

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON
WEDNESDAY 28 FEBRUARY 2024 AT 9.00 AM, TOTARA, COUNCIL CHAMBERS,
96 WEST END, KAIKŌURA**

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

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

1. KARAKIA

2. APOLOGIES

Apologies were received from Councillor L Bond and Councillor R Roche.

Moved: Deputy Mayor J Howden

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

3. DECLARATIONS OF INTEREST Nil

4. PUBLIC FORUM

9.05am D Goodman

The public forum speaker highlighted three issues of concern: 1) The drift track blocks had been removed and she heard people on the track last night; 2) asked if Council could look at improving the water supply as the water felt high in chlorine; 3) the track behind her property in Ocean Ridge and creek was overgrown with obnoxious weeds (Old Man's Beard, long grass, Blackberry). D Goodman presented various photos and highlighted that water was coming down from Clemett Close and couldn't flow out. She asked the Council to clean out the creek from the Willow Tree to the boulders.

9.10am S Horrell

S Horrell highlighted that the banks on Greenburn Way appeared to be collapsing, the flaxes/plants that have fallen into the stream haven't been cleared out. He commented that soil has built up the bottom on the stream over the years adding to the issue. Drains were installed at his property during construction and the Swale works should alleviate some of the flooding until more houses are built. He commented that the drains can't keep up and water floods his property requiring the fire brigade to pump it out.

5. FORMAL DEPUTATIONS Nil

The meeting then moved to item 11.10 Kaikōura Zone Committee Progress Report.

11.10 Kaikōura Water Zone Committee (KWZC) Progress Report

T Howard, Chair of the Kaikōura Water Zone Committee joined the table and spoke to the report. He highlighted the good mahi being done on weed/pest control at the Waiiau Toa Clarence. He was concerned that the ocean temperatures and the probability of extreme events are increasing and suggested that solar panels are installed at Mackles Bore. All Zone Committees are being reviewed and workshops are being arranged by Zone Coordinators. The Chief Executive asked if there was an opportunity for the District Council to lend support to the process. It was noted that the KWZC was working very well and the relationship between ECan and farmers was positive. Councillor T Blunt thanked J Hoggard, B Apperley and the KDC staff for installing the blue fish on stormwater grates. It was clarified that there is an annual budget for all Zone Committees from ECan and KDC are advocating that the funding continues in ECan's draft LTP.

T Howard would liaise with ECan to provide a report on the opening/ congestion of the Lyell Creek relating to Inanga (whitebait).

RESOLUTION

THAT the Council receives this report for information.

a) *Kaikōura Water Zone Committee Progress Report 2022/2023*

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

6. ADJOURN TO WORKS & SERVICES COMMITTEE MEETING

The meeting adjourned to the Works & Services Committee meeting at 9.36 am.

The meeting was reconvened at 10.10 am.

7. MINUTES TO BE CONFIRMED

7.1 Council meeting minutes dated 31 January 2024

RESOLUTION

THAT the Council:

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

Moved: Councillor T Blunt

Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

8. REVIEW OF ACTION LIST

The Action List was reviewed and noted by the Council:

- The Mayor and Executive Officer will finalise the letter to Mark Fissenden.
- The Mayor and Chief Executive met with Stuart Smith on Friday and regular bi-monthly meetings are being arranged to discuss issues in the district.

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

10. MATTERS FOR DECISION

10.1 Proposed Road Stopping at Pier Hotel

It was noted that the owner is comfortable with the valuation. The road stopping process requires two months of public notification, any objections are referred to the Environment Court. The Council could give a license to occupy to allow for development to go ahead.

RESOLUTION

THAT:

- Council approves the commencement of a formal process towards the potential stopping and sale of the 166m² area of road reserve at the eastern end of the Esplanade as described in this report, in accordance with the requirements of Schedule 10 of the Local Government Act 2002.*
- Council approves the purchase of the 17m² area of private land as described in this report, for the purpose of improving the safety of the Esplanade/Avoca Street Intersection.*

Moved: Deputy Mayor J Howden

Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

10.2 Audit of the Long Term Plan (LTP) Consultation Document

P Kearney highlighted that there will not be an audit opinion associated with the consultation document, this reduces their fees by 2%. Audit NZ will provide their overall opinion on the draft LTP in its entirety in May 2024.

RESOLUTION

THAT the Council:

- a) *Receives this report.*
- b) *Approves the staff recommendation to proceed with an unaudited Long Term Plan (LTP) Consultation Document (CD).*

Moved: Deputy Mayor J Howden

Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The meeting adjourned for break at 10.24 am and reconvened at 10.48 am.

The meeting moved to Item 11.3 CEO Monthly Report.

11. MATTERS FOR INFORMATION

11.3 CEO Monthly Report

A preferred contractor for the South Bay Forestry is expected to be in place by the end of March and programme for harvesting will be confirmed then. The carbon credit liability starts four years from de-forestation, if not replanted. The Council have included replanting in year 4 of the LTP. Councillors suggested that the community are kept informed about pre and post logging and we seek suggestions from them around replanting ideas. The Trees for Travelers initiative and tourism operators are keen to see carbon offsetting done locally.

The Discretionary Grants Application process opens on 1st March and closes on 28th March 2024, to be considered at April's Council meeting.

The Finance, Audit & Risk Committee meeting had been cancelled this quarter to reduce LTP pressures on the team. D Brandish (independent member of the Finance, Audit & Risk Committee) joined the table with P Kearney and S Poulsen to present the financials included in the CEO's Monthly Report – Attachment 3. It was noted that the October Financials were included in error. Clarification was sought on the total amount of IAF funding spent and left to drawdown (**ACTION**). It was noted that there was no signal from the coalition Government that the balance of the Better off Funding was at risk.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford

Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting moved to Item 11.9 Kaikōura Youth Council Update Report.

11.9 Kaikōura Youth Council Update Report

Kara and Elbie joined the table to present their report. Youth Week 2024 will include various activities such as a walk around the peninsula, handing out kind word cards in town and retirement homes, playing fat

man split, hosting a sausage sizzle and holding an outdoor movie night. It was clarified that the Youth Council have discussed holding another under 18 youth night. The Council thanked the Youth Council for their report and mahi. Mayor C Mackle welcomed Elbie as the new TUIA candidate.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

The meeting moved back to Item 11.4 Risk Management Report.

11.4 Risk Management Report

It was clarified that the two RMA reform acts that were legislated to be changed have been repealed by the new coalition Government. P Kearney will look at re-categorizing the risk register for the next quarterly update. Council staff receive a monthly update on the Better Off Funding and can include this in next month's Council Agenda (**ACTION**).

A query was raised if there was an ongoing report on the total spend of the transfer station (**ACTION**).

RESOLUTION

THAT the Council:

- a) Receives this report*
- b) Notes the contents of the Risk Management Report (including Risk Register)*
- c) Provides any feedback for staff consideration.*

Moved: Councillor V Gulleford
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.5 Water Service Performance Measures

It was noted that the approach is manual and excel based. There is a high risk that the Council will fail audit again this year and a risk of 9 months of incorrect data being collected.

RESOLUTION

THAT the Council:

- a) Receives this report*
- b) Notes the preferred staff option and associated monthly reporting to Council through the Works and Services Committee.*

Moved: Councillor T Blunt
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

The meeting moved back to Item 11.1 Mayoral Verbal Update.

11.1 Mayoral Verbal Update

Mayor C Mackle commented that there has been 1 closed workshop during the month on the LTP. The Hearings had been held on the proposed extended land lease and the deliberations were postponed for a later date. Mayor C Mackle and the Chief Executive attended the Mayoral Forum.

It was noted that today was the last cruise ship of the season.

11.2 Elected Member Verbal Updates

Councillor V Gulleford

The District Licensing Committee (DLC) has declined two waivers of extensions for late applications. Legislative timeframes are regularly not followed by applicants and late applications do not allow sufficient time for the report and decision. During the month the DLC has issued 7 special licenses, 5 managers licenses and 1 managers renewal license.

Councillor K Heays

Councillor K Heays has been busy with the ECan harbour monitoring role.

Councillor J Diver

The proposed Sports Hub meeting was held on Monday 26 February and there is another meeting later in March. The Sports Hub could take a few months to be initiated.

Deputy Mayor J Howden

The Aging Well meetings are going well, and Deputy Mayor J Howden is waiting to receive a proposal for a rest home. A resource to help identify opportunities for the I-Site is being sought.

Councillor T Blunt

Ted Howard was re-nominated Chair at the KWZC and Robby Roche was re-appointed as Deputy Chair. The Stormwater Superhero trailer is in Kaikōura for Sea Week at St. Joseph's School. Wai Connection presented to the KWZC who have asked for two projects in Kaikōura to be supported by the Wai Connection; Kaikōura Flats and Lyell Creek to monitor, measure and record diversity.

11.6 Community Services Team Update Report

It was highlighted that the Christmas community event had a great turnout and feedback, the library door count for January was the highest recorded at one thousand people in a week (noting that books are proposed to be free from 1st July 2024). The Management Plan for the courts will be put in place once the Memorandum of Understanding has been signed. A national emergency management exercise is planned for June that requires all groups to work with NEMA and a regional exercise is planned for November.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Deputy Mayor J Howden

CARRIED UNANIMOUSLY

11.7 Planning Update Report

It was noted that the Spatial Plan is now progressing well, and the team are waiting on further details from the Runanga. A decision will be made on 13th / 14th March whether a hearing is required for the Light Industrial Plan Change. Council staff clarified that the resource consent for 21 West End related to the neighbours right of way access.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

The meeting adjourned at 12.30 pm and reconvened at 1.03 pm.

11.8 Building and Regulatory Update Report

J York joined the table to answer questions from elected members. Of note, Council has signed up with Doggone for dog registration and issue of wandering dogs from 1st July 2024. The Freedom Camping Ambassador assists with compliance of off-site signs and monitoring the parking/slip way fees at weekends. A complete report and ongoing report on water quality from Food and Health was requested as a follow up to the public forum speaker (**ACTION**).

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor V Gulleford

CARRIED UNANIMOUSLY

11.11 Destination Kaikōura Quarterly Report

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor T Blunt
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

11.12 Wakatu Quay Quarterly Report

It was clarified that the project team are looking at expressions of interest and talking to the operators of Riverside Market, but no one is confirmed for the leases.

RESOLUTION

THAT the Council receives this report for information.

Moved: Councillor V Gulleford
Seconded: Councillor T Blunt

CARRIED UNANIMOUSLY

11.13 Discretionary Grants Progress/Completion Reports

Councillor V Gulleford wrote two of the reports and abstained.

RESOLUTION

THAT the Council receives these reports for information.

Moved: Councillor T Blunt
Seconded: Councillor K Heays

Abstain: Councillor V Gulleford

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 31 January 2024
- b) Solid waste

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 31 January 2024	The minutes are being tabled for confirmation and include commercially sensitive information relating to harbour financial matters, the Long Term Plan 2024-2034 and Kaikōura Business Park delegations and commissioners.	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)
Solid waste	Negotiating a contract variation of solid waste with Innovative Waste Kaikōura.	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)

*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:

We do not want to reveal the basis of our negotiated positions with Innovative Waste Kaikōura.


Moved: Councillor V Gulleford
Seconded: Councillor K Heays

CARRIED UNANIMOUSLY

The meeting moved into the Public Excluded Session at 1.27 pm.
The meeting moved out of the Public Excluded Session at 2.46 pm.

13. CLOSED OF MEETING

There being no further business, the meeting was declared closed at 2.46 pm.

CONFIRMED  Chairperson
27 March 2024 Date

THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY

**ACTIONS FROM COUNCIL MEETINGS
AS AT 21 MARCH 2024**

OPEN ACTION ITEMS

	ACTION ITEMS	ASSIGNED TO	DUE	STATUS
1	<i>Carried Forward from previous Council:</i> KORI, Kaikōura Cycling Club, Kaikōura Red Cross Branch		April 2024 July 2024	Tabled to February Council meeting. Council staff have followed up on completed projects.
2	<i>Quarterly Progress Reports from 1-Jul</i> Sports Tasman, Kaikōura Squash Club, A&P Association, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch		April 2024 July 2024	Tabled to February Council meeting
3	Arrange meeting with Local MP Office once New Government established – discuss Māori Wards, Freedom Camping funding, Audit costs	W Doughty / B Makin	Arranged for early 2024	Meeting held 23/02/2024. Bi Monthly meetings to be arranged.
4	Celebration with Governance Group when the detailed design is approved	W Doughty / B Makin	-	On hold – pending approval of detailed design.
5	Clarify total amount of IAF funding spent/left to drawdown	P Kearney	April 2024	To be included in CEO report.
6	Include monthly report on Better Off Funding	W Doughty	April 2024	
7	Ongoing report on total spend of the transfer station	P Kearney	April 2024	Summary report to be provided to FARC.
8	Report on water quality from Food & Health	J York/ B Apperley	March 2024	See update in works and services monthly report.