

MINUTES OF THE COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 16 DECEMBER 2015 AT MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

PRESENT: Mayor W Gray (Chair), Councillors T Blunt, J Diver, G Harmon, J Howden, C Mackle, D Millton, D Morgan.

IN ATTENDANCE: R Vaughan (Acting Chief Executive Officer), S Syme (Committee Secretary).

1. OPEN FORUM

Ralph Hogan

Councillor Mackle and Councillor Blunt entered the meeting at 9.02am.

The tenders for the 2015 Block Offer would be announced later that day. The 2016 blocks would be allocated in March. R Hogan advised of an application to undertake seismic survey over a large area under a separate process to the Block Officer process. R Hogan enquired if Council had been notified of the permit process or the application.

R Hogan advised in terms of climate change and sea level rise it used to be said that the temperature needed to be kept 2 degrees below pre industrial time however now it was said it should be 1.5 degrees and there was ongoing acceptance of the science regarding this.

With regard to the Civic Centre R Hogan advised of requirements regarding coating of the Triclad cladding and suggested there were some issues which needed to be addressed in terms of coating and maintenance. He also hoped that some other matters regarding the Civic Centre would be clarified at the meeting.

The meeting adjourned at 9.09am and resumed at 11.12am.

2. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS

1. Acting Chief Executive Officer Appointment Process (Councillor Blunt)
2. Remaining Quantity Survey Report from Prendos (Councillor Blunt)
3. Reports made about Builders Contract (Councillor Blunt)
4. Farewell for departed Chief Executive Officer (Councillor Blunt)
5. Article in the Kaikoura Star (Councillor Blunt)
6. Audit and Risk Committee (Councillor Millton)
7. Civic Centre Building Subcommittee (Councillor Millton)
8. Governance of Innovative Waste Kaikoura (Councillor Millton)
9. Authors of reports (Councillor Millton)

3. CANTERBURY ECONOMIC DEVELOPMENT COMPANY SHAREHOLDER RESOLUTION

Council was one of ten shareholders in the Canterbury Economic Development Company which was a Council Controlled Organisation. The Company had a long history and had been on hold for some time. It was believed the Company had been superseded by other forums. A meeting of

directors was to be called in the near future to discuss the future of the Company.

Moved by Councillor Howden, seconded by Mayor Gray and resolved that;

- 1. The Canterbury Economic Development Company Limited Annual Report, including the Auditors Report for the year ended 30 June 2015 be adopted.***
- 2. The Auditor General be reappointed as auditor for the year ended 30 June 2016.***

4. RESERVE ACT APPROVAL

The matter to be dealt with was the creation of an easement over local purpose reserve at the St Pauls, New Beginnings walkway. The ability to provide for the easement had been delegated from the Minister of Conservation to the Kaikoura District Council. The aim was to formalise the access to the walkway.

Moved by Councillor Millton, seconded by Councillor Mackle and resolved that pursuant to Section 48(1) of the Reserves Act 1977 the Kaikoura District Council grants an easement under delegated authority to the Kaikoura District Council over Lot 11 DP 7341 as shown on title plan LT481901.

5. COMMITTEE UPDATES

Kaikoura Vehicle Trust

The Vehicle Trust had a new van with a hoist and also a car which transported people to Christchurch five times a week. There was a large amount of volunteer hours involved in providing the service which was a great asset to the community.

Destination Kaikoura

Visitor numbers were down slightly but revenue was up for the i-Site. It was noted forward bookings were very strong.

It was anticipated the Business Plan and details for the Event Coordinator would be presented to Council in February.

Marlborough Regional Forestry Joint Venture

Forest fires had damaged 80 hectares of 1 to 2 year old forest and 8 hectares of 26 to 30 year old forest. The forest was insured. Another \$25,000 in revenue was due to Council.

Sport Tasman

Funding for Sport Tasman had been decreased by \$55,000 per annum which was a drop in income of approximately ten percent. Canterbury would receive an additional \$200,000 per annum.

6. MAYOR'S REPORT

The Mayoral Forum continued to work on seven works streams. Spark had entered into an agreement with the Mayoral Forum to bring forward the rollout across the region of 4G to be completed by December 2016.

The Mounted Rifles Trust Group were working on bringing a special parade to Kaikoura on Anzac day to commemorate the Marlborough, Nelson and Kaikoura Mounted Rifles Group that came through Kaikoura in 1915. The aim was to have between 80 and 100 horses and training would be provided for riders and horses.

7. CONFIRMATION OF MINUTES

Council 18/11/2015

Moved by Mayor Gray, seconded by Councillor Diver and resolved that the minutes of the Council meeting held on 18 November 2015 be confirmed a true and accurate record.

8. ADOPTION OF REPORTS

Works and Services Committee 18/11/2015

Moved by Councillor Harmon, seconded by Mayor Gray and resolved that the report of the Works & Services Committee meeting held on 18 November 2015 be adopted.

Environmental Services Committee 18/11/2015

Moved by Councillor Morgan, seconded by Mayor Gray and resolved that the report of the Environmental Services Committee meeting held on 18 November 2015 be adopted.

Finance & Policy Committee 18/11/2015

Moved by Councillor Howden, seconded by Councillor Morgan and resolved that the report of the Finance & Policy Committee meeting held on 18 November 2015.

9. MINUTES TO BE RECEIVED

Hearings & Applications Committee 27/10/2015

Moved by Councillor Diver, seconded by Councillor Mackle and resolved that the minutes of the Hearings and Applications Committee meeting held on 27 October 2015 be received.

10. URGENT BUSINESS

1. Acting Chief Executive Officer Process

Councillor Blunt advised M Reid of Local Government New Zealand had advised that unless the appointment of the Acting Chief Executive Officer was undertaken by Council then the Acting Chief Executive Officer had no legal jurisdiction to make any decisions. It was suggested Council needed to go through the process of formally appointing the Acting Chief Executive Officer so that any decisions made were legal. A discussion was held regarding legal advice received regarding the appointment of the Acting Chief Executive Officer.

It was considered that this item was a major item and the matter could not be held over to February for a decision to be made.

Moved by Councillor Blunt, seconded by Mayor Gray and resolved that R Vaughan, Acting Chief Executive Officer, had full legal powers to make the decisions that needed to be made.

The meeting adjourned at 11.55am and resumed at 1.00pm.

11. PUBLIC FORUM

Dennis Buurman – Erosion on the Esplanade

B Buurman advised he had made a submission to the Long Term Plan regarding erosion and he was concerned that nothing was happening. He was surprised some urgency had not been placed on addressing the issue. He advised he had received different stories when talking to both Environment Canterbury and Council staff regarding the matter. He understood from discussions with Environment Canterbury that works could be undertaken under the emergency work provisions without resource consent but a retrospective consent would be required. He advised it was Council property that was at risk but eventually lives would be at risk. He felt it was a catastrophe that nothing was happening.

Councillor Mackle advised he had also had discussions with Environment Canterbury regarding the matter and the work would not be classed as emergency work as Council had known about the issue for some time.

It was noted a previous presentation from Environment Canterbury had highlighted that soft protection e.g. re-nourishment was the best option. When solid fixtures were put in place the problem was pushed elsewhere.

Gerald Nolan – Camping

Councillor Diver declared an interest and took no part in the discussion on this matter.

G Nolan, Kaikoura Top 10 Holiday Park, and representatives from Pekata Holiday Park and Alpine Pacific Holiday Park were in attendance to present this item.

Concern was raised regarding the Ranui Cottage Holiday Park and the exemptions to the Camping Ground Regulations which had been granted. They were not happy with the decision and the fact it had been made under delegated authority based on legal opinions from other Councils. It was felt a dangerous precedent had been set. They were trying to establish who made the decision and what it was based on. The campground owners advised they did not mind competition as long as the rules were the same for everyone.

The Acting Chief Executive Officer advised Council was able to consider any decision staff made under delegation. She would bring back a report to Council outlining background to the decision and would ask the Environmental Health Officer to monitor the campground over the summer.

Paul Stemmer – Civic Building

P Stemmer advised he was speaking on behalf of the citizens of Kaikoura and ratepayers on a fixed income. In terms of the Northern Entrance to the town he advised he had sourced funding but the plan needed to be upgraded.

P Stemmer advised he would like to know what the true cost of the building was. He believed everything had to be transparent. He felt Council had made everyone hate the building because it had been so secretive. He further advised he was not against the building and felt it was beautiful and appealing. P Stemmer enquired why Council had been so secretive about the building to which Mayor Gray advised it was due to the insurance claim for the product batch failure in the roof.

Alisa Howard – Banded Dotterels South Bay Beach

A Howard tabled a request to erect a sign at the entrance to South Bay so that people using the beach were aware that Banded Dotterels were nesting in the area and that the species was vulnerable. Chicks and nests were highly camouflaged and vulnerable through their development. The Acting Chief Executive Officer advised education signs for a voluntary approach could be put in place. If it was felt the problem was greater a bylaw could be investigated.

12. URGENT BUSINESS CONTINUED

2. Quantity Survey Report from Prendos

An enquiry was made regarding the quantity survey report which was awaited from Prendos. It was noted the report had been important at the time it was requested to obtain an idea of how much the building was going to cost. The Acting Chief Executive Officer advised the work done was possibly already out of date. She would contact Prendos to see where the work was at and would enquire regarding the cost to complete the report and what was required.

A discussion was held regarding when the Project Manager's contract would finish and when the project would be handed over to Council.

3. Builders Contract Civic Building

An enquiry was made regarding viewing of the Builder's Contract. It was noted this had been discussed and shown at a previous meeting.

A discussion was held regarding protection for the community through a contract with penalty clauses. A discussion was also held regarding an independent person being put in place to advise the Subcommittee. The Acting Chief Executive Officer advised she was mindful of legal advice provided to Council regarding breaking contracts. It was noted there could be some benefit in the Chief Executive Officer employing an advisor for herself.

4. Kaikoura Star Article

An enquiry was made as to who had put the media release in the Kaikoura Star and some elected members were unhappy the information had been put in the paper without them seeing it first. A request was made for further information to be put in the paper retracting from statements made. Some readdress was also requested regarding an article in the Kaikoura Star and comments made by the Chief Executive Officer.

The Acting Chief Executive Officer advised the costs stated in the December agenda were those which had been agreed between the Project Manager and the Finance Manager. There had been a discrepancy before but it was now known where the discrepancy was. It was noted the current figures were being audited to ensure they were 100% correct. Costs reported by the Project Manager only related to construction.

5. Farewell for Chief Executive Officer

A discussion was held regarding a farewell for the outgoing Chief Executive officer. A welcoming event would be held with the new Chief Executive Officer.

6. Audit and Risk Committee

Previous advice had been that a separate Audit and Risk Committee was not required however research had revealed that this approach was frowned upon. It was noted this item was on the agenda for the new Chief Executive Officer.

7. Building Project Subcommittee

It was noted this item had been discussed.

8. Governance of Innovative Waste

An opinion on the governance of Innovative Waste was requested and it was felt this item should be discussed at the February meeting.

9. Authors on Reports

A discussion was held regarding the way Council presented itself publicly. It was suggested reports on the agenda should be signed by the person who had prepared them. The Acting Chief Executive Officer advised Council could look at the report format used by other Councils.

13. COUNCIL PUBLIC EXCLUDED SESSION

Moved by Mayor Gray, seconded by Councillor Harmon and resolved that the public be excluded from the following parts of the proceedings of this meeting namely;

- a. Confirmation of Minutes 18/11/2015*
- b. Appointment of representatives to the Road Naming Subcommittee*
- c. Appointment of Representatives to the Kaikoura Zone Water Committee*

There being no further business the meeting closed at 2.41pm.