

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL EXTRAORDINARY MEETING TO HEAR AND DELIBERATE SUBMISSIONS ON THE INCREASE OF PROPOSED LEASE AREA TO KAIKŌURA SPRINGS LIMITED, THE HOT POOLS DEVELOPMENT, ON THE ESPLANADE. HELD ON WEDNESDAY 14 FEBRUARY 2024, 1.00PM, AT TOTARA, COUNCIL CHAMBERS, 96 WEST END, KAIKŌURA**

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

**IN ATTENDANCE:** W Doughty (Chief Executive), P Kearney (Senior Manager Corporate Services), B Makin (Executive Officer-minutes), G McMillan (Administration Officer)

**1. KARAKIA**

**2. APOLOGIES**

Apologies were received from Councillor R Roche.

Moved: Deputy Mayor J Howden

Seconded: Councillor T Blunt

**CARRIED UNANIMOUSLY**

**3. DECLARATIONS OF INTEREST Nil**

**4. OVERVIEW OF NUMBERS OF SUBMISSIONS**

P Kearney presented the overview of submissions received on page 4 of the Agenda.

**Attachment 1: Summary of all submissions**

Tabled and discussed below.

**Attachment 2: Full submissions received**

Tabled and discussed below.

**5. SUBMITTERS TO BE HEARD**

Leonie Cormack is not able to make the hearing and will no longer be heard.

**1.05pm Derrick William Milton**

Derrick was in support of the extended leased area but commented that the height level should be single storey (or same height as the old pool) with this extra space. He was initially opposed to the location for a commercial activity on DOC/ reserve land near a residential area. He wanted to ensure the Council were mindful of building on the foreshore with coastal erosion and the aesthetics of the view.

**1.15pm Dave Mackie**

Dave was not opposed to hot pools being established in Kaikōura but was opposed to the extension of the leased area and location of hot pools being on the waterfront in a recreational reserve. He commented that it should be maintained for recreational use only being the only safe swimming area locally. He was concerned that KSL indicated at the community meeting that there would be a large two-storey building, yoga room, swimming area, café, toilets and changing area. There was no mention of staff parking and he was concerned that resident's views would be blocked by the building, campervans and cars parked on the roadside. He also raised a question around KDC being liable at the end of the project or if the building was destroyed (i.e. washed away).

**1.20pm William McCook**

William was opposed to the extension of the leased area and location of the hot pools on reserve land. He didn't think that commercial activity should be allowed there and could see there being serious opposition at the resource consent stage. William commented that the site wasn't large enough for a sustainable business and encouraged the Council to find another larger location and exit the current arrangements. He did not find the consultation questions were helpful for the Council to make an informed decision. William highlighted other submitters' comments regarding no staff carparking mentioned for 35 FTE's, height of the building, view and safe local area.

**1.28pm Gerald Nolan**

Gerald was opposed to the extension of the leased area and location of the hot pools on the recreational reserve. He commented that it would impact the environment and he would oppose the future resource consent. Gerald commented that the initial proposal included a potential carpark and no parking alternative has been provided by the developer. He indicated it was a good idea for a hot pools but in the wrong place.

**1.31pm John Gibson**

John agreed with the development of the Old Lion's Pool but was opposed to the extension of the leased area at the expense of a popular community playground and picnic area. He commented that this would leave little space for families, tourists and elderly to enjoy the amenities and safe swimming beach. John was concerned about the building size, sea levels/rough seas, parking and hours of operation. A further comment raised was that Kaikōura does not need a hot pool the size of New Brighton's.

**1.37pm David Tee (as individual & on behalf of Family Trust)**

David was opposed to the extension of the leased area and location of the hot pools as there was little consultation and no mention that the land was vested in DOC on recreational reserve. He raised concern around the \$1 peppercorn lease, there being no parking plan, that in a rural zone one can build 12 meters high, that the area was previously zoned as coastal erosion and the lease being notified with no mention of possible coastal erosion. David expressed his views to the Council's Facebook post on 3 November 2020 and a public excluded report from 28 April 2021. He commented that the Council doesn't have an Operative Reserve Management Plan but has a Coastal Management Plan. David would provide council staff with his written comments for circulation to elected members.

**1.56pm Linda De Vine**

Linda was in favour of the hot pools but that the Council should agree with the developers for the building to be one storey, as part of any agreement for extra leased land.

**1.57pm John and Jenny Lawrence represented by Duncan Cotterill**

Jamie Robertson from Duncan Cotterill and Sandra spoke on behalf of the submitters/Lawrence Family Trust. The submitters were opposed to the extension of the leased area and location of the hot pools. The representative explained that an application document for the extended leased area was not publicly available, that the scope of the proposed pools has changed since the lease was granted (effectively death by a thousand cuts), there was a lack of information available to submitters and they questioned whether the Council had the ability to grant a lease without a formal application. They assumed that the Lions Pool was classified as a 'public bath' under the legislation and didn't think a private commercial development met that definition or any of the parts of Section 17 of the Reserves Act (uses and requirements). Their other concerns were: there was no document where alternatives sites have been considered, there was no consideration of Resource Management Act matters under the process, such as issues with noise, no car parking considerations for users or 35 FTE staff, no evidence of financial viability of the development over the 33 year lease. The representatives were critical of the Council's interpretation of an application document and the lack of transparency in the way information was presented to submitters.

The meeting adjourned at 2.27pm and reconvened at 2.50pm.

## 6. SUBMITTERS WHO CHOSE NOT TO SPEAK

The Council reviewed and noted the submissions from those who chose not to speak. Their chosen options and staff comments are recorded on the Summary Sheet. The following was noted:

Option 1 – Increase overall leased area:

#4 Zoe Battersby – the submitters comments were contrary to the option selected and Council staff had followed up with the submitter. The submitter was concerned about the height of the building.

#6 Kim Bishop – the submitter commented that the winter season would attract visitors.

#12 Dawn Calvert – the submitter commented that the height be kept single story.

#13 Melanie Campbell – the submitter commented noting height.

#16 Margaret – the submitter commented that the height be kept single story.

#25 Kerry Hall – the submitter was concerned about the height of the building.

#36 Wendy Launay – the submitter commented that the height be kept single story.

#38 Becky Makin – the submitter commented around the winter season.

#39 Nicky McArthur – the submitter commented that the height should remain under 3 metres.

#44 Jane Nelson – the submitter commented around carparking spaces.

#46 Brian O'Connor – the submitter commented that the height be kept single story and be respectful of neighbours.

#48 Diane Rossiter – the submitter had concern on the height.

#51 Trevor Smith – the submitter commented that it was a good winter activity. The Chair allowed the submitter to speak who advised that they would not have made that comment and submitted differently if they had understood what was happening.

#56 Kate Summerton – the submitter commented that the community facilities are moved and accessible.

#62 Jackie Wadsworth – the submitter commented around the upgrade to the playground.

Option 2 – Status quo – existing agreed primary lease area:

#63 Leeanne Carson-Hughes – the submitter raised concerns on the height, being on the beachfront and parking.

#65 Peter Clayton – the submitter raised concerns of no timeframe being given to rebuild the playground.

#66 Leonie Cormack – the submitter had parking and height concerns.

#68 Samantha Ibbotson – the submitter was concerned with losing a public facility.

#69 Fraser Ibbotson – the submitter was concerned with the impact on neighbours and had questions around an alternative site and the zoning.

#72 Gavin McDonald – the submitter had a question around the public reserve.

#73 Rebecca Meikle – the submitter commented that the café should be removed for more bathing space.

#74 Sandra Murphy – the submitter commented on waste, big building structures and family friendly beach.

#75 Sandra & Joe Murphy – the submitter raised noise, rubbish and congestion concerns.

#77 Kylie Poharama – the submitter raised concerns on the height, playground, noise, parking and aesthetics.

#79 Jane Turner – the submitter raised concern on the height and affected residents.

#83 Dr Phillipa and Rev Martin Harrison – the submitter queried if the developers could extend further towards West End and ensure amenities are kept for children.

No Option, noted:

#85 – Terence and Erica O'Connor

#86 – Cherry Simonsen.

The Chair allowed a person from the public seating area to speak who was a representative from Duncan Cotterill. They gave a summary of their viewpoints of the meeting and raised questions from their client's submission particularly around funding discussions between the Council and Developer.

#### **7. DELIBERATIONS**

The Chair proposed that the Council adjourn the deliberations and set a further date to consider the information heard today. The deliberations would be open to the public to attend, but not to speak further.

The Chair allowed a person from the public seating area to speak who was a representative from Duncan Cotterill. They questioned the lack of information available to the public, funding evidence and why Iwi were not represented.

#### **RESOLUTION**

It was agreed that the deliberations be adjourned.

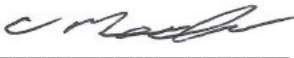
Moved: Deputy Mayor J Howden  
Seconded: Councillor T Blunt

**CARRIED UNANIMOUSLY**

#### **8. CLOSED OF MEETING**

The meeting was declared closed at 3.27pm.

CONFIRMED

  
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27 March 2024

Chairperson  
Date

*This record will be held in electronic format only*