

**KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.00AM ON  
WEDNESDAY 18 DECEMBER 2013 AT MEMORIAL HALL SUPPER  
ROOM, ESPLANADE, KAIKOURA.**

**AGENDA**

**1. Apologies**

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

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

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

**4. Code of Conduct** *page 48*

**5. Civic Building Update** *page 61*

- S Chadwick will be in attendance at 11.30am to present this item.

**6. Canterbury Triennial Agreement** *page 69*

**7. Block Offer 2014** *page 78*

**8. Public Forum**

<b>TIME</b>	<b>NAME</b>	<b>SUBJECT</b>
1.00pm	<i>Kaikoura Enhancement Group</i>	<i>Update with regard to allocated funding</i>

**9. Youth Council**

- A representative of the Youth Council will be in attendance at 1.15pm to present this item.

**10. Committee Updates**

**11. Mayor's Report** *page 84*

**12. Minutes to be confirmed:**

- *Council 20/11/2013* *page 85*

**13. The following minutes have been confirmed under section 3.18.2 of the NZS9202:2003 Amendment 1 Standing Orders and are inserted for information.**

- *Council 18/09/2013* *page 92*
- *Works & Services Committee 18/09/2013* *page 102*
- *Environmental Services Committee 18/09/2013* *page 104*
- *Finance and Policy Committee 18/09/2013* *page 106*

**14. Minutes Action List Update**

<b>MEETING</b>	<b>ACTION REQUIRED</b>	<b>BY</b>	<b>DATE ACTIONED</b>
Council	Provide terms of reference for Committees.	Chief Executive Officer	In progress
Council	Provide a draft agenda on the website prior to the agenda being finalised. Advertise availability of the draft agenda.	Executive Officer	Advert in December and January process will be in place from February.
Council	Arrange for the project manager for the Civic Building to attend the December meeting.	Chief Executive Officer	S Chadwick will be in attendance at 11.30am.

**15. Urgent Business**

**16. Council Public Excluded Session**

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

- a. Council Public Excluded Minutes 18/9/2013***
- b. Appointment to District Licensing Committee***
- c. Appointment of Outside Representatives to Council Committees***
- d. Memorandum of Understanding Kaikoura Hospital***

***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:***

<b>General subject of each to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Grounds of the Act under which this resolution is made</b>
Council Public Excluded Minutes 18/9/2013	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect information where the making available of that information would likely unreasonably prejudice the commercial position of the person who supplied the information or who is the subject of the information.	<b>Section 48(1)(a) and 7(2)(b)(ii)</b>
Appointment to District Licensing Committee	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect the privacy of natural persons.	<b>Section 48(1)(a) and 7(2)(a)</b>

Appointment of outside representatives to Council Committees	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect the privacy of natural persons.	<b>Section 48(1)(a) and 7(2)(a)</b>
Memorandum of Understanding Kaikoura Hospital	The exclusion of the public from the whole or the relevant part of the proceedings of the meeting is necessary to protect information where the making available of that information would likely unreasonably to prejudice the commercial position of the person who supplied the information or who is the subject of the information.	<b>Section 48(1)(a) and 7(2)(b)(ii)</b>

## CODE OF CONDUCT

The Local Government Act 2002 requires;

- (1) *A local authority must adopt a code of conduct for members of the local authority as soon as practicable after the commencement of this Act.*
- (2) *The code of conduct must set out—*
  - (a) *understandings and expectations adopted by the local authority about the manner in which members may conduct themselves while acting in their capacity as members, including—*
    - (i) *behaviour toward one another, staff, and the public; and*
    - (ii) *disclosure of information, including (but not limited to) the provision of any document, to elected members that—*
      - (A) *is received by, or is in the possession of, an elected member in his or her capacity as an elected member; and*
      - (B) *relates to the ability of the local authority to give effect to any provision of this Act; and*
  - (b) *a general explanation of—*
    - (i) *the Local Government Official Information and Meetings Act 1987; and*
    - (ii) *any other enactment or rule of law applicable to members.*
- (3) *A local authority may amend or replace its code of conduct, but may not revoke it without replacement.*
- (4) *A member of a local authority must comply with the code of conduct of that local authority.*
- (5) *A local authority must, when adopting a code of conduct, consider whether it must require a member or newly elected member to declare whether or not the member or newly elected member is an undischarged bankrupt.*
- (6) *After the adoption of the first code of conduct, an amendment of the code of conduct or the adoption of a new code of conduct requires, in every case, a vote in support of the amendment of not less than 75% of the members present.*
- (7) *To avoid doubt, a breach of the code of conduct does not constitute an offence under this Act.*

The Kaikoura District Council Code of Conduct has been amended to be in line with recently changed legislation. The updated document has been previously circulated to Elected Members and is attached.

***Recommendation:***

***It is recommended that the updated Code of Conduct be adopted.***

Author: Executive Officer  
Endorsed by the Chief Executive Officer

# KAIKOURA DISTRICT COUNCIL

## CODE OF CONDUCT



**Updated: November 2013**

## 1. Introduction

1.1 This code of conduct has been prepared to provide guidance on the standards of behaviour expected of elected members (the Mayor and councillors) of the Kaikoura District Council. It applies to elected members in their dealings with;

- Each other
- Council management and staff
- The public
- The news media.

1.2 Aspects of the code of conduct also provide guidance on the standards of behaviour required of Council management. It's a voluntary code agreed to by the elected members and management to enhance;

- The effectiveness of the Council as the autonomous local authority with statutory responsibilities for the good government of the Kaikoura District
- The credibility and accountability of the council within its community
- Mutual trust, respect and tolerance between the elected members as a group and between the elected members and management.

1.3 This code of conduct seeks to achieve its objectives by recording;

- An agreed statement in respect of responsibilities
- Agreed general principles of conduct or etiquette
- Specific codes of conduct applying to particular circumstances or matters.

## 2. Respective Responsibilities

2.1 The Local Government Act 2002 envisages a clear separation of the roles and responsibilities between elected members and management. The office of the Mayor has additional characteristics created as much by custom as by legislation but also now specifically in the amendment to the Local Government Act 2002.

2.2 Elected Members (Council as a Whole)

The elected members, acting as the council, are responsible for;

- the development and approval of Council policy
- determining the expenditure and funding requirements of the Council through the Annual Plan process, the long term financial strategy and the tri — annual funding policy
- monitoring the performance of the Council against its stated objectives and policies
- for employing, overseeing and monitoring the CEO.

2.3 The council can only act by a majority decision at meetings. Each member has one vote, with the presiding member at any meeting not having an additional casting vote in the case of an equality of voting (a casting vote). With certain exceptions, the exercise of the Council's powers can be delegated to committees or subcommittees or to individual persons.

2.4 The elected members are accountable to electors through the ballot box. Each elected member has declared that;

***They will faithfully and impartially, and according to their best skill and judgement, execute and perform in the interests of the Kaikoura District, the statutory powers, authorities and, duties vested in or imposed upon them as members of the Kaikoura District Council.***

In certain matters the elected members are also accountable to the Office of the Auditor General, for example in respect of illegal actions or expenditures, or for Breaches of the Local Authorities (Members' Interests) Act 1968.

#### 2.5 The Mayor

The Mayor is one of the elected members, and shares the same collective responsibilities. The Mayor is elected by the District at large and is the presiding Member at meetings of the Council, and as such is responsible under Standing Orders for the orderly conduct of Council business at the meetings.

#### 2.6 The Mayor now has specific legal authority which is set out in Section 41A of the Local Government Act 2002. These provisions came into effect on 12 October 2013.

#### 2.7 The Office of the Mayor carries with it an element of community leadership in addition to the statutory role as presiding member of the Council. The leadership role frequently requires the Mayor to act as community advocate, promoting the attributes of the community and representing its interests. Community leadership and advocacy will be more effective where it's carried out with the knowledge and support of the Council.

#### 2.8 The Mayor is required to be a Justice of the Peace while holding office as Mayor.

#### 2.9 The Deputy Mayor

In addition to the responsibilities of councillor, the deputy Mayor is authorised to chair meetings of the Council in the Mayor's absence, and generally to perform the functions and duties of the Mayor;

- With the Mayor's consent at any time during the Mayor's temporary absence, or
- Without the Mayor's consent at any time while the Mayor is prevented by illness or other cause from performing the functions and duties or exercising the powers of office or while there is any vacancy in the office of Mayor.

#### 2.10 Standing Committee Chairs

The Council charges the Chair of a Standing Committee with overseeing the business of that Committee consistent with the powers delegated to it.

#### 2.11 Standing Committee Chairs are responsible for ensuring the orderly conduct of their committees in carrying out their business.

#### 2.12 Chief Executive

Section 42 Local Government Act 2002

*(2) A chief executive appointed under subsection (1) is responsible to his or her local authority for—*

- *(a) implementing the decisions of the local authority; and*
- *(b) providing advice to members of the local authority and to its community boards, if any; and*
- *(c) ensuring that all responsibilities, duties, and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation, or bylaw, are properly performed or exercised; and*

- *(d) ensuring the effective and efficient management of the activities of the local authority; and*
- *(e) maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority; and*
- *(f) providing leadership for the staff of the local authority; and*
- *(g) employing, on behalf of the local authority, the staff of the local authority (in accordance with any remuneration and employment policy); and*
- *(h) negotiating the terms of employment of the staff of the local authority (in accordance with any remuneration and employment policy).*

*(3) A chief executive appointed under subsection (1) is responsible to his or her local authority for ensuring, so far as is practicable, that the management structure of the local authority-*

- *(a) reflects and reinforces the separation of regulatory responsibilities and decision-making processes from other responsibilities and decision-making processes; and*
- *(b) is capable of delivering adequate advice to the local authority to facilitate the explicit resolution of conflicting objectives.*

*(4) For the purposes of any other Act, a chief executive appointed under this section is the principal administrative officer of the local authority.*

### **3. Decision Making**

#### **3.1 Predetermination or Bias:**

Elected members are expected to approach decision making with an open mind (“faithfully and impartially”). This process requires elected members to listen carefully to competing advice and weigh up the pros and cons before making their decision. Where Council or a Standing Committee is hearing formal submissions on a particular issue, elected members should carefully avoid prior public comments which show a predetermined bias or non flexible attitude.

- 3.2 Decisions are made at various levels within the Council. Effective governance occurs when an organisation’s structure and operating principles recognise, through effective delegation, the need to empower elected members and staff to make decisions at strategic and operational levels, as appropriate to their role.
- 3.3 The Council is required to make decisions that take into account and balance the various needs and preferences of its residents. Good decision making requires considered advice that addresses relevant matters and consequences.
- 3.4 The Council should only make decisions at Council meetings on those matters that are accompanied by management reports that address the considerations outlined in paragraph 3.6. While the Council may hear submissions and delegations, and, within the limits of the legislation, discuss matters raised from the floor of the meeting, no decisions should be made unless the matter is properly considered as an item on the agenda accompanied by a written management report.
- 3.5 Similarly, Standing Committees of the Council will only make decisions at official Committee meetings where the item to be considered is accompanied by a management report that addresses the considerations outlined in paragraph 3.6.
- 3.6 In providing advice on such matters management will ensure that accompanying reports address the significant implications arising from any proposed recommendations, such as fiscal, environmental and/or social implications. Management will strive to ensure that advice meets



relevant quality standards in all cases. (See Appendix 1 for example of the quality assurance process.)

- 3.7 Matters not on the agenda will only be dealt with in accordance with section 46A, 7(A) and 7(B) of the Local Government Official Information and Meetings Act 1987. This means that minor matters relating to the general business of the Council may be discussed but not acted upon (other than by reference to a subsequent meeting) where the presiding member explains at the beginning of the meeting that the item will be discussed. Otherwise late items may only be dealt with at a meeting if the Council resolves accordingly and the presiding member explains at the meeting the reason why the item is not on the agenda and the reason why discussion cannot be delayed until a subsequent meeting. In either case the presiding member's explanation must be made at a time when the meeting is open to the public. This is reconfirmed by Standing Orders 3.7.5 and 3.7.6.
- 3.8 Elected members, management and staff agree that due notice and proper process should be followed to bring matters to the attention of the elected body. Matters should not be "sprung" into the public arena without notice as it is unlikely that a complete appreciation of the facts can be obtained or an adequate explanation can be given. Similarly, staff should not expect decisions from the elected body unless they have provided written reports with adequate time for members to consider the options for decision.
- 3.9 While the "Council" is ultimately accountable, its function is not to make detailed decisions on operational matters. Strategies that may involve both governance and management issues need to be worked through in consultation with the CEO.
- 3.10 Research and communication should be done prior to "Meetings" wherever possible so that all elected members are able to participate fully in debates and make informed decisions. When there is an agenda issue with which an elected member is unfamiliar it is their responsibility to inform themselves fully by staff, other elected members or their own independent research.

#### **4. Behaviour of Members**

- 4.1 All elected members should insist on the respect and dignity of their office in their dealings with each other, management and the public. Elected members should remember that they have no personal power to commit the Council to any particular policy or course of action or expenditure. That can only be done by resolution at a meeting of the Council or a committee with delegated authority.
- 4.2 Councillors who have concerns regarding management matters should not raise them with any employee other than the CEO, and at all times their dealings should be through the CEO. Should an elected member have a concern and not satisfied with the CEO's response, then the Committee or Council process should be used to address the concern. In that way all members will be kept informed. If the problem is of a contentious nature, it should only be raised after consultation with the CEO.
- 4.3 Elected members, not officers, bear the ultimate responsibility for decisions made by themselves and by officers. Elected members should ensure that the anonymity of individual officers is preserved and should not comment publicly on the management or the staff of the Kaikoura District Council.
- 4.4 When a decision has been made by the Council, and the decision is contrary to a particular elected member's point of view, that elected member's public statements should make it clear that they represent a minority view of Council.

- 4.5 Elected members should act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interest of the council and the community.
- 4.6 Elected members should make no allegations which are improper or derogatory. In the performance of their official duties they should refrain from any form of conduct which may cause any reasonable person unwarranted offence or embarrassment.
- 4.7 Elected members should adhere to a tidy dress code while on Council business.

## **5. External Communications**

- 5.1 Within the limits imposed by standing orders, at any meeting of the Council or at any Committee, every elected members who has the right to speak at that meeting, has the right to express their opinion on any matter lawfully before the meeting. Once a matter has been lawfully determined at a meeting of Council, it determines the Council's position on that matter until it is lawfully changed by a subsequent decision of the council. All elected members and management will respect this position.
- 5.2 Public statements representing Council policy or reporting decisions of the Council will be made only with specific or general authority of the Council, and will clearly state the person's authority for making the statement on behalf of the Council.
  - The Mayor is authorised to make statements accurately reporting decisions of Council meetings.
  - Committee Chairpersons are authorised to make statements accurately reporting decisions of their Committees, and factual statements relating to decisions of the Council or its committees. The CEO is authorised to make statements relating to any of the areas for which the CEO has statutory responsibility.
- 5.3 The Mayor may deal with the news media and make public statements relevant to non-statutory role as a community leader, only where it is stated that the views expressed are the Mayor's own and are not made on behalf of the Council. No statement made in this capacity shall undermine any existing policy or decision of the Council.
- 5.4 Elected members are entitled to make public statements expressing their opinion on matters before the Council, as long as it stated that is their own and not Council's. No such statement should criticise the conduct of the Council, other elected members or officers of the Council nor should it undermine any existing policy or decision of the Council.
- 5.5 The CEO and staff should not comment publicly on the performance of the Council or elected members.

## **6. Confidential information**

- 6.1 **Elected members** have the responsibility to see that whenever possible business is conducted in "open" meeting. Powers to exclude the public should be used only where absolutely necessary and for the reasons permitted by law. Business conducted where the public is excluded remains confidential and should not be disclosed to the public until either the Council decides by resolution to make it public or the CEO determines under the Local Government Official Information and meetings Act 1987, or the Privacy Act 1993 that there is no longer good reason to withhold it under the Act.

Subject to these Acts, any information of a confidential nature will not be communicated. It is a grave betrayal of trust to disclose information while it is confidential or use such confidential information for private gain. Where the CEO determines that under the LGOIMA and the Privacy Act to release information the elected members should where ever possible be notified beforehand. A general introduction and explanation of LGOIMA is attached as per Appendix 4.

- 6.2 Members will receive a myriad of communications from staff, consultants and external agencies that may be for their information only to ensure they are up to date with current issues. This information, while not necessarily confidential, will have been supplied for you in your capacity as an elected member, not as a member of the public. That information should remain privileged unless its release has been authorised.

## **7. Internal Communication**

- 7.1 The Mayor, Deputy Mayor, Standing Committee Chairs and the CEO (Executive Committee) will meet informally from time to time to maintain and promote effective communication. The function of these meetings is to ensure that all parties are familiar with the work carried out by each; to improve coordination and to ensure the business of the Council and its Committees is conducted in a timely and effective manner.
- 7.2 Meeting agendas should be discussed with the CEO in consultation with the Mayor for Council meetings and Chairperson for standing committee's

## **8. Disclosure of Pecuniary and Other Interests**

- 8.1 The law makes specific provision requiring the elected member to disclose pecuniary (financial) interest. But interests that are not pecuniary can be just as important. Family connections, kinship, friendship, membership of an association, society, company or trade union, trusteeship and many other kinds of relationships can influence members' judgement and may give the impression that an elected member might be acting for personal motives. A good test is to consider whether others would think that the interest is of a kind to make it possible. If members are in doubt, disclose the interest, seek advice from the Chair or CEO and if necessary withdraw from the meeting. See Appendix 3, Members Interest Register.

## **9. Representing the Council**

- 9.1 Elected members who are invited or wish to represent the council at an event such as a seminar or conference, must meet the following conditions;
- Mayor, CEO and the Chair of the Finance Committee approve travel outside the District
  - The cost of representation must be within the annual budget. Unless the Council makes specific authorisation for additional expenditure.
  - Following such attendance, the member should be prepared to report to the Council, summarising the event, and what significance it held for the greater community, or Council.

## Policy Quality

The following guidelines will be applied as appropriate to ensure that the advice provided by Management to the Council and its Committees meets the accepted quality standards .

To the extent that they are relevant and appropriate to the particular case, the following ten tests will be applied to all work produced;

1. **Clear purpose** - papers set out clearly what is to be addressed, the background and background land status if appropriate.
2. **Flow logically** — arguments are to be set out coherently, the reader is taken logically through the arguments, all conclusions are justified and recommendations arise from the arguments in the paper.
3. **Accurate** - claims made are justifiable, facts are accurate, and references can be identified.
4. **Timely** — work is produced to agreed timelines; and delays are signalled in advance and re-negotiated; parties are given the longest possible time to provide input.
5. **Provides assessed options** — alternative options for action are identified; implications and consequences of options are explored; options are linked to strategic goals and outcomes.
6. **Reflects consultation** — work is based on good consultation practice as defined; all views are canvassed and taken into account; consultation practice includes stakeholders as well as membership and the staff (where appropriate for internal processes).
7. **Proposals practical as to implementation** — proposals put forward have been tested for workability and likelihood of being achievable in application.
8. **Material clearly presented and error free** — material is presented in a modern professional style and with a minimum of jargon.
9. **Costs/savings are identified**- both in terms of financial and social costs/savings.
10. **Release date** — no reports should be tabled at a meeting, unless a clear outline is produced in the agenda papers.

This relates to the Hearings and Applications Committee and could possibly be adopted by that Committee.

### **Resource Management Hearings**

An important activity for Councillors is participation as members of Hearings and Applications Committee under the Resource Management Act 1991.

These hearings are in essence an aspect of administration which aims to ensure that Council's resource management and planning policies are put into effect. The District Plan outlines Council's objectives, policies and rules governing resource management. It is a responsibility of Council to promote and uphold these within the context of the principles and requirements of the Resource Management Act 1991.

As a member of a Hearings and Applications Committee, Councillors are essentially involved in 'administration' of Council policy, as expressed in the District Plan, (rather than the more usual role of establishing policy). A resource hearing is considered to be an independent assessment of an application for resource consent. These take place when development proposals cover activities which do not comply with the District Plan and which require resource consent.

As a member of a Hearings and Applications Committee there is an obligation on Councillors to:

- ❖ Complete any necessary preparatory work, which would normally include a site inspection, and reading pre- circulated material.
- ❖ Listen attentively at a public hearing.
- ❖ Act fairly to all parties.
- ❖ Ask questions for clarification and refrain from expressing personal views or making statement that could indicate predetermination or bias. (Debate on an issue occurs during the decision process which is held in 'public excluded' session at the conclusion of the hearing).
- ❖ Refrain from discussing the hearing with any affected party before and after the hearing.

The conduct of a Hearings and Applications Committee is part of the statutory process conducted under the Resource Management Act and Councillors should at all times act in a manner that brings credit to the Council and respects the principles of fairness and judicial review.



## Introduction to the Local Government Official Information and Meetings Act 1987

### **Purpose of the Act:**

The Local Government Official Information and Meetings Act 1987 (LGOIMA) has several purposes set out in Section 4. In summary, the purposes are to:

- a) provide for the availability to the public of official information held by local authorities and to promote open and public transaction of business at meetings;
- b) provide for proper access by each person to official information; and
- c) to protect official information and the deliberations of local authorities to the extent consistent with the public interest and the preservation of personal privacy.

Following the enactment of the Privacy Act 1993, LGOIMA is no longer concerned with the access to personal information about natural persons.

### **Access to local authority information:**

Official Information means any information held by a local authority (excluding material in a library or a museum for public reference purposes or held as an agent). Information that is not recorded in readable format is not within the definition.

Any person may request a local authority to make available any specified official information that relates to a corporate person (or other non natural person) or any other matter or thing (not being information about a natural person that amounts to personal information). Where the information relates to personal information about a natural person the request must be dealt with under the Privacy Act 1993.

In accordance with the presumption of availability, information may still be withheld if there is a good reason for withholding the information. Conclusive reasons are set out in Section 6 of the LGOIMA, and other reasons details in Section 7. Under Section 7 the reasons may apply unless the withholding is outweighed by other considerations which make it desirable in the public interest to make the information available. Included in Section 7 of the Act are reasons relating to the protection of trade secrets and avoiding unreasonable prejudice to a commercial position, avoiding serious offence to tikanga Maori, protecting information obtained under an obligation of confidence, protecting health and safety, maintaining legal professional privilege, and preventing disclosure for improper gain or advantage. Strict time limits apply to the making of decisions upon requests. Reasonable charges may be made for providing the information.

### **Council-controlled organisation**

The provisions of the Act relating to requests for, and availability of, official information apply to council-controlled organisation as if it were a local authority. This obligation is imposed under the Local Government Act 2002, Section 74.

### **Local authority meetings**

Part 7 of the LGOIMA covers the purposes of promoting the open and public transaction of business at meetings of local authorities, in order to enable more effective participation by the public and to promote accountability of local authority members and officials. Under Section 45 of the Act, the provisions apply to all meetings of local authorities, including meetings of any committee or sub-committee or joint committee, but do not apply to an informal or strategy meeting at which no resolutions or decisions are made. The dates of meetings are to be publicly notified, and agenda made available to persons who may consider attendance. Section 47 states that, unless otherwise provided, every meeting is to be open to the public (including news media reporters).

**Exclusion of public from meetings**

The grounds for excluding the public from a meeting are similar to those in respect of withholding official information, except that the ground of maintaining free and frank expression of opinions by members does not apply to enable exclusion of the public from meetings. However the public may be excluded where a local authority wishes to deliverable in private on a decision against which a right of appeal lies to any court or tribunal (s48(1)(d)). Where the public are excluded, the reason for passing the resolution should be stated in brief. The resolution may allow for one or more persons to remain (e.g. officers and legal adviser), proceed it states that the knowledge possessed by those persons will be of assistance to the local authority. Powers are given to the chairperson to maintain order at a meeting and to exclude a person causing prejudice to the orderly conduct of the meeting, Section 50.

**Privacy Act relationship**

The Privacy Act 1993 applies to every request by a person for personal information relating to a natural person. Under the Privacy Act, the grounds for withholding information are provided for a series of principles rather than specific stated grounds. Generally, a person is entitled to see all information held about them, and has a right to seek correction of the information. An exception may apply allowing the withholding of the source of information alleging a possible offence or wrong. The grounds for withholding information relate primarily to requests from other persons for the information. Under Principle 11, the disclosure should be for a purpose in connection with which the information was obtained, or disclosure may be desirable to avoid prejudice to the maintenance of the law, or to prevent serious and imminent threat to public health or public safety, or to the life or health of the individual concerned or another individual. In relation to information held on public registers, separate privacy principles also apply to regulate the appropriate disclosure of this information to trade users in particular. Where information is not disclosed, or a concern arises, the matter can be referred to the Privacy Commissioner for a recommendation.



# Canterbury Triennial Agreement

## PURPOSE

For the Council to endorse the 2013-2016 Canterbury Local Authorities Triennial Agreement and accompanying Canterbury Mayoral Forum Charter of Purpose covering all local authorities within the Canterbury Region.

## ATTACHMENTS

- Draft Canterbury Local Authorities Triennial Agreement 2013 – 2016
- Draft Canterbury Mayoral Forum Charter of Purpose 2013 – 2016

## BACKGROUND

The Local Government Act 2002 requires that all local authorities in the Canterbury region enter into a Triennial Agreement amongst themselves which sets out how they will work together for the good governance of their districts, cities and region by operating co-operatively and collaboratively,. The Triennial Agreement for the 2013-2016 triennium must be in place by 1 March 2014. A Triennium Agreement was in place in the previous triennium.

This agreement has been updated to reflect the commitment to collaboration, including an outline of the areas of specific focus and the role of the Chief Executive Forum. It has also captured the participation of the Canterbury local authorities in the review of the regional council's representation arrangements.

The Chief Executives of the regional local authorities have reviewed the proposed agreement and charter and have agreed to put these to their councils for endorsement.

### ***Recommendation:***

***It is therefore recommended that the Draft Canterbury Local Authorities Triennial Agreement be adopted by Council and that any proposed changes to the document be brought back to Council for consideration.***

Author: Chief Executive Officer

## **CANTERBURY LOCAL AUTHORITIES TRIENNIAL AGREEMENT**

### **1. PURPOSE**

All local authorities within each region enter into a triennial agreement containing communication and co-ordination protocols covering the period until the next triennial general election of members (Section 15, Local Government Act, 2002 – the Act).

The purpose of this triennial agreement for the Canterbury region is to ensure appropriate levels of communication, co-ordination and collaboration are maintained between the local authorities of our region.

### **2. AGREEMENT**

The parties:

Ashburton District Council  
Canterbury Regional Council  
Christchurch City Council  
Hurunui District Council  
Kaikoura District Council  
Mackenzie District Council  
Selwyn District Council  
Timaru District Council  
Waimakariri District Council  
Waimate District Council  
Waitaki District Council

agree to work collaboratively and in good faith for the good governance and success of their districts, cities and the region.

As signatories to this agreement, each local authority will ensure that pursuant to Section 15, Local Government Act, 2002:

- Early notification to affected local authorities party to this agreement through the distribution of draft documentation, of major policy initiatives or proposals which may have implications beyond the current geographic boundaries (or for constituent authorities) of the decision-making authority. This includes the requirement of Section 15 (2) of the Local Government Act for consultation on proposals for new regional council activities where the following process will be followed.
- Any new significant activity, as defined in Section 16 (1) of the Act, proposed by the Canterbury Regional Council, will be advised to the appropriate meeting of the Canterbury Mayoral Forum, in addition to any Section 16 (1) requirement.
- Any new activity proposed by the Canterbury Regional Council not considered significant will be advised to the appropriate territorial authorities in the Canterbury Region.

- The application of a “no surprises” policy where early notice will be given of potential disagreements between, or actions likely to have significant impact on, other local authorities.

### **3. COLLABORATION**

The local authorities in Canterbury, as signatories to this agreement, commit to working collaboratively to drive efficiencies and better provide for the needs of their communities through the provision of good quality local infrastructure, local public services and performance of regulatory functions. This collaboration may either be Canterbury wide or on a sub-regional basis.

Collaborative commitment for the 2013-2016 term will include but is not restricted to:

- An effective Canterbury Mayoral Forum (Charter of Purpose attached)
- Developing a work programme for the Canterbury Chief Executives Forum
- Developing a shared vision for Canterbury
- Advocating on economic and social development opportunities for Canterbury
- Implementing a collaborative planning and decision making process including integrated RMA planning
- Implementing the Canterbury Water Management Strategy (CWMS)
- Ensuring effective resilience and response to emergencies
- Integrated transport planning for the region
- Implementing the Canterbury Local Government Strategy and Policy Forum which will address common strategic policy issues generating where possible common positions and encouraging the co-ordinated sharing and reporting of information
- Developing a framework for broader collaboration across the region encompassing opportunities for greater efficiencies and effectiveness in matters such as shared services, shared capability, shared business systems, joint delivery of services, joint procurement and joint project teams/specific initiatives
- Implementing the Urban Development Strategy (UDS) for greater Christchurch

### **4. CANTERBURY MAYORAL FORUM**

Co-ordination, communication and collaboration in relation to this agreement will be primarily through, but not limited to, the Canterbury Mayoral Forum (the Forum). The Forum will meet three-monthly and operate in accordance with its agreed Charter of Purpose (attached).

The Forum will be supported by:

- The Chief Executives Forum;
- Other regional and sub-regional forums as required;
- Meetings between staff as necessary.

### **5. CHIEF EXECUTIVE FORUM**

There will be a Chief Executive Forum reporting to the Canterbury Mayoral Forum which will develop a work programme addressing:

- (a) Identifying and escalating strategic issues and opportunities for collaboration on strategy, policy and planning from the Canterbury Local Government Strategy and Policy Forum to the Canterbury Mayoral Forum
- (b) Implementation and management of the collaborative projects and vehicles agreed by the Canterbury Mayoral Forum. This includes reporting on progress at the agreed intervals
- (c) Investigate and report back on proposals for wider regional collaboration as outlined in the August 2013 McGredy Winder & Co paper
- (d) Any other task as requested by the Canterbury Mayoral Forum

## **6. REVIEW AND AGREEMENT TO REVIEW**

The parties to the triennial agreement will meet to consider and agree on progress on and to amendments, if any, to the agreement annually before the end of each calendar year. In addition, following a request for amendment from any one or more authorities party to this agreement in writing to the Secretary of the Forum, received at least two weeks prior to the meeting date, the Forum will meet to consider the amendment at the next available Forum meeting.

This agreement will be placed on the Forum agenda at the final Forum prior to a triennial election to review, with the purpose of recommending changes (if any) to the incoming councils.

## **7. LOCAL GOVERNMENT STRUCTURE**

Notwithstanding the spirit of co-operation and collaboration embodied within this agreement, the local authorities, individually or collectively, reserve the right to promote, consult, and/or research change to the structure of local government within the Region.

This right is consistent with the intent of effective and efficient governance sought in the Local Government Act 2002, having particular relevance to the ideals of interest and community representation.

Local authorities will participate in the review of the regional council's representation arrangements, as required under statute, and the Mayoral Forum will also participate in the review providing the Forum's views.

## **8. OTHER AGREEMENTS**

This agreement does not prevent local authorities entering into other agreements among themselves or outside the region to facilitate their responsibilities. Any other such agreement should not be contrary to the purpose and spirit of this agreement.

## **9. REGIONAL POLICY STATEMENT REVIEW**

This triennial agreement will apply to any change, variation or review of the Canterbury Regional Policy Statement.

**AUTHORITY**

This agreement is signed on this \_\_\_\_\_ day of \_\_\_\_\_ 201\_ by the following on behalf of their respective authorities:

**COUNCIL**

**SIGNATURE**

Ashburton District Council

\_\_\_\_\_  
Angus McKay – Mayor

Canterbury Regional Council

\_\_\_\_\_  
Dame Margaret Bazley–Commissioner Chair

Christchurch City Council

\_\_\_\_\_  
Lianne Dalziel – Mayor

Hurunui District Council

\_\_\_\_\_  
Winton Dalley – Mayor

Kaikoura District Council

\_\_\_\_\_  
Winston Gray – Mayor

Mackenzie District Council

\_\_\_\_\_  
Claire Barlow – Mayor

Selwyn District Council

\_\_\_\_\_  
Kelvin Coe – Mayor

Timaru District Council

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Damon Odey – Mayor

Waimakariri District Council

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David Ayers – Mayor

Waimate District Council

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Craig Rowley – Mayor

Waitaki District Council

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Gary Kircher – Mayor

## **CANTERBURY MAYORAL FORUM**

### **CHARTER OF PURPOSE 2013-2016**

#### **1. NAME**

The name of the group shall be Canterbury Mayoral Forum.

#### **2. OBJECTIVES**

- (a) To provide a forum to enable the group to work more collaboratively with each other and the region's community leaders in an endeavour to identify opportunities and solve problems together.
- (b) To identify and prioritise issues of mutual concern and foster co-operation amongst members to address these issues (including where appropriate joint work plans).
- (c) To formulate policies and strategies on matters where all member councils may act collaboratively in determining plans for the co-ordination of regional growth.
- (d) To ensure increased effectiveness of local government in meeting the needs of Canterbury communities.
- (e) To act as an advocate to central government or their agencies or other bodies on issues of concern to members.
- (f) To develop and implement programmes, which are responsive to the needs and expectations of the community.

#### **3. PRINCIPLES**

In pursuit of these objectives the Canterbury Mayoral Forum will observe the following principles:

- (a) Establish and maintain close liaison with other local government networks to ensure as far as possible the pursuit of common objectives and the minimisation of duplication.
- (b) Establish and maintain close liaison with Ministers of the Crown and local Members of Parliament.
- (c) Establish and maintain close liaison with a wide number of diverse stakeholders and key sector organisations within the region.
- (d) Exercise its functions with due regard to the tangata whenua and cultural diversity of the Canterbury community.
- (e) Keep the local community informed about its activities.
- (f) Encourage member councils to promote and apply cross-boundary structures and systems.

- (g) Establish a provision for reporting back to its respective Councils.

#### **4. POWERS**

- (a) The Canterbury Mayoral Forum shall have the power to:
  - (i) Levy for any or all of its objects in such amount or amounts as may be mutually determined and acceptable to individual local authorities.
  - (ii) determine and make payments from its funds for any or all of the purposes of its objects.
  - (ii) Receive any grant or subsidy and apply monies for the purposes of such grant or subsidy.
  - (iv) Fund appropriate aspects of the Forums activities regionally.
- (b) The Canterbury Mayoral Forum does not have the power to legally bind any council to any act or decision unless that act or decision has been agreed to by decision of that council.

#### **5. MEMBERSHIP**

- (a) Membership of the Canterbury Mayoral Forum shall be open to the following councils.
  - Ashburton District Council
  - Christchurch City Council
  - Environment Canterbury
  - Hurunui District Council
  - Kaikoura District Council
  - Mackenzie District Council
  - Selwyn District Council
  - Timaru District Council
  - Waimakariri District Council
  - Waimate District Council
  - Waitaki District Council
- (b) Each member council shall be represented by its Mayor (or Chairperson in the case of Environment Canterbury) and supported by its Chief Executive. On occasions where the Mayor or Chair cannot attend each council may be represented by its Deputy Mayor or Chair.
- (c) The Canterbury Mayoral Forum will have the power to co-opt other members on a permanent and/or issues basis.



## **6. CHAIRPERSON**

- (a) The Canterbury Mayoral Forum shall appoint a Chairperson at the first meeting immediately following the Triennial Elections. This appointment may be reviewed after a period of 18 months.
- (b) The Chairperson elected will preside at all meetings of the Canterbury Mayoral Forum.
- (c) The Canterbury Mayoral Forum shall elect a Deputy Chairperson at the first meeting immediately following the Triennial Elections.
- (d) The Canterbury Mayoral Forum may appoint spokespersons from its membership for issues being considered.

## **7. MEETINGS**

- (a) Meetings will be held as required with an annual schedule, covering a calendar year, to be determined by the members. It is anticipated that meetings would be held three-monthly at venues to be determined.
- (b) Special meetings may be called at the request of four Mayors/Chairpersons.
- (c) A working group of Chief Executives will facilitate preparation of material proposing to be considered by the Canterbury Mayoral Forum.
- (d) Agendas for meetings will be issued and minutes would be taken and circulated.

## **8. DECISION MAKING**

The practice of the Forum will be to determine issues before it by consensus. If the consensus is to determine issues by voting the determination shall be determined by a majority of votes of the authorities represented at the meeting through the Mayor (or Chair) or their nominated representative.

## **9. SECRETARIAT**

The Canterbury Mayoral Forum will appoint Environment Canterbury to carry out the secretariat function on such terms and conditions, as it shall decide for the discharge of duties, including the taking of minutes and the keeping of any books and accounts and attending to any other business of the forum.

## Block Offer 2014

Kaikoura District Council was notified of an intention by New Zealand Petroleum and Minerals to let Blocks in the Pegasus Basin in the 2014 Block Offer release. The Pegasus Basin is located to the East of the Kaikoura Coastal Boundary. Before finalising blocks for Block Offer 2014, New Zealand Petroleum and Minerals are consulting with 99 iwi and hapū and notifying 63 local authorities with an interest in the exploration areas proposed.

Iwi and hapū and local authorities being consulted and notified include: those where a proposed block is in their rohe or area of jurisdictional control; and those where their rohe or jurisdictional area abuts the coast within 100km of a proposed offshore block. The consultation and feedback will inform final decisions for Block Offer 2014.

The consultation period begun on 19 September 2013 and closed on 14 November 2013. Due to the timeframe involved in preparing the submission, the interim appointment period and the closing of submissions, approval from Council is being sought retrospectively. That means the submission has already been lodged with New Zealand Petroleum and Minerals, and that approval is now being sought from the Council. If members choose not to support the submission, the submission may be withdrawn.

Documentation and email correspondence was sent to Councillors' prior to the submission being lodged. The email correspondence allowed Councillors to lodge feedback with the District Planner prior to finalising the submission.

The attached submission was lodged with New Zealand Petroleum and Mineral on Thursday 14 November 2014. The process from this point is that staff from New Zealand Petroleum and Minerals will consider the submissions, and a summary will be presented to the Minister for consideration.

***Recommendation:***

***It is recommended that the Kaikoura District Council:***

- 1. Receive the information in the report***
- 2. Support the submission on New Zealand Petroleum and Mineral NZ Block Offer Consultation document.***

Author: District Planner  
Endorsed by the Chief Executive Officer

# New Zealand Block Offer 2014

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## Submission on Consultation Document

Kaikoura District Council  
34 Esplanade  
PO Box 6  
KAIKOURA

Phone: 03 3195026  
Email: rachel.vaughan@kaikoura.govt.nz

Contact: Rachel Vaughan

**Kaikoura District Council is happy to answer any questions in regard to this submission**

## About Kaikoura District - as background to our position

1. Kaikoura District is the smallest local authority in Mainland New Zealand. The Kaikoura District spans from the Haumuri Bluffs in the south to the Kekerengu valley in the north, covering 2,048 square kilometres of diverse landscape. Kaikoura District is located between the Pacific Ocean and the Inland Kaikoura Range. The Kaikoura District has wonderful environmental diversity and which ranges from sea level to snow capped mountain of 2,885 metres. The spectacular coastline provides excellent fishing, sporting and recreation for Kaikoura's residents and visitors. The Kaikoura Canyon, at around 1,300 metres deep, provides the natural habitat for the sperm whale, and is also host to over 200 species of marine life. The Kaikoura coastline also experiences a large number of migratory and visiting whale and dolphin species close to shore. The regular visitors include Southern Right Whale, Orca, Humpback, Sperm Whale and Dusky and Hector Dolphin Species.
2. Historically the District has thrived in the fishing, farming and forestry industries. Today Kaikoura is a world-class tourism destination, yet still maintains its fishing and farming heritage. The District boasts award-winning restaurants, cafés and accommodation facilities, wineries and modern small boat facilities.
3. The vision for the district is described in the Long Term Council Community Plan as:

*"The Kaikoura community displays responsible custodianship of its unique natural, social, cultural and environmental resources by ensuring the sustainable utilisation and management of these resources.*

*It is a community that treasures the present small-scale town atmosphere and retains and enhances this coastal village character."*

4. The Kaikoura Community is entwined with the natural environment and the future of the community depends on it. The Kaikoura District Council is a lead agency for environmental sustainability and uses a voluntary environmental certification scheme to measure the Community's environmental impact. The Community has been collecting environmental impact data since 1999, and has achieved Environmental Certification every year since 2004. Being a small council the "silos" which are often found in large organisations are easily removed and our size also ensures that we are well connected to the community.

5. Kaikoura District Council works closely with the Te Runanga o Kaikoura on a shared governance model. Both the community and the Runanga have raised concerns with the Kaikoura District Council regarding the impact of the petroleum and oil exploration on the coastal and marine environment around Kaikoura.
6. The Kaikoura Community formed a group to address issues in the Kaikoura Coastal Environment, this group is called Te Korowai o Te Tai o Marokura/Kaikoura Marine Guardians. The Group released a characterisation report in 2007 which states:

*Who are Te Korowai o Te Tai o Marokura/Kaikoura Marine Guardians?*

*We are a group of people standing for local leadership in the care of Tangaroa and in decisions on the use and protection of our marine environment. We have come together in response to the many issues and uses of our coast to develop a management strategy for our coast – the strategy is a korowai for Te Tai o Marokura. We are weaving that korowai.*

*Our vision is a future where the moana (sea) of Kaikōura is richer and healthier. We want it to be used sustainably, providing for the needs of present and future generations. In this vision, people will interact with the sea in ways that care for its mauri (life force). People’s activity will be managed to respect the natural connections between living and physical elements and sustain the sea’s dynamic ecological balance.*

*The Guardians do not yet know exactly what this management strategy will look like or what measures it will contain. But we do have a vision for the Kaikōura marine environment, and as a first step we have started collecting information. We want you to read our Characterisation Report and add to that kete of knowledge. We want you to tell us what issues need to be resolved and what opportunities you see for the future. The purpose of the strategy is to create agreement within Kaikōura with the management agencies such as DOC and Minfish and with other people connected with this place, on how our community vision will be achieved.*

7. In October 2012, a Final Strategy was released. The strategy contains a number of tools to be used to achieve the vision. The vision is:

*By perpetuating the mauri and wairua of Te Tai o Marokura, our community, as kaitiaki of Tangaroa’s taonga, are sustaining a flourishing, rich and healthy environment, where opportunities abound to sustain the needs of present and future generations.*

8. The Kaikoura Marine Strategy recognizes the importance of the Kaikoura Marine Environment as an environment which not only contains unique geology and ecosystems, it is also contains environments that support and protect unique marine species. These species contribute to the overall health and biodiversity of the ocean and contain natural ecosystems. The ecosystems and species provide for the economic wellbeing of Kaikoura’s Community through tourism, fishing and other employment opportunities. The solutions proposed by Te Korowai o Te Tai o Marokura include a range of mechanisms to protect fisheries, customary values, coastal environments and the treasures of the Coastal Marine Area. The strategy states:

*The diversity of values and threats at Kaikoura means an integrated package of measures is required. This package is intended to create both protection for the important values present at Kaikoura and international recognition. Mechanisms under the Fisheries Act 1996 are detailed in section 5 on Fishing for Abundance and those under the Resource Management Act 1991 in section 6 on living sustainably.*

*This section details mechanisms for species and special area protection. The package is to seek:*

- *World Heritage Status for Kaikoura.*
  - *A marine mammal sanctuary for the core habitat of whales and dolphins.*
  - *A marine reserve over the Kaikoura Canyon with a connection to the coast at Barney's Rock.*
  - *One or more rahui areas on the Kaikoura Peninsula.*
9. The Kaikoura Marine Strategy has put forward a long term aim to have Kaikoura recognized around the World for its natural heritage through World Heritage status. The strategy further states that *Before World Heritage status is sought, long term protection is needed, in particular the unique features of international importance, e.g. the Canyon.* It is further stated that World Heritage status would not exclude oil exploration activities.
  10. The Kaikoura Marine Strategy also includes recognizes the relationship of Ngati Kuri with the Coastal area and proposed protection for local traditional fisheries areas through maitaitai and taiapure.
  11. The effects on marine mammals and other marine species and fisheries of exploration activities including seismic surveying are particularly challenging for the Block Offer 2014 areas off the Kaikōura coast. The internationally significant marine ecosystems of the Kaikōura Trench, and the whales and other wildlife that depend on this habitat and resources, are of crucial importance to the Kaikōura community, as is reflected in the Kaikōura Marine Strategy.

## **The issue**

12. The Kaikoura Community is concerned about the Block Offer process for Oil Permitting and Exploration in New Zealand. The principal concern relates to the blocks in the Pegasus Basin Great South Canterbury Basin which are on the East Coast of New Zealand. Of particular concern is the effect any seismic investigation and drilling in this area may have on the Kaikoura marine environment.
13. Locally the concern is with blocks on offer in the Pegasus Basin and the Great South Canterbury Basin, which could have effects on the Kaikoura coastline and marine environment. The Kaikoura District Council has little information on how the exploratory and drilling process may affect the coastal marine area in the District. Of particular concern are the marine environments that support both resident and itinerant marine mammals, sea birds and the highly productive marine ecosystems that contribute to the marine environment.
14. The Kaikoura District is highly reliant on the marine environment for the economic wellbeing of the District. The effects of seismic testing on marine mammals are unknown. If any drilling activity, including the seismic testing was to drive whales, dolphins or seals from our coastline, our marine tourism based economy would be destroyed. Any subsequent drilling accidents would cause additional devastation. The Kaikoura Community have worked hard toward sustainability and protecting the natural environment for future generations.
15. The Kaikoura District Council also supports Environment Canterbury's concerns to Maritime NZ's concurrent review process for the NZ Marine Oil Spill Response Strategy. Environment Canterbury's comments addressed a range of issues including:
  - a. partnerships and collaboration, encouraging wider and more proactive involvement of communities, tangata whenua, and relevant agencies such as the Ministry of Civil Defence and Emergency Management (CDEM);
  - b. the polluter-pays principle, so that the burden of risk falls on the operator who creates that risk;

- c. the importance of a rapid response in an emergency situation, and honest assessment of the capacity and resourcing necessary for a credible response to a major incident;
- d. the increased risks of an oil spill from the proposed new exploration areas off the Canterbury and Kaikōura coasts included in the 2014 Block Offer.

### **Relief sought**

- 16. Kaikoura District Council recognize the past efforts of New Zealand Petroleum and Minerals to exclude the Marine Mammal Sanctuary area and appreciate that the Minister has ensured the 2014 Block Offers further respect the Marine Sanctuary area.
- 17. The Kaikoura District Council understands that the Block Offer process is well advanced, however, there are concerns around the following matters that the Kaikoura District Council would be grateful if the Minister would consider.
- 18. The Minister is asked to consider the unique features and ecosystems of the Kaikoura Coastline and in particular how any activities would affect the unique marine mammals, the highly productive coastal environment and the aspiration of World Heritage status for the area.
- 19. The Kaikoura Community would request that the following issues be investigated prior to letting any further permits in the Pegasus Basin area:
  - a. The impacts of any exploratory or drilling activity on marine mammals particularly in the proposed marine mammal sanctuary area outlined in the Kaikoura Marine Strategy.
  - b. The impacts of any exploratory or drilling activity, including seismic survey, on both the residential and migratory marine mammal species in the adjacent marine environments.
  - c. Any risk to drilling activity being interrupted by seismic activity. Particular attention should be given to any seismic activity in the plate subduction zones around New Zealand including the Hikurangi Trench. Particularly the risk of oil spill associated with the seismic risk.
  - d. The risk from an oil spill, including the use of oil dispersants on Kaikoura's native flora and fauna. Oil dispersants may be any chemical that is used during clean up of a petroleum based discharge including – the effects on marine mammals, the effects on mahinga kai and biological accumulation of the chemical used.
  - e. Effects associated with the transport of oil or oil dispersants due to tidal currents affecting sensitive environments around New Zealand's coastline or marine areas.
  - f. Effects of the activity including use of dispersants on areas of productivity around New Zealand's coastline or marine areas.
  - g. The risk of the drilling activity, including use of dispersants, on Kaikoura's marine canyon. The Kaikoura Canyon has been found to be an area of very high productivity in New Zealand's coastline and marine area.
- 20. The introduction of offshore oil and gas exploration and drilling vessels and equipment from other maritime environments to the waters off the Canterbury and Kaikōura coasts has the potential to establish a new range of biosecurity risks. Environment Canterbury is the regulatory body for marine biosecurity and would need to have confidence that these risks have been addressed.
- 21. Kaikoura District Council recognise the economic benefits to the whole country, and any indirect economic flow on benefits to the Kaikoura region as well as Marlborough. The Kaikoura Community aware that many of our tourism ventures rely on fossil fuels and the

right balance needs to be struck for New Zealand as a whole as what areas are appropriate for certain activities.

22. The Kaikoura District Council holds a concern that the NZ marketing brand used by Tourism NZ could be irreversibly affected by high risk off shore oil exploration and the cost to the Country as a whole could well exceed the short term financial gain from the mineral resources. The marketing brand 100% Pure NZ, seems to have become a target for international criticism on environment performance, and at this time, may open the Country up for further negative censure. Kaikoura is one of the few places in the world where marine mammals can be viewed in their natural environment, with controls in place to ensure the mammal watching industry is not detrimental to the marine mammals. Visitors comment, that in Kaikoura, one can view this naturalness and then return to a land environment that supports that naturalness. This for the visitor is the 100% Pure NZ brand experience.
23. The Kaikoura District Council respectfully request the Minister consider the detrimental impact oil exploration and drilling may have on this 100% Pure NZ perception. Damage to the perception in turn may damage the Kaikoura Community economically. This comes at a time when the Kaikoura Community is already experiencing significant economic loss due to the global financial crisis and the ongoing effects of the Christchurch earthquakes.

The Kaikoura District Council would be happy to discuss these issues in more detail if required.

## Mayor's Report

I met with Jan Hania and Dave Hayes from DoC as part of an introduction process as Jan has taken the role of Partnership Manager for DoC working out of the Nelson Office.

DoC plays a large role in this area. We talked about developing the cycle trail over DoC land particularly the Mt Fyffe and Hapuku River areas. We need to also have more conversations around access to the Kaikoura Peninsula this will also involve the landowners.

The inner Clarence reserve area is also an important summer visit area controlled by DoC that has opportunities to benefit Kaikoura particularly tramping /mountain biking.

We had discussion around our submission for access into eastern Molesworth via a bridge over the Clarence River around the Quail Flat area. This is currently at the discussion stage with DoC and the other stakeholders; however there is strong support for this project.

I attended the Mayoral Forum in Christchurch on Friday 6<sup>th</sup> December. Most of the discussion was an update on the water zone process from Peter Skelton, Amy Adams was in attendance early in the meeting to have discussions regarding the upcoming statutory review of Environment Canterbury which is required to start in March 2014. A consultation process will take place prior to central govt making a decision.

We have received a booklet called "Talent NZ. Creating a place where talent wants to live". It showcases a project inspired by the late Sir Paul Callaghan, a passionate New Zealander who cared deeply about the future of this country and its young people. They have interviewed a wide group of talented New Zealanders about how they see our country. During 2014 they intend to conduct a roadshow around the nation and we need to be in on this conversation.

I see real opportunities for the regions, and in particular places like Kaikoura, where we embrace the digital revolution and create an environment where talented people and or companies can domicile in and embrace the quality lifestyle while running and growing their business. Last week I received advice of a national forum that has developed out of this process. The forum, "A Place to Live", is to be held in Whanganui from Sept 22<sup>nd</sup> till 24<sup>th</sup>. There are a small number of people actually doing this now in Kaikoura. We have the mountain , marine environment , the community where opportunities abound I ask that you give some thought to this possibilities over the summer while enjoying some rest and family time.

All the best for Xmas and 2014.

Winston Gray