

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD ON
WEDNESDAY 31 AUGUST 2022, 9.00AM, AT TOTARA, COUNCIL CHAMBERS, 96
WEST END, KAIKOURA**

PRESENT: Mayor C Mackle (Chair), Councillor N Pablecheque, Councillor L Bond,
Councillor V Gulleford, Councillor T Blunt, Councillor D Millton

IN ATTENDANCE: W Doughty (Chief Executive), M Dickson (Senior Manager Corporate
Services), D Clibbery (Senior Manager Operations), Becky Makin (Executive
Officer)

1. KARAKIA

2. APOLOGIES

Apologies were received from Deputy Mayor J Howden and Cr R Roche.

Moved: Cr L Bond

Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM Nil

5. FORMAL DEPUTATIONS Nil

6. WORKS AND SERVICES COMMITTEE MEETING

The meeting adjourned to the Works and Services Committee meeting at 9.01 am.

The meeting reconvened at 9.29 am.

7. ALTERATION TO RESOLUTION AND MINUTES TO BE CONFIRMED

7.1 Alteration to Resolution 27 July 2022

The Chief Executive recommended an alteration to the resolution for the Road Naming Report which was formally passed at the Council meeting on 27 July 2022, whereby 'Drive' should have been 'Lane'.

RESOLUTION

THAT the Council:

(a) **Notes** this report including background to the potential names for the three new roads that will be created as a result of subdivision of 69 Inland Kaikoura Road.

(b) Resolves to allocate the following road names:

i. **Ruararangi Lane** – Lane heading Eastward

ii. **Te Ao Wharepapa Drive Lane** – lane heading Southward

Moved: Cr D Millton

Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

7.2 Council meeting minutes dated 27 July 2022

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of a Council Meeting held on 27 July 2022, subject to the alteration in 7.1 where 'Drive' is replaced with 'Lane'.*

Moved: Cr L Bond

Seconded: Cr T Blunt

CARRIED UNANIMOUSLY

8. MATTERS ARISING AND ACTIONS

The Matters Arising and Action list was reviewed and noted by Council.

9. MATTERS OF IMPORTANCE TO BE RAISED AS URGENT BUSINESS Nil

10. REPORT FROM CHAIR OF FINANCE, AUDIT & RISK COMMITTEE

10.1 Interim Finance Report to 30 June 2022

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr L Bond

Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

10.2 Capital Carry-Overs from 2021/2022 to 2022/2023

RESOLUTION

THAT the Council:

- Receives this report noting any endorsement from the Finance, Audit & Risk Committee*
- Approves the adjusted capital carry-overs from the 2022 financial year to the 2023 year*
- Approves the other adjustments to the capital budgets as identified subsequent to the Annual Plan (noting the 2022/2023 budget for the IAF funded projects will be advised later).*

Moved: Cr N Pablecheque

Seconded: Mayor C Mackle

CARRIED UNANIMOUSLY

10.3 Risk Management Report

RESOLUTION

THAT the Council:

- Receives this report*
- Notes the contents of the Risk Management Report (including Risk Register)*
- Provides any feedback for staff consideration.*

Moved: Cr T Blunt
Seconded: Mayor C Mackle

CARRIED UNANIMOUSLY

11. MATTERS FOR DECISION

11.1 Tranche One Better Off Funding Proposal

An in-depth discussion was held on the Council's stance of accepting the funding for the projects highlighted on pages 45 and 46 of the Agenda vs its political view of the Three Waters Reforms.

The following was highlighted:

- There is no certainty the funding will be available in 2024 (when tranche two opens)
- Council staff worked through the projects and provided a list to Te Runanga o Kaikōura for their input (we have worked closely with them on the papakainga housing study). The projects were also preliminary screened by the DIA for likelihood of approval
- The pros and cons for options were included in the report, including legal opinions
- The funding won't be received until the agreement is signed, any major changes will be brought back to the Council
- A secondment of staff is unlikely as BAU and capital delivery at Councils takes priority (noting the Council has limited staff resources)
- A discrepancy on the Appendix 1 relating to the Helipad was noted, whereas '\$165k' should be '\$65k'.

Cr T Blunt quoted terms from the Agreement which he, nor Cr D Millton agreed with; page 51 Special Terms (point 9) and page 56 Clause 2.1. These concerns had been raised by C4LD and narrative to this had been included on page 41 of the Agenda.

The Council agreed to amend the recommendations e) and f) to highlight their 'strong' position of opposition with regard to the Water Services Entities Bill, and for the Chief Executive to bring back the final funding agreement for Council approval. The Council notes that they are only authorising the progress to the next stage and not authorising the final sign off.

RESOLUTION

THAT the Council:

- a) *Receives this report*

Moved: Cr T Blunt
Seconded: Cr D Millton

CARRIED UNANIMOUSLY

RESOLUTION

- b) *Approves the shortlist of projects proposed to be included in the better off funding application as per Appendix 1*

Moved: Cr L Bond
Seconded: Cr V Gulleford

Against: Cr T Blunt

CARRIED

RESOLUTION

- c) *Approves that an application for "Better Off" Funding is submitted to the Department of Internal Affairs (DIA) by the 30th September 2022 based on the shortlisted projects included in Appendix 1*

Moved: Cr L Bond
Seconded: Cr V Gulleford

Against: Cr T Blunt, Cr D Millton

CARRIED

RESOLUTION

- d) *Approves that as part of the funding application recommended changes to the draft funding agreement are included which are in line with the legal advice provided to both C4LD and Waimate District Council (Appendices 2-5)*

Moved: Cr V Gulleford
Seconded: Cr L Bond

Against: Cr T Blunt, Cr D Millton

CARRIED

RESOLUTION

- e) *Approves that as part of the funding application Council's overall position of opposition with regard to the Water Services Entities Bill is reiterated*

Moved: Cr V Gulleford
Seconded: Cr L Bond

Against: Mayor C Mackle, Cr N Pablecheque, Cr T Blunt, Cr D Millton

MOTION LOST

AMENDED RESOLUTION

- e) *Approves that as part of the funding application Council's overall position of strong opposition with regard to the Water Services Entities Bill is reiterated*

Moved: Cr N Pablecheque
Seconded: Cr L Bond

Against: Cr T Blunt, Cr D Millton

CARRIED

RESOLUTION

- f) *Authorises the Chief Executive to sign the final funding agreement subject to any amendments made based on the recommended changes above.*

Moved: Mayor C Mackle

Seconded: Cr V Gulleford

Against: Cr N Pablecheque, Cr L Bond, Cr D Millton, Cr T Blunt

MOTION LOST

AMENDED RESOLUTION

f) That the CE brings back the final funding agreement for Council approval.

Moved: Cr N Pablecheque

Seconded: Cr D Millton

CARRIED UNANIMOUSLY

The meeting adjourned for break at 10.46 am and reconvened at 11.07 am.

Cr D Millton left the meeting at 11.07 am.

11.2 Revocation of Speed Limit Bylaw Provision

RESOLUTION

THAT:

- a) All of the provisions of Part 4 (Speed Limits) of KDC'S Traffic and Parking Bylaw 2018 are revoked with immediate effect*
- b) In future speed limits on the District's local roads will be based on the National Speed Limit Register.*

Moved: Cr N Pablecheque

Seconded: Cr V Gulleford

Cr D Millton was absent for the motion.

CARRIED

Cr D Millton re-joined the meeting at 11.15 am.

11.3 Class 4 Gambling Policy Review for Consultation

Extensive research was undertaken by the Planning Team. There is currently one premise operating gambling machines and by reducing from 60 to 27 this will allow for another venue to operate in the District. It was noted that the Bylaw can only be changed by public consultation.

RESOLUTION

THAT the Council:

- a) Receives this Report*
- b) Approves the proposed revised Policy for public consultation using the special consultative procedure, noting the key recommendations are:*
 - i. Reducing the cap on licences for Class 4 Gaming machines in the District from 60 to 27*
 - ii. Not including a relocation policy for venues*

Moved: Cr V Gulleford

Seconded: Cr L Bond

Abstain: Cr N Pablecheque

CARRIED

12. MATTERS FOR INFORMATION

12.1 Mayoral Verbal Update

Mayor C Mackle had attended the Mayoral Forum on 25th and 26th August 2022, he reported that Minster Megan Wood had also attended.

The Sudima Hotel will be opening shortly, the Mayor is looking forward to its opening.

RESOLUTION

THAT the Council accept the Mayor's verbal update.

Moved: Cr T Blunt

Seconded: Cr D Millton

CARRIED UNANIMOUSLY

12.2 CEO Monthly Report

The Chief Executive advised that a session has been organised at 3pm today with Lance Burdett for all Civic building tenants, staff and Council to attend.

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle

Seconded: Cr T Blunt

CARRIED UNANIMOUSLY

12.3 Community Services Update Report (Sean Madden to speak to MTFJ)

Good progress was reported in the Library, additional online tools will be rolled out to the community. It was noted that Sean Madden had been appointed the work broker in Kaikōura for job seekers with the MSD. The MTFJ update was noted on page 128 of the Agenda. Sean highlighted that he has been involved in discussions on national careers through a regional school's leadership group and is gaining traction with the trade's academy initiative.

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr N Pablecheque

Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

12.4 Signs Bylaw Review – Issues and Options for Community Engagement

A discussion was held around 'amenity' in business areas. A comparison to how other Councils approached this was provided on Page 4 of the separate pack in the Agenda. It was noted that no formal complaints have been received on non-compliant signs other than those who had previously spoken at public forums. M Dickson advised that the Youth Council will be included in the consultation.

The Council acknowledged the Planning Team for their work to date.

RESOLUTION

It is recommended that the Council:

- a) *Receives this report*
- b) *Provides any feedback prior to the planned community/stakeholder engagement*

Moved: Cr T Blunt

Seconded: Cr D Millton

CARRIED UNANIMOUSLY

12.5 Planning Update Report

Discussions were held between the KDC Planning Team and Environment Canterbury around meaningful protection in the river system. A comprehensive plan would be undertaken with multiple agencies funded from the Better Off Funding if approved. It was noted that a community committee was being formed to deal with issues at the Kowhai comprising of representatives from Environment Canterbury, community members and the Kaikōura Waterzone Committee.

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr T Blunt

Seconded: Cr D Millton

CARRIED UNANIMOUSLY

The meeting adjourned for lunch at 12.10 pm and reconvened at 12.30 pm.

12.6 Building and Regulatory Update Report

There has been an increase in freedom campers along Jimmy Armers and opposite the Fire Station which Council staff will address.

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr T Blunt

Seconded: Cr L Bond

CARRIED UNANIMOUSLY

12.7 Wakatu Quay and South Bay Quarterly Progress Report

Chris Sturgeon presented the South Bay Business Case at a community meeting on Thursday, turnout was approximately 70 people.

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr V Gulleford

Seconded: Cr L Bond

CARRIED UNANIMOUSLY

12.8 Destination Kaikōura (DK) Quarterly Update Report

DK went live with their Spring Campaign deals for families, 14 operators are taking part in Wellington, Auckland and Christchurch. The team are on target for putting the draft Destination Management Plan to Council for their endorsement in September.

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle

Seconded: Cr T Blunt

CARRIED UNANIMOUSLY

12.9 Mayfair Arts and Culture Centre Quarterly Update Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle

Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

12.10 Sports Tasman Quarterly Update Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle

Seconded: Cr D Millton

CARRIED UNANIMOUSLY

12.11 Te Korowai July Update Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Cr T Blunt

Seconded: Mayor C Mackle

CARRIED UNANIMOUSLY

13 COUNCIL PUBLIC EXCLUDED SESSION

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

- a) 2022 Canterbury Water Management Strategy Zone Committee Refresh
- b) Appointment of Community Member to the District Licensing Committee
- c) CEO Performance Appraisal
- d) Marlborough Regional Forestry Delegation

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 of the Local Government Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each to be considered	Reason for excluding the public	Grounds of the Act under which this resolution is made
2022 Canterbury Water Management Strategy Zone Committee Refresh	Report covers appointment of individuals to the Committee – therefore discussion and report may include privacy issues (outcomes will be made publicly available from 1 September 2022)	Section 7(2)(a) to protect the privacy of natural persons
Appointment of Community Member to the District Licensing Committee	To appoint a Community Member to the District Licensing Committee and receive a copy of their CV as part of the appointment process	Section 7(2)(a) to protect the privacy of natural persons
CEO Performance Appraisal	To receive the outcome of the Chief Executive Performance appraisal for the year-end 30 June 2022	Section (7)(2)(a) protect the privacy of natural persons, including that of deceased natural persons. Section 7(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).
Marlborough Regional Forestry Delegation	Contains commercial information regarding the Marlborough Regional Forestry investment activities	Section (7)(b)(ii) would be likely unreasonable to prejudice the commercial position of the person who supplied or who is subject of the information Section (7)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)

Moved: Mayor C Mackle
Seconded: Cr V Gulleford

CARRIED UNANIMOUSLY

The meeting moved into Public Excluded at 12.48 pm.

14 RE-OPENED MEETING

The meeting moved out of Public Excluded at 1.32 pm.

15 CLOSED OF MEETING

There being no further business, the meeting was declared closed at 1.32 pm.

CONFIRMED _____ Chairperson

_____ Date

COUNCIL ACTIONS AS AT 15 SEPTEMBER 2022
OPEN ACTION ITEMS

	ACTION ITEM	ASSIGNED TO	DUE	STATUS
1	Bike Link Crossing (Mill Road Railway)	D Clibbery	-	D Clibbery has followed up with Kiwirail. Still waiting on decision on application.
2	IWK Reporting	W Doughty	-	Six monthly reporting from IWK to include update on education in the community.
3	Te Korowai – Councillor Representative wording	W Doughty	-	
4	Better off funding application – CE to bring back to Council for decision and approval of signing the final funding agreement	W Doughty	Nov- 22	

UNCONFIRMED MINUTES