

**KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.00AM
ON WEDNESDAY 17 AUGUST 2011, IN MEMORIAL HALL
SUPPER ROOM, ESPLANADE, KAIKOURA.**

AGENDA

1. *Apologies*
2. *Open Forum – Session for members of the public wishing to comment on items included in this agenda.*

The Council meeting will adjourn following this item and will resume following the Finance and Policy Committee meeting.

3. *Matters of Importance to be raised as Urgent Business*

4. **Minutes to be Confirmed:**

■ *Council 20/07/2011*

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Reports to be Adopted:

■ *Works & Services Committee 20/07/2011*

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■ *Environmental Services Committee 20/07/2011*

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■ *Finance and Policy Committee 20/07/2011*

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■ *Tourism & Development Committee 13/07/2011*

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Minutes to be received

■ *Hearings and Applications Committee 31/05/2011*

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■ *Hearings and Applications Committee 21/06/2011*

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5. *Matters arising from Confirmed minutes*

6. *11.30am NZ Police Update*

- **An update from Kaikoura Police will be provided in Public Excluded**

7. *Public Forum*

TIME	NAME	SUBJECT
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8. *Youth Council*

- **A representative of the Youth Council will be in attendance at 1.00pm to present this item.**

9. *Environment Canterbury Update*

- **K Heays from Environment Canterbury will be in attendance at 1.15pm to present this item.**

10. *Change of Electoral System*

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11. *Request for Temporary Road Closure*

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12. *New Museum / Library Update*

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13. *Committee Updates*

14. *Mayor's Report*

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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. Expiration of Lease

b. New Zealand Police Update

The general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) and 7(2)(i) of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each to be considered	Reason for passing this resolution in relation to each matter	Grounds of the Act under which this resolution is made
Expiration of Lease	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 protect information where the making available would be likely unreasonable to prejudice the commercial position of the person who supplied or who is the subject of the information.	Section 48(1)(a) and 7(2)(b)(ii)
New Zealand Police Update	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect information which is subject to an obligation of confidence or which a person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely otherwise to damage the public interest.	Section 48(1)(a) and 7(2)(c)(ii)

CHANGE OF ELECTORAL SYSTEM

1. LEGISLATION

COUNCIL MAY RESOLVE

- The Council may, not later than 12 September 2011, resolve that the next triennial general election of the Council will be held using the STV voting system (Section 27) of the Local Electoral Act 2001 (LEA) as opposed to First Past The Post which was used in all previous elections to date.
- A resolution made under Section 27 (LEA):
 - takes effect for the next triennial general election of the Council (and any associated election); and
 - continues in effect until either a further resolution under Section 27 (LEA) takes effect; or a poll of electors of the Council held under Section 33 (LEA) takes effect.

IF COUNCIL CHOOSES NOT TO CHANGE THE METHOD OF VOTING FOR THE NEXT ELECTION THEN IT MUST

- Not later than 19 September 2011, give public notice of the right to demand a poll on the electoral system to be used for the election of the Council (Section 28, LEA).
- If the Council has passed a resolution under Section 27 that takes effect at the 2013 election, the public notice must include:
 - notice of the resolution; and
 - a statement that a poll is required to countermand that resolution.

ELECTORS MAY DEMAND POLL

- A specified number of electors of the Council may, at any time, demand that a poll be held on a proposal by those electors that the STV system be used at the elections of the Council (Section 29, LEA). In Kaikoura's case, the level is 5% (132).
- Section 30, LEA details the requirements for a valid demand.
- If a valid demand is received after 28 February 2012, the poll required by the demand
 - must be held after 21 May 2012; and
 - has effect for the purposes of the 2013 and 2016 triennial general elections of the Council.

NOT WITHSTANDING THE ABOVE

- The Council may, no later than 28 February 2012, resolve that a poll be held on a proposal that the STV system be used for the elections of the Council (Section 31, LEA).
- That resolution may, but need not, specify a date on which the poll is to be held.
- The date specified for the holding of a poll must not be a date that would require deferral of the poll under Section 138A (LEA).

2. COUNCIL DECISION, 2008

Council was required to decide before 12 September 2008, which electoral system was to be used, Single Transferable Vote (STV) of First Past the Post (FPP) for the 2010 elections.

Council decided to retain the FPP system.

The majority of local authorities (including all regional councils) retained the FPP system. District Health Boards were required by legislation to use STV procedures in the 2004 elections.

As noted in this report Council is not required to make a decision to alter its electoral system, but it may choose to do so. It must however, prior to 19 September 2011, give public notice of the right of the public to demand a poll on the electoral system to be used for the election of the Council.

Recommendation:

It is therefore recommended that Council make no decision to alter its current voting procedure. It give public notice of the right to demand a poll in terms of section 28 of the Local Electoral Act 2001 on the electoral system to be used for the election of the Council in 2013

Request for Temporary Road Closure – Seafest 2011

A request has been received to temporarily close Killarney Street and Torquay Street from the Post Office cutting back to the Kaikoura Bowling Club from 7.30am to 5.30pm on Saturday 1 October 2011 for the purposes of Seafest.

The request from the conveners is attached.

Under the Transport (Vehicular Traffic Road Closure) Regulations 1965 the Controlling Authority (Kaikoura District Council) may agree to temporarily close the road. A notice of its intention to close the road must be advertised 42 days before the proposed period of closure and any person affected by the closure may lodge an objection no later than 28 days prior. Objections can then be heard and if after considering the objections the controlling authority decides to close the road further public notice must be given.

Recommendation

It is recommended that under Transport (Vehicular Traffic Road Closure) Regulations 1965 the Council agree to close Killarney Street and Torquay Street from the Post Office cutting from 7.30am to 5.30pm on Saturday 1 October 2011 for the purposes of Seafest.

New Museum / Library Update

At its meeting of 15 June 2011 Council resolved to further investigate the possibility of a third floor on a two storey building at the Library / Museum site in the West End. Attached are conceptual drawings and the project cost review of the proposed three storey building to be sited on the existing Library site in the West End. The new proposal provides for the building of a total footprint of 2276m².

Incorporating a 702m² museum on the ground, 460m² library on the first floor, 250m² office space on the first floor and 690m² of office on the second floor. The foyer, stairs and lift encompass 174m².

The revised costs / estimates based on this current concept is for a three storey building to cost \$4.357million dollars which is \$75,000 more than had previously been suggested. The building also provides for a walkway leading from the third floor building to the West and linking onto Deal Street this will enable the public who just want to deal with Council to access the Council building from Deal Street without having to go to the West End.

The slight changes to the configuration of this building provides for a slight change in the level of development contributions which could be applied to this building. Hence the capital expenditure would be from, as per previous budget, grants and donations \$400,000, development contributions \$1.725million, loan previously budgeted \$500,000 and an additional loan of \$1.73million.

The question that needs to be considered is how would the additional \$1.73million borrowing be financed? Potential financial options being considered at this juncture are;

- rental of the proposed office space of up to \$48,000
- potential rental of the existing Council office \$35,000
- deletion of the current grant to the Historical Society of \$25,000.

This gives a total of \$108,000.

\$185,000 per annum is required to service a \$1.73million loan. Taking into account the above three possibilities this leaves a short fall of \$77,000 that, at this juncture would need to be funded through rates. This equates to a rate increase of .000055892 or in layman's terms \$5.59 for every \$100,000 of rateable capital value. The above has been based on Council not injecting any additional capital into the building i.e. by way of sales of property. However, this is a possibility going forward depending on ongoing market conditions.

Based on the above it is suggested that a proposed amendment to the Long Term Council Community Plan be prepared with the proposal being that a third storey be added to the proposed new museum / library building in 2011/2012.

Mayor's Report

The Kaikoura Water Zone Committee is up and running after a formal get together on the 15th July and a meeting and field day on the 16th July. This group has the opportunity to do some good work for the future management of our water and biodiversity. Each Zone Committee has a fund of \$100,000 per year for 5 years for projects in their area. To attain this we will be required to apply extra funding or work in kind to help with these projects.

Stuart, Gallo and I met with some of the West End business community on 5th August, it was agreed that the sewer works will cease on the 31st of August and resume around May 2012.

A further meeting is to be held to firm up the Community Watch Group, so we can have this up and running prior to the World Cup.

I attended the Regional Water Management meeting at Lincoln on 9th August, we work shopped issues around the role of the regional committee alongside the zone committees and issues relating to the wider social impacts that proposed large irrigation schemes will have on the various communities in Canterbury.

I met with Neville Riley on the 10th August. Neville has recently replaced Bop Upton at Canterbury Civil Defence. We discussed issues relating to Kaikoura around the quake and issues relating to the impact an event like Christchurch would have on our community. They are keen to help in anyway going forward.