

MINUTES OF THE KAIKOURA DISTRICT COUNCIL MEETING HELD AT 9.03AM ON WEDNESDAY 28 FEBRUARY 2018 AT COUNCIL CHAMBERS, KAIKOURA CIVIC BUILDING, 96 WEST END, KAIKOURA.

PRESENT: Mayor W Gray (Chair), Councillors T Blunt, C Harnett, J Howden, D Millton, N Pablecheque, L Bond.

IN ATTENDANCE: A Oosthuizen (Chief Executive Officer), B Taylor (Secretary)

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

2. DECLARATIONS OF INTEREST

Councillors Harnett and Pablecheque were involved with the Find and Fix project.

3. OPEN FORUM

P Barillas - Deviation

P Barillas had first presented to Council 6 months earlier with regard to the proposed State Highway Deviation. At that time she had been shocked at the lack of consultation about the proposal but acknowledged the proposal was for the betterment of the community. During the recent holiday season the intersection had been the busiest P Barillas had seen in 8 years and she had witnessed many near-miss accidents and was surprised there had not been a major incident. P Barillas asked Council to think about the area and intersection, the community and the people that the proposed deviation affects. It was forecast that tourist numbers would increase and P Barillas felt the area would not safely handle the additional traffic and she urged Council to encourage the New Zealand Transport Agency to approve the deviation proposal.

R Hogan – Deviation and Maori ward poll

R Hogan enquired if the proposed State Highway 1 deviation would move the traffic intersection issues to another area. Mayor Gray advised that the deviation was not the 'perfect' solution but it was the best and option available.

R Hogan had requested information pertaining to the number of people who had signed the petition for Council to go to a public poll on whether a Maori ward would be established in Kaikoura. R Hogan felt that all signatures supporting the poll needed to be verified for historical integrity. The Chief Executive Officer advised that numbers supporting the poll were available but for privacy reasons signatures were not. The number of respondents supporting the poll was greater than five percent and therefore a public poll was mandatory.

N Radermacher – Innovative Waste Kaikoura

N Radermacher advised that in the future she hoped Innovative Waste

Kaikoura would allow the general public to be more involved. She felt people in the Community had the passion and time available to improve the operations and enhance the innovative concepts of the facility.

4. MATTERS OF IMPORTANCE TO BE RAISED AS URENT BUSINESS

1. The Maori Ward process. (Councillor Harnett)

5. DELEGATIONS

The Building and Regulatory Manager was in attendance to present this item.

IANZ were due back to Council to carry out their assessment of the Building Control Authority's procedures and delegations. The main change in the Delegations Manual was in the Building Act section where 'Manager Development' had been amended to 'Building and Regulatory Manager'.

Councillor Harnett suggested that where the Mayor had delegated authority under the Civil Defence Emergency Management Act 2002 should be amended to 'Mayor or delegated appointee'.

Moved Councillor Howden, seconded Councillor Harnett and resolved the Delegations Manual be approved with the amendment of 'Mayor' to 'Mayor or Delegated Appointee' under the Civil Defence Emergency Management 2002 section. Unanimous.

6. CONFIRMATION OF MINUTES

Council 24/01/2018

Moved by Mayor Gray, seconded by Councillor Millton and resolved that the minutes of the Council meeting held 24 January 2018 be confirmed as a true and accurate record. Unanimous.

7. MINUTES ACTION LIST

Write to Environment Canterbury requesting they undertake flood modelling of the Clarence catchment.

A letter had been sent but no response received to date. The Chief Executive would seek an update from ECan.

8. REPRESENTATION REVIEW

The Chief Executive Officer presented the report which provided information regarding the representation review process and the potential for Council to consider deferring the review.

Council was required to undertake a representation review at least once every six years to look at the structure of its membership and also the way they are elected. Three options were presented with pros and cons listed for each. Council had decided to introduce a Maori Ward however a petition was received and a public poll would now be held. The result of from the Maori Ward Poll would be binding.

The preferred option was option one which would be a General Ward and a Maori Ward (dependant on the result of the poll). Option 1 was the most efficient process, in terms of time, cost and resources. It also met the

Electoral Act requirements and in the past had secured representation for all the communities across the District.

Moved Councillor Pablecheque, seconded Mayor Gray and resolved Council adhere to the decision from the Poll on a Maori Ward and agree to option one as the preferred model for the Kaikoura District Council representation review. Unanimous.

9. APPOINTMENT OF RECRUITMENT PANEL

Councillor Pablecheque declared an interest as he was on the Innovative Waste Transitional Board and took no part in the discussion or voting this matter.

The purpose of the report was to request that Council action the request from the Enhancement Trust to commence the recruitment process for permanent directors for Innovative Waste Kaikoura (IWK). The Transitional Board believed it was an appropriate time to commence the process and felt the Enhancement Trust was suitable as the Recruitment Panel.

The Transitional Board was appointed in late 2017 to take over governance of IWK until a new board was recruited. During the time the Transitional Board had been in place the Constitution had been rewritten and many health and safety issues identified. The current Directors had indemnified liability while the health and safety issues were being addressed, however generally the directors of a board were culpable.

Councillor Millton felt it could be difficult to recruit directors when they knew they were liable for any potential injuries or accidents and he was uncomfortable with the process.

The Transitional Board was preparing a financial report and a statement of intent for the March Council meeting. Following the reports Council would need to look at the budget for IWK.

Moved Councillor Howden, seconded Councillor Harnett and resolved that:

- ***Council not follow its policy that a recruitment panel be appointed from Council as this would streamline and enhance the efficiency of the recruitment process.***
 - ***Council delegates authority to the Kaikoura Enhancement Trust as the recruitment panel to recommend up to 6 new directors for IWK.***
 - ***Note that the Chair of the Enhancement Trust would chair the panel, noting that he/she would not have a casting vote.***
 - ***Council request that the Trust commences this process as soon as possible by publically calling for expressions of interest.***
 - ***Note that all new directors need not necessarily commence at the same time.***
 - ***Note that recommendations would need to be approved formally by the Enhancement Trust who would make the appointments.***
- Unanimous.***

10. YOUTH COUNCIL

Petra Jellyman, Chloe Fitzpatrick and Caleb Odgen were in attendance to present this item.

The Youth Council had been busy and was actively seeking to change and improve things for youth in the Kaikoura District. The Youth Council had prepared a list of suggestions they had collated from young people about what could be done to improve the town; some of the suggestions were:

- Removing of the bracing from the shop fronts in the West End.
- River water quality needed to improve and they would be meeting with the 'Love the Lyell' group soon. Councillors Harnett and Blunt were on the Water Zone Committee and would enquire about having a youth representative included.
- Cell-phone coverage on the Inland Road needed to be upgraded, especially in light of the increased traffic using the route and the number of accidents.
- More rubbish bins to be installed in the District, especially in areas where youth congregate.

11. MARLBOROUGH KAIKOURA TRAIL TRUST UPDATE

Significant progress had been made to identify trail options, risks, issues and mitigations. The Trust had met with Julie Anne Genter, Associate Minister for Transport who was very enthusiastic about the Trail. Ms Genter thought the project was an excellent candidate for the Provincial Growth Fund particularly because it met the preference for joint Council, and government-community partnerships.

Moved Mayor Gray, seconded Councillor Howden and resolved that the report from the Marlborough Kaikoura Trail Trust be received. Unanimous.

12. MAYORS REPORT

Mayor Gray had spent three days in Christchurch attending the Canterbury Primary Industries Adverse Event Cluster workshop. The Group was being set up to prepare for and respond to adverse events within the Canterbury region from Waimate to Kaikoura and it related specifically to rural communities.

13. URGENT BUSINESS

1. Maori Ward Process

Councillor Harnett enquired whether Council would consider sending a letter to Nanaia Mahuta, Minister for Maori Development and Local Government, to highlight Council's concerns about the inconsistencies in the legislation regarding Maori Wards. It was generally felt that the drive had to come from local government to encourage the legislation around Maori Wards to be reviewed.

Councillor Harnett further enquired if Council would consider what public information was available to the public so voters could make an informed decision. Council would be seeking advice on the protocol regarding personal and professional conduct in light of the public poll.

Moved by Councillor Harnett, seconded Councillor Howden and resolved that a letter be drafted to Nanaia Mahuta to express Council's support for a review of the inconsistencies in the Maori Ward legislation and that the draft letter be tabled at the next Council meeting. Unanimous.

14. STATE HIGHWAY 1 DEVIATION

M Blyleven, New Zealand Transport Agency, was in attendance to present this item.

Safety works along the highway corridor between Oaro and Clarence were being reviewed. The proposed deviation at the West End / Churchill Street / Ludstone Road intersection was looking to improve the urban accessibility and safety to the West End. There were numerous safety issues at the intersection including limited visibility, closely spaced intersections, areas too narrow for multiple cars, poor pedestrian crossing facilities and the speed of traffic coming down the hill.

The Kaikoura District Council supported the proposal but advocated for:

- Creation of a safe crossing (underpass/overpass)
- Recognition of the importance of tourist traffic for the recovery of Kaikoura
- The needs for assistance towards improving the local road network
- The importance of good urban design
- The importance of signage (to avoid U-turns)
- Ensure the location and size of bridging does not increase flood risk.

Te Runanga o Kaikoura initially opposed the deviation as they felt the consultation process had not been robust enough and insufficient information provided to understand the full project plan. M Blyleven had met with the Runanga on 12 November 2017 and there would be a follow up meeting 11 March 2018. A decision on the proposed deviation was expected by the end of March 2018.

The meeting adjourned for lunch at 12.00pm and resumed at 12.52pm.

15. COUNCIL PUBLIC EXCLUDED SESSION

Moved by Mayor Gray, seconded Councillor Howden and resolved that the public be excluded from the following part of the meeting, namely;

a) Confirmation of Public Excluded Minutes 24/01/18.

There being no further business the meeting closed at 12.55pm.