

**MINUTES OF KAPITI COAST DISTRICT COUNCIL  
ADDITIONAL COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU  
ON TUESDAY, 7 JUNE 2022 AT 1.38PM**

**PRESENT:** Mayor K Gurunathan, Deputy Mayor Janet Holborow, Cr Angela Buswell, Cr James Cootes, Cr Jackie Elliott (online via Zoom), Cr Gwynn Compton (online via Zoom), Cr Jocelyn Prvanov (online via Zoom), Cr Martin Halliday, Cr Sophie Handford (online via Zoom), Cr Robert McCann, Cr Bernie Randall (online via Zoom)

**IN ATTENDANCE:** Mr Sean Mallon, Mrs Janice McDougall, Mr Glen O'Conner, Mr Mike Mendonca (online via Zoom), Ms Angela Bell (online via Zoom), Ms Sarah Wattie, Mr Kahu Ropata (online via Zoom), Ms Morag Taimalietane (online via Zoom), Mr Mark Ward, Ms Kathy Spiers (online via Zoom), Mr Cam Butler, Mr James Westbury (online via Zoom), Ms Alison Law, Ms Eva George (online via Zom), Ms Oriwia Raureti, Ms Kirsten Hapeta, Ms Denise Hapeta, Ms Steffi Haefeli, Ms Kate Coutts, Ms Anna Smith, Ms Fiona Story

**APOLOGIES:** Christine Papps, Chair of the Ōtaki Community Board.

**LEAVE OF ABSENCE:** Nil

**1 WELCOME**

**2 COUNCIL BLESSING**

The Mayor welcomed everyone to the meeting and Cr Holborow read the Council blessing.

**3 APOLOGIES**

The apology from Christine Papps, Ōtaki Community Board Chair was noted. Cam Butler attended as the representative of the Ōtaki Community Board.

**4 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

Cr Buswell declared a conflict of interest in relation to Item 7.4 Omicron Business Assistance Package for Kapiti Coast Businesses, as she is a retailer in Kapiti.

Cr Cootes declared a conflict of interests in relation to Item 7.4 Omicron Business Assistance Package for Kapiti Coast Businesses, as he is a retailer in Kapiti.

**5 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA**

Mr Chris Mitchell spoke to agenda items 7.1: Council Response to Ātiawa Ki Whakarongotai Charitable Trust Review and 7.2 Mana Whenua Representation within Council's Governance Structure.

Mr Mitchell noted that Te Ātiawa wants a more effective partnership with Council. Mr Mitchell questioned whether the recommendations will make any difference to those concerns as the

concerns are operational in nature. Mr Mitchell questioned whether the issues raised by Te Ātiawa had been addressed with the two other iwi in the district. Mr Mitchell also questioned whether consideration had been given to Māori in the district who are not affiliated with an iwi. Mr Mitchell encouraged wider consultation.

Janice McDougall, Group Manager, People and Partnerships responded to Mr Mitchell: the points raised will be addressed when the report is discussed. Janice McDougall confirmed that there had been consultation with all three Iwi in the district in relation to the proposal change to the governance structure and that consultation was identified in the report.

**6 MEMBERS' BUSINESS**

(a) Public Speaking Time Responses

There were none.

(b) Leave of Absence

There were none

(c) Matters of an Urgent Nature (advise to be provided to the Chair prior to the commencement of the meeting)

There were none

**7 REPORTS**

**RESOLUTION CO2022/58**

Moved: Mayor K Gurunathan

Seconder: Deputy Mayor Janet Holborow

That the Council meeting adjourn until 2.40pm.

**CARRIED**

---

The Council meeting adjourned at 1.45pm

---

The Council meeting resumed at 2.55pm

---

**7.1 COUNCIL RESPONSE TO ĀTIAWA KI WHAKARONGOTAI CHARITABLE TRUST REVIEW**

Janice McDougall, Group Manager People and Partnerships introduced the report which comes as a response to Ātiawa Ki Whakarongotai Charitable trust's review of their partnership with Kāpiti Coast District Council. Janice McDougall noted that while there had been delays from the Council's end, it is appropriate that a response is given now, and it is acknowledged that there is still more work to be done.

Janice McDougall answered questions from elected members.

**RESOLUTION CO2022/59**

Moved: Mayor K Gurunathan

Seconder: Cr James Cootes

That the Council:

- A. Formally receives the Ātiawa ki Whakarongotai Charitable Trust's review of its partnership

with Kāpiti Coast District Council and in doing so notes its recommendations for strengthening the partnership, as set out in Appendix One.

- B. Notes the responses of council officers to the findings of the review, and the six themes that guide them, as outlined in this report.
- C. Notes the strong alignment between the Trust’s recommendations and the Council’s proposed actions, and council officers’ commitment to continuing to work with Ātiawa ki Whakarongotai Charitable Trust on a mechanism to enable better partnership around operational planning and delivery.
- D. Endorses the proposed actions developed in response to the Ātiawa ki Whakarongotai Charitable Trust’s partnership review findings, as set out in Appendix Two noting that the execution of action nine is the subject of a separate report and will be voted on further to this report
- E. Notes that provision was made within budgets agreed through the Long Term Plan 2021-41 to deliver on the actions arising from the review.
- F. Notes progress on implementing the proposed actions will be reported via the Tāngata Whenua section of the Council’s quarterly performance report.
- G. Notes funding for iwi capacity will be reviewed annually to ensure it keeps pace with the growing partnership between Council and its three mana whenua partners

For: Crs K Gurunathan, Janet Holborow, Angela Buswell, James Cootes, Gwynn Compton, Martin Halliday, Sophie Handford and Robert McCann

Against: Crs Jackie Elliott and Jocelyn Prvanov

Abstained: Cr Bernie Randall

**CARRIED**

Cr Compton joined the meeting in person at 3.25pm

**7.2 MANA WHENUA REPRESENTATION WITHIN COUNCIL'S GOVERNANCE STRUCTURE**

Janice McDougall, Group Manager People and Partnerships introduced the report. Ms McDougall noted that Council has a long-standing partnership with the three iwi of the district: Ngā Hapū o Ōtaki, Te Rūnanga O Ngāti Toa Rangatira and Āti Awa Ki Whakarongotai Charitable Trust and it was important to look at how can that partnership be strengthened. Janice McDougall noted that the paper is on the table is a significant progression and it is within the delegations of the Council to make changes to its governance structure.

Janice McDougall and Sarah Wattie, Governance and Legal Services Manager, and Kahu Ropata Iwi Partnership’s Manager answered member’s questions.

**RESOLUTION CO2022/60**

Moved: Mayor K Gurunathan

Seconder: Cr James Cootes

That the Council:

- A. Adopts the recommended option to enhance mana whenua representation within Council’s Governance Structure by:
  - A.1 appointing one representative from Ngāti Toa Rangātira, Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai Charitable Trust to:
    - A.1.1 the Strategy and Operations Committee, Appeals Hearing Committee and the Grants Allocation Subcommittee with full voting rights from 1 July 2022.

A.1.2. attend all Council meetings and receive all papers, with the ability to contribute to the debate but not vote.

A.2 appointing one iwi representative to the Audit and Risk Subcommittee through a formal recruitment and selection process based on relevant qualifications and experience.

- B. Agrees to reimburse each Ngāti Toa Rangātira, Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai Charitable Trust for the contribution of their representatives as set out in recommendation A above, by paying each iwi an annual fee, equivalent to the remuneration of a full-time elected member (Portfolio B) which is currently \$45,156.
- C. Agrees to reimburse the iwi representative appointed to the Audit and Risk Subcommittee in accordance with Council’s non-elected member remuneration and expense policy.
- D. Notes that while one person will be appointed to each committee and subcommittee from each of Ngāti Toa Rangātira, Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai Charitable Trust, the relevant person nominated by iwi may be different for each committee or subcommittee.
- E. Notes that a number of actions will be undertaken by staff to implement the above resolutions including a letter of appointment to be signed between the Council (via Common Seal) and each iwi representative.
- F. Notes that the representatives nominated by mana whenua for each committee and subcommittee will be brought to Council for formal appointment to the relevant committee(s) as required by the Local Government Act 2022.
- G. Agrees to amend Council’s Governance Structure and Delegations 2019-2022 document as follows:
  - G.1 Amend the membership so that one representative from Ngāti Toa Rangātira, Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai Charitable Trust is appointed to:
    - G.1.1 the Strategy and Operations Committee, Appeals Hearing Committee and the Grants Allocation Subcommittee with full voting rights.
    - G.1.2 attend all Council meetings and receive all papers, with the ability to contribute to the debate but not vote.
  - G.2 Amend the membership of the Audit and Risk Subcommittee so that one iwi representative may be appointed through a formal recruitment and selection process.
  - G.3 Part A Section A.1 Partnership Model – paragraph 7 and 8 be replaced with:
 

“Appointed mana whenua representatives are members of the Strategy and Operations Committee, Appeals Hearing Committee and Grants Allocation Subcommittee. They are full members to these committees and subcommittees with the rights to participate, debate and vote.

Appointed mana whenua representatives have the right to attend all Council meetings and contribute to the debate but not vote. Iwi are to receive all papers relating to Council as well the committees and subcommittees for which they are appointed. Where an iwi has submitted to Council on an issue, or has spoken during public speaking time, the Council iwi representative shall not participate in discussion or debate on that matter.

The Kāpiti Coast District Council Code of Conduct for Elected Members will apply to all members during meetings.”
  - G.4 The quorum for meetings be updated as set out in Attachment 1.

For: Crs K Gurunathan, Janet Holborow, Angela Buswell, James Cootes, Gwynn Compton, Sophie Handford and Robert McCann

Against: Crs Jackie Elliott, Jocelyn Prvanov, Martin Halliday and Bernie Randall

**CARRIED**

Mayor K Gurunathan left the meeting at 4:29 pm.

Cr Bernie Randall left the meeting at 4:29 pm.

The Council Meeting was adjourned at 4:29pm and resumed at 4.39pm with Cr Holborow chairing the meeting.

**7.3 ROAD STOPPING AND EASEMENT AGREEMENT – LEGAL ROAD ADJOINING COASTLANDS, OLD STATE HIGHWAY 1**

Alison Law, Manager Project Management Office, introduced the report and asked that the report be taken as read. Alison Law and Sean Mallon, acting Chief Executive answered member’s questions.

**RESOLUTION CO2022/61**

Moved: Cr Gwynn Compton

Secunder: Cr Martin Halliday

That Council:

- A. Approve the terms of the agreement between Council and Sheffield Properties Limited set out in **Attachment 1** of this ‘Road Stopping and Easement Agreement – Legal Road Adjoining Coastlands, Old State Highway 1’ report dated 7 June 2022.
- B. Note that the area of road proposed to be stopped is approximately 528 m<sup>2</sup> of land adjoining the Coastlands Shopping Precinct and is shown in red on the map included as **Attachment 2** (‘Stopped Road Land’).
- C. Agree to seek consent from the Minister for Land Information to stop the area of road described at B under section 116 of the Public Works Act 1981, when that road formally becomes a local road as part of the Old State Highway 1 Revocation.
- D. Should the Minister for Land Information not agree to stop the area of road under the Public Works Act 1981:
  - D.1 Note that Council and the applicant Sheffield Properties Limited, proceed with the road stopping under section 342 of the Local Government Act 1974.
  - D. 2 Agree to initiate the road stopping procedures under the Local Government Act 1974, should both Council and Sheffield Properties Limited agree to proceed under that Act.
- E. Note that upon completion of the road stopping:
  - E.1 The stopped road land will be amalgamated with Sheffield Property Limited’s adjoining property title.
  - E.2 Sheffield Properties Limited will grant a relocatable easement to Council for the purpose of providing a public right of way to and from Coastlands Parade, for the benefit of Council, properties located on Coastlands Parade, and the public (see area shown green **Attachment 2**).
  - E.3 The Easement Area will be subject to change by mutual agreement to an equivalent location.
- F. Note that interim measures have been agreed to provide appropriate access in the period following the transition of Old State Highway 1 to local road, but prior to completion of the Road Stopping Process. These measures include:
  - F.1 the issuing of a licence between Council and Sheffield Properties Ltd to allow

Sheffield Properties Limited to have continued use of the area of Stopped Road.

F.2 Sheffield Properties Limited granting, and Council accepting, a ‘non-exclusive licence’ for the Council and the public to pass and repass over Sheffield Properties Limited’s land on a mutually agreed route to gain access to and from Coastlands Parade, for the same duration as the licence noted at F.1.

G. Note that

G.1 the granting of the public right of way easement is conditional upon the successful completion of the road stopping and amalgamation of the Stopped Road land into Sheffield Properties Limited’s adjoining property title.

G.2 if the road stopping is unsuccessful, the licence granted under F.1 and non-exclusive licence under F.2, will continue for the term set out in Schedule 1 of the agreement included as **Attachment 1**.

**CARRIED**

**7.4 OMICRON BUSINESS ASSISTANCE PACKAGE FOR KAPITI COAST BUSINESSES**

Mark Ward, Economic Development Manager, introduced the report. Mr Ward noted that there has been an ongoing downward trend in the most recent data available. The Council has been very supportive during Covid, including moving into the Omicron phase.

Mark Ward and Sean Mallon, acting Chief Executive, answered member’s questions.

Elected members thanked the economic development team for the work they have been doing to support businesses during this difficult time.

**RESOLUTION CO2022/62**

Moved: Cr Martin Halliday  
 Seconder: Cr Robert McCann

That Council:

- A. approve additional funding of \$50,000 in the 2022/ 23 FY to undertake targeted marketing support to help promote local hospitality and retail businesses.
- B. approve the waiver of food licence fees for 12 months, retrospectively from 1 March, affecting 347 businesses (total expense \$45,474)

**.CARRIED**

Cr Buswell and Cr Cootes stepped back from the table due to their conflict of interest which they identified at item 4 above and both abstained from voting.

Cr Gwynn Compton left the meeting at 4:59 pm.

Cr Gwynn Compton returned to the meeting at 5:01 pm.

**8 PUBLIC SPEAKING TIME**

- Public Speaking Time responses – there were none.

**9 CONFIRMATION OF PUBLIC EXCLUDED MINUTES**

There were none.

**The Council meeting closed at 5.11pm**

.....  
**CHAIRPERSON**