

**KAIKOURA DISTRICT COUNCIL MEETING FOLLOWING THE FINANCE
AND POLICY COMMITTEE MEETING ON WEDNESDAY 17 MAY 2006 IN
MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.**

AGENDA

1. *Apologies*

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

3. **Minutes to be Confirmed:**

■ *Council 20/04/06*

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Reports to be Adopted:

■ *Works & Services Committee 20/04/06*

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■ *Environmental Services Committee 20/04/06*

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■ *Finance and Policy Committee 20/04/06*

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■ *Social Services Committee 12/04/06*

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■ *Tourism & Development Committee 12/04/06*

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Minutes to be received

■ *Hearings and Applications Committee 04/04/06*

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4. *Matters arising from Confirmed minutes*

5. *Minutes Action List Update*

MEETING	ACTION REQUIRED	BY	DATE ACTIONED
	20 APRIL 2006		
Council	Prepare report to Council on development of the coastal area opposite Ocean Ridge	Stuart	Item No. 13 Page 157
	15 MARCH 2006		
Council	Proceed with plans and resource consent for new wharf	Stuart	In Progress

6. *Eligibility Policy for Housing for the Elderly*

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7. *Draft Kaikoura Dog Control Policy 2006*

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Submission to be heard:

1.15pm – M A Parsons

8. *Kaikoura Dog Control Policy 2006*

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For Adoption

9. *Draft Kaikoura Earthquake Prone, Dangerous & Insanitary Buildings Policy 2006*

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Submissions to be heard:
1.30pm – Department of Conservation
1.40pm – NZ Fire Service
1.50pm – Transit New Zealand

- 10. Kaikoura Earthquake Prone, Dangerous & Insanitary Buildings Policy 2006 For Adoption** *page 131*
- 11. Building Control Fees** *page 143*
- 12. Request for Naming of Roads – Ocean Ridge Kaikoura** *page 145*
- 13. Coastal Re-Vegetation Strategy** *page 157*
- 14. Committee Updates**
- 15. Mayor’s Report** *page 170*
- 16. Urgent Business**
- 17. Council Public Excluded Session**

Moved, seconded that the public be excluded from the following parts of the proceedings of this meeting, namely

- a. Confirmation of Minutes of Council Public Excluded meeting on 20/04/06*
- b. Confirmation of Minutes of Works & Services Public Excluded Meeting on 20/04/06*
- c. Confirmation of Minutes of Environmental Services Public Excluded Meeting on 20/04/06*
- d. Chief Executive Officer Performance Review 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
Minutes of the Council Public Excluded meeting 20 April 2006	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 deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
Minutes of the Works & Services Public Excluded meeting on 20 April 2006	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 deliberate in private on its	Section 48(1)(a) and 7(2)(b)

	decision or recommendation.	
Minutes of the Environmental Services Public Excluded meeting 20 April 2006	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 deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)
CEO Performance Review Update	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 deliberate in private on its decision or recommendation.	Section 48(1)(a) and 7(2)(b)

Eligibility Policy for Housing for the Elderly

Attached is Councils Eligibility Policy for Housing for Elderly Units which was adopted by Council on 17 February 1999. Also attached is a revised policy for consideration by Council.

The Pensioner Flat Allocation Committee have been considering the existing policy and believe age and asset issues need to be revised. Changes to the revised policy are as shown in the table below:

	Old Policy	Revised Policy
<i>Criteria One</i>		
Applicant Age	60 years of age or over	65 years of age or over
Personal Assets (preference)	\$19,000 (Single) \$24,000 (Married Couple)	\$30,000 (Single) \$40,000 (Married Couple)
Personal Assets (up to)	\$80,000	\$90,000
<i>Criteria Two</i>		
Applicant Age	50 years of age or over	60 years of age or over
Personal Assets (up to)	\$80,000	\$90,000
<i>Criteria Three</i>		
Invalid Beneficiaries	50 years of age or over	55 years of age or over
Personal Assets (up to)	No limit	\$90,000
Interest in Property	Yes	No

The rationale for the above policy change was that when the original policy was put in place the retirement age was 60. It has now changed to 65 hence the requirement of the need to increase the age limit.

In terms of personal assets the committee believed that as the cost of buying into housing in Kaikoura has increased substantially over the years it was only appropriate the level of personal assets retained by the applicant should also be increased as one could still not buy a property for \$30-\$40,000.

Criteria two will only be used if there is no applicants available under criteria 1 and as the age for criteria 1 has increased from 60 to 65, it was felt appropriate to increase the age level in criteria two to 60, so there is still a gap but it is a reduced level.

Similarly with criteria three, it is believed that the invalid beneficiaries age should increase from 50 to 55 years of age and that an asset limit be placed on the individuals, whereas under the previous criteria three there was no asset limit. Previously they were allowed an interest in property however the committee was of the view that applicants should have no other interests in property.

The committee believe that the applicants, even in the third category, should still have a general housing need and that housing need would not be apparent if they already had an interest in other property.

Recommendation

It is recommended that Council adopt the above criteria changes of the Eligibility Policy for Housing for the Elderly.

Submissions to Kaikoura Dog Control Policy 2006

Two submissions were received during the public consultation process of the Dog Control Policy 2006.

Submission 1: Alastair Campbell, as an owner of working sheepdogs for the past 56 years, objects to the microchip requirement.

Submission 2: M A Parsons requests that working dogs be exempt from micro chipping and would like Council to take a stance of non-compliance.

Microchipping requirement:

Changes to the Dog Control Act 1996 in 2003 saw the insertion of Section 36A. Section 36A requires all dogs registered for the first time on or after 1 July 2006 to be micro chipped, also from that date, all dogs that are classified as dangerous or menacing, including dogs classified since 1 December 2003. Section 36A subsection (2) requires the owner, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder of the prescribed type and in the prescribed manner. Section 36A subsection (5) states that the owner must comply with subsection (2) within 2 months after the date on which the dog is classified or registered unless the dog has been previously been implanted with a microchip of the prescribed type.

Microchipping and the Kaikoura District Council Draft Dog Control Policy:

The only mention in regard to micro chipping in the Draft Dog Control Policy is contained in Policy Seven, Issue of Infringement Notices. The policy states that an infringement notice will be issued without prior warning for failure to implant a microchip transponder in a dog.

Council may wish for the micro chipping requirement to be moved to the list of less serious offences where a warning is given prior to infringement.

The onus on getting dogs micro chipped is on the owner. The owner is in breach of the law if the owner cant demonstrate to the local authority that the dog has been chipped upon “making the dog available in accordance with reasonable instructions of the territorial authority for verification that it has been implanted with a functioning microchip transponder”.



KAIKOURA DISTRICT COUNCIL

DRAFT POLICY

Kaikoura District Council Dog Control Policy 2006

INTRODUCTION TO POLICY

The Kaikoura District Council has prepared this dog policy to meet the requirements of the Dog Control Act 1996. The Dog Control Act 1996 has given new responsibility to both dog owners and the Kaikoura District Council. The purpose of the Act is to make better provision for the control of dogs and damage caused by dogs. As a way of achieving the purpose of the Act, every territorial authority is required to develop a dog policy. This document is the dog policy for the Kaikoura District.

REQUIREMENTS OF POLICY

The dog policy is required under section 10 of the Dog Control Act 1996 to contain the following features;

- Information on proposed bylaws to be made under the Act
- Identification of public places where dogs are to be prohibited
- Identification of public or other places in which dogs are to be controlled on a leash.
- Identification of public or other places where prohibition or leashing is not required.
- Identification of areas to be designated by a bylaw as dog exercise areas.
- Identification of land which is either a controlled dog area or open dog area under the Conservation Act 1987, or a National Park under the National Park Act 1980.

The policy may contain other information and advice which the Council considers appropriate. This may include details of policy in relation to; fees or proposed fees; the issuing of infringement notices; and other information and advice.

The Kaikoura District Council will prepare this dog policy using the special consultative procedure outlined in the Local Government Act 2002. This consultative procedure will give dog owners, and the community in general, an opportunity to give Council their views on the dog control policy before it becomes finalised. In preparing this policy the Kaikoura District Council had regard to;

- a) the need to minimize danger, distress, and nuisance to the community generally; and
- b) the need to avoid the inherent danger in allowing dogs to have uncontrolled access to public places that are frequented by children, whether or not the children are accompanied by adults; and
- c) the importance of enabling, to the extent that is practicable, the public (including families) to use streets and public amenities without fear of attack or intimidation by dogs; and
- d) the exercise and recreational needs of dogs and their owners.

FURTHER LEGAL REQUIREMENTS

The territorial authority must give effects to a policy adopted under this section –

- a) by making the necessary bylaws, which must come into force no later than the 60th day after the adoption of the policy; and
- b) by repealing, before the 60th day after the adoption of the policy, any bylaws that are inconsistent with the policy.

POLICY ONE

PROHIBITION OF DOGS

Dogs are prohibited within the following areas of the Kaikoura District at all times

- Takahanga Domain
- Gooches Beach Recreation Reserve (within 10 meters of play equipment)
- Recreation Reserve (next to Finz Restaurant, South Bay Parade)
- Bayview Street Park
- Churchill Street Park (within 10 meters of play equipment)
- Seal Colony car park and Peninsula walkway
- Jimmy Armers Beach and Recreation Reserve from November 1st – March 31st each year
- Walkway from Scarborough St to South Bay
- South Bay Domain (fenced off sports area only)
- Wildlife Reserve adjacent to Lyell Creek (Ludstone Road, opposite Kaikoura Motels)
- South Bay Commercial Boat Park, Moa Point and small craft marine facility area
- Garden of Memories
- Reservoir Site, Scarborough Terrace
- Kaikoura Cemetery
- Recreation Reserve, Gillings Lane
- Gillings Lane / Beach Road playground (within 10 meters of play equipment)

Explanation for Policy

Dogs should be prohibited from the above areas at all times. These areas are recognized to be high usage recreational areas where there is a need to minimize danger, distress and nuisance to the community generally. Other areas are available where dogs can be taken on a leash or where exercising dogs is actively promoted to meet the exercise and recreational needs of dogs and their owners.

POLICY TWO

DOG LEASH AREAS

**** Leash means an adequate restraint not exceeding 2 meters in length and held by a person physically capable of restraining the dog.***

Dogs are permitted in the following areas of the District providing they remain on a leash

- West End (between State Highway 1 and Esplanade)
- Lydia Washington Walkway (West End to Deal Street)

- Annie Boyd Walkway (Torquay Street to Killarney Street)
- Takahanga Terrace to Killarney Street Walkway
- Peninsula Walkway (Torquay Street to Scarborough Street)
- Dempsey's Track (Torquay St to Scarborough Street)
- Churchill Street (West End to Scarborough Street)
- Beach Road (Mill Road to Ludstone Road/ Churchill Street intersection)

UNCONTROLLED DOGS

- Uncontrolled dogs will be impounded where appropriate
- Owners may be infringed for repeat offences
- Dogs impounded on more than three occasions within a continuous period of 24 months may be required to be neutered.

Explanation for Policy

In the above areas the recreational needs of dogs and their owners can be balanced with the safety of the community if dogs are kept on leashes. These areas are thought to have a more moderate level of recreational use than areas where dogs are prohibited. These are areas where dogs should be permitted to be exercised providing that they are under control.

POLICY THREE

AREAS IDENTIFIED AS NOT REQUIRING DOG PROHIBITION OR DOG LEASE AREAS

Dogs are permitted in every other area within the Kaikoura District except for;

- Areas specified in policy 1
- Areas specified in policy 2
- Any areas specified as **controlled or closed** areas under the Conservation Act 1987
- Any other areas where dogs are prohibited from or restricted from in any other statute or policy
- Any private land (except with consent of the landowner)

Explanation for Policy

These settlements have a small population and few recreation reserves. It would be unreasonable to prohibit dogs in these areas as dogs are less likely to cause distress, danger or nuisance to the community in general in these areas than in more densely populated areas. As the character of these townships is essentially rural in nature and there are a number of working dogs, it does not seem necessary to specify areas where dogs are required to remain on a leash.

POLICY FOUR

DOG EXERCISES AREAS

Dogs may be exercised in the following areas;

- South Bay Recreation Reserve (South Bay foreshore)
- South Bay Recreation Reserve (near start of walkway to the Seal Colony but excluding the walkway where dogs are prohibited)
- South Bay Domain (area planted in pine trees from corner of South Bay Parade to Kowhai River)
- Beach Foreshores (except Jimmy Armers Beach and South Bay Commercial Boat Park)
- River beds and the Queens Chain adjoining rivers (Esplanade Reserves or Strips)
- South Bay Domain (except the fenced sports ground area where dogs are prohibited)
- Recreation Reserve (rest area on south bank of the Kowhai River)
- Churchill Park (Dogs are prohibited within 10m of play equipment)

Explanation for Policy

Dog owners require areas which meet the exercise and recreational needs of both themselves and their dogs. These are considered to be areas where the danger, distress and nuisance caused to the community by persons exercising their dogs are minor. These areas are thought to be suitable dog exercise areas.

POLICY FIVE

REGISTRATION FEES

Dog registration fees as set in accordance with the Kaikoura District Council schedule of fees and are reviewed annually. A base registration fee is set for all dogs and a discount fee is available for the following categories of dog owners;

a) Responsible Dog Owners

Dog owners must apply for responsible dog owner status. In order to qualify for responsible dog owner status, dog owners will be inspected to ensure they qualify for approval. Owners will initially be invoiced the base registration fee and refunded for responsible dog owner discount if successfully approved. Once approved, responsible dog owner status remains in force unless cancelled. Owners will be charged a discounted responsible dog owner fee each year.

b) Owners of three dogs or more

Owners of three dogs or more will be charged a flat fee in accordance with the Kaikoura District Council schedule of fees. Owners of three dogs or more will not qualify for any additional discounts.

c) Owners of dogs which are neutered or spayed

Owners of dogs which are neutered or spayed will be charged a discounted fee in accordance with the Kaikoura District Council schedule of fees. Owners will initially be invoiced the base registration fee and refunded a neutered or spayed dog discount once evidence of the de-sexing has been provided. Once approved, owners will be charged a discounted registration fee each year.

d) Owners of Guide dogs

Owners of guide dogs will be charged a discounted fee in accordance with the Kaikoura District Council schedule of fees. Owners will initially be invoiced the base registration fee and guide dog

discount given on application. Guide dog owners will be charged a discounted registration fee each year.

e) New owners of unclaimed dogs

New owners of unclaimed dogs will be charged a discounted registration fee set in accordance with the Kaikoura District Council schedule of fees. These dog owners will be charged a discounted registration fee each year.

If a dog falls into two of the above categories (i.e. they are spayed and their owners qualify for responsible dog owner status) only one discount will be given. This discount will be the larger of the two or more discounts available to the dog owner.

Explanation of Policy

The base registration fee is set and reviewed annually in accordance with the Kaikoura District Council schedule fees. Revenue from Dog registration is accounted for separately from Council revenue. Any credit balance left in the dog account at the end of the financial year will be transferred to the dog registration account the following financial year and used to reduce dog registration fees for that following year wherever possible. The fees schedule recognizes that owners of dogs which fall into the above categories should be entitled to a discounted registration fee. For responsible dog owners the discounted fee is aimed to act as an incentive for all dog owners to qualify for responsible status.

POLICY SIX

IMPOUNDING DOGS

Dogs will be impounded in accordance with section 52 of the Dog Control Act 1996. Impounding fees are set in accordance with the Kaikoura District Council fees schedule and are reviewed annually.

Claimed Dogs

All impounding fees and any outstanding registration fees shall be paid before the dog is released from the pound.

Owners of impounded dogs will be encouraged to de-sex their dogs.

Unclaimed Dogs

Unclaimed dogs will only be released from the pound to the new owners when the dog is registered and any registration fees are paid. Payment of impoundment fees will not be required for new owners of unclaimed dogs.

New owners of unclaimed dogs will be encouraged to de-sex their dog.

Explanation for Policy

The Act sets guidelines for the impoundment of dogs and provides a mechanism for the Council to charge impoundment fees. During impoundment the registration of the dog will be checked to ensure registration has occurred and to locate the dog owner. All outstanding registration fees are required to be paid before release from the pound. As an incentive to potential owners of unclaimed dogs a discounted registration fee is available. However, we consider it good practice

that dogs are de-sexed before they are released to new dog owners in order to reduce the population of unwanted dogs.

POLICY SEVEN

ISSUE OF INFRINGEMENT NOTICES

Infringement notices will be issued in accordance with the Dog Control Act 1996 for the following offences without prior warning;

- s 18: Wilful obstruction of dog control officer or dog ranger. **Fine \$1000**
- s 19(2): Failure or refusal to supply information or willfully stating false particulars. **Fine \$1000**
- s 28(5): Failure to comply with effects of disqualification. **Fine \$1000**
- s 32(4): Fraudulent sale or transfer of dangerous dog. **Fine \$1000**
- s 36 A: Failure to implant microchip transponder in dog. **Fine \$500**
- s 41: False statement relating to registration. **Fine \$1000**
- s 46(4): Fraudulent attempt to procure replacement label or disc. **Fine \$1000**
- s 51(1): Removal or swapping of labels or discs. **Fine \$1000**
- s 62(1): Allowing dogs known to be dangerous to be at large unmuzzled. **Fine \$1000**

Infringement notices will be issued in accordance with the Dog Control Act 1996 for the following offences with prior warning;

- s 20(5): Failure to comply with any bylaw authorised by section 20. **Fine \$500**
- s 42: Failure to register dog. **Fine \$300**
- s 49(4): Failure to advise change of address. **Fine \$100**
- s 48(3): Failure to advise change of ownership. **Fine \$100**
- s 52(A): Failure to keep dog controlled or confined. **Fine \$300**
- s 53(1): Failure to keep dog under control. **Fine \$300**
- s 54(A): Failure to use or carry a lead in a public place. **Fine \$100**

Explanation for Policy

The first group of offences listed are thought to be serious in nature that an infringement notice should be issued without any prior warning. The second group of offences are recognized as requiring a warning before any further action is taken such as issuing an infringement notice.

POLICY EIGHT

NUMBER OF DOGS PERMITTED IN URBAN AREAS

Two dogs are permitted to be kept in residential areas with the Kaikoura Township and the outlying township settlements of: Oaro, Goose Bay, Peketa, Hapuku, Rakautara, Clarence and Kekerengu. An application shall be made for a licence for more than two dogs to be kept in these areas. Applications are not required for litters of puppies under the age of three months. Applicants will be required to demonstrate compliance with the responsible dog owner criteria as outlined in appendix one.

Explanation for Policy

The number of dogs kept in urban areas is required to be controlled due to the potential nuisance larger numbers of dogs may cause. Dog owners can keep more than two dogs in urban areas providing they qualify for responsible owner status.

POLICY NINE

CONTROLLED DOG AREA UNDER CONSERVATION ACT 1987

The following areas are specified as controlled dog areas under the Conservation Act 1987;

- No areas have been gazetted as controlled dog areas within the Kaikoura District

POLICY TEN

OPEN DOG AREA UNDER THE CONSERVATION ACT 1987

The following areas are specified as open dog areas within the Kaikoura District.

- No areas have been gazetted as open dog areas within the Kaikoura District

POLICY ELEVEN

REMOVING DOG FAECES

The owner of any dog which defecates in a public place or on land or premises other than that occupied by the owner shall be required to immediately remove faeces.

A maximum fine for this offence will be \$200.

Explanation for Policy

Dog owners are required to remove any dog faeces that their dog deposits. The reason for this is that dog faeces is a nuisance and potential health hazard if deposited in public places.

This policy may be amended at any time subject to using the public consultation procedure specified in the Local Government Act 2002

APPENDIX ONE

Criteria for Assessment for Responsible Dog Owner Status

The following criteria shall be used to assess whether applicants qualify for responsible dog owner status;

- No dog owned by the applicant has been impounded, chased, or returned home by the Council Dog Control Staff or been the subject of any bone fide complaint in the last two years.
- All dog registration fees have been paid by the due date for the last two years (if applicable)
- The dog owner has not been prosecuted in the past for any dog related offences.
- The dog owner informs the Council in writing of the; purchase of, death, sale of, transfer of dogs to and from the owners property.
- The property is suitably fenced to ensure that dogs cannot escape.
- There is a dog free access to a door of the dwelling which is provided for authorised callers.
- All dogs owned by the applicant are registered in accordance with the Dog Control Act 1996 and kept and controlled in accordance with the Act and current Council bylaws
- The applicant has been a recorded dog owner and resided within the Kaikoura District for twelve months.
- The applicant collects any faecal matter (droppings) deposited by their dog(s) in any public place or on any land other than that occupied by the owner and deposits it in a suitable receptacle.
- The applicant notifies Council of any changes in residential address within the district within 14 days.
- The applicant can demonstrate to comply with any other matter specified by the Dog Control Officer.

Responsible dog owner applicants are required to apply using a form which can be obtained from the Council Offices, 34 Esplanade, Kaikoura. Assessment of responsible owner status will be made by inspection to the dog owner's property.

**Draft Kaikoura Earthquake Prone, Dangerous & Insanitary
Buildings Policy 2006**

Kaikoura District Council

Building Act 2004

Proposal Statement

And Draft To Formulate

Earthquake – Prone and Insanitary Buildings

Policy 2006

March 2006

Draft #01 - 17th February 2006

Introduction

The Building Act 2004 (“the Act”) requires Council to adopt an earthquake-prone and insanitary buildings policy to ensure that all earthquake prone buildings are identified, assessed and strengthened to at least the minimum prescribed standard to reduce the potential of injury, loss of life and damage to other property in the event of a moderate earthquake. This consideration could in some cases result in the demolition of a building.

It is a mandatory requirement of the Act S. 131 that Council implements specific Policy and S. 132 sets out the procedures in terms of the introduction and formulation of the Policy.

The policy is required to state:

1. the approach that Kaikoura District Council will take in performing its functions under the Building Act 2004
2. Kaikoura District Councils priorities in performing those functions
3. how the policy will apply to heritage buildings

In developing and adopting this policy Kaikoura District Council will have followed the consultative procedure as defined by section 83 of the Local Government Act 2002.

The Building Act 2004 requires this Policy to be in place before 31st May 2006

This policy is required to be reviewed at least every five years thereafter.

Local Seismic Indicators

Kaikoura District is directly involved with seismic futures having numerous faults and thrusts within its boundaries. The formation of the seaward and inland ranges and valleys stand testament to this fact.

A pictorial demonstration of the multiple seismic influences can be seen in the A3 map attached to the Woodward – Clyde Seismic Hazard Evaluation Report prepared for Kaikoura District Council and dated September 1995.

Clearly defined strike-slip and thrust faults have been identified to the extent that our Kaikoura District is the most seismically active area of New Zealand.

The Woodward – Clyde evaluation of seismic hazard in the Kaikoura district has recommendations that should be considered in terms of the Long Term Council Community (LTCCP) Plan and the future direction of building activity. This consideration could assist to minimize damage to buildings and associated risk to the occupants by recognizing key indicators such as a buildings location and design.

Using the Modified Mercalli (MM) Scale, demonstrated in the Woodward – Clyde report, and the likely earthquake event intensity expectation of the New Zealand Society of Earthquake Engineers any development in the region should be influenced and designed accordingly.

This policy does not enter into tsunami events being as a result of seismic activity.

Background

The previous Building Act 1991 specifically targeted “un-reinforced masonry” structures. This ring fenced seismic concerns to that type of building without addressing the wider issues of potentially unsafe structures, rather using other sections of the 1991 act such as “Dangerous or Insanitary Buildings” jointly with the enforcement sections to achieve safer buildings in our community. Whereas the Building Act 2004 is focused in purpose by section 3:

- a. People who use buildings can do so safely and without endangering their health.

And connectively:

- b. People who use a building can escape from the building if it is on fire,

More specifically section 4 of the Act sets out an extensive list of matters that Council must have regard for in the performance of its functions and discharge of its duties.

Pertinent provisions include:

- a. the need to ensure that any harmful effect on human health resulting from the use of particular building methods or products or of a particular building design, or from building work, is prevented or minimized:
- b. the importance of ensuring that each building is durable for its intended use:

and others.

Previous efforts throughout New Zealand to strengthen earthquake prone buildings initiated strong debate in terms of social and economic effects within the community with an emphasis on long term safer buildings versus affordability. This is reflected and somewhat appeased in the duration for remediation works on buildings confirmed as being earthquake prone as demonstrated in the policy.

Meaning of an Earthquake-prone Building

s. 122 of the Act:-

- (1) A building is earthquake prone for the purposes of the Act if, having regard to its condition and to the ground on which it is built, and because of its construction, the building –
 - a. will have its ultimate capacity exceeded in a moderate earthquake (as defined in the regulations,); and
 - b. would be likely to collapse causing –
 - (iii) injury or death to persons in the building or to persons on any other property; or
 - (iv) damage to any other property
- (2) Subsection (1) does not apply to a building that is used wholly or mainly for residential purposes unless the building –

- a. comprises 2 or more stories: and
- b. contains 3 or more household units

Moderate earthquake has the same meaning as section 7 in the Building Regulations 2005 where – “– moderate earthquake means, in relation to a building, an earthquake that would generate shaking at the site of the building that is of the same duration as, but that is one third as strong as the earthquake shaking (determined by normal measures of acceleration, velocity and displacement) that would be used to design a new building at that site.”

Liquefaction

Much of Kaikoura has a foreshore with a pea shingle subsurface that may attract liquefaction status. Liquefaction occurs where the subsurface soils react to seismic movement by behaving in a similar manner to liquid in terms of its ability to support a building with subsequent structural damage or catastrophic collapse as a possibility.

Liquefaction is normally a greater risk when shallow ground water is present and is in conjunction with the aforementioned pea shingle. Whilst there have been a number of reports relating to seismic activity in the district liquefaction has not been extensively investigated. The Institute of Geological and Nuclear Science in Wellington have no specific detail on this subject for Kaikoura. Similarly Environment Canterbury have little to offer on the subject within Kaikoura.

Earthquake Prone and Insanitary Buildings - Identification

Kaikoura has few buildings over two floors in height that do not have a proven record of service but that alone does not mean assessment is not necessary for even minor buildings.

The New Zealand Building Code clause B1 ‘Structure’ demands a performance:

Buildings, building elements and site work shall have a low probability of rupturing, becoming unstable, losing equilibrium, or collapsing during construction or alteration and throughout their lives.

Clause B1 specifies a number of factors for consideration including earthquake, differential movement, earth pressure and adverse effects due to insufficient separation from other buildings.

There are numerous considerations and structural engineering principles to apply both in terms of seismic loadings and other natural hazards. It would be safe to say that the required expertise for an overall assessment of buildings could be sourced from consultants in conjunction with Councils in house engineers.

It would be prudent to note at this point that whilst NZS4203 is current (March 2006) at this date for the purposes of determining whether a building is earthquake prone or not the Department of Building and Housing is considering its replacement. The latter, possibly during 2006, standard AS/NZ 1170 part 5: 2004 calls for an increase in the threshold value.

The giving of information through land information memoranda and any requisition of Council should consider AS/NZ 1170 as “the means of assessment” to avoid any potential of upgrading recent required

building works on an earthquake – prone structure being carried out under the outgoing lesser standard NZS4203.

The result of this of course may require a second upgrade for the structure to comply as NZS1170 is some 20% higher than its expected predecessor the current NZS4203.

Key Sections of the Policy

The Building Act 2004 and the Building regulations 2005 define the meaning of an “earthquake prone building”. As a general guidance, an earthquake prone building will have a strength that is 33% or less of the current loadings code. The current loadings code is NZS4203:1992 “Code of Practice for General Structural Design Loadings for Buildings”. That document is to be replaced by NZS1170.5:2004 “Structural design Actions”. That latter standard has been published and is expected to be cited in the Compliance Documents for the New Zealand Building Code in 2006 but not before the mandatory adoption of this policy.

It should be noted that the test for whether a structure is earthquake prone or not is in terms of the current loadings code (presently NZS4203).

Once a building has been classified as earthquake prone it will need to be strengthened, or if appropriate demolished. There is no specific provision that Council can rely on to insist that a particular capacity be attained, the legislation has not addressed the upgrading process in a definitive way, rather that Council should encourage the owner to strengthen the structure to the greatest extent possible.

Timeframes for Remediation

Five and ten years seems to be a widely accepted remediation timeframe for other than demolition, insanitary and or “Dangerous Buildings” in terms of the Building Act 2004. Buildings assessed as having a more urgent remediation program because of pending structural failure during an earthquake event or insanitary conditions may need a stated lesser time span. In this case each earthquake prone or insanitary building not attracting the five or ten year category should be taken on merit after consultation with the appropriately qualified engineer using the importance levels defined in clause 1.6 herein, the Director General of Health and where applicable New Zealand Historic Places Trust.

For the purposes of this policy each building deemed to be earthquake prone by Council engineers shall be remedied by the application of section 1.7 “Priorities” of this policy or a shorter time span as qualified by Council engineers.

Council engineers shall consider:

- the condition of the subject building
- the use of the building
- occupant density
- location of the building
- heritage buildings / sites
- NZ Fire Service recommendations

in addition to widely accepted engineering principles and the New Zealand National Society for Earthquake Engineering, 1985; *Recommendations and Guidelines for Classifying , Interim Securing and Strengthening*.

Any recommendation involving building work as defined in the Building Act 2004 will attract the need for a building consent in terms of section 40 of the Act notwithstanding emergency procedures to remove a hazardous situation. Emergency procedures will include consultation with not only the building owner but other stakeholders including but not limited to NZHPT and Te Runanga o Kaikoura.

Heritage Buildings

Nothing in this policy will negate Councils recognition of the importance of the regions cultural, historical and heritage values and the need for specialist input to protect against invasive actions by any party who signals an interest in any building, structure or site.

Kaikoura District Council is committed to offering heritage buildings within its boundaries a good chance of surviving a major earthquake. However Council does not wish to see the intrinsic heritage values of these buildings adversely affected by structural improvement measures.

Heritage buildings will be assessed in the same way as other potentially earthquake prone buildings and discussions held with owners and the Historic Places trust to identify a way forward. Focused efforts will be made to meet heritage objectives.

Following this consultation period notices will be served requiring improvements or demolition within a stated (preferably agreed) timeframe. In some cases Council may deem it necessary to consult with the general public.

1. Overall Approach

Kaikoura district Council will:

1. review its whole building stock to identify buildings that fall within the scope of potential earthquake prone or insanitary buildings under the Building Act 2004
2. assess broadly the performance of those buildings in relation to the new building standard and, in particular, to the standard defined for earthquake prone buildings. This broad assessment will be carried out at Councils cost.
3. determine from this assessment a list of buildings that are earthquake prone in terms of the Building Act 2004.
4. advise owners of the affected buildings of Councils findings and invite them, within a stated timeframe, to meet with and or obtain further detail from Council on future requirements.
5. serve notice to all owners of earth quake prone buildings once the stated timeframe for meeting with Council has passed and, subject to the results of discussions, to carry out work to reduce or remove the danger or demolish the building within a specified timeframe.
6. allow owners a right of appeal as defined by the Building Act 2004 which can include an application for a determination in terms of section 177 of the Act.

1.1 Identification of Earthquake - prone or Insanitary Buildings

Kaikoura District Council will:

1. undertake an initial desktop review of Council files in an effort to locate potential EQP buildings
2. follow up with site inspection where deemed necessary
3. carry out initial evaluation of performance in earthquake based on information obtained by using the NZSEE Initial Evaluation Method process
4. require identified EQP building owners to carry out detailed assessment on their buildings unless otherwise agreed
5. maintain a list of EQP buildings according to the results of assessment
6. categorize the EQP buildings according to the following:
 - a. Buildings with special post disaster functions as defined in AS/NZ 1170.0:2002. Importance Level 4.
 - b. Buildings that contain people in crowds or contents of high value to the community as defined in AS/NZ1170.0 : 2002, Importance level 3.
 - c. Buildings with a heritage classification of A or B under Councils register.
 - d. Buildings with an Importance Level less than 3 as defined in AS/NZ 1170.0: 2002

1.2 Assessment Criteria

For practical purposes, Kaikoura District Council will define EPB's as those that, when subjected to a moderate earthquake, do not meet nor exceed the criteria for ultimate limit state as defined in the loadings and materials Standards for new buildings.

Council will use the NZSEE recommendations as its preferred basis for defining technical requirements and criteria. These recommendations are designed to be used in conjunction with AS/NZ1170 Loadings Standard, NZS 3404 Steel Structures Standard and other materials standards.

1.3 Taking Action on Earthquake –prone Buildings

Kaikoura District Council will:

1. advise and liaise with owners of buildings identified as being earthquake prone
2. encourage owners to carry out an independent assessment of the structural Performance of those buildings
3. serve formal notices on owners of earthquake prone buildings in accordance with the Building Act 2004 s.124 requiring them to remove the danger.

4. allow owners to appeal against the classification within 12 months of the receipt of Notice.

1.4 Interface between the Building Act 2004 and EPB

1.4.1 The Building Act 2004 section 112 Alterations to an existing building.

Whenever a building consent application is received for significant upgrading or alteration of a building that is or could be earthquake prone, then, irrespective of the general priorities set by Council for dealing with EQP buildings, Council will not issue a building consent unless it is satisfied that the building is not earthquake prone and that the building work will not detrimentally affect the buildings compliance with the building code.

If the building is shown to be earthquake prone, then the council will require that the building be strengthened to comply as nearly as is reasonably practicable with the provisions of the building code.

1.4.2 Section 115 : Change of Use

Whenever a building consent is received for a change of use of a building that is or could be earthquake prone, then, irrespective of the general priorities set by Council for dealing with EQP buildings, it will be a requirement of the building consent that the owner initiates a detailed assessment of the earthquake performance of the building to determine whether or not it is an EQP building in its existing condition.

If the building is shown to be earthquake prone then the Council will require that the building be strengthened to comply as nearly as is practicable with every provision of the building code that relates to structural performance as is required by the Building Act 2004 section 115(b) (i) (A) (In this instance the requirement for EQP buildings would be the same as that for non-earthquake buildings.)

1.5 Dealing With Building Owners

The steps in the process are outlined in 1.3 above.

1.5.1 Before exercising its powers under the Building Act 2004 section 124, Council will seek, within a defined time-frame, to discuss options for action with owners with a view to obtaining from the owner a mutually acceptable approach for dealing with the danger, leading to receipt of a formal proposal from owners for strengthening or demolition.

1.5.2 In the event that discussions do not yield a mutually acceptable solution Council will serve a formal notice on the owner to strengthen or demolish the building.

1.6 Recording a Buildings EQP Status

A register of all EQP and insanitary buildings shall be kept by Council noting the status, any requirements for improvements or the results of improvements as applicable.

In addition, the following information will be placed on the Land Information Memoranda produced by Council under the Building Act 2004:

- i. an address and legal description of land and building
- ii. a statement that the building is on the council register of EQP buildings
- iii. the date by which strengthening or demolition is required if known
- iv. a statement that further details are available from the Council for those who can demonstrate a genuine interest in the property.

In granting access to information concerning earthquake-prone and insanitary buildings the Council will conform to the requirements of relevant legislation.

1.7 Priorities

Kaikoura District Council has prioritized both the identification and the requirement to strengthen or demolish buildings as follows.

Figures in brackets indicate the latest date for identification and notification and the maximum times for strengthening or demolition respectively. Times required for strengthening or demolition commence on the date of issue of formal notice. Specific times will be assigned for action according to the assessment of structural performance and the nature of the concerns.

The order will be as follows:

1. Buildings with special post-disaster functions as defined in AS/NZ 1170.0: 2002, Importance Level 4 (December 2008) **15 years**
2. Buildings that contain people in crowds or contents of high value to the community as defined in AS/NZS 1170.0: 2002, Importance Level 3 (December 2009) **20 years**
3. Buildings with a heritage classification of A or B under the Councils register (December 2010) **25 years**
4. Buildings with an Importance Level of less than 3 as defined in AS/NZ 1170.0: 2002 (December 2011) **30 years**

2.0 Heritage Buildings

Heritage buildings will be assessed and categorized as with other buildings in terms of EQP procedure however Council and the owners or owner's agents must have regard to the heritage status of a subject building.

The Building Act 2004 section 4 (2) (1) recognizes the – “ need to facilitate the preservation of buildings of significant cultural, historical or heritage value”

Kaikoura District Council is mindful that any building work or ground disturbance must recognize the heritage fabric of the site and minimize any intrusion thereon.

Council accepts that should any heritage building (as defined by both the Kaikoura District Plan and the NZ Historical Places Trust) requiring strengthening, alteration or demolition following the assessment processes of this policy, all stake holders will be invited to take part in the consultation process. In normal circumstances resource consent from Kaikoura District Council would be required to significantly alter, strengthen or demolish a heritage building. An archaeological authority may also be required from Environment Canterbury and New Zealand Historic Places Trust in the event of earthworks associated with a pending demolition of an EQP building

Consultation where an heritage building is deemed to be earthquake prone may include representatives from but not limited to:

- New Zealand Historical Places Trust
- Te Runanga o Kaikoura
- The building owners
- Kaikoura District Council
- Department of Conservation
- Interested community groups

Consideration to waiving resource consent fees for heritage building enhancement may be available through the Kaikoura District Council by application.

KAIKOURA DISTRICT COUNCIL

Draft - Earthquake-prone and Insanitary Buildings Policy

The Building Act 2004 requires Kaikoura District Council to adopt policy on how to deal with earthquake prone, dangerous and insanitary buildings.

The draft has been prepared and is now presented for public comment in accordance with the special consultative procedures described in section 83 of the Local Government Act 2002.

Council is required to adopt the policy prior to 31st May 2006.

The policy must state –

- The approach that the territorial authority will take in performing its functions under this Part; and
- The territorial authority's priorities in performing those functions; and
- How the policy will apply to heritage buildings.

The draft schedules those persons and organizations who may have an interest in the earthquake – prone buildings and how they may be affected by such a policy.

Council invites all interested persons, organizations and community groups to have input into the policy.

Further details are available from:

Kaikoura District Council Offices
34 Esplanade Kaikoura

Proposal for:

Earthquake – Prone and Insanitary Buildings Policy

Background

Council is required to adopt an Earthquake – Prone and Insanitary Buildings Policy in accordance with the Building Act 2004 s.131.

This section of the Act requires the policy to be in place before 31st May 2006.

The proposed policy is subject to the consultative procedures in the Local Government Act s.83 and will thereafter be concluded with a copy of the adopted policy being sent to the Chief Executive Officer of the Department of Building and Housing.

Purpose of This Report

The purpose of this report is to seek Councils approval and adoption of the subject Policy following the consultation procedures of the Local Government Act s.83.

The Objective

The objective is to ensure that Council complies with the requirements of the Building Act 2004 in addition to a safer community.

The Options

1. To adopt the Policy
2. Not adopt the report
3. To recommend variation to the proposal prior to the consultation process.

The Cost

The building owners will be affected by building upgrades where their building has been identified as being earthquake prone or insanitary. In all but severe cases the owners will have a number of years to comply with notices served by Council.

The community at large may be affected should a significant number of buildings be identified as being EQP although with a small number of building stock Kaikoura's community generally would see little change in terms of cost.

Council's cost would be involved with the following resources:

- A desk top review of potential EQP building files
- Contact with EQP building owners and follow-ups
- Enforcement potential

The Result

Council will have complied with the Building Act 2004 requirement.
The community can be assured of a safer environment.

Recommendation

That Council adopts the policy

Report to Council Building Control Fees

Building Control fees for the Kaikoura District Council were last increased in May 2004. That increase was in line with the number of increased inspections required to comply with the new E.2. requirement of the New Zealand Building Codes Approved documents.

These proposed increases are also to cover the further increased costs in compliance with the New Zealand Building Act 2004 Section 212, to become an accredited Building Consent Authority.

A Building Consent Authority, once accredited, will be duty bound to maintain that accreditation and will be audited accordingly. There is a huge cost to the Council in respect of the fees, consultancy and staff resources to gain and maintain this function of building control operation.

The proposed increase is generally 10% on the value of all current fees (rounded to the nearest \$5) except for some categories of minor works. It is also to be noted that there are some new proposed set application fees for some sections of the New Zealand Building Act 2004. These set application fees are plus any other costs incurred.

(These prices include processing of Building consent and Pim, set inspections, and Code of Compliance . Extra inspections required will be charged out at \$99 per inspection. Prices include GST)

		<i>2004/05</i>	<i>Proposed 2006/07</i>
A1	Com/Ind >\$500,000	\$2,500 (deposit)	\$2750.00
B1	Com/Ind <\$500,000	\$1,710	\$1,860.00
B2	Com/Ind Medium	\$1,170	\$1,270.00
B3	Com/Ind Small with Pim	\$720.00	\$780.00
B4	Com/Ind Small minor interior	\$450.00	\$495.00
C1	Com Accom >9 or b/packer	\$2,790.00	\$3,040.00
D1	Com Accom <9 or b/packer	\$2,205.00	\$2,400.00
E1	Res dwelling > 250m ²	\$1,800.00	\$1,960.00
F1	Res dwelling <250m ²	\$1,530.00	\$1,665.00
F2	2 flats one Pim	\$2,250.00	\$2,455.00
F3	Building Alt/add Large (not dwelling)		\$1,365.00
F3.1	Building Alt/add Medium (not dwelling)		\$1080.00
F3.2	Building Alt/add Small with Pim or drainage		\$685.00
F3.3	Building Alt/add Small without Pim (not dwell)		\$495.00
F4	Building Alt/add Small with plumbing & Pim		\$780.00
F4.1	Building Alt/add 2 inspec/no pim/minor		\$395.00
F4.2	Building Alt/add Small /no pim/4 inspections		\$595.00
F5	Building Alt/add small Pim/3 inspections		\$585.00
F5.1	Building Alt/add small no pim/5inspections		\$690.00
G1	Dwelling Add Large	\$1,260.00	\$1,365.00
H1	Dwelling Add Medium	\$990.00	\$1080.00
H2	Dwelling Add Small with Pim or drainage	\$630.00	\$685.00
H3	Dwelling Add Small without Pim	\$450.00	\$495.00
H4	Dwelling Add Small with plumbing & Pim	\$720.00	\$780.00

H5	Dwelling Add	2 inspec/no pim/minor	\$360.00	\$395.00
H6	Dwelling Alter	Small /no pim/4 inspections	\$540.00	\$595.00
H7	Dwelling Alter	small Pim/3 inspections	\$540.00	\$585.00
H8	Dwelling Alter	small no pim/5inspections	\$630.00	\$690.00
I1	Dwelling reloc	Foundation & services	\$900.00	\$970.00
K1	Garage/farm bg	2 inspects/Pim	\$360.00	\$385.00
J1	Garage	with plumbing	\$630.00	\$685.00
K2	Garage reloc	foundations & stormwater	\$270.00	\$285.00
K3	Garage	existing Pim	\$270.00	\$295.00
K4	2 garages/farm	2 garages with 1 pim	\$540.00	\$585.00
K6	Garage + 1	Garage extra inspection	\$450.00	\$485.00
L1	Sleepout	no plumbing	\$540.00	\$585.00
M1	Sleepout	with plumbing	\$630.00	\$685.00
N1	Demol/Reml	Residential or Commercial	\$270.00	\$295.00
O1	Septic tank/drain	New or replacement	\$270.00	\$295.00
O1.1	Plumbing	Minor		\$99.00
P1	Minor work	Deck,fences,swimming pool, Minor alterations	\$180.00	(1 insp) \$180.00 no
	change			
P2	Minor work	2 inspections		
R1	Solid Fuel Heaters	Freestanding	\$101.25	\$101.25
S1	Solid Fuel Heaters	Inbuilt	\$168.75	\$168.75
T1	Masts & Misc		\$360.00	\$360.00
T2	Marquee	Over 30m ²		\$49.50
	Pim only	Commercial >\$500,000	\$270.00	
	Pim only	Commercial Accom>9	\$270.00	
	Pim only	Commercial Accom<9	\$225.00	
	Pim only	Commercial Accom<9	\$180.00	
	Pim only	Small/Med & garage	\$90.00	
X1	Work No Fees			
	Branz Fee	1% of value of building work over \$20,000		
	DB & HFee	1.97% of value of building work over \$20,000		
	Compliance Schedule/or amendments			\$100.00
	Notice to Fix			\$100.00
	Section 37 (RMA Matters)			\$50.00
	Section 52 (Lapse of Building Consent)			\$50.00 plus costs
	Certificate of Acceptance (Section 99) Application fee			\$500.00 +
	Building Consent fee, Levies if applicable plus any cost of Legal .Review			
<hr/>				
	Vehicle Crossing		\$56.25	\$225.00
	Lims (within 10 working days)		\$150.00	\$168.00
	Lims (fast track 1-2 days)		\$225.00	\$255.00

Report to Council

Request for Naming of Roads –Ocean Ridge Kaikoura

Background:

The Local Government Act provides that Council is responsible for the naming and alteration of names of roads. Council is also enabled under that act to delegate any of its functions to a committee or sub-committee of the Council.

At its meeting of 20 April 2005 Council was required to establish a name for a new road. This was the first time for a number of years. It was suggested at that point that Council consider whether it wished to delegate the naming of roads to a specific committee of Council such as the Works & Services Committee, the Environmental Services Committee or the Hearings & Applications Committee. Council was advised at that time consideration of street names was likely to arise with the establishment of new subdivisions in the district.

At its meeting of 17 August 2005 Council resolved that the status quo remain and that the Council itself be responsible for the naming of roads within the district. It was further resolved that Council ask for recommendations from the Chief Executive Officer and staff to put forward a list of possible names of native birds.

A list of names of native flora and fauna of the district was provided to Council by Councils Biodiversity Officer following this request. Incorporated in the list were native birds, plants, fresh water fish, reptiles, marine mammals and marine fish.

At the Council meeting of 21 September 2005 Council adopted the following list of native bird, plant, marine mammal and fish names to be used as a guide for the naming of future roads created through subdivision which can be updated and amended as necessary:

Name in Maori	Name in English	Scientific Name
Hoiho**	Yellow-eyed penguin	<i>Megadyptes antipodes(stable)</i>
Kāhu*	Australasian harrier	<i>Circus approximans</i>
Kākā** (I/U)	South Island kaka	<i>Nestor meridionalis meridionalis</i>
Kahu*	Harrier	
Kākāriki**	New Zealand parakeet	<i>Cyanoramphus spp.</i>
Kakaruai*	South Island robin	<i>Petroica australis australis</i>
Kakī	Black stilt	<i>Himantopus novaeseelandiae</i>
Kāmana*	Crested grebe	<i>Podiceps cristatus</i>
Kārearea**	New Zealand falcon	<i>Falco novaeseelandiae (Nationally Threatened)</i>
Karoro*	Black-backed gull	<i>Larus dominicanus</i>
	Black billed gull*	<i>Larus bulleri(serious decline)</i>
	Black fronted tern*	<i>Sterna albobriata (serious decline)</i>

Name in Maori	Name in English	Scientific Name
	White fronted tern*	<i>Sterna striata striata</i>
Kea* (I/U)	Kea	<i>Nestor notabilis</i> (Nationally threatened)
Köau*	Black shag	Phalacrocorax carbo (Sparse)
	Pied shag*	<i>Phalacrocorax varius varius</i> (Sparse)
	Little Black Shag*	<i>Phalacrocorax sulcirostris</i> (Sparse)
Koekoeä**	Long-tailed cuckoo	<i>Eudynamys taitensis</i>
Köparapara or Korimako*	Bellbird	<i>Anthornis melanura melanura</i>
Kororä*	Blue Penguin	<i>Eudyptula minor</i>
Kötare* (I/U)	Kingfisher	<i>Halcyon sancta</i>
Kötuku** (I/U)	White heron	<i>Egretta alba</i>
Köwhiowhio**	Blue duck	<i>Hymenolaimus malacorhynchos</i>
	Marsh Crake*	<i>Porzana pusilla affinis</i> (Sparse)
	Spotless Crake*	<i>Porzana tabuensis plumbea</i> (Sparse)
Kükupa/Kererü*	New Zealand wood pigeon	<i>Hemiphaga novaeseelandiae</i> (Gradual decline)
Kuruwhengu/ Kuruwhengi*	New Zealand shoveller	<i>Anas rhynchotis Kuruwhengi</i>
Matuku moana*	Reef heron	<i>Egretta sacra</i>
Miromiro*	South Island tomtit	<i>Petroica macrocephala macrocephala</i>
Päkura/Pükeko*	Swamp hen/Pukeko	<i>Porphyrio porphyrio</i>
Pärerä*	Grey duck	<i>Anas superciliosa</i> (serious decline here, secure overseas)
Päteke	Brown teal	<i>Anas aucklandica</i> (Locally extinct)
Pīhoihoi*	New Zealand pipit	Anthus novaeseelandiae
Pipīwhararua*	Shining cuckoo	<i>Chrysococcyx lucidus</i>
Piwakawaka*	South Island fantail	<i>Rhipidura fuliginosa fuliginosa</i>
Poaka*	Pied stilt	<i>Himantopus himantopus</i>
Pütakitaki*	Paradise shelduck	<i>Tadorna variegata</i>
Riroriro*	Grey warbler	<i>Gerygone igata</i>
Ruru koukou*	Morepork	<i>Ninox novaeseelandiae</i>
Tara*	Terns	<i>Sterna spp.</i>
Tawaki**	Fiordland crested penguin	<i>Eudyptes pachyrhynchus</i>
Tete*	Grey teal	<i>Anas gracilis</i>
Titi*	Sooty shearwater*	<i>Puffinus griseus</i> and Puffinus

Name in Maori	Name in English	Scientific Name
	Muttonbird/ Hutton's shearwater* and Common diving petrel** and South Georgian diving petrel** and Westland petrel* Cook's petrel** Broad-billed prion** and White-faced storm petrel**	huttoni (<i>Nationally threatened</i>) and <i>Pelecanoides urinatrix</i> and <i>Pelecanoides georgicus</i> and <i>Procellaria westlandica</i> and <i>Pachyptila turtur</i> and <i>Pachyptila vittata</i> and <i>Pelagodroma marina</i> and <i>Pterodroma cookii</i> and <i>Pterodroma inexpectata</i>
Tititipounamu*	South Island rifleman	<i>Acanthisitta chloris chloris</i>
Toroa*	Albatrosses and Molyhawks	<i>Diomedea spp.</i>
Tüi*	Tui	<i>Prothemadera novaeseelandiae</i>
Weka* (I/U)	Western weka	<i>Gallirallus australis australis</i> (Serious decline)
	Brown Creeper*	<i>Mohoua novaeseelandiae</i>
	Waxeye/Silver eye*	<i>Zosterops lateralis</i>
	Red Billed Gull*	
	Kingfisher*	<i>Halcyon sancta</i>
	Banded Dotterel*	<i>Charadrius bicinctus bicinctus</i> (Gradual decline)
Putangitangi	Paradise Shelduck	<i>Tadorna vaiegata</i>

Plants.

Name in Maori	Name in English	Scientific Name
Akatorotoro*	White rata	<i>Metrosideros perforata</i>
Arube *	Fern root (bracken)	<i>Pteridium aquilinum</i> var. <i>esculentum</i>
Harakeke*	Flax	<i>Phormium tenax</i>
Horoeka *	Lancewood	<i>Pseudopanax crassifolius</i>
	Fierce Lancewood	(Sparse)
Houhi *	Mountain ribbonwood	<i>Hoheria lyallii</i> , <i>Hoheria glabrata</i>
Kahikatea*	Kahikatea/white pine	<i>Dacrycarpus dacrydioides</i>
Känuka *	Kanuka	Leptospermum ericoides
Manuka*	Manuka	<i>Leptospermum scorparium</i>
Käpuka *	Broadleaf	<i>Griselinia littoralis</i>
Karaopitita*	supplejack	<i>Ripogonum scandens</i>
Karaka *	New Zealand laurel, karaka	<i>Corynocarpus laevigatus</i> (Not a true KK native)
Karamü *	coprosma	<i>Coprosma robusta</i> , <i>Coprosma lucida</i> , <i>Coprosma foetidissima</i>
Kätote *	Tree fern	<i>Cyathea smithii</i>
Kiekie *	Kiekie	<i>Freycinetia baueriana</i> subsp. <i>banksii</i>

Name in Maori	Name in English	Scientific Name
Korokio*	Korokio, korokia Wire-netting bush	<i>Corokia cotoneaster</i>
Koromiko/Kökömuka*	Koromiko	<i>Hebe salicifolia</i>
Kötukutuku *	Tree fuchsia	<i>Fuchsia excorticata</i>
Köwhai/Köhai* (I/U)	Kowhai	<i>Sophora microphylla</i>
Mamaku *	Tree fern	<i>Cyathea medullaris</i>
Mänia *	Sedge	<i>Carex flagellifera</i>
Mänuka Kahikätoa*	Tea tree	<i>Leptospermum scoparium</i>
Mäpou *	Red matipo	<i>Myrsine australis</i>
Matai *	Matai, black pine	<i>Prumnopitys taxifolia</i>
Miro *	Miro, brown pine	<i>Podocarpus ferruginea</i>
Ngaio *	Ngaio	<i>Myoporum laetum</i>
Nikau **	New Zealand palm	<i>Rhopalostylis sapida</i>
Pänako *	Species of fern	<i>Botrychium australe,</i> <i>Botrychium biforme</i>
Pätotara*	Dwarf mingimingi	<i>Leucopogon fraseri</i>
Pingao *	Pingao	<i>Desmoschoenus spiralis</i>
Pökäkä *	Pokaka	<i>Elaeocarpus hookerianus</i>
Ponga/Poka*	Tree fern	<i>Cyathea dealbata</i>
Raupō*	Raupo, bulrush	<i>Typha orientalis</i>
Rautāwhiri/Köhühü *	Black matipo, mapou	<i>Pittosporum tenuifolium</i>
Rimu *	Rimu, red pine	<i>Dacrydium cupressinum</i>
Rimurapa*	Bull kelp	<i>Durvillea antarctica</i>
Taramea*	Speargrass, Spaniard	<i>Aciphylla</i> spp.(<i>Sparse</i>)
Tarata *	Lemonwood, Tarata	<i>Pittosporum eugenioides</i>
Tawai *	Beech	<i>Nothofagus</i> spp.
Ti rākau/Ti Kōuka*	Cabbage tree, Ti kouka	<i>Cordyline australis</i>
Tikumu *	Mountain daisy	<i>Celmisia spectabilis, Celmisia</i> <i>semicordata</i>
Titoki * (I/U)	New Zealand ash	<i>Alectryon excelsus</i>
Toatoa *	Mountain toatoa Celery pine	<i>Phyllocladus alpinus</i>
Toetoe *	Toetoe	<i>Cortaderia richardii</i>
Tötara *	Totara	<i>Podocarpus totara</i>
	Halls's Totara*	<i>Podocarpus cunninghamii</i>
Tutu *	Tutu	<i>Coriaria</i> spp.
Wharariki*	Mountain flax	<i>Phormium cookianum</i>
Whinau *	Hinau	<i>Elaeocarpus dentatus</i>
Wi *	Silver tussock	<i>Poa cita</i>
Wiwi*	Rushes	All indigenous species of <i>Juncus, Juncus</i> spp. and <i>Juncus</i> <i>maritimus</i>
Puahou*	Five finger	Pseudopanax arboreus
Ake Ake*		Dodonaea viscosa
Porokaiwhiri*	Pigeon Wood	<i>Hedycarya arborea</i>
Mahoe*	Whiteywood	<i>Meliclytus ramiflorus</i>

Name in Maori	Name in English	Scientific Name
	Marlborough Rock Daisy*	<i>Pachystegia insignis</i> (<i>Sth Marl. Endemic</i>)
	Small rock daisy**	<i>Pachystegia minor</i> (<i>Nationally Threatened</i>)
	NZ Lilac**	<i>Heliohebe hulkeana</i> (<i>Sth Marl. Endemic</i>)
	Pink Broom**	<i>Carmichalia glabrescens</i> (<i>Sth Marl. Endemic</i>)
	Hectors Tree Daisy**	<i>Oleria hectorii</i> (<i>Sth Marl. Endemic</i>)
	Limestone Broom**	Carmichalia astonii (Sth Marl. Endemic)
	Weeping Broom**	Carmichalia stevensonii (Sth Marl. Endemic)
	Native verbena**	<i>Teucrium parvifolium</i> (<i>Sth Marl. Endemic</i>)
	Porcupine scrub*	<i>Melicytus alpinus</i>
	Snow tussock*	<i>Chionochloa flavescens</i>
Wharariki	Mountain Flax*	
Inaka*		<i>Dracophyllum uniflorum</i>
	Leafless Clematis*	<i>Clematis afoliata</i> (<i>Sth Marl. Endemic</i>)
	Leafless Lawyer*	<i>Rubus squarrosus</i> (<i>Sth Marl. Endemic</i>)
	Narrow leaved Lacebark*	<i>Hoheria angustifolia</i>
	Mountain Lacebark*	<i>Hoheria lyallii</i>
Tarata*	Lemonwood	<i>Pittosporum eugenioides</i>
Putaputaweta*	Marble Leaf	<i>Carpodetus serratus</i>
	Narrow leaved Mahoe*	<i>Melicytus lanceolatus</i>
Papauma*	Broadleaf	<i>Griselinia littoralis</i>
Puka*	Broadleaf	<i>Griselinia lucida</i>
Makomako*	Wineberry	<i>Aristotelia serrata</i>
	Golden Speargrass*	<i>Aciphylla aurea</i>
	White Fuzzweed**	<i>Vittadinia australis</i> (<i>Sparse, data deficient</i>)
	Limestone gentian **	<i>Gentianella astonii</i> (<i>Nationally Threatened</i>)
	Button Daisy*	<i>Leptinella pyrethriflora</i>
Matagouri*	Wild Irishman	<i>Discaria toumatou</i>
Tauhinu*	Golden Cotton Wood	<i>Ozothamus leptophylla</i>
	Porcupine shrub*	<i>Melicytus alpinus</i>
	Mistletoes Coral Mistletoe**	<i>Ileostyles micranthus</i> <i>Korthalsella salicornioides</i> (<i>Nationally Threatened</i>)

Name in Maori	Name in English	Scientific Name
Akiraho*	Coastal Tree Daisy*	<i>Olearia paniculata</i> <i>Olearia solandri</i>
Kohuhu*		<i>Pittosporum tenuifolium</i>
Kaikomako*		<i>Pennantia corymbosa</i>
Mamaku*	Tree fern	<i>Cyathea medullaris</i>
	Rangiora*	<i>Brachyglottis repanda</i>
Kawakawa*	Pepper Tree	<i>Macropiper excelsum</i>
	White climbing rata*	<i>Metrosideros perforate</i> <i>Metrosideros diffusa.</i>
Niniao*		<i>Helichrysum lanceolatum</i>
	Leather leaf fern	<i>Pyrrosia eleagnifolia</i>
Maire**	Black Marie	<i>Nestegis cunninghamii</i>
Tawa**		<i>Beilschmiedia tawa</i>

Marine Mammals & Fish.

Name in Maori	Name in English	Scientific Name
Ihupuku**	Southern elephant seal	<i>Mirounga leonine</i> (legally protected, no's recovering)
Kekeno*	New Zealand fur seals	<i>Arctocephalus forsteri</i>
Paikea*	Humpback whales	<i>Megaptera novaeangliae</i>
Parāoa*	Sperm whale	<i>Physeter macrocephalus</i>
Rāpoka/Whakahao**	New Zealand sea lion Hooker's sea lion	<i>Phocarctos hookeri</i>
Tohorā**	Southern right whale	<i>Balaena australis</i> (No's recovering)
	Hector's Dolphins**	<i>Cephalorhynchus hectori</i> "South Island". Nationally vulnerable, Conservation dependant.
	Dusky Dolphin*	<i>Lagenorhynchus obscurus</i>
	Killer Whale, Orca**	Orcinus Orca
	Common Dolphin*	Delphinus delphis

Kaura*	Crayfish	
Paua*	Blackfoot	
Koeaea*	Butterfish	
Moki*	Blue Moki	
Kohekohe*	Trumpeter	
Kahawai*		
Haku**	Kingfish	
Kahawai*		

Hapuku*	Groper	
Arara*	Trevaley	
Tarakihi*		
Kutai*	Mussels - Green	
Hoka*	Red Cod	
Kina*	Sea Urchin	
Rawaru*	Blue Cod	
Kupara*	John Dory	
Tio Repe*	Oysters	
Tuangi*	Cockles	
Pipi*	Pipi's	
Kumukumu*	Red Gurnard	
Pohi Akaroa*	Sea Perch	

Fresh water species.

	Common Bully*	<i>Gobiomorphus cotidianus</i>
	Upland Bully*	<i>Gobiomorphus breviceps</i>
	Bluegill Bully*	<i>Gobiomorphus hubbsi</i>
	Giant Bully*	<i>Gobiomorphus gobioides</i>
	Redfinn Bully*	<i>Gobiomorphus huttoni</i>
Inanga*	Whitebait.	<i>Galaxias maculatus</i>
	Black Flounder**	<i>Rhombosolea retiaria</i>
Piharau*	Lamprey	<i>Geotria australis</i>
Koaro*	Common River galaxias	<i>Galaxias brevipinnis</i>
	Torrent Fish*	<i>Cheimarrichthys fosteri</i>
Tuna*	Long Finned Eel	<i>Anguilla dieffenbachii</i>
	Short Finned Eel*	<i>Anguilla australis</i>
	Common Smelt*	<i>Retropinna retropinna</i>
	Shortjawed Kokopu	<i>Galaxias postvectis</i>
	Alpine Galaxias	<i>Galaxias paucispondylus</i>
	Dwarf Galaxias	<i>Galaxias divergens</i>
	Canterbury Galaxias	<i>Galaxias vulgaris</i>

Reptiles.

	Rough Gecko	<i>Naultinus rudis</i> (Gradual decline, human induced)
	Spotted skink	<i>Oligosoma lineoocellatum</i> (gradual decline, human induced)
	Scree Skink	<i>Oligosoma waimatense</i> (Gradual decline, human induced)
	Black eyed gecko	<i>Hoplodactylus kahutarae</i> (Sparse)

Topographical features etc. (**Topographical map 262-11 Kaikoura**)

Hills/Mtn's from Nth - Sth	<i>Creeks/Rivers – Nth to Sth</i>	Bays & other coastal features – Nth - Sth
Isolated Hill	Benmore Stream	Willawa Point
Brian Boru	Kekerengu River	Kekerengu
Ben More	Nidd Stream	Waipapa Bay
Napolean	Wharf Stream	Okiwi Bay
Mead Hill	Swale Stream	Paparoa Point
Mt Union	Ouse Stream	Ohau Point
Chalk Range	Boundary Stream	Half Moon Bay
Burnt Saddle	Valhalla Stream	Rakautara
The Pikes	Limburn Stream	Mangamaunu
The Mole Hill	Mead Stream	Hapuku
Gibson Spur	Deadman Stream	Point Kean
Peninsula	Branch Stream	Kaikoura Peninsula
Tapuea-o-Uenuku	GibsonStream	East Head
Totara Saddle	Washdyke Stream	Atia Point
Calf Saddle	Bob Stream	South Bay
Cukoo Saddle	McLean Stream	Peketa
Black Hill	Clarence River	Pinnacle Rock
Saddle Camp	Dart Stream	Rileys Lookout (Panau Isl.)
Carrion Hill	George Stream	Goose Bay
Mackintosh Knob	Muzzle Stream	Oaro
George Saddle	Miller Stream	Pukaroro Rock
Haycock Saddle	May Stream	Spy Glass Pt (Piripaua)
Constitution Hill	Jam Stream	Hamuri Bluffs
Middle Hill	Wharekiri Stream	
Tarahaka	Stewart Creek	
Fidget Spur	Bluff River	
Te ao Whekere	Fidget Stream	
Mt Alexander	Snowy Stream	
Batty	Happy Valley Stream	
Sullivans Knob	Jordan Stream	
Jacobs Ladder	Parapara Stream	
Rangiaeta	Rakautara Stream	
Limestone Hill	Dubious Stream	
Manakau	Clinton River	
Uwerau	Puhi Puhi River	
Mt Stace	Lacebark Stream	
Mt Saunders	Hapuku River	
Kowhai Saddle	Limestone Stream	
Gables End	Harnetts Creek	

Humpback	Waimangarara River	
Kaitoa	Tytler Stream	
Mt Fyffe	Snowflake Stream	
Sandy Saddle	Middle Creek	
Snowflake	Luke Creek	
Red Hill	Kowhai River	
Warder	Ewelme Stream	
Palmer	Rakanui Stream	
Warder Neck	Kahutara River	
The Beacon	Seymour or Herring Stream	
Cairn	Cold Stream	
Blind Saddle	Linton Creek	
Swyncomb	Cribb Creek	
Gore Basin	The Fell	
Mt Clear	Gore Stream	
Black Hill	Alfred Stream	
Bushy Saddle	Palmer Stream Sawyers Creek	
Mt Ross	Green Burn	
Rangamahoe	Waikene Stream	
Poho o te atau	Ote Makura Stream	
Monument	Oaro River	
	To Moto Moto Stream	

A draft copy of the list of road names was provided to Ocean Ridge Kaikoura in September 2005. Ocean Ridge Kaikoura have now provided a list of preferred street and park names and this is attached to this report.

The developer has provided three alternative list of names for the subdivision. One with a european/historical theme, one based on Councils adopted street name list, and one attributed to a Maori site theme. Each of the themes proposed could be appropriate to the subdivision however if Council wished to retain the use of the native bird, plant, marine mammal and fish names in subdivisions then it should use the names suggested under the flora and fauna theme.

The developers preferred option was the European/historical theme however the developer is aware that the decision on street names rests with Council. The flora and fauna theme names suggested do have a nice ring to them and flow of the tongue.

It is therefore recommended that Council adopt the street names suggested incorporated in the flora and fauna theme list provided.

Report to Council

Coastal Re-vegetation Strategy

At its meeting on 20 April 2006 Council received a presentation from RD Hughes Limited on its Ocean Ridge development adjacent to the Kaikoura Golf Course. As part of that presentation, the company suggested that a formal re-vegetation strategy be developed for the area of coastal land between the Kowhai River and the Maori Leap Caves. The company suggested that such a re-vegetation plan would enhance the existing Coastal Management Strategy that terminated at the Maori Leap Caves. It would also ensure that that piece of coastline was both re-vegetated and would become an attractive reserve area for the public to use for recreational purposes.

The concept as proposed by the company included walkways, native plant re-vegetation areas, the retention of nodes of pine trees, open dune native planting nodes, amenity areas and drains and swales. It was suggested that public toilets could also be developed in that area.

The company sought support from Council for the redevelopment of the coastal area. The company advised that should Council support the concept of a restoration management plan for that area, it was prepared to fund that exercise.

At present Council's Coastal Management Strategy extends from the Whaleway Station at the northern part of the Kaikoura township to the Caves Restaurant to the south. The proposal by RD Hughes Developments Limited is an extension of that strategy and would finish at the banks of the Kowhai River to the south. The land currently is used primarily as a commercial forestry block, go cart track and informal recreation and the development of a strategy would go a long way to establishing what should eventually be redeveloped in that area.

Should the Council endorse the concept of a regeneration management plan for that area then notwithstanding the fact that the company has proposed funding this strategy, the Council should be the driver of the strategy with input being drawn from various sectors and a draft strategy eventually being put out to the public for feedback and final adoption by Council.

The offer to fund the development of such a plan is a generous offer and one that Council should grasp provided as mentioned previously, the Council was the driver. Any redevelopment of that area could only enhance the recreational usage of that area and also enhance the southern entranceway to Kaikoura.

It is therefore recommended that Council agree to a Restoration Management Plan for the coastal strip between the Kowhai River and the Maori Leap Caves being developed and that Council staff liaise with RD Hughes Developments Limited and appropriate parties in the drafting of an initial plan.

Mayor's Report

Zone 5/6 Meeting

- Stuart and I attended the Zone 5&6 meeting on 27/28 April in Dunedin. Due to the flooding many Mayors and Chairs were unable to attend or were late.
- The most significant outcome was probably the announcement that Local Government NZ Executive declined to support the south island's, and some north island districts request for a change in the proposed micro-chipping of dogs. The conference displayed its surprise and in some cases anger at this outcome and voted to provide its own submission to the select committee. Some five or six north island districts have offered their support as well. (Submission attached)
- The conference also passed a remit continuing its support for a review of the audit and LTCCP costs and relevance.
- The remit offered at conference to extend the daylight saving period failed.

Meeting Timetabling and Calendar

Last month you were asked to consider if a review of our Council meeting timetable and calendar is required. I asked the question because I believe our processes need reviewing occasionally to ensure that the ever increasing content and changes in personal lifestyles still meet the needs of the community. Your response at this stage should indicate the need to review or not.

Local Govt NZ AGM/Conference

The time has come for final bookings for travel and accommodation and we need to now if you wish to attend or not. Deputy Mayor Councillor Woods and Councillor McChesney have indicated their desire to attend. The conference is being held on 16-19 July in Wellington and includes the Rural Sector meeting on the Sunday afternoon. The written material you have received from me is the programme to date.

Education/Youth/Children and Elderly Workstream - LTCCP

Through Mayors Taskforce For Jobs organisation and Work & Income NZ funding has been provided for the employment of a Youth Employment Coordinator. The initiative for this project has arisen from a number of formal and informal meetings initiated by the above workstream group and ensuing discussions over the last 12 months, and builds on both quantitative and qualitative research data collated from a range of sources. This project is at a trial stage to test the viability of whether a service to support young people into employment is necessary in Kaikoura. It's two main aims are:

- i) To improve outcomes for the youth of Kaikoura, through employer and community encouraged, meaningful and sustainable employment;
- ii) To assist achieving the government strategy which states that *"by 2007, all 15-19 year olds will be engaged in appropriate education, training, work or other options that will lead to long term economic independence and well-being"*.

Please find attached...

- a letter of thank you to the Lions club re outdoor seating;
- a letter of acknowledgement to Jim Abernethy regarding the old wharf;
- 11th Central Local Govt Forum Summary – this is a summary of the meetings that LGNZ Executive have with Central Government periodically throughout the year.

- Order of St John – Regional CEO Tony Blaber’s response to my letter and Danny Smith’s response to that. Mike Kennedy and I will be accompanying our Member of Parliament to the St John Emergency Call Centre in Christchurch as part of Colin’s supportive action to the St Johns presentation to Council some months ago.
- Also attached for your information is the recently passed LGNZ National Council resolution in relation to the proposed Health (Drinking Water) Amendment Bill, to be submitted to the Select Committee.

Chief Executive Officer Performance Review

This item and its process will be discussed in the public excluded section of the meeting.