

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL EXTRAORDINARY MEETING
HELD ON WEDNESDAY 13 DECEMBER, AT 9.00AM, TOTARA, COUNCIL
CHAMBERS, 96 WEST END, KAIKOURA**

PRESENT: Mayor C Mackle (Chair), Deputy Mayor J Howden, Councillor L Bond,
Councillor V Gulleford, Councillor T Blunt, Councillor J Diver, Councillor R Roche,
Councillor K Heays

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

1. KARAKIA

2. APOLOGIES

A late apology was noted for Councillor R Roche.

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM Nil

5. FORMAL DEPUTATIONS Nil

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

7. MATTERS FOR DECISION

7.1 Report to adopt the Revenue & Financing Policy

S Poulsen and P Kearney joined the table to answer questions from elected members. An attachment to the report was tabled at the meeting. A summary of the changes to the Draft Revenue & Financing Policy were noted on page 2 of the Agenda. It was clarified that the Council have engaged at high level with the two main harbour operators regarding the principles of the targeted rate. One of the operators was supportive in their submission and Council Officers are working with the other operator. Ongoing discussions will continue to be held with both parties.

Councillor R Roche joined the meeting at 9.04am.

A query was raised if there was potential for the community swimming pool to come under Council control and for that to be signalled as a future possibility in the revenue and financing policy. It was clarified that this would be classified as a significant change and would need to be addressed as part of the Long Term Plan. It was clarified that one of the minor changes to activities funded by user payers relates to the removal of charges for library books. This will have a significant social benefit for the community, but has little financial impact in terms of Council revenue.

RESOLUTION

- a) *That this report be received*
- b) *That the Revenue & Financing Policy and supporting documentation be adopted.*

Moved: Councillor L Bond
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

The Council thanked S Poulsen, P Jones and the team for their mahi. It was noted that this work had been signalled to be undertaken in the last LTP and has been very thorough and comprehensive process.

7.2 Proposed Adoption of Revised Freedom Camping Bylaw

It was noted that the green area on the map (figure 18.2.3) on page 52 will be amended to exclude the new road to the transfer station.

RESOLUTION

- a) *That report be received, and;*
- b) *Having completed a review in 2023, Council adopts the slightly amended Kaikōura Responsible Camping Bylaw 2019 as per the consultation draft (copy attached) subject to any further amendments that Council may approve. The amended bylaw shall have effect from 22 December 2023.*

Moved: Deputy Mayor J Howden

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

7.3 Ocean Ridge Stormwater Issues

The report was taken as read, but D Clibbery gave an overview of the key aspects. A discussion was held on the maintenance of the drain system and whether regular clearing of debris would help resolve the flooding issue. D Clibbery commented that the existing configuration included retention basins and wetlands that were not present elsewhere in Kaikōura. The consent conditions constrain the amount of water that can leave the site. The vegetation is unlikely to be having a major impact on the system's ability to manage stormwater. The design of the wetlands system was typical for fifteen to twenty years ago with probably no consideration given at that time to ongoing maintenance requirements. At this stage Council Officers do not have plans to remove the flax bushes or vegetation from the swales or wetland areas, however, this could be done at an additional cost. The idea of a targeted rate for Ocean Ridge residents has also been included as something to consider in the LTP for long term maintenance options.

It was noted that the report was shared with some residents and related parties prior to the meeting. The resident at Greenburn Way had expressed concerns that the proposed lowering of the road level by approximately 400mm will not mitigate the possibility of flooding at his property. He also highlighted that he had requested vegetation clearance a number of times over the years with council officers, but that very little had been done. D Clibbery referred to Figure 2.0 in the report and highlighted that the issue with the design of the system is that water levels downstream of the road will control levels upstream and so a piped culvert solution under the road would not fully address the flooding risk either. The resident will need to undertake further flood protection work themselves. D Clibbery suggested that he and Councillor J Diver visit the area.

RESOLUTION

THAT:

- a) *The report be received; and*
- b) *Council approves the installation of a subsurface drain along the stormwater swale below Swyncombe Place as described in this report, with this and other described works to be undertaken on the Ocean Ridge stormwater system during the current financial year funded from the stormwater reserve account.*
- c) *Consideration is given in the forthcoming Long Term Plan development process to the potential establishment of a targeted stormwater rate for the Ocean Ridge subdivision.*

Moved: Councillor V Gulleford

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

7.4 Possible Amendment to Trading in Public Places Policy

D Clibbery explained that the purpose of the report is for the Council to consider other options for small food businesses to operate over the summer months and not pay the full year's fee. This would allow transient food businesses to come to Kaikōura.

A comprehensive discussion was held on the rates set in the policy and there was the overall view the rates were fair for the community. It was noted that public liability insurance is not a condition of occasional occupancy which is a possible fault in the policy.

RESOLUTION

THAT:

- a) *Amendments are made to Council's Trading in Public Places Policy to permit granting of Licences to Occupy Permits for periods of less than 12 months with associated charges that provide somewhat higher average daily costs for these shorter periods.*

Moved: Councillor L Bond
Seconded: Councillor K Heays

MOTION LOST

It was noted that the policy remains unchanged with option B.

RESOLUTION

THAT:

- b) *The status quo shall remain.*

Moved: Councillor R Roche
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

7.5 Public Works Act – KDC land being acquired for Road

The Chief Executive clarified that it had been checked that the quote for the land payment was fair and reasonable and the Chief Executive and Mayor were satisfied when they signed the agreement.

RESOLUTION

THAT:

- a) *under the Public Works Act part of the Land marked as "Section 2" and "Section 3" on draft SO 588048, being an area of 0.0499 hectares is taken as road by NZTA – Waka Kotahi.*

Moved: Councillor V Gulleford
Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

7.6 KET Future – Recommendations

It was clarified that the ongoing governance of IWK was not included in the report as it is to be kept separate.

Comprehensive discussion was held around the options put forward in the paper. Councillor J Diver, Councillor K Heays and Councillor R Roche disagreed with the removal of KET. They noted the various benefits that KET had provided in the past and could still provide. A discussion was held on creating a local environmental community trust that is not a council-controlled organisation. The Chief Executive clarified that it is best to set up a separate purpose built entity rather than try to modify an existing structure, and this could be discussed further in a workshop in 2024.

RESOLUTION

THAT the Council:

- a) *Receives the report*
- b) *Notes the original concept and historical intent of KET and successes for the community.*

Option 1 – proceed with disestablishing KET and pay the outstanding tax liabilities (preferred option)

Moved: Deputy Mayor J Howden

Seconded: Councillor L Bond

For: Deputy Mayor J Howden, Councillor T Blunt, Mayor C Mackle, Councillor V Gulleford, Councillor L Bond

Against: Councillor J Diver, Councillor K Heays

Abstained: Councillor R Roche

CARRIED

8. PUBLIC EXCLUDED SESSION

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

- a) Building Scope and Design – Wakatu Quay

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), 6 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
Building Scope and Design – Wakatu Quay	Included in the report are financials that could impact commercial negotiations with contractors and anticipated rental returns that could impact future tenancy negotiations	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)(2)(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: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 10.26 am.

The meeting moved out of the Public Excluded Session at 11.10 pm.

9. CLOSED OF MEETING

The meeting was declared closed at 11.10 am.

CONFIRMED  Chairperson

1 February 2024 Date

This record will be held in electronic format only