

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON  
WEDNESDAY 28 AUGUST 2024 AT 8.98 AM, TOTARA, COUNCIL CHAMBERS,  
96 WEST END, KAIKŌURA**

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

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

**1. KARAKIA**

**2. APOLOGIES**

Apologies were received from Councillor R Roche and Deputy Mayor J Howden.

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

**3. DECLARATIONS OF INTEREST Nil**

**4. PUBLIC FORUM**

**5. FORMAL DEPUTATIONS Nil**

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

The meeting adjourned to the Works & Services Committee meeting at 9.00am.

The meeting was reconvened at 9.20am.

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**7. MINUTES TO BE CONFIRMED**

**7.1 Council meeting minutes dated 31 July 2024**

**RESOLUTION**

*THAT the Council:*

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 31 July 2024.*

Moved: Councillor T Blunt

Seconded: Councillor K Heays

**CARRIED UNANIMOUSLY**

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**8. REVIEW OF ACTION LIST**

The Action List was reviewed and noted:

- Remove quarterly meetings with Local MP office as these have been scheduled regularly.
- Remove Wakatu Quay Governance Group celebration as this was held yesterday.

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

Councillor K Heays raised a minor matter about communications to be included in the public excluded session due to commercial sensitivity.

Councillor T Blunt raised a minor matter about the Marlborough Regional Forestry to be included in the public excluded session due to commercial sensitivity.

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## **10. REPORT FROM THE CHAIR OF THE FINANCE, AUDIT & RISK COMMITTEE**

Councillor J Diver tabled the Report from the Chair of the Finance, Audit & Risk Committee.

The reports tabled to the Committee meeting reflected the interim results as a range of year-end adjustments are still being worked through. It was noted that the surplus is approx. \$600k, subject to year-end adjustments.

Council staff clarified that the \$2m was borrowed at a rate of 5.15% and is now on a term deposit for 6%.

The Council supported the inclusion of a summary page on the risk register.

### **RESOLUTION**

*That the Committee have received the reports and recommends that the Council approves the reports.*

Moved: Councillor L Bond

Seconded: Councillor T Blunt

**CARRIED UNANIMOUSLY**

The meeting then moved to item 12.5 Monthly Finance Report to 31 July 2024

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### **12.5 Monthly Finance Report to 31 July 2024**

It was highlighted that the balance of the transitional funding (\$112,500) is to be used for Local Waters Done Well. Changes have been made to the report format and included financial insights. The NZTA indicative funding for the foot path programme was noted.

### **RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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## **11. MATTERS FOR DECISION**

### **11.1 Takahanga Main Power Multisport Courts redevelopment update**

P Kearney acknowledged S Wright for her work in sourcing other funding. The Opshop was acknowledged for their funding support. There is potential to use the community facilities reserve and the Opshop might be able to provide more funding to cover the shortfall, if further funding applications are unsuccessful.

### **RESOLUTION**

*THAT the Council:*

- a) *Receives this report;*
- b) *Approves Option 1 Approve works to begin with current funding so that playable courts are achieved by end of 2024, with a known risk of \$25,000 shortfall that Council may need to bridge.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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### **11.2 Overview of Submissions for Representation Review Initial Proposal**

### **RESOLUTION**

*That:*

- a) *Council notes no submissions received on the initial proposal*
- b) *Council adopts the initial proposal as its final proposal*
- c) *Council notes that the final proposal will be publicly notified for 1 month as per the LEA01 requirements.*

Moved: Councillor K Heays  
Seconded: Councillor J Diver

**CARRIED UNANIMOUSLY**

P Kearney was acknowledged for his work in completing the Representation Review.

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### **11.3 Spatial Plan Decision for Notification**

An amendment was put forward by Council staff to change ‘and rural residential strategy’ to ‘or rural residential strategy’ under item i.

The Planning Team were acknowledged for their extensive work with the draft Spatial Plan.

### **AMENDED RESOLUTION**

*That the Council approve the:*

- 1.** *Notification and use of Special Consultative Process Local Government Act 2002.*
  - a. notify the draft Kaikōura Spatial Plan as attached in Appendix 1, subject to the following amendments:*
    - i. Document to be amended to reflect policy direction within the draft Canterbury Regional Policy Statement, mainly to reflect its role as a Spatial Plan, a Strategic growth plan or rural residential strategy,*
    - ii. To show the now operative Light Industrial Zone (LIZ) within the Spatial Plan,*
    - iii. Insertion of a foreword signed on behalf of the Mayor, Chief Executive Officer and TROK*
    - iv. Minor grammatical corrections such as typos, unnecessary repetition or correction of dates/timeframes*
    - v. Further refinement of spatial plan maps to improve legibility*
  - b. Use the special consultative process of the Local Government Act 2002 to seek feedback and hear comments on the Spatial Plan.*

Moved: Councillor T Blunt  
Seconded: Councillor J Diver

**CARRIED UNANIMOUSLY**

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### **11.4 Potential Reserve Management Plans (RMP): South Bay Racecourse/Domain, Top 10 Holiday Park and Takahanga Domain**

#### South Bay Domain/Racecourse

The reserve covers an area from the racecourse up to the swimming pool. There is interest from a community group in setting up a skatepark/ pump track and mountain bike trails in the undeveloped area by the swimming pool.

The racecourse is leased to the Trotting Club who subleases it to other clubs such as the Pony Club, Cricket Club, AM&P etc. The RMP would need to honor the existing leases, any current obligations and ownership of buildings/sheds. With clear direction from the community, the RMP could provide a proactive approach for the reserve to be used to its full potential when the lease is up for renewal.

#### Takahanga Domain

Feedback from the community suggested incorporating into the Link Pathway and supporting other activities in active recreation rather than specifically rugby. Enhanced use means the reserve could allow other club activities.

### Top 10 Holiday Park

Feedback from the community desired the holiday park to continue operating and for there to be beach access. Enhanced use of the reserve would allow amendments to the site where necessary if the holiday park wished to consider amendments to existing leases. The background of the site would be included in the draft RMP.

Council staff will be taking a proactive approach by meeting with key stakeholder groups in person (where possible), for feedback. The intention is to workshop the draft RMP's with the Council.

### **RESOLUTION**

- a) *That the Council accept this report*
- b) *Notes that all submitters have been thanked for their input*
- c) *That the Council direct staff to develop a Draft Reserve Management Plan for the South Bay Domain/Racecourse Reserve in accordance with the Reserves Act 1977, for Option 1 (Enhanced use / Activities) with amendments as appropriate.*
- d) *That the Council direct staff to develop a Draft Reserve Management Plan for the Takahanga Domain Reserve in accordance with the Reserves Act 1977, for Option 2 (Enhanced use) with amendments as appropriate.*
- e) *That the Council direct staff to develop a Draft Reserve Management Plan for the Top 10 Holiday Park Reserve in accordance with the Reserves Act 1977, for Option 1 (Enhanced use), with amendments as appropriate.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

The meeting then moved to item 12.8 Planning Update Report.

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### **12.8 Planning Update Report**

Council staff advised that the Whale Trail consents were being processed externally.

The resource consent for Lindsay Developments Ltd on page 174 has progressed. Before notification goes out to the public the applicant would need to submit the proposal/designs which would include details on shading of other properties, privacy and height of the building.

Some resource consent discounts have been given due to delays with timeframes. LIMS are starting to increase and are consistent with last year.

It is anticipated that the draft Regional Policy Statement will be notified in December.

The RMP consultation documents will include maps of the reserve boundaries to avoid confusion between road reserves and recreational reserves.

The Planning Team are waiting to receive a subdivision application from the light industrial park developer. If it complies with the plan change then the application will be notified within 20 working days. Connecting services and rebuilding part of the Inland Road will need to be completed before titles can be issued.

### **RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10.39am and reconvened at 11.10am

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### **11.5 Discretionary Grants Fund – Criteria and Application Form**

It was questioned if the discretionary grants fund would still be appropriate with the four wellbeing's being removed from the Local Government Act. Local authorities still have a responsibility to other sectors such as heritage and arts.

#### **RESOLUTION**

*THAT the Council:*

- a) Receives this report; and*
- b) Approves the changes to the discretionary grants fund criteria and application form (as per Attachments 1 and 2), subject to any amendments desired by the Council.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

The meeting moved to Item 12.7 Kaikōura Youth Council Report.

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### **12.7 Kaikōura Youth Council Report**

Kara from the Youth Council joined the table. The Youth Plan gives the youth a voice and will include items such as helping the rainbow community. There are 6 youth representatives on voice 1 and a good number of representatives in the events group.

The Chief Executive invited the Youth Council to be involved with the NZ Play Advocates when they come to Kaikōura in September 2024.

#### **RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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## **12. MATTERS FOR INFORMATION**

### **12.1 Mayoral Verbal Update**

The Mayor has been working through the vast amount of information on Three Waters/Local Waters Done Well.

He attended the Powhiri for John Boswell, new CE at Marlborough District Council. The Mayor and CE met with John earlier this week and discussed shared service arrangements with the Hurunui and went over joint interests with Marlborough.

The Mayor attended the Super Local Conference in Wellington with the CE and Councillor Gulleford. He enjoyed the MTFJ breakfast and advised that funding was announced up to June 2026.

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### **12.2 Elected Member Verbal Updates**

Councillor T Blunt

Councillor T Blunt would provide the update in public excluded relating to the Marlborough Regional Forestry (as per the matter raised as urgent business).

Councillor J Diver

Councillor J Diver attended the RMP workshop on the Esplanade reserve. Good discussion was held with another attendee, and he found the project interesting.

Councillor L Bond

The Opshop's 10<sup>th</sup> year anniversary is approaching. Councillor L Bond is listing the projects that the Opshop has supported in the last 10 years and the list is quite considerable.

Councillor K Heays

Councillor K Heays reported quality discussions were held with the public on work being done by the Council. He will start scheduling a regular timeslot with the Operations team the Monday before each meeting to go through/visit the sites in the report to gain more insight. He opened this up to all elected members to join.

Councillor V Gulleford

Councillor V Gulleford advised that one special event has opposition, preference is not to hold a hearing. She also attended the LGNZ Super Local Conference and felt the changes the minister announced were directly towards larger councils.

**RESOLUTION**

*THAT the Council receives the verbal updates from the Mayor and Councillors for information.*

Moved: Mayor C Mackle  
Seconded: Councillor K Heays

**CARRIED UNANIMOUSLY**

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**12.3 CEO Monthly Report**

The Chief Executive highlighted in his report the replacement senior manager operations, Local Waters Done Well and the South Bay Forestry (on pages 132 and 133).

**RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt  
Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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**12.4 Three Waters Reform – “Local Waters Done Well”**

The report provides an overview of the legislation and a high-level summary of the joint project with the Waimakariri DC and Hurunui DC. Update reports will be brought to the Council as the process moves forward.

**RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt  
Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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**12.6 Community Services Update Report**

The Community Development Officer's report has not been included due to sickness. A more detailed update will be provided on Ageing Well at the next meeting as more information will be available.

There is good collaboration between the Regulatory Team, Library and the High School with the reading to the neurodiverse (different ways of learning/struggle with mainstream) with George (therapy dog).

A Recovery Manager update was included in the report on page 153. Councils needs to have recovery plans in place and councils in New Zealand are generally under resourced in the recovery area.

**RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt  
 Seconded: Councillor K Heays

**CARRIED UNANIMOUSLY**

**12.9 Building and Regulatory Update Report**

**RESOLUTION**

*THAT the Council receives this report for information.*

Moved: Councillor T Blunt  
 Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

**13. 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 31 July 2024
- b) Innovative Waste Kaikōura Ltd (IWK) Director Recruitment
- c) Wakatu Quay Construction Contract
- d) Harbour Financial Matters – verbal update
- e) Communications – matter of importance to be raised as urgent business
- f) Marlborough Regional Forestry - matter of importance to be raised as urgent business

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 31 July 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters, Māori land parcels and private information on the Chief Executive’s performance review.	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.
IWK Director Recruitment	To receive CV and discuss recommended candidate(s) – the public are excluded for privacy reasons.	Section 7(2)(a) protect the privacy of natural persons.
Wakatu Quay Construction Contract	The report presents commercially sensitive competitive information to all tender respondents including the proposed successful company.	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)
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)
Communications	Raised by Councillor K Heays - minor matter about communications to be included in the public excluded session due to commercial sensitivity.	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
Marlborough Regional Forestry	Raised by Councillor T Blunt - minor matter about the Marlborough Regional Forestry to be included in the public excluded session due to commercial sensitivity.	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

\*This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public are as follows:

IWK Director Recruitment: KDC has recruitment privacy obligations and release of applicant’s details would breach those.

Wakatu Quay Construction Contract: Negotiation is yet to be completed and therefore publishing the information in the public would be detrimental to the negotiation ability of KDC which could lead to a less than optimal outcome.

Harbour Financial Update: We do not want to reveal the details of those negotiations. Information will be made publicly available in due course.


Moved: Councillor L Bond  
Seconded: Mayor C Mackle

**CARRIED UNANIMOUSLY**

The meeting moved into the Public Excluded Session at 11.46 pm.  
The meeting moved out of the Public Excluded Session at 12.37pm.

**14. CLOSED OF MEETING**

There being no further business, the meeting was declared closed at 12.37pm.

CONFIRMED  Chairperson  
Date 25 September 2024

*THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY*



**ACTIONS FROM COUNCIL MEETINGS  
AS AT 19 SEPTEMBER 2024**

**OPEN ACTION ITEMS**

	<b>ACTION ITEMS</b>	<b>ASSIGNED TO</b>	<b>DUE</b>	<b>STATUS</b>
1	<b><i>Carried Forward from previous Council:</i></b> Kaikōura Cycling Club		July 2024	Not received an update from Kaikōura Cycling Club since October 2023. EO emailed 04/07/24.
	<b><i>Quarterly Progress Reports from 1-Jul FY 24-25</i></b> Museum, Sports Tasman, Mayfair, Kaikōura Rugby Club – Takahanga Facility Project Team, TeHa, A&P Association, Wildlife Centre Trust, Takahanga Bowling Club, Kaikōura Red Cross Branch, Kaikōura Bowling Club, Miniature Rifle Club, Croquet Club, Netball Centre,	-	October 2024 February 2025 April 2025 July 2025	
2	Response to Public Forum speakers – July meeting	W Doughty / P Kearney	Ongoing	Responses sent. Following up further to J Ward on Trotting Club.

**CLOSED ACTION ITEMS**

	<b>ACTION ITEMS</b>	<b>ASSIGNED TO</b>	<b>DUE</b>	<b>STATUS</b>
	Arrange meeting with Local MP Office once New Government established – discuss Māori Wards, Freedom Camping funding, Audit costs	W Doughty / B Makin	Ongoing	Next meetings scheduled for 26 <sup>th</sup> August/7 <sup>th</sup> October
	Celebration with Governance Group when the detailed design is approved	W Doughty / B Makin	-	Scheduled for 27/08/24
	Workshop Discretionary Grants process and criteria for next year	W Doughty / B Makin	June 2024	Report included in August agenda.