised whaling.

***Moved by Mayor Heays, seconded by Councillor McChesney and resolved that Council add support to the letter sent by the Tourism and Development committee stating their objection to the reintroduction of commercial whaling.***

***Against: Councillor Diver***

***The meeting adjourned at 2.18pm and resumed 2.43pm***

## **14. COUNCIL PUBLIC EXCLUDED**

*Moved by Councillor Macphail, seconded by Councillor Pablecheque and resolved that the public be excluded from the following parts of the proceedings of this meeting, namely*

*a. Confirmation of Minutes*

*There being no further business the meeting closed at 2.50pm.*