

MINUTES OF THE COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 16 NOVEMBER 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, N Pablecheque.

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

1. OPEN FORUM

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

Signs Bylaw

R Hogan advised there was a number of spelling, grammatical and referencing errors in the Signs Bylaw and suggested these be corrected before the changes to the Bylaw were adopted. He noted the report in the agenda had no less than seven errors.

R Hogan advised he believed section 21.c.2 had not been through the proper public submission process and given that, he did not believe the change was allowed. He also noted there was no indication in the report as to what parts of this section had been changed.

Resource Consent List

R Hogan advised regarding resource consent notification that in a case unrelated to the West End application on the agenda, he had enquired how he could be assured notification of resource consent would be given. He advised he was told only effected parties would be notified and Council determined who those parties were. He enquired then, how an alcohol related activity was not seen to effect more than four people. He also enquired how this decision could be rolled back when the community adopted more conservative rules regarding alcohol.

The meeting adjourned at 9.12am and resumed at 10.40am.

2. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS

1. Commercial Sensitivity (Councillor Morgan)
2. Investigation of Investments (Councillor Morgan)

3. CONFIRMATION OF MINUTES

Council 19/10/2011

Moved by Councillor Macphail, seconded by Councillor Harmon and resolved that the minutes of the Council meeting held on 19 October 2011 be confirmed as a true and accurate record.

Extraordinary Council 1/11/2011

Moved by Mayor Gray, seconded by Councillor Burrows and resolved that the Extraordinary Council meeting held on 1 November 2011 be confirmed as a true and accurate record.

4. ADOPTION OF REPORTS

Works and Services Committee 19/10/2011

Moved by Councillor Holmes, seconded by Councillor Diver and resolved that the report of the Works and Services meeting held on 19 October 2011 be adopted.

Environmental Services Committee 19/10/2011

Moved by Councillor Burrows, seconded by Councillor Pablecheque and resolved that the report of the Environmental Services meeting held on 19 October 2011 be adopted.

Finance & Policy Committee 19/10/2011

Moved by Councillor Pablecheque, seconded by Mayor Gray and resolved that the report of the Finance and Policy Committee meeting held on 19 October 2011 be adopted.

Tourism and Development Committee 12/10/2011

Moved by Councillor Harmon, seconded by Councillor Macphail and resolved that the report of the Tourism and Development Committee meeting held on 12 October 2011 be adopted.

5. MEMORANDUM OF UNDERSTANDING

Included in the agenda was a Memorandum of Understanding to establish the Marlborough-Kaikoura rural fire district. The Chief Executive Officer advised the memorandum was an agreement the various parties involved had reached. The agreement spelt out the purpose, how the district would be funded and the principles. With regard to funding the Chief Executive Officer advised \$5,000 had been budgeted for the transition phase with just under \$16,000 per annum going forward.

The Chief Executive Officer advised to date National Rural Fire had advertised the proposed Enlarged Rural Fire District and two submissions had been received. One submission had been in support of the concept and one from the Oaro/Goose Bay volunteer rural fire team opposing the proposal. The Transition Board would be advertising and identifying an independent board member and also advertising for a Principal Rural Fire Officer with the aim of the Enlarged Rural Fire District being in place from 1 July 2012.

Councillor Morgan advised she was unable to find where the Enlarged Rural Fire District had been ratified by Council. The Chief Executive Officer advised the proposal was included in the Annual Plan and was ratified through that process. The Enlarged Rural Fire district would receive an annual grant from National Rural Fire for the first three years. The Chief Executive Officer advised the aim of National Rural Fire was

to reduce the number of rural fire district and they had some funding to assist with the process. Local staffing would not be affected.

6. FREEDOM CAMPING ACT

The Government had adopted the Freedom Camping Act on 29 August 2011. The Act sought to regulate freedom camping on land controlled and managed by local authorities and on land controlled or managed by Department of Conservation. The powers of regulation did not allow for freedom camping to be prohibited on all land controlled or managed by a local authority or Department of Conservation. The Act outlined Council may only enforce freedom camping restrictions or prohibition areas if those areas were identified under a bylaw.

Council needed to make a decision on whether freedom camping should be restricted through a Bylaw. It was recommended Council staff prepare a survey to gain feedback from the community and business owners regarding freedom camping and this be reported to the Tourism and Development Committee which in turn would make a recommendation to Council. The Chief Executive Officer advised the Tourism and Development Committee had been following freedom camping quite closely.

Councillor Morgan enquired if it was an issue to enforce bylaws with no one assigned to the role. The Chief Executive Officer advised different personnel were involved with the enforcement of different bylaws. He advised enforcement was also based on how proactive, reactive or active Council wished to be. Every time Council made a bylaw there was an expectation rules would be enforced and there was a cost associated with it.

Moved by Councillor Harmon, seconded by Mayor Gray and resolved that Council instruct staff to prepare a consultation survey to gain feedback from the community and business owners regarding freedom camping and report to the Tourism and Development Committee on the results, and the Tourism and Development Committee make a recommendation to Council.

7. COMMITTEE UPDATES

Mayfair Theatre

Councillor Morgan advised she had attended the Mayfair Theatre Committee meeting. She advised the funding provided by Council had been a boost but on going work was required. It was noted patronage was currently very low. The Committee was currently looking at a long term strategic plan and also a new digital projector.

The Committee was also waiting on a report regarding the building in terms of any earthquake prone building classification.

8. PROPOSED CHANGES TO THE KAIKOURA SIGNS BYLAW

The Planning Officer advised Council needed to approve the date the changes to the Signs Bylaw would come into effect. Changes were made

to the Bylaw to make it more consistent, make sense and also in response to submissions. The Planning Officer would endeavour to ensure all referencing in the document was correct.

Moved by Councillor Pablecheque, seconded by Councillor Diver and resolved that Council approve the changes to the Kaikoura Signs Bylaw to come into effect on 10 December subject to the correction of all spelling, grammar and referencing in the document.

9. MAYOR'S REPORT

Mayor Gray advised he had attended the Zone 5 meeting on 1 November 2011. He advised Civic Assurance had presented a capital raising proposal to put them back into the insurance market. They were looking for \$6.475million of new capital by way of a one for one rights issue at 90cents per share. They would be looking for shareholder approval at a special meeting in December. It was noted Council did not hold a lot of shares so it would not be a big expenses. The major stakeholders were the big city Councils. Australasia was not seen as a particularly desirable part of the world to insure currently.

10. URGENT BUSINESS

1. Commercial Sensitivity

Councillor Morgan enquired about discussing matters in public excluded due to commercial sensitivity. It was noted items would be considered commercially sensitive if releasing the information would prejudice the commercial position of someone or someone may be able to take advantage in a negotiation situation. Mayor Gray advised it applied to business in general.

The Chief Executive Officer advised in some instances it could depend on the parties being dealt with as they may not wish for a competitor to know what price they were willing to sell or buy a product for. It was noted commercial sensitivity usually related to a buying and selling situation.

2. Investigation of Investments

Councillor Morgan advised the costs involved in investigating investment options or a plan change such as the library / museum building were quite surprising. She suggested in future the estimated cost of investigating a proposal be put forward as this may effect the decision as to whether Council wished to continue.

11. COUNCIL PUBLIC EXCLUDED

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

a. Confirmation of Minutes 19/10/2011

The meeting adjourned at 11.58am for lunch and resumed at 1.30pm.

12. PUBLIC FORUM

Sam Leary was in attendance to speak about the 'Kaikoura District Rural Fire Authority – An Endangered Species'. S Leary tabled a submission and spoke to it. He raised a number of concerns held by 14 members of the Oaro / Goose Bay Rural Fire Force and Civil Defence Group and many of the residents from Peketa to the Oaro Valley regarding the Kaikoura District Rural Fire Authority.

S Leary advised of concern was that the new fire truck was not currently housed at Goose Bay. Councillor Harmon enquired if there was any reason the truck should not be stored at Goose Bay for example a lack of drivers or storage. S Leary advised the truck was ordered with full knowledge of the current shed facilities and advised the truck was too big for the shed. Councillor Morgan enquired who owned the truck. The Chief Executive Officer advised the Kaikoura District Council owned the truck.

Moved by Councillor Diver, seconded by Councillor Macphail and resolved that a report be provided by the Chief Executive Officer at the December meeting regarding the issues raised.

There being no further business the meeting closed at 1.57pm.