

**MINUTES OF THE KAIKŌURA DISTRICT COUNCIL MEETING HELD AT ON  
WEDNESDAY 31 JANUARY 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 L Bond, Councillor V Gulleford, Councillor K Heays

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

**1. KARAKIA**

**2. APOLOGIES**

Apologies were received from Councillor J Diver 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 R Watherston and B Watherston

R Watherston spoke regarding the Kaikōura Business Park, noting that the four people in opposition to the plan change have withdrawn and no one now wants to be heard. He does not think there should be a hearing and Council has the expertise to make a decision directly. Legal advice from the Council's lawyers was that the IHP delegation could be removed by the Council. M Hoggard was providing a verbal update to the Council in the public excluded session.

9.14am T Howard, Chair of Hutton Shearwater Trust

T Howard spoke on behalf of the Hutton's Shearwater Charitable Trust in support of item 10.1 Plan Change 5. He supported the recommendation to adopt and progress with the plan change. Hutton's Shearwaters only breed in Kaikōura and the effects of climate change are adding to the further decline in birds; effecting chicks dying of starvation, or breeding birds not returning.

**5. FORMAL DEPUTATIONS Nil**

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

The meeting adjourned to the Works & Services Committee meeting at 9.18 am.

The meeting was reconvened at 9.36 am.

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**7. MINUTES TO BE CONFIRMED**

**7.1 Council meeting minutes dated 29 November 2023**

**RESOLUTION**

*THAT the Council:*

- *Confirms as a true and correct record, the circulated minutes of a Council meeting held on 29 November 2023.*

Moved: Mayor C Mackle

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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## 7.2 Extraordinary Council meeting minutes dated 13 December 2023

### RESOLUTION

*THAT the Council:*

- *Confirms as a true and correct record, the circulated minutes of an Extraordinary Council meeting held on 13 December 2023.*

Moved: Councillor V Gulleford

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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### 8. REVIEW OF ACTION LIST

The Action List was reviewed and noted by the Council.

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

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### 10. MATTERS FOR DECISION

#### 10.1 Plan Change 5 - Decision on how to consider the Plan Change request received from Kaikōura Dark Sky Trust (the "Trust")

M Hoggard, F Jackson and C Doughty joined the table (D Donaldson joined by MS Teams), to answer any questions from elected members. The four options that must be considered with any private plan change were outlined on pages 17-19. The Officer's recommendation was to 'adopt' (option 2) as enhancing Kaikōura district's dark skies is for the benefit of the whole community and does not overly benefit one individual or party.

There was concern that the Council has not budgeted the costs associated with adoption, which could be anywhere between \$5k - \$50k depending on the submissions. The Trust has approximately \$15k remaining funds that could be used to assist through the process going forward. The Council had previously agreed that illuminated signs would be included in this planning process, rather than through the Signs Bylaw.

### RESOLUTION

*That in respect of the PC5 application to the Kaikōura District Plan lodged by Kaikōura Dark Sky Trust, Council resolves to:*

*To adopt the request for notification pursuant to [Clause 25 \(2\)\(a\) of the RMA](#).*

Moved: Councillor T Blunt

Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

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#### 10.2 KMDP Governance Group Terms of Reference Update

C Sturgeon joined the table to answer any questions from elected members. He outlined the proposed new governance structure for the Wakatu Quay project, with the current governance group transitioning out to a new more internal group after detailed design is completed mid-year (pages 130 and 148).

The project team have 3 designs for Wakatu Quay, Councillor J Diver provided historic concept landscape designs to council staff.

The Council acknowledged the Governance Group for their mahi and suggested that they get together when the detailed design is approved (**ACTION**).

### RESOLUTION

THAT the Council receives this report and:

- a) Acknowledges the role and the contribution made by the Project Governance Group to date
- b) Approves the Governance Framework for the Detailed Design Stage and the Construction Stage of the Wakatu Quay Project
- c) Approves the updated Terms of Reference
- d) Approves the membership of the Project Steering Group.

Moved: Councillor T Blunt  
Seconded: Deputy Mayor J Howden

**CARRIED UNANIMOUSLY**

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## **11. MATTERS FOR INFORMATION**

### **11.1 Mayoral Verbal Update**

Mayor C Mackle commented that visitor numbers were near pre-covid levels. He acknowledged Mark Fissenden for his mahi around the whole container mall initiative and would follow up with a formal acknowledgement (**ACTION**). The Mayor is actively looking for the next Tuia candidate and has to 7<sup>th</sup> February to register a rangatahi.

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### **11.2 Elected Member Verbal Updates**

#### Councillor T Blunt

Councillor T Blunt commented on the good work being done with the Link Pathway and footpaths that were regularly being used by the public and tourists.

#### Councillor K Heays

Positive comments were received from the public on the Link Pathway and around accommodating the driplines under the Norfolk Pines. ECan and KDC are looking to collaborate in regards to slipway fee monitoring.

#### Deputy Mayor J Howden

Deputy Mayor J Howden attended a planning day with the Kaikōura Information and Tourism Incorporated (KITI) and noted the good contribution businesses make to the town.

#### Councillor L Bond

The cruise season has been successful with 6 cruises left to go (17 in total), overall visitor numbers and expenditure in the community has been good. The OpShop is sponsoring 6 new seats on the Link Pathway and are looking at projects to focus on for 2024. Destination Kaikōura are celebrating their 10-year anniversary on 9<sup>th</sup> April 2024, the Council and Tourism Minister are invited.

Destination Kaikōura are working with accommodation providers to inform visitors on dark skies. The Council are closely monitoring overnight camping at dark skies sites.

#### Councillor V Gulleford

The District Licensing Committee made 10 decisions in the last 3 weeks. TeHa arranged snorkeling and boogie boarding sessions.

## **RESOLUTION**

*That the elected member's verbal updates are received.*

Moved: Mayor C Mackle  
Seconded: Councillor T Blunt

**11.3 CEO Verbal Update Report**

The Chief Executives Forum and Civil Defence Emergency Management Coordinating Executive Group Meeting was on 29 January. The CE’s forum focused mainly on LTP’s and had a good discussion around the reforms and where to from here. All Canterbury councils are experiencing the same pressure on rates with similar drivers for the increases. The Mayoral Forum is looking to put out some joint messaging around proposed rate rises in the next couple of weeks.

The CE forum talked about planning ahead of central government in the local water done well space. The Chief Executive will be picking up conversations again around whether there is an appetite for closer collaboration between Councils in Canterbury or wider for service delivery.

The following updates were also highlighted:

- The Long Term Plan consultation document is on track to be drafted for Audit on the 26 February.
- The application period has closed for the Emergency Management Officer role, interviews are scheduled for early February.
- A compliment was received for Sarah Wright from some cruise ship passengers. She went out of her way to help them get around the town which was really appreciated by them and showed the great Kaikōura hospitality.
- The completion date for the bulk of the Link Pathway is targeted for June 2024.
- KDC and IWK are meeting in March to discuss a wider strategy and alignment between them with the removal of the Kaikōura Enhancement Trust.
- Submissions for the leased area to Kaikōura Springs have closed. The hearings are scheduled for 14<sup>th</sup> February with 9 people to be heard.

**RESOLUTION**

*That the Chief Executive’s verbal update is received.*

Moved: Mayor C Mackle  
 Seconded: Councillor T Blunt

**CARRIED UNANIMOUSLY**

The meeting adjourned at 10.43 am and reconvened at 11.05 am.

**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 29 November 2023
- b) Public excluded extraordinary council meeting minutes dated 13 December 2023
- c) Harbour Financial Matters – verbal update
- d) Long Term Plan 2024-2034 – draft financials verbal update
- e) Kaikōura Business Park delegations and commissioners – 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 29 November 2023	The minutes are being tabled for confirmation and contain commercially sensitive information on the Proposed Sale of Road Reserve, Harbour Financial	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

	Matters and contains details around the legal process that the Council is involved in around the resource consent/construction of the Waiau Toa/Clarence bridge.	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)(g) maintain legal professional privilege
Public excluded council meeting minutes dated 13 December 2023	The minutes are being tabled for confirmation and contain commercially sensitive information on the Building Scope and Design for Wakatu Quay.	Section (7)(2)(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)(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)
Long Term Plan 2024-2034 – draft financials verbal update	This session will be closed to preserve the ability for the Council to carry on future negotiations (including commercial and industrial negotiations) related to a range of possible projects and industrial/commercial rating differentials as part of the Long-term Plan 2024-34 (LTP) process. At this stage in the LTP process, there are no other considerations rendering it desirable to make this a public meeting, noting also that the proposed approach to rating will be consulted upon and the community will be able to lodge submissions to the draft LTP.	Section (7)(2)(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)
Kaikōura Business Park delegations and commissioners – verbal update	Council staff will provide an update on the business park in particular delegations and commissioners. This is closed to the public as the information is commercially sensitive.	Section (7)(2)(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)

Moved: Councillor T Blunt  
 Seconded: Councillor L Bond

**CARRIED UNANIMOUSLY**

The meeting moved into the Public Excluded Session at 11.08 am.  
 The meeting moved out of the Public Excluded Session at 11.56 am.

**13. CLOSED OF MEETING**

There being no further business, the meeting was declared closed at 11.56 am.

CONFIRMED  Chairperson  
 28 February 2024

*THIS RECORD WILL BE HELD IN ELECTRONIC FORM ONLY*

**ACTIONS FROM COUNCIL MEETINGS  
AS AT 22 FEBRUARY 2024**

	<b>ACTION ITEMS</b>	<b>ASSIGNED TO</b>	<b>DUE</b>	<b>STATUS</b>
1	<b><i>Carried Forward from previous Council:</i></b> KORI, Kaikōura Cycling Club, Kaikōura Red Cross Branch, Dark Sky Trust		February 2024 April 2024 July 2024	Tabled to February Council meeting. Council staff have followed up on completed projects.
2	<b><i>Quarterly Progress Reports from 1-Jul</i></b> Sports Tasman, Kaikōura Squash Club, Kaikōura Bowling Club, A&P Association, Museum, Dark Sky Trust, Youth Council, Kaikōura Red Cross Branch		February 2024 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 scheduled for 23/02/2024
4	Celebration with Governance Group when the detailed design is approved	W Doughty / B Makin	-	On hold – pending approval.

	<b>ACTION ITEMS</b>	<b>ASSIGNED TO</b>	<b>DUE</b>	<b>STATUS</b>
	Three hard copies of the rehoused District Plan were requested for elected members.	M Hoggard	-	Completed – printed & distributed.
	Investigate joint harbour role – KDC/ECAN	W Doughty	Ongoing	Monitoring of slipway fees will be done by KDC and monitoring of slipway activity by ECan.
	Formal acknowledgement to Mark Fissenden	Mayor Mackle/ B Makin	-	Letter sent by Mayoral Office.
	<b><i>Discretionary Grants Completion Reports:</i></b> <b><i>Carried Forward from previous Council:</i></b> Kaikoura Dark Sky Trust  <b><i>Quarterly Progress Reports from 1-Jul</i></b> Te Ha,			Tabled to February Council Meeting