

MINUTES OF THE COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 21 SEPTEMBER 2011 IN MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

PRESENT: Mayor W Gray (Chair), Councillors S Burrows, J Diver, G Harmon, D Holmes, J Macphail, D Morgan.

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

1. APOLOGIES: Councillor N Pablecheque.

Moved by Councillor Harmon, seconded by Councillor Burrows and resolved that apologies be accepted.

2. OPEN FORUM

Ralph Hogan was in attendance to speak in the open forum.

Traffic Count for Scarborough Street

R Hogan advised with regard to the number of cars that travelled above the speed limit that there were three speed signs in the eastbound direction but none in the west bound direction. He noted this had been the case for at least the last three and a half years. He had been advised in the past because Scarborough Street was a no exit street drivers would have seen the signs on the way in and automatically know the limit would apply in the other direction. He provided three examples of where the assumption might be flawed.

R Hogan advised he would like to see more speed limit signs and no increase in the speed limit on Scarborough Street. He suggested the signs could be placed on the back side of the sign east of 'Room with a View', another just west of the Maui Street access from the lookout and one on the back of the caution sign. He also requested direction arrows be painted on the road on Scarborough Street at the bottom of the lookout drive.

R Hogan noted the result from traffic counts taken on South Bay Parade where there were speed limit signs in both directions showed only 41% of people driving over the speed limit as opposed to 80% on Scarborough Street.

Alcohol Reform

R Hogan had some questions regarding the Alcohol Reform Law. He wished to know at what point it would be practical to begin working on a local bylaw to allow for less of a delay in implementation when the Alcohol Reform Law came into effect. He enquired if substantive final work on a bylaw could not begin until full approval of the Bill, was it reasonable to begin educating a subcommittee on various aspects prior to

the Bill becoming law and what were the resources for the education? He also enquired if someone already had a consent or licence for a certain related activity, what would be the mechanism which allowed the bylaw to be more restrictive?

R Hogan advised he would like to encourage Council to start working on a local bylaw sooner rather than later if practical.

The meeting adjourned at 9.15am and resumed at 11.46am.

3. CONFIRMATION OF MINUTES

Council 17/08/2011

Moved by Councillor Macphail, seconded by Councillor Burrows and resolved that the minutes of the Council meeting held on 17 August 2011 be confirmed as a true and accurate record.

4. ADOPTION OF REPORTS

Works and Services Committee 17/08/2011

Moved by Councillor Holmes, seconded by Councillor Diver and resolved that the report of the Works and Services meeting held on 17 August 2011 be adopted.

Environmental Services Committee 17/08/2011

Moved by Councillor Burrows, seconded by Councillor Diver and resolved that the report of the Environmental Services meeting held on 17 August 2011 be adopted subject to 'Deputy Chair' being changed to 'Chair' on page 71 of the agenda.

Finance & Policy Committee 17/08/2011

Moved by Councillor Harmon, seconded by Councillor Morgan and resolved that the report of the Finance and Policy Committee meeting held on 17 August 2011 be adopted.

Tourism and Development Committee 10/08/2011

Moved by Councillor Harmon, seconded by Councillor Macphail and resolved that the report of the Tourism and Development Committee meeting held on 10 August 2011 be adopted.

Social Services Committee 07/09/2011

Moved by Councillor Morgan, seconded by Councillor Burrows and resolved that the report of the Social Services Committee meeting held on 7 September 2011 be adopted.

5. MATTERS ARISING FROM CONFIRMED MINUTES

Library / Museum Building Update

The Chief Executive Officer advised there had been some amendments to the Local Government Act which may or may not effect how Council wished to deal with the proposed change to the library/museum building. Changes had been made to sections 96 and 97 of the Act which meant the proposal may no longer be deemed to be an amendment to the Long Term Council Community Plan. Advice from Council's solicitor had

been sought and this was tabled at the meeting. Council's solicitor confirmed in terms of the change of legislation the proposal was not an amendment to the Long Term Council Community Plan. The Chief Executive Officer advised Council could still treat the proposal as an amendment to the Plan. The other option was to seek public feedback and not send the proposal to Audit New Zealand.

The Chief Executive Officer advised the proposal was likely to result in strong opinions. If the proposal was treated as an amendment to the Plan and put out for public feedback Council will be seen to have gone through due process. He advised if Council did not do an amendment to the Plan and Council was taken to court Council may then have to go back through the process. The Chief Executive Officer recommended the proposal still be treated as an amendment to the Long Term Council Community Plan. It was noted it would cost several thousand dollars in audit fees however the process would give the community assurance that someone else had looked over the proposal.

Councillor Diver felt Council should proceed with the proposal because Council had been in consultation for a number of years. It was generally felt the proposal should be treated as an amendment to the Long Term Council Community Plan.

The meeting adjourned for lunch at 12.01pm and resumed at 1.05pm.

6. ENHANCEMENT OF SOUTH BAY HILL

Mayor Gray advised he would like to see the Pine Trees removed along State Highway 1 on the left hand side heading down the hill towards the racecourse and area replanted in native trees. He advised the landowner on the other side of the road was also keen to be involved.

The Chief Executive Officer advised while the trees were ugly they did provide a screen to the existing landfill and tar depot site. Councillor Diver advised the trees were also wind protection for the landfill site. He advised Innovative Waste Kaikoura were investigating future bunding and landscaping for the southern side of the site. He suggested Council wait for a final plan from Innovative Waste before removing the trees. Councillor Diver advised Innovative Waste would be looking at bunding and landscaping plans at their next meeting.

7. PROPOSED FEE INCREASE FOR RESOURCE CONSENTS

The Planning Officer was in attendance for this item. The Chief Executive Officer advised the fees for resources consents had not been changed in quite a while. He noted the existing fees were substantially less than neighbouring Councils and costs had increased.

Councillor Macphail felt the fee increase looked reasonable apart from the category one fees which had a proposed base fee increase from \$360 to \$700. Category one related to non-notified land use consents which had non-compliance with a number of performance standards and included applications for visitor accommodation for up to four people.

The Planning Officer advised category one mostly related to housing which was outside the building envelope. If people did not want to pay the fee they could move their building on the building plan to avoid the need for resource consent. The Chief Executive Officer advised individuals had the ability to build where the District Plan allowed and he noted there were a lot of arguments between neighbours for these types of consents which took up quite a bit of staff time. Councillor Macphail felt putting up the fees would kill the chance of getting any proposed consent fees. Councillor Harmon concurred that raising the cost of a product did not help to sell it.

The Chief Executive Officer advised Council had a policy of recovering 80% of the costs of running the planning department through resource consent fees. The amount currently being recovered through resource consent fees was substantially less than 80%. He advised the policy level could be achieved by processing more applications or increasing the fees. The other option was to say the policy was no longer appropriate and needed revision. He advised increasing the fees was an attempt to work within the policy.

The Chief Executive Officer advised resource consents were either funded by the applicant or the ratepayer. If the fees were not increased more rates were required to fund the cost centre. It was noted the policy would be reviewed as part of the financial strategy in the Long Term Plan. The Planning Officer advised the planning department assisted applicants to complete their applications thereby saving them money. It was noted when hearings were involved the costs tended to expand. Councillor Burrows noted currently ratepayers were subsidizing applications and the applicants should be paying a larger portion. The Planning Officer advised if an applicant submitted a complete category one application there would be no other fees.

Moved by Councillor Diver, seconded by Mayor Gray that Council adopt the new fees as per Section 36 of the Resource Management Act to be released for public consultation.

Discussion:

Councillor Macphail enquired if a reduction in expenses had been looked at. The Chief Executive Officer advised staff had not been replaced as they had left and staff time had been reallocated to other cost centres. The Planning Officer and a portion of administration time along with standard office overheads were charged to the cost centre. The Chief Executive Officer advised the next thing to look at would be to have no Resource Consent planners on staff with all applications going to consultants. It was noted this would result in increased costs and a decrease in the level of service.

Councillor Diver noted resource consents had been put out to private companies on occasion and the cost had tripled. Councillor Burrows felt it was better for locals to be getting information from locals and the fees only affected those who were applying. Councillor Morgan enquired if

the economy was to improve whether the fees would be reduced. The Chief Executive Officer advised it would be part of the annual plan process and policy in terms of recovery. It was noted there were some fees which were being reduced.

The motion was put and carried.

Against: Councillor Macphail

8. SMOKE FREE OUTDOOR AREAS

Councillor Morgan advised a presentation had been made to the Social Service Committee regarding Smoke Free Outdoor areas.

Councillor Morgan advised Smoke Free Canterbury had been working on outdoor smoking policies for Councils over the last three years. Smoking was one of the major health problems and was the leading cause of preventable death in New Zealand. New Zealand was a world leader in terms of tobacco control and was in a position of strength because it was the only country to adopt a vision of being smoke free by a particular date, which was 2025. Smoke free was about a commitment to see steps taken to become essentially smoke free with smoking no longer the public health issue it was currently.

Smoke Free Outdoor areas were about creating an environment where smoking was no longer acceptable. Children were more likely to take up smoking when they lived in a home with smokers or they saw older teenagers and/or parents smoking. Smoke free playgrounds and green spaces were not areas where smoking was banned but were areas where people could choose to be responsible and was very much a voluntary approach. Nearly 30 Councils had adopted smoke free policies and the target was to see all Council's smoke free by 2013.

Councillor Morgan advised Christchurch had undertaken a three month trial with three parks being trialed as smoke free areas. 150 people had been interviewed regarding the trialed parks; of those interviewed 93% felt it was acceptable to have smoke free playgrounds and 89% of people who smoked thought it was acceptable as well.

Councillor Morgan advised if Council was willing to go ahead H Kimber from Smoke Free Canterbury would work with staff to develop a policy and would assist with consultation on the policy. It was generally felt the policy or suggestion would be easy to adopt with the current culture of no smoking in bars people accepted there were no smoking areas and almost expected areas to be non smoking.

Moved by Councillor Macphail, seconded by Councillor Burrows and resolved that Council further explore the implementation of a Smoke Free Outdoor Policy with the support of Smoke Free Canterbury.

9. ESPLANADE FORESHORE PROTECTION

Councillor Harmon felt the Esplanade should be the showcase of the town and it really was not. He suggested stabilising of the foreshore and

the creation of a cycle/walkway along the top of the beach. He noted it would be an expensive exercise but it did not all have to be done at once. The Chief Executive Officer advised beautification of the area was already covered in the Coastal Management Strategy. With regard to protection, Council only had resource consent for replenishing and resource consent would be required for a more permanent type of protection. Councillor Harmon felt if a start was not made on protection the sea may end up on the road. The Asset Manager would be asked to investigate artificial protection to be included in the Long Term Plan.

11. MAYOR'S REPORT

Mayor Gray advised upcoming events were the Kaikoura Cruzrs car event the following weekend and on 6 October there would be over 400 French visitors to the town.

Mayor Gray noted the continued maintenance work around the town was showing excellent results with recent work including painting of the three town bridges, installation of bollards at Jimmy Armers Beach and the tidying of the triangle at the Northern end of town.

12. COUNCIL PUBLIC EXCLUDED

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

a. Confirmation of Minutes 17/08/2011

13. KAIKOURA AQUATIC CENTRE UPDATE

The design brief compiled by the Community Facilities Charitable Trust was included in the agenda for information. The design brief would be sent to organisations/consultants to register their interest in designing the facility. The Chief Executive Officer advised the Trust wished to get to a stage where they had reviewed prospective consultants/organisations and would come back to Council with a recommendation.

There being no further business the meeting closed at 2.33pm.