

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 26 JULY 2023 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

PRESENT: Mayor C Mackle (Chair), Councillor R Roche and Councillor V Gulleford - present for part of the meeting

Deputy Mayor J Howden (Chair for part of the meeting), Councillor T Blunt, Councillor K Heays, Councillor J Diver, Councillor L Bond

IN ATTENDANCE: W Doughty (Chief Executive – present for part of the meeting),
B Makin (Executive Officer)

1. **KARAKIA**
2. **APOLOGIES** Nil
3. **DECLARATIONS OF INTEREST** Nil
4. **PUBLIC FORUM**

9.01am – D Millton

D Millton raised his concerns around the ongoing maintenance cost of the proposed of the Waiau Toa Bridge and that the Council should plan for maintenance of the bridge for flood events as part of their budgets in the Annual/Long-Term Plans. He commented that the maintenance of the bridge would be significant after an event, and the cost could be at least 4 times larger than the current roading maintenance budget. He believes there will be issues with the rock river protection with the first big flood. Residents on the other side of the Wharekiri Stream in Clarence are currently still trapped with no access out and there is also pressure from the forestry to get logs transported.

9.08am – R Hogan

R Hogan spoke to the Council to prepare them for the draft of the Signs Bylaw that was being worked on by the review group. He didn't want to undermine the good work done by the Senior Manager Operations but wanted his concerns noted. He commented that his ideas sent to the Senior Manager were not reflected in the presentation at the open council workshop on 19th July. R Hogan had circulated an email to the elected members prior to the meeting which documented those concerns in more detail. He was frustrated that he hadn't been able to sit down with someone from Council and go through the current bylaw, as he would have liked an opportunity to explain any confusing aspects of it. The Mayor indicated to Mr R Hogan that no draft has been provided to elected members at this point in time and that the time to consider feedback and comments would be once a draft is presented. The working group will continue to develop a draft for presentation to the Council. There will also be an opportunity for the wider community to comment on the draft through a consultation process.

5. **FORMAL DEPUTATIONS** Nil

6. **ADJOURN TO WORKS & SERVICES COMMITTEE MEETING**

The meeting adjourned to the Works & Services Committee meeting at 9.20 am.
The meeting was reconvened at 9.49 am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 28 June 2023

A correction was raised in relation to the second paragraph of 10.4, where 'A query was raised if the resource consent conditions for the Sudima Bus Stop have been met and if the consent was for a drop off only, or a parking space for buses', should be corrected to 'There was a concern raised that the Sudima had not fully complied with the resource consent conditions'.

AMENDED RESOLUTION

THAT the Council:

- Confirms as a true and correct record, the circulated minutes of a Council meeting held on 28 June 2023, subject to an amendment that 'There was a concern raised that the Sudima had not fully complied with the resource consent conditions'.

Moved: Councillor V Gulleford

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

8. REVIEW OF ACTION LIST

The Action List was reviewed and noted by the Council.

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

10. MATTERS FOR DECISION

10.1 Statement of Proposal – Borrowing provision for Wakatu Quay

Chris Sturgeon, Project Lead, ran through the three options identified on Page 27 of the Agenda. He explained that under option 1 the asset meets the requirement for a 30-year loan. Whereas the other two options are seen as operational costs (as effectively cleaning up the site), the terms of those loans would be for 15 years. Some frequently asked questions are available on the Council's website and have been published in the Kaikōura Star.

RESOLUTION

That the Council:

- a) Receive this report
- b) Approves the commencement of a Special Consultation Process (SCP) from 28th July to gain feedback from the community of borrowing \$800k
- c) Notes the proposed programme for the SCP and dates for hearing submissions.

Moved: Deputy Mayor J Howden

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

Two community engagement meetings have been scheduled for 9th August and 16th August. Chris Sturgeon requested elected members encourage the community to put in a submission.

10.2 Adoption of Plan Change 3 to the Kaikōura District Plan

RESOLUTION

- a) This report be received by Council
- b) That Council approve Plan Change 3 (Natural Hazards) pursuant to Clause 17(2) Schedule 1 of the Resource Management Act 1991

c) *That Council approve the rehoused District Plan pursuant to Clause 17(3) Schedule 1 of the Resource Management Act 1991 and Council affix the seal of the Kaikōura District Council on 10th day of October 2023.*

Moved: Councillor T Blunt
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

The Council acknowledged Matt and the Planning Team for their mahi.

10.3 Discharge of the Kaikōura Community Services Committee

S Haberstock acknowledged Councillor R Roche and Councillor V Gulleford for their work on the Committee and how the internal roles have developed, as mentioned in the report. Councillor K Heays was not against the committee being discharged as a lot of work is now done in-house, but noted this would be one less avenue for the community to provide input. Councillor R Roche commented that there had been a good discussion around what value the Committee could have and there could be a good opportunity to relook at this once there is greater certainty around the next steps of the Future for Local Government report.

RESOLUTION

That the Council discharges the Kaikōura Community Services Committee, with immediate effect.

Moved: Deputy Mayor J Howden
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

The meeting adjourned for break at 10.14 am and reconvened at 10.33 am.

11. MATTERS FOR INFORMATION

11.1 Mayoral Verbal Update

Mayor C Mackle attended a site visit with elected members on the business park on 4th July and attended the Waiiau Toa residents meeting on 22 July with the Deputy Mayor. Two open Council workshops were held this month on 5th July and 19th July, *(the Agendas are available on KDC's website)*.

Mayor C Mackle opened the new Fire Brigade on 22nd July. For the next two and a half days he will be at the LGNZ Conference – Super Local 2023. He had his first Mayoral Taskforce for Job apprentice graduate as a painter and decorator.

RESOLUTION

That the Council receive the Mayor's verbal update.

Moved: Councillor L Bond
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

Councillor R Roche rejoined the meeting at 10.36 am.

11.2 Elected Member Verbal Updates

Councillor T Blunt

Tabled an article by Schröder on Kaikōura District Council adopting smart innovative lighting and had included his comments on the environmental enhancements from the dark sky lighting expo. Councillor T Blunt noted the benefits to wellbeing/sleep and to the marine environment and how he would like to see the article published by the Kaikōura Star and the Press.

Councillor T Blunt advised that the wet weather has made it difficult for many farmers, especially those calving and dealing with swamps.

Councillor T Blunt had met with the consultant who put in the pine trees at the property next door to his farm and has identified there is some incorrect information in the consent. Councillor T Blunt has informed the representative at Ngai Tahu and passed the information onto ECan.

Councillor K Heays

Noted that there has been good community input into the footpath working group and the Signs Bylaw working group. He has been involved with the business park for 15 years and would like to have input into the meeting scheduled for early August.

Councillor K Heays is the Biodiversity Champion for the Council, which is part of the Canterbury wide approach. He queried who the Kaikōura staff biodiversity person would be and the commitment to biodiversity in terms of a resource. It was noted that the Council does not have a Biodiversity Officer.

Deputy Mayor J Howden

Attended the Spatial Planning workshop at Takahanga Marae and noted there is a lot of work to do in significant areas. Also attended the Matariki event which was well-run.

The next Finance, Audit & Risk Committee meeting is scheduled for 29th August.

Mayor Mackle added that he attended the summer wine event.

Councillor R Roche

Councillor R Roche has been helping at the Vineyard church with the Avodah group.

He also arranged through RISE for Cieran Fox to come to Kaikōura where he presented the 5 ways to wellbeing. Councillor R Roche also attended the Matariki event and thanked Sarah Wright for a well-run event.

Councillor J Diver

Attended the community grants/creative communities meeting and the first responders meeting (in various positions).

Councillor J Diver and the Three Waters Engineer visited Ocean Ridge at the weekend, and he would follow up with the Senior Manager Operations for more input on the stormwater issues there.

Councillor R Roche left the meeting at 10.52 am.

Councillor L Bond

Councillor L Bond also attended the community grants/creative communities meeting and advised that 5 applications were supported. The OpShop are close to their fundraising target of \$25k for the Takahanga Community Courts and have agreed to support the bowling club.

Tourism New Zealand's visit to Kaikōura went well and good feedback was received.

Councillor L Bond advised that Destination Kaikōura, in partnership with the Sudima, are going to Christchurch tomorrow with various operators in Kaikōura (14 in total) to showcase to 35 businesses/sell Kaikōura to their clients.

Councillor V Gulleford

Councillor V Gulleford advised that 11 decisions have been made by the District Licensing Committee this month, one included a new license for Donegal House which opened this week under new ownership.

The Youth Awards are coming up and they are low on environmental and rural living nominations. Councillor V Gulleford asked for elected members and staff to reach out to their contacts.

A new employment coordinator has been appointed at Te Hā o Mātauranga for the MTFJ.

RESOLUTION

THAT the Council receives the Elected Member's verbal updates.

Moved: Mayor C Mackle
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11.3 CEO Monthly Report

The Chief Executive Officer advised that while they are recruiting a Communications Officer, temporary cover is in place for 8-10 hours per week.

Audit NZ are yet to provide their updated fees. Concern of their fee increases has previously been raised by the sector with Minister McNulty and they are hoping that LGNZ will advocate on behalf of the sector. It was noted that the board of the High School are running sessions to gain feedback on the recruitment of a new School Principal and there was good support in the community for ensuring the right person is appointed.

RESOLUTION

THAT the Council receives this report for information.

Moved: Mayor C Mackle
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

11.4 Audit NZ Report to the Council on the audit for the years ended 30 June 2021 & 2022

A qualified opinion was noted, as per the Summary on page 72 of the Agenda. Council staff are working through the non-financial performance changes. The final audit for this financial year will be around 18th October. It was clarified that the Works & Services Committee report includes monthly water sampling test results.

RESOLUTION

THAT the Council receives this report for information.

Moved: Deputy Mayor J Howden
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

11.5 Community Services Update Report

The Community Services Team were acknowledged for their level of work.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.6 Planning Update Report

It was highlighted that the requirements of the National Policy Statement Indigenous Biodiversity will require significant resources to implement within the required timeframe. It was suggested that this be a topic for a future open workshop to look at this in more detail.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

Mayor C Mackle, Councillor V Gulleford and W Doughty left the meeting at 11.37 am.
The Chair was passed to Deputy Mayor J Howden.

11.7 Building and Regulatory Update Report

The regulatory team are working on a process to improve the dog registration process going forward.

RESOLUTION

THAT the Council receives this report for information.

Moved: Deputy Mayor J Howden
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.8 Destination Kaikōura (DK) Report (Jan – June 2023)

Councillor L Bond advised that the MBIE funding for tourism has now come to an end NZ-wide. Destination Kaikōura are looking to work with neighbouring regions. The Matariki weekend was a success for operators who had commented their takings were on-par with January weekends.

It was noted that a report will come to Council on the i-site building and potential income stream. KITI has some reserves which originated from cost savings of repairs following the earthquake.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11.9 Discretionary Grants Completion/Progress Reports

RESOLUTION

That the Council:

a) Receives the progress reports for information.

Moved: Councillor T Blunt
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

12. RESOLUTION TO MOVE INTO COUNCIL PUBLIC EXCLUDED SESSION

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

- a) Public excluded council meeting minutes dated 28 June 2023
- b) Harbour Financial Issues – verbal update
- c) KET Options Report
- d) CEO Performance Appraisal

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 |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Public excluded council meeting minutes dated 28 June 2023 | The minutes are being tabled for confirmation and include commercially sensitive information on the harbour financial issues | 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) |
| Harbour Financial Issues – verbal update | Verbal update on subject previously brought to Council around ongoing negotiations which is commercially sensitive | 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) |
| KET Options Report | To consider options for the structure of the Kaikōura Enhancement Trust. | 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(g) maintain legal professional privilege 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) |
| CEO Performance Appraisal | To receive the outcome of the Chief Executive Performance appraisal for the year-end 30 June 2023 | 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). |


Moved: Deputy Mayor J Howden
 Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 11.54 am.
 The meeting moved out of the Public Excluded Session at 1.02 pm.

13. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 1.02 pm.

CONFIRMED  Chairperson
 6 September 2023 Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

**ACTIONS FROM COUNCIL MEETINGS
AS AT 31 AUGUST 2023**

| | ACTION ITEMS | ASSIGNED TO | DUE | STATUS |
|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------|
| 1 | <i>Carried Forward from previous Council:</i> Progress Reports: KORl, Kaikōura Cycling Club, Kaikōura Dark Sky Trust, Mayfair, Kaikōura Red Cross Branch | | October 2023 February 2024 April 2024 July 2024 | |
| 2 | <i>Quarterly Progress Reports from 1-Jul</i> Mayfair, Lions Club, Takahanga Bowling Club, Te Ha, Miniature Rifle Club, Sports Tasman, Kaikōura Squash Club, A&P Association, Museum, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch | | October 2023 February 2024 April 2024 July 2024 | |
| 3 | Three hard copies of the rehoused District Plan were requested for elected members. | B Makin / M Hoggard | - | Appeal resolved. The team are arranging for copies to be printed. |
| 4 | Investigate joint harbour role – KDC/ECAN | W Doughty | Ongoing | |
| 5 | Signs Bylaw Review | D Clibbery | December 2023 lapses | In progress – report on Agenda. |
| 6 | The roading team to confirm that the location of the proposed raised crossing on Ludstone Rd ensures there is sufficient distance back from Churchill street for turning trucks | O Joensuu | July meeting | Confirmed – there was a discussion with the designers around the turning of trucks. |
| 7 | Workshop date to be scheduled with regard to the National Policy Statement Indigenous Biodiversity | B Makin / M Hoggard | September | Confirmed - scheduled for 13 September. |