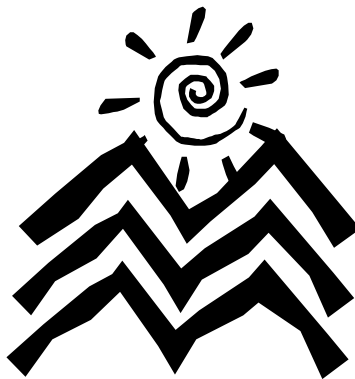




**KAIKOURA
DISTRICT COUNCIL**

***Tourism & Development Committee
Agenda***



10 May 2006

**TOURISM AND DEVELOPMENT COMMITTEE MEETING
HELD AT 1.00 PM ON WEDNESDAY 10 MAY 2006 IN
MEMORIAL HALL SUPPER ROOM, ESPLANDE,
KAIKOURA.**

Agenda

1. *Apologies*
2. *Matters to be raised as Urgent Business*
3. *Matters Arising from Report of 12/04/2006* *page 1*
4. *Minutes Action List*

Meeting	By Whom	Progress
<i>14 December 2005</i>		
Tourism Monitoring – gather information from Statistics NZ, Chamber of Commerce and figures from winter season 2005.	Tourism Officer	In progress
<i>8 February 2006</i>		
Development of Trade Manual.	Tourism Officer	In Progress
Business Surveys.	Tourism Officer	In Progress
Publish a regular tourism newsletter to entire business community.	Tourism Officer	In Progress
Develop an events strategy	Tourism Officer	In Progress
Ask local businesses for ideas and timeframes re winter marketing initiatives and report back to Committee.	Tourism Officer	In Progress
<i>12 April 2006</i>		
Develop a winter marketing flyer and obtain Committee approval prior to emailing out to local businesses.	Linda	Completed. Copy Pg 13
Deliver flyer to all local businesses via KITI database (email) and Post Office Box drop requesting their support for “Child Free” winter marketing campaign	Linda	Completed and passed to A Paterson 01/05/06

5. *Tourism & Development Statement of Accounts* *page 6*
6. *Tourism & Economic Development Officer’s Report*
The Tourism & Economic Development Officer will provide a verbal update at the meeting

7. *Draft Control of Liquor & Liquor Ban Bylaw* *page 7*
For Information.

At its meeting of 20 April Council adopted a draft Control of Liquor & Liquor Ban Bylaw. The draft Bylaw is presently out for public consultation with Submissions closing at 4pm on Friday 2nd June 2006.

8. *Draft Freedom Camping Policy* *page 11*
For Information.

At its meeting of 20 April Council resolved to consult with key stakeholders and the public for feedback on the draft Freedom Camping policy.

9. *Urgent Business*

Tourism & Development Committee Budget

For the period ended 30 April 2006

	Tourism & Development \$	
Balance Brought Forward		57,871
INCOME		
Allocation from Council (2006)		100,000
Total Funds Available		157,871
EXPENDITURE		
Personnel & Personnel Related		18,810
<u>Administration Expenses</u>		
Chch & Canterbury Marketing	5,000	
Lloyds Graphic Design	718	
Chch Press	1,794	
Green Globe Registration	1,333	
Hurunui District Council Joint Venture	1,179	
Avtec Consulting GG Audit	1,008	
Seafest Marketing	1,200	
TRENZ Chch Show	9,987	
Oz Road Show	5,000	
TCANZ Conference J Macphail	977	
KITI TDC Agreement	1,997	
Beach House Café A&P Prize Voucher	44	
Total Administration Expenses		30,237
Total Expenditure		49,047
BALANCE FUNDS REMAINING		108,824

Note that Personnel & Personnel Related expenses includes salary, recruitment, training, and establishment costs of the Tourism and Development Officer.



**KAIKOURA
DISTRICT COUNCIL**

DRAFT CONTROL OF LIQUOR & LIQUOR BAN BYLAW
2006

The Kaikoura District Council in pursuance of the powers contained in the Local Government Act 2002 (and particular Section 147 of that Act), the Bylaws Act 1910 and any other authority enabling the Council in this behalf hereby makes the following Bylaw.

1.0 *Title and Commencement*

- (i) *This Bylaw shall be known as the Control of Liquor & Liquor Ban Bylaw 2006.*
- (ii) *The Bylaw shall come into effect on the 1st August 2006*

2.0 *Interpretation*

Act – means the Local Government Act 2002.

Council – means Kaikoura District Council.

Enforcement Officer – means any Police Officer or any person appointed by the Council pursuant to Section 177 of the Local Government Act 2002 to exercise the powers of an Enforcement Officer in relation to offences against these Bylaws.

Liquor – means “any fermented, distilled, or spiritous liquor (including sprits, wine, ale beer, porter, honeymead, stout, cider and perry) that is found on analysis to contain 1.15 percent or more alcohol by volume”. Note: This is the meaning given to liquor in the Sale of Liquor Act 1989.

Offence – means an offence under Section 239 of the Act and includes the offences in clause 3 of this Bylaw.

Public Place – means a place –

- (i) *That is under the control of the Council; and*
- (ii) *That is open to, or being used by, the public, whether or not there is a charge for admission;
and includes*
 - (i) *A road, whether or not the road is under the control of a territorial authority; and*
 - (ii) *Any part of a public place.*

Specified Period – means a permanent 24 hour period where the liquor ban is in force and any additional period that may be determined by the council by resolution from time to time and publicly notified in accordance with clause 4 of this Bylaw.

Specified Public Place – means a public space defined or listed in the attached schedule and such additional place as may be defined by the council by resolution from time to time and publicly notified in accordance with clause 4 of this Bylaw.

This shall include the following areas:

- *Beach Road from Hawthorne Street to Brighton Street*
- *Ludstone Road from DOC Building to West End*
- *Davidson Terrace*
- *Whaleway Station Road to West End, including carparks & walkways*
- *Corner Churchill Street/Scarborough Street to West End*
- *Deal Street including Churchill Park*
- *Esplanade from West End to Brighton Street*
- *Torquay Street from Killarney Street to Brighton Street*
- *Upper Killarney Street to Scarborough Street/Churchill Street corner*
- *Takahanga Terrace*
- *Killarney Street*
- *Yarmouth Street*
- *Brighton Street*
- *Including the beach and foreshore of the above areas, reserve areas, sports grounds, camp areas and car parks).*

3.0 Offences

3.1 It shall be an offence under this Bylaw to:

- *Bring liquor into,*
 - *Possess liquor in, or*
 - *Consume liquor in*
- any Specified Public Place during any Specified Period.*

4.0 Addition of Specified Periods and Specified Public Places

4.1 The Council may from time to time by resolution specify additional periods during which the bringing of liquor into a public place and the possession or consumption of liquor in a public place may be prohibited and (in conjunction with such a prohibition) the presence or use of vehicles may be regulated or controlled. The council may make such a resolution in relation to any planned public event, function or social gathering to be held in a public place or in relation to a period when the congregation of a large number of people in a public place is anticipated.

4.2 The Council may from time to time by resolution specify additional public places that are to be defined as Specified Public Places and in relation to which the provisions of the Bylaw relating to the prohibition, regulation or control of liquor and vehicles may apply during a Specified Period.

4.3 Every resolution made pursuant to Clause 4.1 of clause 4.2 above shall be publicly notified at least 14 days before it shall take effect.

5.0 Exemptions

5.1 This Bylaw does not prohibit, in the case of liquor in an unopened bottle or other unopened container –

- (a) *The transport of that liquor from premises that adjoin a public place during any period when, under the Sale of Liquor Act 1989, it is lawful to sell liquor on those premises for consumption off the premises, provided the liquor is promptly removed from the public place.*
- (b) *The transport of that liquor from outside a public place for delivery to premises that adjoin the public place, provided the premises are licensed for the sale of liquor under the Sale of Liquor Act 1989.*
- (c) *The transport of the liquor from outside a public place to premises that adjoin a public place:*
 - (i) *by, or for delivery to, a resident of those premises or by his or her bona fide visitors; or*
 - (ii) *from those premises to a place outside the public place by a resident of those premises, provided the liquor is promptly removed from the public place.*

5.2 *This Bylaw does not apply to any area that is the subject of a special licence issued pursuant to the Sale of Liquor Act 1989.*

6.0 *Powers of Arrest Search and Seizure*

6.1 *In accordance with Section 169 & 170 of the Act a member of the Police may, without warrant,*

- (a) *for the purpose of ascertaining whether liquor is present, search -*
 - (i) *a container (for example, a parcel, package, bag, or case) in the possession of a person who is in, or entering, a public place:*
- (b) *seize and remove liquor and its container if the liquor is in a public place in breach of a bylaw:*
- (c) *arrest a person whom the member of the police finds committing an offence against this bylaw.*
- (d) *arrest a person who has refused to comply with a request by a member of the police -*
 - (i) *to leave the public place; or*
 - (ii) *to surrender to a member of the police the liquor that, in breach of a bylaw, is in that person's possession.*

6.2 *Before a member of the police may exercise the power of search in Clause 6.1 the Council must –*

- (a) *specify the public place where, this power may be exercised by the Police by public notice given at least 14 days in advance of the ban taking effect:*
- (b) *indicate the location of the public place by 1 or more clearly legible notices affixed in 1 or more conspicuous places on, or adjacent to, the place to which the notice relates, unless it is impracticable or unreasonable to do so.*

6.3 *If the council has not so specified a place and indicated its location under Clause 6.2, then before exercising the power of search under Clause 6.1 in relation to a container or a vehicle, a member of the police must –*

- (a) inform the person in possession of the container or the vehicle, as the case may be, that he or she has the opportunity of removing the container or the vehicle from the public place; and*
- (b) provide the person with a reasonable opportunity to remove the liquor or the vehicle, as the case may be, from the public place.*

6.4 *In accordance with Section 169 of the Act, liquor or a container seized under clause 6.1 is forfeited to the Crown if the person from whom the liquor or container is seized is convicted of breaching the bylaw.*

7.0 *Breach of Bylaw and Penalty*

7.1 *Any person who commits any offence listed in clause 3 of this Bylaw or acts in breach of any provision of this Bylaw commits an offence and on summary conviction is liable to the penalty set out in Section 242(a) of the Act (a fine not exceeding \$20,000).*

EXPLANATORY NOTES

- 1.** *The Council has considered this Bylaw in relation to the Bill of Rights Act 1990 and deemed is not to be contrary to the provisions of the Act.*
- 2.** *This Bylaw shall be reviewed within five years of the day from which the bylaw is made.*



DRAFT KAIKOURA DISTRICT COUNCIL FREEDOM CAMPING POLICY 2006

Introduction

Following and referring to the report submitted to Council in January 2006, the following policy sets a path forward in managing Freedom Camping throughout the Kaikoura District.

Council may wish to adopt the following policy while considering the following core principles:

- That the protection of the natural environment is of paramount importance
- That the health and safety of all users is protected
- To promote awareness regarding the cultural importance of the coastline including its use for food gathering
- That the opportunity for all users to interact with and enjoy the natural environment should be maximised.

Recommended Policy

It is recommended that Council adopt the following policy relating to freedom camping in the district, after which consultation and implementation of the policy shall take place.

In the Kaikoura District freedom camping on public lands shall be permitted in consideration of the following:

1. A maximum stay of two nights be permitted.
2. Use of the local commercial campgrounds be encouraged.
3. Use of public facilities (dump stations and toilets) be encouraged.
4. Self contained campervans (those with toilet facilities) are not discouraged from overnighting in the district- unless an area is designated as 'no camping' (i.e. Esplanade through to the Seal Colony).
5. Vehicles without toilet facilities shall be encouraged to stay at locations with facilities (i.e. South Bay Domain and potentially Mangamaunu providing toilet facilities are adequate).

6. A partnership between KDC and other stakeholders and affected parties work on promoting an education campaign that highlights the use of suitable locations, Kaikoura's environmental policies and philosophies and the four core principles mentioned above.

Process from here

Once KDC have agreed upon the content of a Freedom Camping Policy, consultation will take place with stakeholders to ensure their commitment to the same policy and its implementation throughout the District.

Stakeholders and landowners include KDC, Ngai Tahu, DOC, Transit and community members

We envisage the implementation will involve consultation with stakeholders to determine:

- sites that are appropriate and inappropriate for overnight stays,
- suitability of and funding for signage at locations that are not appropriate,
- effectiveness of placing signage showing locations of toilets, dump stations, resource recovery centre etc,
- development of educational material and distribution processes,
- investigate placing honesty boxes for revenue generation,
- determine appropriate management process (i.e. funding a summer education position and/or or volunteer wardens),