

MINUTES OF THE KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.00AM ON WEDNESDAY 15 OCTOBER 2014 AT MEMORIAL HALL SUPPER ROOM, ESPLANADE, KAIKOURA.

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

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

APOLOGIES: Councillor C Mackle
Moved by Mayor Gray, seconded by Councillor Diver and resolved that apologies be accepted.

1. OPEN FORUM

R Hogan – Item 17 Report on Transparency and Accountability Recommendations

R Hogan advised a comment in the report stated he had requested a change to Standing Orders however it was the Chief Executive Officer who had insisted Standing Orders had to be changed for the recording of all votes at meetings to occur. He requested consideration regarding the statement given M Reid from Local Government New Zealand had advised Council could choose at its discretion with a majority vote to record all votes without changing Standing Orders. He enquired what justification there was in keeping an elected members vote out of the public record.

In terms of keeping agendas and minutes R Hogan advised the price for storage was negligible. He suggested the website statistics counter was broken as he had visited the site a number of times. He felt when trying to research an issue it was much more effective and efficient to have direct access to a range of documents. He believed his request was not baseless as other Councils held documents on their websites for much longer.

R Hogan advised there was only one of the four items raised that the report specifically recommended against and that was allowing public to observe workshops. He advised there were many reasons public observation would be of benefit. He further suggested Council should stop making decisions at workshops then saying it did not make decisions at workshops.

R Hogan advised there were a number of reasons why things got murky or obscure without it necessarily coming from a sinister place and diminishing concerns with overused labelling was not constructive to the issue. R Hogan advised there were plenty of districts who followed the recommendations put forward.

R Hogan advised he was an advocate of Council and not there to impugn Council.

The meeting adjourned at 9.09am and resumed at 11.10am.

2. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS

1. Dress Code (Councillor Blunt)

3. KAIKOURA ZONE WATER COMMITTEE SELECTION PANEL APPOINTMENT

The Committee was due to go through the refreshment process. The selection process would replace or possibly renew community members who were scheduled for replacement/renewal.

Two Council representatives were required to serve on the selection panel.

Moved by Mayor Gray, seconded by Councillor Blunt and resolved that Council appoint Councillor Milton and the Chief Executive Officer as Council representatives on the Kaikoura Zone Water Committee Selection Panel.

4. TEMPORARY ROAD CLOSURE- KAIKOURA LONGBOARD FESTIVAL 2015

A request had been received to close two roads at Ocean Ridge for the Kaikoura Longboard Festival. Council agreed to close the road the previous year and see how the event worked out. Information received indicated the event had been very successful with very few people using the course prior to the event.

Moved by Councillor Diver, seconded by Mayor Gray that under Transport (Vehicular Traffic Road Closure) Regulations 1965 Council agree to close Ingles Drive and Greenburn Way from 9.00am to 5.00pm on the 17th and 18th of January 2015.

Councillor Blunt advised he was aware of one accident that had happened the previous year and there were a number of residents who had not been contacted and did not want the event to proceed. Residents were very concerned about safety. Councillor Blunt felt it was a great event but suggested the event organisers look at an alternative piece of road to run the event on. Mayor Gray advised he had received feedback prior to the last event but feedback following the event had been positive. Councillor Harmon advised he had not been re-approached with concerns.

The Chief Executive Officer advised the approval was the start of the process and people would be provided with the opportunity to object to the proposal. He advised Council needed to ensure that people were not too inconvenienced. Objections had to be based on traffic grounds

and not just because residents did not want people using the street. It was generally felt the organisers should communicate with the residents as it appeared not all of them had been approached as indicated by the organisers. It was noted there was considerable concern from residents that they would have to pick up the pieces from skateboards and skateboarders especially because of the exposure of the event.

The motion was put and carried.

Against: Councillor Blunt

5. SMOKEFREE 2025

M Whitt and H Kimber were in attendance to present this item.

Kaikoura was one of twelve Councils in the region which had a Smokefree Outdoor Areas Policy. The Government had a goal of Smokefree New Zealand 2025, less than 5% of the population smoked by 2025. By 2025 it would be difficult to supply and sell tobacco and it would be unusual to see people smoking. The rate had dropped from 20% at the 2006 census to 15% in 2013.

Council could consider endorsing Smokefree 2025 in its Long Term Plan and then could look at options where the Smokefree Outdoor Area Policy could be extended. It was suggested a survey of businesses in Kaikoura be undertaken to ascertain thoughts on smokefree outside dining areas. A survey in Timaru had showed many businesses were willing to pilot a smokefree programme.

It was generally felt Council should move forward with the process of endorsing Smokefree 2025.

The meeting adjourned for lunch at 12.02pm and resumed at 1.00pm.

6. ENVIRONMENT CANTERBURY

K Heays, Local Manager Environment Canterbury, was in attendance to present this item. K Heays advised P Wood was the new river and drains engineer based in Kaikoura.

An issue that had arisen was the disposal of demolition materials. Environment Canterbury's role was to ensure the material was not put anywhere it was not permitted to be.

A discussion was held regarding pest control jobs in the Kaikoura District. It was suggested submissions could be made to the Annual Plan regarding the issue.

Councillor Blunt enquired regarding the procedure for dealing with pollution in the lower reaches of Lyell Creek. K Heays advised if an official complaint was made there were set procedures to follow.

7. DEVELOPMENT CONTRIBUTIONS POLICY

Amendments to the Local Government Act required changes to Council's Development Contributions Policy. Council was required to adopt a methodology schedule. The methodology schedule had three parts; network infrastructure, community infrastructure and reserves. As well as adopting the methodology schedule Council was also required to review the Policy and have the draft out for public consultation by 1 December 2014.

Moved by Councillor Diver, seconded by Councillor Millton and resolved that Council amend its Development Contributions Policy by adopting the methodology schedules for network infrastructure, community infrastructure and reserves as provided in the agenda.

8. ENVIRONMENTAL AND SOCIAL SUSTAINABILITY STRATEGY

Council was required to ratify the Social and Environmental Sustainability Policy. In the past this function had been delegated to the Tourism and Development Committee.

Moved by Mayor Gray, seconded by Councillor Harmon and resolved that Council renew its commitment to the Environmental and Sustainability Policy and review the Environmental and Social Sustainability Policy for the 2015 Long Term Plan.

9. SIGNIFICANCE AND ENGAGEMENT POLICY

Under the Local Government 2002 Amendment Act (2014) Council was required to adopt a Significance and Engagement Policy no later than 1 December 2014. It was suggested the Policy be adopted and public feedback be sought over a two week period with the aim of ratifying the final Policy at the November Council meeting.

Moved by Councillor Diver, seconded by Mayor Gray and resolved that Council approve the draft Significance and Engagement Policy for public consultation.

10. YOUTH COUNCIL

E Haberstock and the Community Development Officer were in attendance to present this item.

In terms of youth educational opportunities more courses would be run which would focus on those who had not quite passed NCEA levels.

The Youth Council would be attending the masked parade in Nelson the following Friday. 11 youth would be attending the event.

The Youth Council end of year achievement ceremony would be held on the 29th of October at the Scout Hall.

A discussion was held regarding sponsoring youth who were interested in local government. It was noted O Hall a previous Youth Council member had been a Youth MP.

11. TRAILS TRUST FORMATION

A report on forming a Trails Trust had been prepared following a presentation to Council from the Kaikoura Cycle Club. The District Planner had found out about other Trails Trust around New Zealand and had considered what groups in Kaikoura discussions could be held with.

Moved by Mayor Gray, seconded by Councillor Diver that;

- 1. Council provide resources to determine community support existed for the creation of a Trails Trust for Kaikoura.***
- 2. If community support existed for the creation of a Trails Trust Council allocate resources to facilitate;***
 - a) the formation of a charitable trust***
 - b) the creation of a strategic plan***
 - c) the development of a funding strategy.***

Discussion:

Councillor Morgan queried why the Cycle Club could not form the Trails Trust themselves. The Chief Executive Officer advised the reason was the Trust would be wider than just the Cycle Club. Mayor Gray advised the Trust would be about promoting trails in Kaikoura and obtaining funding. Councillor Millton advised the only way to get trail infrastructure was to have a Trails Trust however he did not wish Council to become the major participant.

The motion was put and carried.

12. POSTMAN'S TRACK

Walking Access New Zealand had requested a signed and poled route along the unformed legal road known as Postman's Track. Discussions had been held approximately 6 years ago and some landowners were happy for the track to be marked and some were not. General consensus was it was a good idea but there were some questions regarding practicalities and effects on farming practice. Marking the track would ensure people could see where the track went rather than meandering off onto private property. Councillor Morgan advised the Runanga had supported the proposal to mark the track route.

Councillor Blunt advised from a farming perspective it did not matter how many signs there were advising people not to take dogs, people would still take them. He noted people with hunters on their properties

regularly had outbreaks of sheep measles which came with significant costs. It was also difficult during lambing and calving. He noted there were significant problems with poachers already. He suggested an up and back track would be more practical. Councillor Blunt advised of a formed track which could possibly be utilised which would cause fewer issues for the landowner. He noted the concern was the safety of people who would be walking on the track and did not know about farm animals.

If was generally felt the item should remain on the table until the District Planner had discussions with the landowner at Rakanui.

13. KAIKOURA MARINE GUARDIANS

The District Planner advised one of the directions from the Kaikoura Marine Management Act was that a Ministerial Advisory Committee be formed. Feedback had been requested on what the makeup of the Committee could be. It was suggested Council advise the Ministry of Primary Industries and the Department of Conservation that Te Korowai was best placed to form the Ministerial Advisory Committee. One of the criticisms of this was that there was not a good presentation from all fields e.g. conservation and science on the Committee. This had since been rectified and more members had been invited to join the group. The questions asked of Council were regarding the capacity of the group, makeup of the group and appropriate members.

The District Planner advised the Ministerial Advisory Committee would advise the Ministry in terms of implementation of the Act. A Ministerial Committee would normally receive an honorarium from the Ministry. An enquiry was made regarding the cost of running Te Korowai. The District Planner advised there had been quite a lot of costs in the past but there were ways to reduce costs.

The District Planner reiterated the point of the letter from the Ministry was to ascertain whether Te Korowai had the capacity to be the Ministerial Advisory Committee. It was noted there were a number of outcomes of the Te Korowai Strategy which had not been given effect to through the legislation therefore there was still work to be done.

Moved by Mayor Gray, seconded by Councillor Morgan that Council direct staff to provide feedback to the Ministry of Primary Industries and the Department of Conservation as outlined in Kaikoura (Te Tai o Marokura) Marine Management Act – Kaikoura Marine Guardians commentary.

Discussion:

The “Pro’s and Con’s” listed in the report showed membership as an unpaid volunteers as a negative. The District Planner advised because

people were unpaid they could be unreliable. It was agreed the item should be moved from the “con’s” list.

The motion was put and carried.

14. CIVIC BUILDING UPDATE REPORT

The Chief Executive Officer advised the completion date for the building had been pushed back to the 20th of January 2015. Work on the foyer would commence the following Monday. It was noted there had been delays with delivery of the windows but it was hoped these would be in by the following Friday. Councillor Milton enquired regarding the cost of fit out. The Chief Executive Officer advised it was proposed to utilise most of the equipment and plant which Council had currently. It was also proposed to obtain some items from Environment Canterbury which Council had access to. The Chief Executive Officer advised the fit out was to be included in the budget price.

Councillor Blunt raised some issues regarding safety. The Chief Executive Officer would raise this with the project manager.

15. REPORT ON TRANSPARENCY AND ACCOUNTABILITY RECOMMENDATIONS

Included in the agenda was a report regarding recommendations put forward by R Hogan. The Chief Executive Officer advised he did not see any advantage in including names of individuals on reports. He advised in a small town it was easy to be accosted about reports staff members had written. He did not want that for the staff and in future may put reports in his name.

In terms of the website an effort had been made to declutter the website and it was only proposed to have agenda’s and minutes up for 12 months. To date the website statistics showed very few people had clicked through to the agendas and minutes page.

Regarding workshops being open to the public the Local Government Official Information and Meetings Act recognised there were times when Council needed to come together without the public present. These times provided an opportunity for Councillors to relax and have more open and frank discussions and say what they actually mean to say opposed to what they thought they should be saying.

In terms of voting, Council could on a temporary basis suspend Standing Orders and have all votes recorded. Council had adopted Standing Orders and there was no requirement to record names unless this was requested by the elected member. If this was to be changed on a permanent basis then Standing Orders would need to be changed.

Moved by Mayor Gray, seconded by Councillor Diver and resolved that the report be received.

Councillor Blunt felt if someone was abused without their name being on a report then he could not see it being worse if names were included. He advised he would like to see a trial period of at least names going on reports. In terms of minutes and agendas on the website he felt it was more efficient to have information on the website and there was an ability to have a huge amount of information without it being cluttered. He wished to see the information retained for a minimum of three or four years. He further advised he felt some workshops should be open for the public to attend and discretion was required from Councillors to make that call.

Councillor Morgan felt Council should not be holding workshop which were of a commercially sensitive nature. She advised advice from M Reid, Local Government New Zealand, was if Councillors had discussions with a developer Council risked predetermination. It was acceptable for staff to bring the matter to Council. She felt a better relationship would be built with the community if workshops were open. Councillor Morgan advised she was shocked with the last line of the report.

Councillor Diver advised he was prepared to move that the status quo remain in practice. He had been a Councillor for a number of years and had been around when staff had been abused. The Chief Executive Officer was responsible when reports were endorsed by him. He felt workshops were important for finding out what was happening in the community and what other people were thinking.

Councillor Howden advised she did not see an issue with transparency. Mayor Gray felt if Council wanted to drive transparency underground then Council should have workshops open to the public. Councillor Harmon agreed workshops should be in-house and felt if it was technically simple to leave minutes and agendas on the website for three years then they should be left on. He did not see why officers should have to sign reports.

Moved by Councillor Diver, seconded by Mayor Gray that the status quo be retained (officers names not shown on reports, workshops not open to the public, votes recorded as per standing orders, information remain on the website as was current practice).

Discussion:

Councillor Blunt suggested that there be a choice on a case by case basis regarding public workshops and if all Councillors were in agreement then a particular workshop could be open to the public.

Amendment

Moved by Councillor Blunt, seconded by Councillor Morgan that that agendas and minutes be retained on the website for three years.

The amendment was put and carried.

The amended motion became the substantive motion.

... that the status quo be retained (officers names not shown on reports, workshops not open to the public, votes recorded as per standing orders) except that minutes and agendas be retained on the website for three years.

The motion was put and carried.

Against: Councillor Morgan

16. COMMITTEE UPDATES

Kaikoura Zone Water Committee

Weed spraying had commenced in the Clarence. It was hoped Marlborough District would feel compelled to undertake some work in the area. The Committee had been very pleased to hear the landfill leachate issue was being addressed.

Hospital Trust

Comments from S Pollard about fundraising had suggested the Committee needed to canvas the Kaikoura community before applying for funding for other organisations. The Committee had organised an evening with guest speakers to see what funding could be secured from local community members on the evening. The upcoming Polo event had been well supported.

Councillor Blunt raised the issue of new Local Government Act requirements and whether Council would be able to fund the amount required. The Chief Executive Officer advised it would depend on how the legislation was interpreted. What funds were used and how the funds were raised was something Council would have to work out.

Kaikoura Community Vehicle Trust

The new trust had purchased a car for transporting people out of town for medical appointments and was looking to purchase a van.

17. MAYOR'S REPORT

A discussion was held regarding the Mayor's statement on education in Kaikoura, in his report, given community consultation in 2008 had revealed the community wanted separate schools. Mayor Gray advised he felt it was time for another conversation. Money had been spent on buildings with no overview of education. It was noted this was the Mayor's view.

Moved by Councillor Diver, seconded by Councillor Millton and resolved that the Mayor's report be received.

18. CONFIRMATION OF MINUTES

Council 17/09/2014

Moved by Councillor Diver, seconded by Councillor Millton and resolved that the minutes of the Council meeting held on 17 September 2014 be confirmed a true and accurate record.

19. REPORTS TO BE ADOPTED

Works & Services Committee 17/09/2014

Moved by Councillor Harmon, seconded by Councillor Diver and resolved that the report of the Works and Services Committee meeting held on 17 September 2014 be adopted.

Environmental Services Committee 17/09/2014

Moved by Councillor Blunt, seconded by Councillor Harmon and resolved that the report of the Environmental Services Committee meeting held on 17 September 2014 be adopted.

Finance & Policy Committee 17/09/2014

Moved by Councillor Harmon, seconded by Councillor Diver and resolved that the report of the Finance & Policy Committee meeting held on 17 September 2014 be adopted.

20. MINUTES TO BE RECEIVED

Kaikoura Zone Water Committee 27/08/2014

Moved by Councillor Blunt, seconded by Mayor Gray and resolved that the minutes of the Kaikoura Zone Water Committee meeting held on 27 August 2014 be received.

Councillor Morgan left the meeting at 3.08pm.

21. URGENT BUSINESS

Dress Code

Councillor Blunt noted tidy dress was required whilst on Council business. He assumed this would apply to workshops. It was agreed that was the case.

There being no further business the meeting closed at 3.11pm.