

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 27 SEPTEMBER 2023 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

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

IN ATTENDANCE: D Clibbery (Senior Manager Operations), W Doughty (Chief Executive Officer by MS Teams) P Kearney (Senior Manager Corporate Services), B Makin (Executive Officer-Minutes)

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

6. ADJOURN TO WORKS & SERVICES COMMITTEE MEETING

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

The meeting was reconvened at 9.11 am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 6 September 2023

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 6 September 2023.*

Moved: Councillor L Bond

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

7.2 Extraordinary Council meeting minutes dated 13 September 2023

RESOLUTION

THAT the Council:

- *Confirms as a true and correct record, the circulated minutes of an Extraordinary Council meeting held on 13 September 2023, subject to an amendment:
Where 'Walked' be amended to 'Walker' on the second-to-last paragraph.*

Moved: Councillor R Roche

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 Borrowing provision for Wakatu Quay

C Sturgeon, KMDP Project Lead joined the table to answer questions from elected members. A comprehensive special consultation process was run to gain feedback from the community. The Council thanked C Sturgeon and W Walker for a thorough process. They thanked the community for putting their views forward.

RESOLUTION

THAT the Council:

- a) *Receive this report;*
- b) *Acknowledges the completion of the SCP process and the feedback from submissions received presented at the public hearing.*
- c) *Approves the inclusion of the provision of the \$800k Council borrowing for the project in the Long Term Plan 2024-2034.*
- d) *Notes that further consultation on this borrowing provision of \$800k will not be undertaken as part of the consultation of the full draft LTP 2024-2034.*
- e) *Notes that the inclusion of this borrowing provision in the LTP does not preclude ongoing conversations with regard to possible external investment in the project.*

Moved: Deputy Mayor J Howden

Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

10.2 Consultation on Proposed New Signs Bylaw

D Clibbery spoke to the report and noted one change to the new Signs Bylaw since the last report on 6 September 2023 being on page 10 of the new Signs Bylaw, where the wording '*signs with existing use rights*' has been changed to '*signs with amnesty*'. It was noted that the document will be formatted.

Some existing signs would qualify for amnesty. However, all offsite signs, excess sandwich boards or any signs that are a hazard or nuisance would not. Signs that don't comply with the new bylaw would need to be removed, this includes the offsite signage in the urban and rural areas (meaning any sign that doesn't relate to an activity, product, or service where the sign is located). Signs with resource consents would be permitted to remain. The public/businesses need to be aware of the content of the bylaw and Council staff will ensure this is well communicated. Overall, the working group felt that enforcement of the new bylaw, once adopted, was important going forward.

The Council thanked the Signs Bylaw working group for their work.

RESOLUTION

- a) *That report is received, and;*
- b) *That public consultation, in accordance with the Special Consultative Process of the Local Government Act 2002, be conducted in respect of a proposal (further described in the attached Statement of Proposal') that a new Bylaw – the 'Kaikōura District Signs Bylaw 2023' – be made to replace the 'Kaikōura District (Signs) Bylaw 2011'.*

Moved: Councillor L Bond

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11. MATTERS FOR INFORMATION

11.1 Mayoral Verbal Update

Since the last meeting the Council held hearings for Wakatu Quay on 13th September and had an open Council workshop later that day. Mayor C Mackle was involved with the tree planting at Suburban School, who are now an Enviro-School. The Enviro-School representative is Zoe Watson (ECan).

A minibus took a group of Elected Members, the community and ECan representatives to the Waiau Toa/Clarence community hui for the weed management strategy – presented by ECan.

Last Thursday Mayor C Mackle presented certificates for the Alcohol Impairment Education Programme held at Takahanga Marae. And this Sunday just gone he spent time with the Croquet Club for their 100-year celebration.

The youth concert was held at the Mayfair, the Mayor commented that the performances were outstanding and there was gifted tamariki in the community.

Alan Stevens, the Cycle Club and ECan were commended on the gorse clean-up opposite the police station. The council staff invited elected members to join them for a walk over the new footpaths on the Esplanade, link pathway and hot pools site as part of Mental Health Awareness Week (MHAW).

11.2 Elected Member Verbal Updates

The Council team were thanked, by those who attended, for arranging the walk for MHAW.

Councillor J Diver and Councillor L Bond both attended the Creative Communities and Rural Sports Trust meetings. It was noted that all items tabled were accepted.

Councillor V Gulleford and Councillor J Diver continue to work on the post assessment from the Making Good Decisions Course.

Councillor V Gulleford

The District Licensing Committee will have a couple of managers licenses coming through in time for the Kaikōura races.

Councillor R Roche

Noted that the Waterzone Committee were involved with the hui at Waiau Toa/Clarence on weed management strategy. Kaikōura Healthcare ran an expo as part of MHAW in the memorial hall.

Councillor L Bond

Noted that the Mayfair held some good events throughout Winter. Councillor L Bond is working with the Council's Events Coordinator on the community Christmas week and cruises for Summer. There are currently 17 cruise ships booked in to put ashore in Kaikōura.

Councillor J Diver

Councillor J Diver is getting the pool ready for the new season starting in November, which comes with challenges to work through.

Deputy Mayor J Howden

Met with LGNZ CE Susan Freeman Green and Wairoa Mayor Craig Little yesterday who briefed them on the Future for Local Government. LGNZ are hoping to have a full brief to the Government by the end of 2023.

Destination Kaikoura held their AGM last night.

Councillor K Heays

Councillor K Heays been involved in the start of discussions around the deer on the peninsula. He raised that the public have been enquiring about the consent for Wakatu Quay.

Councillor K Heays has been offered the role of Harbour Safety Officer for Summer 2023/2024 with Environment Canterbury. He has given his apologies for the October Council meeting.

Councillor T Blunt

Councillor T Blunt praised ECan staff, Jodie Hoggard and Heath Melville, for coordinating and presenting at the Waiau Toa/Clarence hui. He provided the Council with background to the programme and noted the great coordination and operation from landowners, LINZ, ECan, DOC and the Waterzone Committee.

He is waiting to receive a price of gravel to offer farmers under the consent for extraction of material for Linton Creek.

Councillor T Blunt raised that deer are having an impact on vegetation/vegetable gardens and causing accidents.

The meeting adjourned at 9.58 am and reconvened at 10.21 am.

11.3 CEO Monthly Report

The Chief Executive clarified that C4LD remain active and are waiting for the outcome of the election. The National Transitions Unit is continuing with Entity D and has not discussed any alternative plans at this point in time. The CEO highlighted the number of items out for public consultation and comment.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor L Bond
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

D Clibbery clarified that Kaikōura has effective barriers to ensure safe water (i.e. from cryptosporidium) as Councils are required to have membrane filtration or treatments.

11.4 South Bay Forestry Harvest

There was a discussion held on carbon credits and the Chief Executive clarified that the Council would likely be liable to pay for carbon credits if the exemption ruling was unsuccessful, or some form of community native planting initiative (i.e. trees for travelers) was not established. At the time of the report the NZU spot price was \$68.50 (page 51 of the Agenda). Further updates will be provided at a workshop.

RESOLUTION

- a) *Receives this report.*
- b) *Notes the intention to harvest the South Bay Forest in the first quarter of 2024, which will be well communicated to the community.*
- c) *Notes that a request for an emission ruling for forestry (under Section 107 of the Climate Change Response Act 2002) has been made to Ministry of Primary Industries at the end of March 2023.*
- d) *Notes that there is a four-year timeframe to re-establish forest land before the land is considered deforested and any emissions liabilities are due.*
- e) *Notes that a land use plan for the area will be presented to Council by June 2024.*

Moved: Deputy Mayor J Howden
Seconded: Councillor R Roche

CARRIED UNANIMOUSLY

11.5 Community Services Update Report

Council Officers S Haberstock and P Kearney joined the table to present Item 11.5 and answer questions from elected members. The Community Networkers meetings will be held at Te Whare Putea from *February 2024 February–2023 (amendment as per Resolution 25 October 2023)*. The Emergency Management Tier 4 National exercise (Exercise Pandora) will be held on 18th October from 9 am-12 noon. It was noted that Richard Ball, Recovery Manager, CDEM Canterbury, will be presenting at an open Council workshop on 15 November on the Recovery Plan.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

11.7 Building & Regulatory Update Report

The Council are seeking expressions of interest for a Freedom Camping Enforcement contractor to address the non-compliance of vehicles, locations and people staying more than one night. The current Bylaw doesn't permit portaloos and although it has similarities to the new legislation it does require some minor amending. A report will be brought to the October Council meeting.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

The Council adjourned at 11.00 am whilst Te Tai O Marokura (Māori Health & Social Service) introduced their new members to the Council.

The Council reconvened at 11.04 am.

11.6 Planning Update Report

It was noted that the Business Park Plan Change will be notified on 28 September 2023. The Council is now approved with Immigration New Zealand through the Accredited Employer Work Visa (AEWV) scheme. The recruitment for a policy planner to come in under this visa from the UK is making good progress.

The Climate Change Canterbury Plan will be presented at an open Council workshop in October. The work includes agreed regional action plans, strategies, and objectives – this is supported by the Canterbury Mayoral Forum. Councils are encouraged to include actions specific to their own Districts. This may have cost implications for the Long Term Plan (LTP).

RESOLUTION

THAT the Council receives this report for information.

Moved: Deputy Mayor J Howden

Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

Mayor C Mackle formally welcomed Donya Nee, Communications Officer.

12. RESOLUTION TO MOVE INTO COUNCIL PUBLIC EXCLUDED SESSION

It was noted that the reasons for excluding the public for the minutes dated 6 September 2023 were incorrect on the Agenda, and the correction would be reflected in the table below.

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 6 September 2023
- b) Waiau Toa/ Clarence Valley Access Project Verbal Update
- c) Harbour Financial Matters – verbal update

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 6 September 2023	The minutes are being tabled for confirmation and include the outcome of the CEO performance review, commercially sensitive information on the harbour and KET structure include commercially sensitive information on the harbour and Old Council Building Site (corrected).	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)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) Section (7)(2)(a) protect the privacy of natural persons, including that of deceased natural persons.
Waiau Toa/ Clarence Valley Access Project Verbal Update	Contains commercially sensitive material in regard to the ongoing procurement process for the project	Section (7)(2)(i) enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)
Harbour Financial Matters – 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)(2)(h) enable any local authority holding the information to carry out, without prejudice or disadvantage, commercial activities 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: Councillor V Gulleford
Seconded: Councillor L Bond

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 11.10 am.
The meeting moved out of the Public Excluded Session at 11.58 am.

13. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 11.58 am.

CONFIRMED  Chairperson
25 October 2023 Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

**ACTIONS FROM COUNCIL MEETINGS
AS AT 19 OCTOBER 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, Kaikōura Red Cross Branch		October 2023 February 2024 April 2024 July 2024	Tabled to October Meeting. Council staff to work with organisations to check if completed.
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, Kaikoura Bowling Club, A&P Association, Museum, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch		October 2023 February 2024 April 2024 July 2024	Tabled to October Meeting
3	Three hard copies of the rehoused District Plan were requested for elected members.	B Makin / M Hoggard	-	Waiting for printed copies to arrive.
4	Investigate joint harbour role – KDC/ECAN	W Doughty	Ongoing	Kevin Heays appointed Harbour Safety Officer by ECan. Discussions to be held regarding a possible contract to KDC (noting the contract rule under LAMIA applies).
5	Signs Bylaw Review	D Clibbery	December 2023 lapses	In progress – out for public consultation
6	Signs Bylaw – format document	D Clibbery	Asap	Completed.