



# **AGENDA**

## **Council Meeting**

**I hereby give notice that a Meeting of the Kapiti Coast District Council  
will be held on:**

**Date: Thursday, 7 July 2022**

**Time: 9:30am**

**Location: Council Chamber  
Ground Floor, 175 Rimu Road  
Paraparaumu**

**Gary Simpson  
Interim Chief Executive**

**Kapiti Coast District Council**

**Notice is hereby given that a meeting of the Kapiti Coast District Council will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 7 July 2022, 9:30am.**

**Council Members**

Mayor K Gurunathan	Chair
Deputy Mayor Janet Holborow	Deputy
Cr Angela Buswell	Member
Cr James Cootes	Member
Cr Jackie Elliott	Member
Cr Gwynn Compton	Member
Cr Jocelyn Prvanov	Member
Cr Martin Halliday	Member
Cr Sophie Handford	Member
Cr Robert McCann	Member
Cr Bernie Randall	Member

**Order Of Business**

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	Nil	
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**1 WELCOME****2 COUNCIL BLESSING**

“As we deliberate on the issues before us, we trust that we will reflect positively on the communities we serve. Let us all seek to be effective and just, so that with courage, vision and energy, we provide positive leadership in a spirit of harmony and compassion.”

I a mātou e whiriwhiri ana i ngā take kei mua i ō mātou aroaro, e pono ana mātou ka kaha tonu ki te whakapau mahara huapai mō ngā hāpori e mahi nei mātou. Me kaha hoki mātou katoa kia whaihua, kia tōtika tā mātou mahi, ā, mā te māia, te tiro whakamua me te hihiri ka taea te arahi i roto i te kotahitanga me te aroha.

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

Notification from Elected Members of:

4.1 – any interests that may create a conflict with their role as an elected member relating to the items of business for this meeting, and

4.2 – any interests in items in which they have a direct or indirect pecuniary interest as provided for in the Local Authorities (Members' Interests) Act 1968

**5 PRESENTATION OF PETITION**

Nil

**6 HEARINGS**

Nil

**7 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA****8 MEMBERS' BUSINESS**

(a) Public Speaking Time Responses

(b) Leave of Absence

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

**9 MAYOR'S REPORT**

Nil

## 10 REPORTS

### 10.1 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING

Kaituhi | Author: **Fiona Story, Senior Advisor Democracy Services**

Kaiwhakamana | Authoriser: **Janice McDougall, Group Manager People and Partnerships**

#### TE PŪTAKE | PURPOSE

- 1 This report seeks a decision from Council on whether it supports the Local Government New Zealand (LGNZ) 2022 remits which are to be considered at the LGNZ Annual General Meeting (AGM) on 28 July 2022.

#### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

#### TE TUKU HAEPAPA | DELEGATION

- 3 The Council and the Mayor has the delegation to consider and approve this matter.

#### TAUNAKITANGA | RECOMMENDATIONS

- A. That the Council note that the Mayor, as the Presiding Delegate, and Deputy Mayor, as the Alternate Delegate, will represent the Kāpiti Coast District Council at the Local Government New Zealand 2022 Annual General Meeting.
- B. That the Council agree to support Remit 1, Central Government funding for public transport at the Local Government New Zealand 2022 Annual General Meeting.
- C. That the Council agree to support Remit 2, Review of Government transport funding at the Local Government New Zealand 2022 Annual General Meeting.
- D. That the Council agree not to support Remit 3, Illegal street racing at the Local Government New Zealand 2022 Annual General Meeting.
- E. That the Council agree to support Remit 4, Bylaw infringements at the Local Government New Zealand 2022 Annual General Meeting.
- F. That the Council agree in principle to support Remit 5, Density and proximity of vaping retailers at the Local Government New Zealand 2022 Annual General Meeting.

#### TŪĀPAPA | BACKGROUND

- 4 Each year, Local Government New Zealand ("LGNZ") member local authorities submit remits for consideration at the LGNZ Annual General Meeting ("AGM"). Proposed remits are intended to have a national focus articulating a major interest or concern at the political level.
- 5 Remits must have formal support from at least one zone or sector group meeting, or five councils prior to being submitted.
- 6 At the AGM, councils vote on each remit in accordance with their subscription level. Kāpiti Coast District Council is entitled to three votes at the AGM, to be made by the nominated delegate.
- 7 For previous AGMs the Council has nominated the Mayor as the Presiding Delegate and it is therefore recommended that the Presiding Delegate for this 2022 LGNZ AGM will be the Mayor, with the Deputy Mayor being the Alternate Delegate.
- 8 A decision by Council on whether it supports the remits will give public indication of how the Council intends to vote at the AGM.

**Remits supported by Kāpiti Coast**

- 9 In 2020, Kāpiti Coast District Council proposed a remit that LGNZ requests the Government review the Gambling Act 2002 to provide greater powers to local authorities when the number of Class 4 gaming machines and venues exceeds the limit set in Council policy, particularly in relation to areas of high deprivation. This proposed remit did not have the required support to proceed to the AGM.
- 10 As part of this year's remits, Gisborne District Council submitted a similar request including the ability to apply controls and restrictions on existing venues. Kāpiti Coast District Council supported this remit asking LGNZ to work with central government to amend the Gambling Act 1993 and the Racing Act 2020 and seek additional gambling-harm reduction measures and strategies.
- 11 LGNZ has not supported the remit proposed by Gisborne District Council to proceed to this year's AGM as it considered that the issues raised in the proposed remit are firmly on the radar of LGNZ and therefore did not need the endorsement of the AGM to be actioned.
- 12 LGNZ will refer the proposed remit to National Council, recommending that LGNZ write directly to the Minister highlighting the concerns expressed in the remit. LGNZ will continue to engage in discussions with officials over the concerns raised within the remit and ensure that the issues are raised in LGNZ's ongoing contributions to the Future for Local Government Review Panel.

**HE KŌRERORERO | DISCUSSION****He take | Issues**

- 13 There are five remits submitted for consideration at this year's AGM. Background information for each remit is attached to this report as Appendix One – Remits 2022.
- 14 Officers recommend that Council support four out of the five remits proposed by LGNZ in 2022.

**Ngā kōwhiringa | Options**

- 15 Officers from the Access and Transport team, the Policy and Research team, the Legal team and the wider Regulatory function have considered the five remits.

**Remit 1 Central Government fund for public transport**

- 15.1 Kāpiti Coast District Council's Access and Transport team has been advocating for reduced or free fares for the transport disadvantaged for some time, including students, community service card holders and total mobility card holder. The Council's Sustainable Transport Strategy identifies transport affordability as a key challenge and focus area with a desire to work with partners to make public transport services more affordable for all. Council's recently adopted District Growth Strategy 'Te Tupu Pai', supports our vision of more people in Kāpiti living in accessible, walkable neighbourhoods. It emphasises less reliance on private vehicle use, with new development centred on public transport. More affordable public transport is a key step in realising this vision. Therefore, officers support the remit on Central Government funding for public transport.

**Remit 2 Review of Government transport funding**

- 15.2 The Kāpiti Coast District Council's Sustainable Transport Strategy identifies that we want to establish the principle of kotahitanga (building strength in relationships) to deliver infrastructure through partnerships and support the Council's financial strategy. Officers therefore, support this remit for LGNZ to work with the Government to ensure a review of land transport funding in New Zealand is undertaken.

**Remit 3 Illegal Street Racing**

- 15.3 Anti-social driving behaviour is an issue that is being experienced across the country, including in Kāpiti. This remains an enforcement issue and can be readily managed within the existing frameworks through effective partnership with the NZ Police and the wider community. It is the Regulatory team's view that this does not require any further Policy work, bylaws or national legislation but instead needs advocacy at a local level.

Remit 4 Bylaw infringements

- 15.4 Officers within the Council have been consulted and recommend that Council support this remit on the basis that the current regulation-making power for infringement offences under section 259(1) of the Local Government Act 2002 (LGA) is flawed. Essentially, the LGA requires that every single bylaw that will allow for infringement offences be specified, which results in a process that is complex, time-consuming and difficult to change. The result is that the power is seldom used by Councils and there are gaps in Council's ability to issue infringement notices for its bylaws. Under the proposed remit, the LGA would be amended to refer to different classes of bylaws rather than specific bylaws for each local authority. Amending the legislation to enable regulations to be made nationwide across different bylaw types, and relevant regulations being passed, would have the following benefits:

- Propose an option for intentional breaches of bylaws
- Provide a comprehensive infringement regime
- Councils will be better able to take proportionate and timely steps to help ensure compliance with their bylaws (avoiding prosecution where appropriate)
- Confidence of communities in the work of local government will be enhanced

Remit 5 Density and proximity of vaping retailers

- 15.5 The remit is supported in principle. There is support for Council to review and update its smoke-free policy to include vaping but officers are not currently aware of the density and proximity of vaping sites being raised as an issue in Kāpiti.

**Tangata whenua**

- 16 The time between receiving the proposed remits and bringing the report to Council in order for a decision to be made prior to the LGNZ AGM on 28 July was very short. There was insufficient time for iwi to comment on the remits.

**Panonitanga āhuarangi | Climate change**

- 17 There are no climate change considerations relevant to this report

**Ahumoni me ngā rawa | Financial and resourcing**

- 18 There are no financial and resourcing considerations relevant to this report.

**Ture me ngā Tūraru | Legal and risk**

- 19 There are no legal and risk considerations relevant to this report.

**Ngā pānga ki ngā kaupapa here | Policy impact**

- 20 There are no direct policy impact considerations relevant to this report. Potential impact on policy will occur after LGNZ has decided to adopt a remit and changes were made to existing legislation in the future.

**TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT**

**Te mahere tūhono | Engagement planning**

- 21 No engagement plan is proposed in relation to this report.

**Whakatairanga | Publicity**

22 No publicity is proposed in relation to this report.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. Appendix One - Remits 2022 [↓](#)

Who's  
putting local  
issues on  
the national  
agenda?

**We are.  
LGNZ.**

Te Kāhui Kaunihera o Aotearoa.

# 2022 Annual General Meeting

## Remits

# 1

## Central government funding for public transport

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- Remit:** That LGNZ:
- Calls on central government to fully and permanently fund free public transport for students, community service card holders, under 25s, and total mobility card holders and their support people.
  - Joins the Aotearoa Collective for Public Transport Equity (ACPTE) in support of the Free Fares campaign.

**Proposed by:** Porirua City Council

**Supported by:** Metro Sector

### Background information and research

#### 1. Nature of the issue

At present, an inequitable, car-dominated transport system constrains mobility and limits opportunity for thousands of people. Transport is the second-largest source (21%) of domestic carbon emissions in Aotearoa – and 70% of these emissions come from cars, SUVs, utes, vans and light trucks.

The Aotearoa Collective for Public Transport Equity (ACPTE) are a vast collection of community organisations from across Aotearoa, joining together to advocate for more equitable public transport. The ACPTE are now asking for councils across the country to join their Free Fares campaign.

ACPTE's Free Fares campaign is asking for central government to fund free fares for public transport users, starting with low income groups and under-25s. The ACPTE believes that these groups are the right place to start because they represent a large portion of public transport users who rely on the service the most but are least likely to be able to afford it.

#### 2. Background to its being raised

Transport is New Zealand's fastest growing source of greenhouse gas emissions, having doubled since 1990. Targeting transport is a key way to mitigate our fastest growing source of emissions. Porirua City Council's view is that we need to provide more sustainable transport options and enable people to transition from private vehicles to public transport.



The proposed remit suggests we can't meet our climate change targets without reducing how much we drive – not even by replacing petrol and diesel cars with EVs. Both in Aotearoa and overseas there are examples of free public transport incentivising mode shift away from private vehicle use. Free fares enable people to switch to public transport, which produces far less emissions per kilometre than private cars.

With housing costs and other expenses rising, many Community Service Card holders, tertiary students, under 25s and total mobility card holders find that a regular \$3 bus ticket is out of reach – and that's at the very time that we need to promote connection to combat loneliness and poor mental health. The high cost of public transport also leaves too many disconnected from family, friends and activities that bring us joy, leading to isolation and loneliness. The proposed remit suggests free fares would allow disadvantaged communities to better access services and seek education and employment.

To ensure transport equity, Porirua City Council suggests it is imperative we prioritise those who struggle the most to afford and access transport. All sectors of society are affected when the cost of fares prevent people from travelling. Businesses miss out on customers, community groups lose participants and volunteers, and tourist spots miss out on visitors. Free fares will allow more people to make these trips, connecting communities so we are all better off.

The ACPTE started in 2021 calling for free public transport for students and community card holders. A coalition of climate action groups, student organisations, churches, unions and political youth wings joined together in asking central government and the Greater Wellington Regional Council to fund a trial for free public transport for these two target groups in the Greater Wellington region.

After submitting to GWRC, the ACPTE decided that leading up to the Emissions Reduction Plan (ERP) consultation, the campaign should go national. Over the months leading up to the ERP consultation, the ACPTE connected with groups across Aotearoa to advocate for free fares. The campaign also shifted to include under 25s, with the aim of normalising public transport as the main form of transport for the next generation.

During this time, the ACPTE also reached out to councils inviting them to join in the advocacy effort, and several councils passed motions supporting free fares.

This campaign is specifically requesting that free fares are funded by central government. Signing onto this campaign would have no impact on councils' finances and would add no extra burden on rates.

**3. New or confirming existing policy**

This is new policy.

**4. How the issue relates to objectives in the current Work Programme**

This remit is broadly consistent with existing LGNZ work, particularly on climate change mitigation and the Future for Local Government Review, but has a more specific focus.





LGNZ is committed to working alongside central government and iwi to address social issues in our communities, including inequity between social groups.

**5. What work or action on the issue has been done on it, and the outcome**

The Government began a trial of half-price public transport fares from 1 April 2022. This three-month trial was extended by two months, and made permanent for community services cardholders, as part of the Government's Budget 2022 announcements. (Note that this decision is to provide half-price fares only to community service card holders, and not free fares which this remit and the ACPTE are advocating for).

While LGNZ has made statements in press releases about the Government's half-price public transport fares trial and its decisions around continuing this trial as part of Budget 2022 and ERP announcements, no formal work has been undertaken by LGNZ on this issue.

ACPTE has undertaken work on this issue, detailed in section 2 above. In addition to the work noted above, ACPTE has compiled research from within Aotearoa and abroad about the impact free fares could have for climate and equity and submitted their findings to the ERP consultation, and started a petition which received over 13,000 signatures and was handed to the Minister of Transport in March 2022.

**6. Any existing relevant legislation, policy or practice**

- Central government's public transport half-price fares trial extended for two months (total 5 months), and made permanent for community services cardholders, as part of Budget 2022 announcements
- NZ Transport Agency [Total Mobility scheme: policy guide for local authorities](#) 2017
- Ministry of Transport [SuperGold Card public transport funding](#)
- Aotearoa Collective for Public Transport Equity (ACPTE) [Free Fares NZ](#)
- [Government Policy Statement on Land Transport, 2021/22](#) – 30/31 including outcomes addressing "Inclusive Access" and "Resilience and security"
- [The Zero Carbon Act](#) 2019 and [Emissions budgets and the emissions reduction plan](#)

**7. Outcome of any prior discussion at a Zone or Sector meeting**

This proposed remit was endorsed by the Metro Sector at its meeting on 13 May 2022.

**8. Suggested course of action**

That LGNZ calls on central government to fully and permanently fund free public transport for students, community service card holders, under 25s, and total mobility card holders and their support people.

That LGNZ joins the Aotearoa Collective for Public Transport Equity (ACPTE) in support of the Free Fares campaign.

## 2

### Review of Government transport funding

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<b>Remit:</b>	That LGNZ call for an independent review into the way in which government, through Waka Kotahi, fund transport investments in Aotearoa. This includes funding of new developments and maintenance programmes.
<b>Proposed by:</b>	New Plymouth District Council
<b>Supported by:</b>	Rangitikei District Council, Hauraki District Council, South Taranaki District Council, Western Bay of Plenty District Council, Stratford District Council and Hamilton City Council

#### Background information and research

##### 1. Nature of the issue

A key part of the advocacy role of LGNZ includes being involved in discussions with central government on significant issues affecting local government. This is a critical role that is at the core of the work and purpose of LGNZ.

This remit asks that LGNZ work with government to ensure that an independent review into the funding model of Waka Kotahi is undertaken. The current funding model does not fully recognise the costs of maintenance of roads and related infrastructure and does not provide certainty to councils in setting their own budgets. This appears to be related to funding being heavily reliant on the annual budget of the government of the day and income that varies depending on many factors.

Such a review should consider how long-term projects such as roading should not be so reliant on annual fluctuations and more should be funded through long-term debt such as with local government major infrastructure.

##### 2. Background to its being raised

The Government Policy Statement on land transport (GPS) states that “transport investments have long lead times, high costs and leave long legacies. Therefore transport planning and investments need to be guided by a long-term strategic approach, with a clear understanding of the outcomes that government is seeking to achieve”.

Over \$4 billion of New Zealanders’ money is spent through the national land transport fund each year, which is supplemented by co-investment from local government and additional funding and financing.



The GPS recognises that as the largest co-funder of National Land Transport Programme (NLTP) projects, local government has an important role in building strong, evidence-based projects and programmes for investment. This shows the appropriateness of LGNZ requesting a review is undertaken.

The Ministry of Transport and Waka Kotahi already look to other financing tools for larger intergenerational projects over \$100 million. The review should consider if this goes far enough and options for fixing the massive hole in existing budgets – such as the \$400 million one recently highlighted in Auckland for road maintenance and public transport projects.

The review should also consider the consistency of government actions across various infrastructure. The Three Waters Reform programme creates new entities to gain “a greater ability to borrow to fund long-term infrastructure” and aims “to protect consumer interests and drive efficient investment and performance”. Government recognises that Three waters requires long-term investment, but this review is needed to consider that view in relation to transport infrastructure.

**3. New or confirming existing policy**

Transport is one of LGNZ’s five key policy priorities. However, LGNZ is not currently actively advocating for a review of transport funding. This is therefore a new policy issue.

**4. How the issue relates to objectives in the current Work Programme**

Transport is, and always has been, a very critical issue for local government. There is a heavy reliance on uncertain Waka Kotahi funding and the need to advocate for investment in our regions. One of the LGNZ priorities is “Ensuring local voice is heard on the important issues – three waters, resource management, housing, transport, climate change and the future for local government”.

This remit meets the existing aims of LGNZ to represent the national interest of councils in Aotearoa, to ‘decode policy’ and to “help local government run better through development, support and advocacy”. By working with government to ensure an independent review of transport funding is undertaken, LGNZ would help fulfil their Whakamana/Advocate role.

As transport is also one of LGNZ’s five key policy priorities, and the ongoing funding of the local roading network is an issue that has emerged in ongoing conversations with the sector and in Future for Local Government workshops, advocating for an independent review of the funding system may speed up the pace of any review.

**5. What work or action on the issue has been done on it, and the outcome**

The Ministry of Transport regularly reviews its Government Policy Statement on Transport (typically every three years). This however would not meet the intent of the remit that there be an independent review of the broader system of funding of transport investment.

Based on recent engagement with the Ministry of Transport, LGNZ is aware that the Ministry has begun scoping work on what the future funding tools and requirements of the transport system should be. As such, this remit may provide value in demonstrating to the Government



how important this issue is to local government, and it may also signal some of the issues that should be included in scope of that review (including the benefit of the review being independent). As noted above, the remit may need to be updated depending on whether a Ministry of Transport-led review into how the transport system is funded is announced prior to the AGM. We do not have any indication of when such a review will be announced (if indeed it does proceed).

**6. Any existing relevant legislation, policy or practice**

The Land Transport Management Act 2003, Government Policy Statement on land transport and the National Land Transport Programme outline Government's position.

**7. Outcome of any prior discussion at a Zone or Sector meeting**

The proposed remit is supported by Rangitikei District Council, Hauraki District Council, South Taranaki District Council, Western Bay of Plenty District Council, Stratford District Council and Hamilton City Council.

**8. Suggested course of action envisaged**

That LGNZ work with the Government to ensure a review of land transport funding in New Zealand is undertaken. This should include looking at the funding of new transport infrastructure and maintenance and how best to fund these in a realistic, efficient and equitable manner alongside local government.

An independent review may not be possible given decisions around this work programme for the Government may be made (and possibly announced) prior to the AGM in July – though we do not have any indication of when the Government will make announcements about a possible review, or if indeed it will do that. However, support for this remit would provide LGNZ with the ability to demonstrate the importance of such a review to local government, and influence the particular issues that local government thinks should be within the scope of any review – including funding of new developments and maintenance programmes.

# 3

## Illegal street racing

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**Remit:** That Local Government New Zealand (LGNZ) implement a nation-wide working group of subject matter experts with the objective of formulating an action plan to effectively enforce the Land Transport Act 1998 and work with police to tackle illegal street racing and the antisocial behaviour associated with it.

**Proposed by:** Hutt City Council

**Supported by:** Upper Hutt City Council, Masterton District Council, Carterton District Council, Tauranga City Council, Hamilton City Council and Porirua City Council

### Background information and research

#### 1. Nature of the issue

Excessive noise from vehicles and other intimidating behaviour (such as convoys blocking the road and vehicles driving at high speeds) has been a frequent complaint from residents towards their local councils. Various attempts to curb this behaviour have had some success, while some measures have simply moved the problematic behaviour to another geographical location.

Councils across the nation have implemented various measures to limit dangerous vehicle use, such as speed cushions, concrete speed bumps, and visual distractions. With the additional cost of maintenance and road signs, these can be a significant cost to councils with only a limited impact on the problem.

Due to the illegal street racers often being in a network, they can communicate to avoid detection by police and move across several councils' territories in one night. This can pose an issue if multiple councils do not have consistent bylaws in their respective areas.

#### 2. Background to its being raised

New Zealand laws deterring illegal street racing (occasionally referred to as 'boy racing') include the Land Transport Act (1998) and the Land Transport (Unauthorised Street & Drag Racing Amendment Act) (2003). Several other councils around New Zealand have chosen to include illegal street racing in their Public Places Bylaw, noting that intimidating behaviour or excessive noise from vehicles is prohibited. New Plymouth District Council and Waipā District Council both have proposed bylaws (not yet in force) specifically about illegal street racing. Christchurch City Council has a "Cruising and Prohibited Times on Roads Bylaw 2014" which is currently under





review. It is unclear how successful these bylaws have been, as there has been no evaluation material available to view.

Based on reports from other locations, the issue of vehicle noise, speed, intimidation, and damage is widespread across the country. Despite laws from central government and supplementary bylaws from local councils, the issue continues to persist. This does not support the argument that these laws have been effective.

Discussions with police and council officers have revealed the challenges of enforcing the law. Under-resourcing has not met the demand, as there are incidents where upwards of 100 illegal street racers converge in a single area with only one patrol car available.

Complaints about illegal street racers have been received by the Hutt City Council Deputy Mayor and council officers in the transport division. Noise is a prominent theme in these complaints when the illegal street racers are in close proximity to residences, along with tyre tread marks and oil on the road. Stolen road signs and other damage to property (both public and private) create further safety issues, along with alcohol use and some assaults to police officers or members of the public when attempting to communicate with the illegal street racers.

**3. New or confirming existing policy**

The issue is not currently covered by existing LGNZ policy.

**4. How the issue relates to objectives in the current Work Programme**

The issue aligns with LGNZ's Whakahono//Connect leadership pillar given the request from Hutt City Council to bring together the different actors involved with local government (including NZ Police, Waka Kotahi and the Ministry of Social Development) to address illegal street racing.

**5. What work or action on the issue has been done on it, and the outcome**

There does not appear to be any collective effort or plan underway to nationally address street racing. However, it does seem that there are a few localised plans, initiatives (including bylaws, speed cushions etc) or teams being stood up to address this issue (for example, in the Waikato, New Plymouth and Hutt City).

Hutt City Council's view is that these initiatives have had a limited impact on the problem, which is often moved elsewhere rather than stopping gatherings altogether.

**6. Any existing relevant legislation, policy or practice**

Land Transport Act (1998), and Land Transport (Unauthorised Street and Drag Racing) Amendment Act (2003).

**7. Outcome of any prior discussion at a Zone or Sector meeting**

The proposed remit is supported by Upper Hutt City Council, Masterton District Council, Carterton District Council, Tauranga City Council, Hamilton City Council and Porirua City Council.



**8. Suggested course of action envisaged**

The remit recommends LGNZ establishes a nation-wide working group of subject matter experts to develop a plan of action to address the issue and enforcement of the law. It suggests it will be useful to have input from police, community patrol officers, policy makers, and transport analysts in formulating the group.

# 4

## Bylaw infringements

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<b>Remit:</b>	That LGNZ lobby Government to implement an infringement notice regime for general bylaws.
<b>Proposed by:</b>	Auckland Council
<b>Supported by:</b>	Auckland Zone

### Background information and research

#### 1. Nature of the issue

Section 259 of the Local Government Act 2002 (LGA) provides for the making of regulations and amongst other matters, prescribing breaches of bylaws that are infringement offences under the Act. The power has been seldom used to date.

Between working with and “educating” people and taking a prosecution, there are no enforcement options available making it extremely difficult to achieve compliance especially in an environment of increasing disrespect for authority and aggression.

Working with people or educating them can be time consuming but is effective especially where the breaches are unintentional. However, in relation to intentional breaches of bylaws, in the absence of an infringement regime, after working with and educating people the next step is prosecution. Prosecution is expensive and time consuming. Also, it is often out of proportion with the breach that has occurred. Even following a successful prosecution, the penalties available to courts are low and provide minimal deterrence.

The obstacle in passing regulations allowing for infringement fee regulations has been the need to tailor those regulations to each instance of an infringement offence bylaw by bylaw. Therefore, a two-step approach is required: firstly, amending the legislation to enable regulations to be made nationwide across different bylaw types and then relevant regulations being passed.

By developing a more comprehensive infringement regime, councils in New Zealand will be better able to take proportionate and timely steps to help ensure compliance with their bylaws. In doing this, confidence of communities in the work of local government will be enhanced.





## 2. Background to its being raised

Discussion around the need for an infringement regime for local government bylaws is not new.

Provision for the making of regulations was included in section 259 of the LGA. Part 9, Subpart 3 "Infringement Offences" of the LGA provides a mechanism for imposing and collecting infringement fees. Apart from regulations establishing infringement fees for some navigational bylaws, the provisions have not been used.

This issue was well-canvassed in the Productivity Commission's 2013 Report, *"Towards better Local Government Regulation."* The Productivity Commission's report includes the following comment:

*Much of a local authority's regulatory functions are authorised by its bylaws. The Act under which bylaws are made may authorise the local authority to enforce certain provisions in bylaws by the use of infringement offence notices. If not, bylaws must be enforced under the Summary Proceedings Act 1957...I submit that the enforcement of local authorities' regulatory functions would be significantly more effective and efficient if the use of infringement offence provisions is more widely available than at present."* (Richard Fisk, sub.19, p.1).

In the Auckland Region, the challenges in enforcing bylaws were brought into stark relief over summer 2021/2022 with an increased number of complaints about people camping on beaches and in reserves (not freedom camping) and an expectation from members of the public and elected members that steps would be taken to enforce the bylaws.

With the changing attitudes and behaviours of our communities arising in part through people's experience of the Covid-19 response, Auckland Council's position is that now is the right time to revisit the development of a more comprehensive infringement regime for local government.

## 3. New or confirming existing policy

This remit would confirm and enhance existing policy work that LGNZ has underway.

## 4. How the issue relates to objectives in the current Work Programme

This remit connects indirectly to LGNZ's strategy and Work Programme to the extent that the lack of being able to enforce local bylaws frustrates local citizens and undermines public perceptions of local government's effectiveness.

## 5. What work or action on the issue has been done on it, and the outcome

As noted above, the Productivity Commission considered bylaws and an infringement notice regime in its 2013 Report, *"Towards better Local Government Regulation."* Findings and recommendations set out in that report have not been acted on to date, but remain relevant, specifically:

- F4.8 – There are indications of a low level of prioritisation of monitoring and enforcement resources based on risks. Constraints on the use of infringement notices – combined with the low level of fines where infringement notices can be used – can also inhibit councils' capacity to encourage compliance with regulation.



- R10.3 – Agencies responsible for regulations that local government enforces should work with Local Government New Zealand to identify regulations that could usefully be supported by infringement notices and penalty levels that need to be increased.
- R10.4 – Section 259 of the Local Government 2002 – relating to the empowerment of infringement notices – should be amended to enable regulations to be made for infringement notices for similar kinds of bylaws across local authorities, rather than on a council-specific and bylaw-specific basis.

LGNZ has highlighted this issue in a number of briefing papers and advice to various ministers and central government officials since the early 2000s. Although the issue has been of concern to LGNZ and councils for nearly 20 years, it has never been the subject of an AGM remit.

Parliament's Regulations Review Committee wrote to LGNZ in late 2021 advising that it was considering a review of the bylaw provisions of the LGA. LGNZ was invited to provide advice on the effectiveness of local authority bylaws and the enforcement of them. LGNZ recently appeared before the Committee to speak to its submission.

We are still awaiting a decision from the Committee on whether or not it will undertake a review of the bylaw provisions of the LGA, and if so, what the scope of that review will be. Although the Committee did ask for specific advice on the infringement regime, it also sought advice on other matters including the use of model bylaws and the expansion of the model bylaws used in the Freedom Camping Act 2011.

**6. Any existing relevant legislation, policy or practice**

- Local Government Act 2002
- Productivity Commission's 2013 Report, *"Towards better Local Government Regulation."*

**7. Outcome of any prior discussion at a Zone or Sector meeting**

This proposed remit was supported by the Auckland Zone.

**8. Suggested course of action envisaged**

Auckland Council has not provided any detail as to how it suggests LGNZ progresses the proposed remit.

While the inquiry that the Regulations Review Committee has underway (and in which LGNZ has been engaged) is a significant step forward, there is no guarantee that the Committee will agree with LGNZ's submission, or, should the Committee agree, that work to review the bylaw provisions of the LGA would be supported by either this Government or a future one.

To gain traction, and to ensure that any review of the bylaw provisions addresses the issues that local government is most concerned with, this remit (along with the national publicity that tends to accompany successful remits) might be very helpful at this time.

# 5

## Density and proximity of vaping retailers

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- Remit:** That LGNZ requests the Government to:
- Restrict the sale of vaping products to R18 specialist vape stores.
  - Develop proximity limits to prevent the clustering of vaping product retailers and protect young people.

**Proposed by:** Kaipara District Council

**Supported by:** Zone 1

### Background information and research

#### 1. Nature of the issue

Vaping products are widely available from generic retailers (e.g., dairies, service stations) and specialist vape retailers. To date, New Zealand has 713 specialist vape stores; a British American vape brand is available from 2000 retail outlets throughout Aotearoa. Vaping products are also available via several online stores (both NZ-based and international).

Dargaville's main street, Victoria Street, has 13 vape retailers: ten General Vape Retailers and three Specialist Vape Retailers, all within a 1km length. The three licensed Specialist Vape Retailers are located within 150m of each other.

Youth vaping has risen sharply over recent years; among 14 to 15 year olds, daily vaping rose from 1.8% in 2018 to 9.6% in 2021; among 14-15 year old Rangatahi Māori, daily vaping rose from 5.9% in 2019 to 19.1% in 2021. Widespread product availability normalises vaping and makes experimentation easier.

Many towns and regions around New Zealand also need to address the proliferation of vaping outlets and rising vaping among Rangatahi.

#### 2. Background to its being raised

The widespread sale of vaping occurred in 2018, when the Ministry of Health lost a case taken against Philip Morris alleging their "HEETS" products breached the Smokefree Environments Act 1990. Until the Smokefree Environments and Regulated Products Amendment Act was passed in 2020, vaping products were largely unregulated and vaping manufacturers



advertised their brands using youth-oriented promotions. Even post-legislation, retailers with little or no knowledge of vaping remain able to sell vaping products.

Surveys of young people, such as the Youth19 survey and the Snapshot Year 10 survey conducted by ASH revealed many adolescents who had never smoked had begun vaping. A 2021 report into youth vaping found that 14.6% of those surveyed reported smoking one or more traditional cigarettes in the last 7 days and 26.6% reported that they had vaped (e-cigarettes) in the past 7 days. Almost all those (98%) who had smoked a traditional cigarette in the last week had also vaped in the last week. However, a significant portion (46.2%) of those who had vaped in the last week had not smoked a cigarette. These data provide important evidence that youth vaping is rising rapidly and reveal that many young people who vape have never smoked.

The Smokefree Environments and Regulated Products Amendment Act 2020 extended many of the existing restrictions governing smoked tobacco products to vaping products. This legislation allows any business to sell vaping products as long as they follow the regulations for General Vape Retailers or apply to become a Specialist Vape Retailers. However, the Vaping Regulatory Authority does not consider retailer density or proximity to facilities such as schools when assessing applications.

The Government's Smokefree 2025 Action Plan will introduce a provision requiring general retailers selling vaping products to advise the Director-General of Health that they are doing so. This provision aims to provide information on the number and type of retailers selling vaping products.

We recognise that people who smoke and who have not been able to quit using existing treatments will benefit if they make a complete transition to vaping products and stop smoking. However, survey data showing rising vaping prevalence among young people suggests existing policy does not provide an appropriate balance between the needs of people who smoke and the rights of young people who do not, and who deserve protection from products that are designed to target them.

Limiting the retail availability of vaping products to specialist stores will not prevent people who smoke from accessing these products and instead will increase the likelihood they receive smoking to vaping transition advice that improves the chances they will stop smoking. Furthermore, people who smoke will continue to be able to access vapes through stop smoking services.

Kaipara District Council elected members have been receiving questions and concerns from the local community about the density and proximity of vape retailers in Dargaville.

While we support the supply of vapes to people wanting to use these products to stop smoking, it is of the utmost importance that we also protect our community, particularly our Rangatahi and other whānau who would not usually vape, from using these addictive products.



**3. New or confirming existing policy**

This is a new policy.

**4. How the issue relates to objectives in the current Work Programme**

This remit aligns with LGNZ's pillar Whakauru // Include – to ensure that every New Zealander can participate, thrive and be represented by local government.

It could be argued that restricting the density and proximity of vaping retailers shows some alignment with enhancing community safety, public health and promoting social wellbeing. However, the remit does not show strong alignment with LGNZ's existing policy priorities or engagement in major ongoing local government reform programmes. Further discussion is needed to determine whether LGNZ's membership agree it is relevant to local government as a whole.

**5. What work or action on the issue has been done on it, and the outcome**

A petition was received by Kaipara District Council regarding the density and proximity of vape retailers. The petition was accepted and responded to. Given this issue sits outside Kaipara District Council's control and existing policy frameworks, a remit was recommended as the appropriate action to take. Councillor Karen Joyce-Paki is the sponsor of the remit and is working closely with Smokefree NZ, Cancer Society and local Māori Health Provider, Te Ha Oranga.

The Smokefree Coordinator for Northland, Bridgette Rowse, has been providing support and is working with the Far North District Council (FNDC) policy team to review the FNDC Smokefree Policy, which currently covers smokefree parks, playgrounds and sports grounds. She has also worked with Whāngarei District Council and Kaipara District Council to review and align our smokefree policies to create more smokefree outdoor public spaces as well as making all smokefree outdoor public spaces vape-free.

**6. Any existing relevant legislation, policy or practice**

The relevant legislation is the Smokefree Environments and Regulated Products (Vaping) Amendment Act 2020. The Act aims to balance between ensuring vaping products are available to smokers who want to switch to a less harmful alternative, while ensuring these products aren't marketed or sold to young people. New regulations are in the process of being implemented from November 2020 until January 2023. While these regulations cover factors such as how vape retailers can advertise, who they can sell their products to and where vaping is allowed, there are no regulations around proximity limits to prevent the clustering of vaping product retailers as the remit requests.

**7. Outcome of any prior discussion at a Zone or Sector meeting**

The remit was supported at the most recent Zone 1 meeting by all members present.



**8. Suggested course of action envisaged**

This remit suggests that LGNZ requests the Government to:

- Restrict the sale of vaping products to R18 specialist vape stores.
- Develop proximity limits to prevent the clustering of vaping product retailers and protect young people.

We understand that an Amendment Bill is expected to be introduced in 2022 (according to the Government's Smokefree Action Plan). Kaipara District Council has suggested that one way to progress this remit would be to advocate for the Amendment Bill provision which only allows authorised retailers to sell smoked tobacco products to be extended to restrict the number who can sell vape products.

Progressing this remit is likely to require LGNZ working with officials from the Ministry of Health to advocate for changes to regulations and the upcoming Amendment Bill.

## 10.2 NATIONAL POLICY STATEMENT ON URBAN DEVELOPMENT - QUARTER 4 MONITORING REPORT

Kaituhi | Author: **Hamish McGillivray, Manager Research & Policy**

Kaiwhakamana | Authoriser: **Angela Bell, Strategy Manager**

### TE PŪTAKE | PURPOSE

- 1 To provide the Committee with National Policy Statement on Urban Development (NPS-UD) Monitoring for the fourth quarter for the 2021/22 year, covering the period from 1 March to 31 May 2022).
- 2 Monitoring reports for the fourth quarter are included as Attachment 1 of this report.

### HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 3 The attached report provides an update and key findings from monitoring of recent development activity and urban development indicators over the 1 March to 31 May 2022 period.

### TE TUKU HAEPAPA | DELEGATION

- 4 Council has the authority to consider this matter, which is identified as a delegated function of the Strategy and Operations Committee under section B.1 of the Governance structure and delegations 2019-2022.

### TAUNAKITANGA | RECOMMENDATIONS

- A. That the Council receives and notes the findings of the NPS-UD monitoring report for Quarter 4 as attached as Attachment 1 of this report.

### TŪĀPAPA | BACKGROUND

- 5 The NPS-UD requires Council to undertake quarterly monitoring across its local development activity, including a range of market indicators published by the Ministry of Housing and Urban Development (HUD) as part of their Urban Dashboard.
- 6 Monitoring reports provide information of activity and change to inform a range of participants, including Council with its development management responsibilities, the local development community and community housing and infrastructure providers.
- 7 Council currently publishes results quarterly, typically in September (Q1), December (Q2), March (Q3), and June (Q4) each year, and focus on changes to key indicators across the quarters. The September report also contains annual reporting to provide more in-depth analysis across the previous year.
- 8 Previous Monitoring Reports are available on our 'Urban development capacity' webpage at <https://www.kapiticoast.govt.nz/our-district/the-kapiti-coast/urban-development-capacity/>.

### HE KŌRERORERO | DISCUSSION

- 9 The monitoring report at Attachment 1 provides an update and analysis of changes across the housing and development market for the 1 March to 31 May 2022 period.
- 10 Key points of note from the fourth quarter include:
  - Small quarterly increase in resource consents for the quarter, but a drop down of potential net additional dwellings from the higher yields we have experienced over the last year.

- Building consents are slightly down for the fourth quarter which is reflected in a lower value of building consents.
- The number of house sales and median value of house sales has dropped for the fourth quarter to \$830,000 (from \$901,000 which was revised up from \$880,000 for the last quarter), back to median values experienced in the latter half of 2021.
- Weekly mean rent has continued to increase, up to \$584 from last quarters \$552.
- Registrations for social housing have increased from 198 in December 2021 to 216 in March 2022.

### He take | Issues

- 11 This report is for noting findings from NPS-UD monitoring only.

### Ngā kōwhiringa | Options

- 12 This report is for noting findings from NPS-UD monitoring only.

### Tangata whenua

- 13 We have not engaged directly with iwi on this report.

### Panonitanga āhuarangi | Climate change

- 14 This report does not directly consider climate change matters but provides information around changes and pressures relating to housing and business demand that informs processes managing how we grow, which consider the impacts of climate change and low carbon living.

### Ahumoni me ngā rawa | Financial and resourcing

- 15 There are no financial considerations arising from this report.

### Ture me ngā Tūraru | Legal and risk

- 16 The report attached as Attachments 1 meets the NPS-UD 2020 requirement to monitor and publish monitoring results.

### Ngā pānga ki ngā kaupapa here | Policy impact

- 17 As well as meeting the requirements of the NPS-UD, monitoring information helps understand changes across the local housing market and supports implementation of *Te tupu pai – Growing Well* - District Growth Strategy and providing sufficient development capacity to meet current and future housing and business needs.

## TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

- 18 The attached NPS-UD reports will be published alongside previous monitoring reports on our website (as per paragraph 8).

### Te mahere tūhono | Engagement planning

- 19 The reports provide an update to monitoring information and have a low level of significance under Council's Significance and Engagement Policy, with no further engagement planned.

### Whakatairanga | Publicity

- 20 The NPS-UD Monitoring Reports will be published on the Council's 'Urban Development' webpage alongside previous reports. An email will also be distributed to update a list of stakeholders who have expressed an interest in the reports and to receive future updates.



**NGĀ ĀPITI HANGA | ATTACHMENTS**

1. NPS-UD Quarter 4 Monitoring Report [↓](#)



## **National Policy Statement on Urban Development**

### **Kāpiti Coast District Council Quarter 4 Monitoring Report**

*June 2022*





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### Executive summary

This fourth quarter NPS-UD monitoring report provides an update and analysis of changes across the development market for the 1 March 2022 – 31 May 2022 period.

Quarterly reporting identifies changes in development activity and a range of market and price efficiency indicators sourced from the Ministry of Housing and Urban Development's (HUD) Urban Development Dashboard where available.

Consent activity for the fourth quarter saw small shifts from the last quarter (Q3 2022) with resource consent numbers increasing slightly, with building consents and potential net additional yield from new development decreasing. In particular, the 66 potential net additional dwellings is a drop from higher yields over the last year, and from 159 from the previous third quarter.

The Ministry of Social Development's Social Housing Register was updated in March 2022. The update shows registrations have continued to increase nationally and locally, up from 198 for Kāpiti in December 2021 to 216 in March 2022.

A snapshot of indicator activity for 1 March 2022 – 31 May 2022 is summarised below:

Indicator	Movement from Last quarter	Context
Building consent applications issued	Decreasing (by 14 as per Appendix 1)	150 consents issued with a total value of \$46,609,679
Resource consent applications granted	Increasing (by 18 as per Appendix 1)	80 consents granted <ul style="list-style-type: none"> <li>- 67 residential</li> <li>- 13 non-residential</li> <li>- Indicating a potential net addition of 66 dwellings from new builds and subdivisions</li> </ul>
House values	Decreasing	The median value of house sales has historically increased but has fallen from \$901,000 (revised up from \$880,000) at 31/12/2021 to \$832,500 for the latest period at 31/03/2022.
House sales	Decreasing	The sales figures for 31/12/2021 were 261, with a significant decrease for 31/03/2021 to 76.
Nominal mean rent	Increasing	Mean rent has continued to increase, rising from \$552 (revised up from \$519) for 31/12/2021 to \$584 in 31/03/2022.
Dwellings sale volume as percentage of stock	Decreasing	The ratio of housing sales to housing stock has fallen to 0.37% as at 31/03/2022. This reflects the significant drop in house sales and average of 1.5% experienced since 2018.

Several indicators continue to be less frequently updated on HUD's dashboard. The last known update is provided below and will be updated as new information is available.

Dwelling stock (number of dwellings)	Increasing	Baseline stock numbers have not been revised since 30/09/2019 where they sat at 22,767.
HAM Buy: Affordability of first home buyer households	Decreasing (improving)	Latest data sees affordability to buy improve as it declines from the recent peak of 0.82 in June 2018 back to 0.80 as at 31/12/2018.
HAM Rent: Rental Affordability	Decreasing (improving)	Latest data sees affordability of renting improve, falling from 0.41 at 31/12/2018 to 0.40 at 31/12/2018.
Land value as percentage of capital value	Maintaining	Maintaining 47% (as of 30/09/2017)
Average land value of a dwelling	Increasing	\$265,405 (as of 30/09/2017) increasing since 2014

Kāpiti Coast District Council – December 2020

3

## National Policy Statement on Urban Development

### Kāpiti Coast District Council - Quarter 4 Monitoring Report June 2022

#### Introduction

This is the fourth quarter monitoring report implementing the National Policy Statement on Urban Development (NPS-UD). The report provides updated data and analysis of changes to the housing market from the 1 March 2022 – 31 May 2022 period.

Quarterly reporting identifies changes in development activity and a range of market and price efficiency indicators sourced from HUD's Urban Development Dashboard. However, most of these have not recently been updated so this report focuses primarily on development control activity.

Regular monitoring supports Council's work to understand and develop an assessment of development capacity and a fit-for-purpose evidence base for Council's decision-making on infrastructure investment and the future release of land to meet development needs.

Previous monitoring reports are available at: [www.kapiticoast.govt.nz/Our-District/The-Kapiti-Coast/urban-development-capacity](http://www.kapiticoast.govt.nz/Our-District/The-Kapiti-Coast/urban-development-capacity)

#### Social Housing Register Quarterly Update – March 2022

The Ministry of Social Development National Social Housing Register was most recently updated in March 2022. The update shows that over the December 2021 to March 2022 period, applications for social housing in Kāpiti have increased from 198 to 216 registrations. Nationally registrations have also increased from a total of 25,524 to 26,868 over this period. While the trend of increase is consistent, the percentage change for Kapiti over the last three months has been 9%, almost twice the national increase at 5.3%.

Housing Register data is available at: <https://www.msd.govt.nz/about-msd-and-our-work/publications-resources/statistics/housing/index.html>

## GROWTH TRENDS

Resource consents for the fourth quarter have increased slightly from the previous third quarter (Q3 2022), while building consent numbers and potential net additional dwellings have decreased.

### Building consents<sup>1</sup>

Data on building consents helps identify development activity across the district. Between 1 March 2022 – 31 May 2022, 150 consents were issued. Of these, 54 related to new builds<sup>2</sup> (down from 57 from the last quarter) and 71 related to dwellings - additions and alterations (down from 84 from the last quarter).

Compared to last quarter (Q3 2022), building consent numbers have decreased (down from 164 to 150), with the total value of work reflecting this drop in numbers to \$46,609,679, down from last quarter's \$60,568,187.

Building consents numbers are also down when compared to the fourth quarter period last year (2021), from 187 to 150. This drop is also reflected in the lower total value of work which is down from \$60,586,187 to \$46,609,679.

Further detail on the number and type of consents issued for this fourth quarter can be found in Appendix One.

### Resource consents<sup>3</sup>

Between 1 March 2022 – 31 May 2022, Council granted 80 resource consents. This included 39 land use consents, 23 subdivision consents, and 18 resource consents for deemed permitted activities that involved a boundary activity<sup>4</sup>. Overall, 67 of the consents granted related to residential activities and information from the consents suggests that these applications have the potential to yield 66 net additional dwellings. This is a drop from the levels experienced over the last year, including 159 from the last third quarter (Q3 2022).

During this period, rural residential activities accounted for 7 of the 67 residential activities (accounting for 7 of the potential net additional dwellings), with most of the residential consents (24) again coming from the wider Waikanae area (accounting for 36 of the potential net additional dwellings). Paraparaumu (11) and Ōtaki (10) residential consents, yielded 7 and 13 potential net additional dwellings respectively. Raumati Beach and Raumati South accounts for 12 of the residential consents, however, this yields only 4 potential net additional dwellings due to several consents for other activities such as extensions and additions to dwellings, replacement dwellings and retaining walls.

<sup>1</sup> Note: Applications for garages, fireplaces, fences, retaining walls, outbuildings, conservatories, swimming and spa pools, and other construction (e.g. signs and pergolas) are excluded from this analysis of building consents.

<sup>2</sup> From statistics category for New (& prebuilt) House, Unit, Bach, Crib

<sup>3</sup> Quarterly resource consent activity excludes applications that varies or changes consent conditions or outline plans, which are included in wider Resource Management Act monitoring.

<sup>4</sup> Resource Management Act 1991, Sections 87BA, 87BB.



There were also 13 non-residential resource consents granted during this period. These included a retail subdivision, earthworks, and rural subdivisions for boundary adjustment purposes.

Resource consent activity for this fourth quarter period is higher than for the same period last year, where 67 resource consents were granted. However, the number of potential net additional dwellings is down from the higher yields over the last year, and the 159 additional dwellings identified from the previous third quarter.

This quarter also identified three applications where a house is to be re-built and three where cross leases were to be updated. We continue to monitor these activities as they provide an indication of the market and the extent to which the increase in value supports opportunities for improving or further investment into a property.

The table of residential and non-residential consents for the third quarter can be found in Table 2 of Appendix One.

### Appendix One: Building and resource consents

**Table 1:** Building consents issued by type, Kāpiti Coast District, for the first, second, third and fourth quarter comparison for the 2021/2022 year.

Application Type	First Quarter 1 June 2021 – 31 August 2021		Second Quarter 1 September 2021 – 30 November 2021		Third Quarter 1 December 2021 – 28 February 2022		Fourth Quarter 1 March 2022 – 31 May 2022	
	Number	Value \$	Number	Value \$	Number	Value \$	Number	Value \$
New (& prebuilt) House, Unit, Bach, Crib	72	36,696,992	80	44,858,380	57	43,045,786	54	34,635,100
New Flats	2	406,000	1	3,150,000	2	280,000	1	160,000
New Boarding Houses	0	0	0	0	1	400,000	0	0
New Education Buildings - Other	1	370,000	1	425,000	2	350,000	0	0
New Retail/Office/Warehouse	0	0	0	0	1	1,350,000	1	75,000
New Childcare Facilities	1	780,000	0	0	0	0	0	0
New Restaurants	1	53,200	1	100,000	0	0	0	0
New Showrooms	1	1,100,000	0	0	0	0	0	0
New Service Stations	0	0	1	850,000	0	0	0	0
New Farm Buildings - Other	0	0	2	430,000	2	328,000	3	323,700
New Other Buildings	1	600,000	0	0	2	130,000	0	0
Education Buildings - New Foundations Only	2	125,000	1	16,000,000	1	250,000	1	800,000
Factories - New Foundations Only	1	530,000	1	2,000,000	0	0	0	0
Farm Buildings - New Foundations Only	2	235,000	2	156,000	0	0	0	0
Other Buildings - New Foundations Only	2	59,000	1	400,000	0	0	1	700,000
Dwellings - Alterations & Additions	87	7,731,149	88	6,940,232	84	12,520,901	71	7,735,879
Dwelling With Flats - Alterations & Additions	0	0	0	0	5	76,500	4	117,000
Resited Houses	2	425,000	1	29,000	0	0	1	200,000
Education Buildings - Alterations & Additions	1	225,000	2	120,000	1	177,000	6	1,440,000
Social Buildings - Alterations & Additions	0	0	0	0	1	100,000	0	0
Shops, Restaurants - Alterations & Additions	3	430,000	1	1,840,000	1	725,000	2	105,000
Alterations & Additions - Office/Admin	0	0	1	20,000	0	0	4	298,000
Farm Buildings - Alterations & Additions	0	0	1	98,000	0	0	0	0
Other Buildings - Alterations & Additions	5	363,500	7	4,080,000	3	35,000	1	20,000
Bulk Tanks/Silos	0	0	0	0	1	800,000	0	0
<b>Total</b>	<b>184</b>	<b>50,129,841</b>	<b>192</b>	<b>81,496,612</b>	<b>164</b>	<b>60,568,187</b>	<b>150</b>	<b>46,609,679</b>

Note: applications for garages, fireplaces, fences, retaining walls, outbuildings, conservatories, swimming and spa pools, and other construction (e.g. signs and pergolas) have been deliberately excluded.

Source: Kāpiti Coast District Council building consent data.



**Table 2:** Resource consents granted by location, Kāpiti Coast District, first, second, third and fourth quarter comparison for the 2021/2022 year.

Location	First Quarter 1 June 2021 – 31 August 2021	Second Quarter 1 September 2021 – 30 November 2021	Third Quarter 1 December 2021 – 28 February 2022	Fourth Quarter 1 March 2022 – 31 May 2022
	Number	Number	Number	Number
Maungakotukutuku	2	0	0	2
Ōtaki	3	8	7	10
Ōtaki Forks	1	2	1	3
Paekākāriki	0	0	1	1
Paraparaumu (Central, North Beach, and South Beach & Otaihangā)	14	13	10	11
Peka Peka (Te Horo and Kaitawa)	4	1	2	4
Raumati Beach and Raumati South	6	5	9	12
Waikanae	23	20	20	24
<b>Residential (total)</b>	<b>53</b>	<b>49</b>	<b>50</b>	<b>67</b>
Maungakotukutuku	0	0	2	0
Ōtaki	1	0	1	3
Ōtaki Forks	1	1	3	5
Paekākāriki	0	0	0	0
Paraparaumu (Central, North Beach, and South Beach)	3	1	3	2
Peka Peka (Te Horo and Kaitawa)	1	1	2	0
Raumati Beach and Raumati South	0	0	1	0
Waikanae	0	1	0	3
<b>Non-residential (total)</b>	<b>6</b>	<b>4</b>	<b>12</b>	<b>13</b>
<b>Total granted</b>	<b>59</b>	<b>53</b>	<b>62</b>	<b>80</b>

Source: Kāpiti Coast District Council resource consent data.

**Table 3:** Resource consents granted by type, Kāpiti Coast District, first, second, third and fourth quarter comparison for the 2021/2022 year.

Resource Consent Type	First Quarter 1 June 2021 – 31 August 2021	Second Quarter 1 September 2021 – 30 November 2021	Third Quarter 1 December 2021 – 28 February 2022	Fourth Quarter 1 March 2022 – 31 May 2022
	Number	Number	Number	Number
Compliance Certificate	0	0	1	0
Deemed Permitted Boundary Activity	13	14	10	18
Land Use - Controlled	0	0	0	0
Land Use - Discretionary	14	17	20	19
Land Use - Non-complying	5	4	2	4
Land Use - Restricted Discretionary	8	3	12	15
Land Use - Permitted	0	0	0	1
Right of Way Approval	1	0	2	0
Subdivision - Controlled	3	0	1	3
Subdivision - Discretionary	4	5	3	4
Subdivision - Non-complying	7	7	8	11
Subdivision - Restricted Discretionary	4	3	3	5
<b>Total</b>	<b>59</b>	<b>53</b>	<b>62</b>	<b>80</b>

Source: Kāpiti Coast District Council resource consent data.

**Table 4:** Net dwelling increases for resource consents granted by location, Kāpiti Coast District, first, second, third and fourth quarter comparison for the 2021/2022 year.

Location	First Quarter 1 June 2021 – 31 August 2021	Second Quarter 1 September 2021 – 30 November 2021	Third Quarter 1 December 2021 – 28 February 2022	Fourth Quarter 1 March 2022 – 31 May 2022
	Number	Number	Number	Number
Maungakotukutuku	2	0	0	2
Ōtaki	10	8	90	13
Ōtaki Forks	1	12	0	1
Paekākāriki	0	0	0	0
Paraparaumu (Central, North Beach, and South Beach & Otaihanga)	73	115	51	7
Peka Peka (Te Horo and Kaitawa)	2	3	1	3
Raumati Beach and Raumati South	3	2	3	4
Waikanae	16	308*	14	36
<b>Total</b>	<b>107</b>	<b>448*</b>	<b>159</b>	<b>66</b>

Note: 1 September 2021 – 30 November 2021 period includes 292 net additional dwellings from a particularly large retirement village fast track consent application.

Source: Kāpiti Coast District Council resource consent data.

### 10.3 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

Kaituhi | Author: **Fiona Story, Senior Advisor Democracy Services**

Kaiwhakamana | Authoriser: **Janice McDougall, Group Manager People and Partnerships**

#### TE PŪTAKE | PURPOSE

- 1 This report presents reports and recommendations considered by Standing Committees and Community Boards from 12 May 2022 to 21 June 2022.

#### HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

#### TE TUKU HAEPAPA | DELEGATION

- 3 The Council has the authority to consider recommendations made from Standing Committees and Community Boards to the Council.

#### TAUNAKITANGA | RECOMMENDATIONS

- A. That Council receives this report (Reports and Recommendations from Standing Committees and Community Boards).

#### TŪĀPAPA | BACKGROUND

- 4 During the period of 12 May 2022 to 21 June 2022, Standing Committee and Community Board meetings took place on the following dates:

Strategy and Operations Committee	12 May 2022
Paekākāriki Community Board	17 May 2022
Paraparaumu-Raumati Community Board	24 May 2022
Audit and Risk Subcommittee	2 June 2022
Strategy and Operations Committee	9 June 2022
Grants Allocation Subcommittee (Campe Estate)	9 June 2022
Grants Allocation Subcommittee (Community Grants)	16 June 2022
Ōtaki Community Board	21 June 2022
Waikanae Community Board	21 June 2022

- 5 Items discussed at each of the meetings listed in paragraph 4 are noted below:

- 5.1 On 12 May 2022 the Strategy and Operations Committee met to discuss:

- Local Government Funding Agency 2022/23 Statement of Intent
- Housing and Social Needs Assessment Reports
- Housing Strategy for adoption
- 2022-2024 Social Investment Fund – Otaki allocation
- Stormwater Management Framework: vision, values and outcomes consultation

- Contracts under delegated authority
  - Confirmation of Minutes
  - Paraparaumu Transport Hub Construction
- 5.2 On 17 May 2022 the Paekākāriki Community Board met to discuss:
- Considerations of funding applications for Campe Estate
  - Consideration of applications for funding
  - Confirmation of minutes
  - Matters under action
- 5.3 On 24 May 2022 the Paraparaumu-Raumati Community Board met to discuss:
- Consideration of applications for funding
  - Confirmation of minutes
  - Matters under action
- 5.4 On 2 June 2022 the Audit and Risk Subcommittee met to discuss:
- Health and Safety Quarterly Report
  - Progress Update regarding Audit Control Findings
  - Risk Management
  - Internal Audit work programme
  - Quarterly Treasury Compliance Report
  - Confirmation of minutes
  - Confirmation of public excluded minutes
  - Update on litigation status, statutory compliance and investigations
- 5.5 On 9 June 2022 the Strategy and Operations committee met to discuss:
- Climate Emergency Update 2022
  - Quarter 3 performance report
  - Six-month update – economic development Kotahitanga Board
  - 2018-2021 Social Investment Fund Overview
  - National Policy Statement on Urban Development: Quarterly monitoring report updates
  - Confirmation of minutes
  - Confirmation of public excluded minutes
  - 2022/23 Major Events Fund Closeout and Recommendations
- 5.6 On 9 June 2022 the Grants Allocation Subcommittee (Campe Estate) met to discuss:
- Considerations of applications for funding
- 5.7 On 16 June 2022 the Grants Allocation Subcommittee (Community Grants) met to discuss:
- Consideration of applications for funding
  - Confirmation of minutes
  - Confirmation of public excluded minutes

- 5.8 On 21 June 2022 the Ōtaki Community Board met to discuss:
- PP2O update
  - Takutai Kāpiti Update and introductions from the Coastal Advisory Panel
  - Road Naming – 66 County Road, Otaki
  - Consideration of applications for funding
  - Confirmation of minutes
  - Matters under action
- 5.9 On 21 June 2022 the Waikanae Community Board met to discuss:
- Takutai Kāpiti Update and introductions from the Coastal Advisory Panel
  - Update from Greater Wellington Regional Council
  - Consideration of applications for funding
  - Confirmation of minutes
  - Matters under action

6 In addition, the following meetings took place:

Kāpiti Coast Youth Council	13 June 2022
Te Whakaminenga o Kāpiti	14 June 2022

7 Details with regards to the discussion items of the meetings listed in paragraph 6 are noted below:

- 7.1 On 13 June 2022, the Kāpiti Coast Youth Council met to discuss:
- Hoodies – final design from Urukehu
  - McLean Park Advisory role
  - Festival for the Future 2022
  - Pickle Pot Be-In
  - Projects - Think Big, Youth Careers Expo, Council Presentation/Breakfast/Zeal Nights
- 7.2 On 14 June 2022 the Te Whakaminenga o Kāpiti Meeting met to discuss:
- Update on Education Facility Needs assessment and Feasibility Study
  - Update on Affordable Housing Entity
  - Takutai Kāpiti Update and introductions from the Coastal Advisory Panel
  - Update on Gambling Policies review
  - Māori Economic Development Grants – Allocation of Funds 2021/22

## HE KŌRERORERO | DISCUSSION

### He take | Issues

- 8 Within the reports and recommendations considered by Standing Committees and Community Boards from 12 May 2022 to 21 June 2022, there were no recommendations made to Council.

**Ngā kōwhiringa | Options**

9 Options are not required for this report.

**Tangata whenua**

10 There are no tāngata whenua considerations relevant to this report.

**Panonitanga āhuarangi | Climate change**

11 There are no climate change considerations relevant to this report.

**Ahumoni me ngā rawa | Financial and resourcing**

12 There are no financial and resourcing considerations relevant to this report.

**Ture me ngā Tūraru | Legal and risk**

13 There are no legal considerations relevant to this report.

**Ngā pānga ki ngā kaupapa here | Policy impact**

14 This report has no current or future impact on Council policies.

**TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT****Te mahere tūhono | Engagement planning**

15 An engagement plan is not required for this report.

**Whakatairanga | Publicity**

16 No publicity is required with regards to this report.

**NGĀ ĀPITI HANGA | ATTACHMENTS**

Nil

**11 CONFIRMATION OF MINUTES****11.1 CONFIRMATION OF MINUTES**

**Author:** Kate Coutts, Democracy Services Advisor

**Authoriser:** Janice McDougall, Group Manager People and Partnerships

**Taunakitanga | Recommendations**

That the minutes of the Council meeting of 26 May 2022 be accepted as a true and correct record.

**APPENDICES**

1. Confirmation of minutes - 26 May 2022 [↓](#)



## COUNCIL MEETING MINUTES

26 MAY 2022

**MINUTES OF KAPITI COAST DISTRICT COUNCIL  
COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU  
ON THURSDAY, 26 MAY 2022 AT 9.35AM**

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

**IN ATTENDANCE:** Community Board Member Richard Mansell, Chris Papps, Sean Mallon, Janice McDougall, Mark de Haast, James Jefferson, Angela Bell, Glen O'Connor, Andy McKay (online via Zoom), Darryn Grant (Online via Zoom), Laura Bertelsen (online via Zoom), Ian Georgeson, Sarah Wattie, Su Mon, Sarah Larsen, Steffi Haefeli, Anna Smith, Tanicka Mason, Kahu Ropata

**APOLOGIES:** There were none.

**LEAVE OF ABSENCE:** There were none

**1 WELCOME**

**2 COUNCIL BLESSING**

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

**3 APOLOGIES**

**APOLOGY**

The apology received from community board member Kathy Spiers was noted.

**RESOLUTION CO2022/39**

Moved: Cr James Cootes

Seconder: Mayor K Gurunathan

That the apology for lateness received from Cr Holborow and Cr Elliott be accepted.

**CARRIED**

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

There were none.

**5 PRESENTATION OF PETITION**

There were none.

## COUNCIL MEETING MINUTES

26 MAY 2022

**6 HEARINGS**

There were none.

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

There were none.

**8 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.

**MOTION**

Cr Compton spoke to a matter of an urgent nature and proposed the following motion.

Cr Cootes requested that Council put out a media release on this topic and to include Cr Compton.

**RESOLUTION CO2022/40**

Moved: Cr Gwynn Compton

Seconder: Cr James Cootes

In line with Council's role as advocates for our communities and the need to respond in a timely manner to Budget 2022 announced on 19 May 2022, I recommend

That Council:

- notes both the Government and Kāpiti Coast District Council have declared climate emergencies;
- notes transport emissions account for 57 percent of Kāpiti's greenhouse gas emissions and are one of our district's fastest growing sources of greenhouse gases;
- notes the support from mayors and chairs across both the Greater Wellington and Horizons regional council areas for extending commuter rail services;
- notes that increasing the capacity and reach of commuter rail services throughout the district, but especially north of Waikanae through to Ōtaki, is a crucial element of many of Council's plans and strategies including our Sustainable Transport Strategy, Economic Development Strategy and Implementation Plan, Te tupu pai – Growing well growth strategy, the Wellington Regional Growth Framework, and our proposed urban intensification plan change, amongst others;
- calls on the Government to urgently appropriate in the 2022/23 financial year the \$360m Government contribution for 22 four-car, tri-mode trains and associated infrastructure as requested in the business case put forward by Greater Wellington Regional Council and Horizons Regional Council to increase the capacity and extend the reach of commuter rail services across Kāpiti, Horowhenua, Manawatu, and Wairarapa.

## COUNCIL MEETING MINUTES

26 MAY 2022

<b>CARRIED</b>
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**9 MAYOR'S REPORT****TABLED DOCUMENTS****RESOLUTION CO2022/41**

Moved: Cr Gwynn Compton

Seconder: Cr Robert McCann

A Mayor's report was tabled.

**CARRIED****Appendices**

1 Mayoral Activities - 26 May 2022

**10 REPORTS****10.1 2022/23 ANNUAL PLAN ADOPTION OF FEES & CHARGES**

Chief Financial Officer Ian Georgeson spoke to the paper which proposes the adoption of fees & charges for the coming financial year.

Members questions were answered.

**RESOLUTION CO2022/42**

Moved: Cr James Cootes

Seconder: Cr Angela Buswell

That the Council receives and notes this report, including Appendix 1 to this report.

That the Council notes the exceptions to the 2022/23 User Fees and Charges as outlined in paragraphs 15 to 23 of this report.

That the Council adopts the 2022/23 Schedule of User Fees and Charges, attached as Appendix 1 to this report.

That the Council Delegates to the Mayor, the Deputy Mayor, the Chair of the Strategy and Operations Committee and the Chief Executive, the authority to approve minor editorial changes to the material contained in Appendix 1 to this report.

**CARRIED**

## COUNCIL MEETING MINUTES

26 MAY 2022

**10.2 CONSULTATION ON AFFORDABLE HOUSING ENTITY**

Darryn Grant Strategic Development Director gave a brief introduction to the report and responded to members questions.

Mr Grant, in response to Councillor comment, agreed to provide communication on the rationale behind using the word "affordable" throughout the document.

Cr Elliott entered the meeting at 10.35am via Zoom.

**RESOLUTION CO2022/43**

Moved: Cr Robert McCann

Seconder: Cr James Cootes

That Council:

Confirm that the preferred option for an affordable housing entity in Kāpiti is the establishment of an Independent Community Land Trust.

Confirm that the preferred affordable housing entity option is to be structured so that it can partner with Iwi and other organisations to deliver social and affordable housing solutions and support existing providers to improve housing outcomes in Kāpiti.

Approve the draft Statement of Proposal as attached in appendix 1, with minor editing to be delegated to the Chief Executive and Cr McCann.

Approve consultation on the preferred option, occurring for a four-week period commencing in early June 2022.

**CARRIED**

**10.3 ORDER OF CANDIDATE NAMES ON VOTING DOCUMENTS 2022 LOCAL BODY ELECTIONS.**

Tanicka Mason, Senior Democracy Services Advisor spoke to the report.

The report was taken as read and members questions were answered.

Deputy Mayor Janet Holborow entered the meeting at 10.55am.

**RESOLUTION CO2022/44**

Moved: Cr Angela Buswell

Seconder: Cr Gwynn Compton

That Council agrees the names of the candidates for the Kapiti Coast District Council elections on 8 October 2022 are to be arranged on the voting documents in true random order.

**CARRIED**

The meeting adjourned at 10.58am and resumed at 11.15am.

## COUNCIL MEETING MINUTES

26 MAY 2022

**10.4 SUBMISSION TO THE MINISTRY FOR THE ENVIRONMENT ON THE DRAFT NATIONAL ADAPTATION PLAN AND MANAGED RETREAT**

Brandy Griffin Policy Advisor Climate Change asked Cr Handford to provide an introduction to the report.

Ms Griffin gave thanks to all staff who contributed to the submission and responded to members questions.

Cr Robert McCann left the meeting at 11:26 am.

Cr Robert McCann returned to the meeting at 11:27 am.

Deputy Mayor Janet Holborow left the meeting at 11:28 am.

Deputy Mayor Janet Holborow returned to the meeting at 11:29 am.

Cr Robert McCann left the meeting at 11:40 am.

Cr Robert McCann returned to the meeting at 11:42 am.

**RESOLUTION CO2022/45**

Moved: Cr Sophie Handford

Seconder: Cr Martin Halliday

That Council approve the submission to the Ministry for the Environment's consultation on the draft National Adaptation Plan and Managed Retreat, attached as Appendix 1 to this report.

In the instance that any further changes are requested, that Council nominate Councillor Sophie Handford, Mayor Gurunathan, and Acting Chief Executive Sean Mallon to approve the document for submission.

**CARRIED**

Cr Robert McCann left the meeting at 12:00 pm.

**10.5 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS**

Fiona Story Senior Advisor Democracy Services took the report as read.

There were no questions from elected members.

**RESOLUTION CO2022/46**

Moved: Cr James Cootes

Seconder: Deputy Mayor Janet Holborow

That Council receives this report (Reports and Recommendations from Standing Committees and Community Boards).

**CARRIED**

Cr Robert McCann returned to the meeting at 12:02 pm.

## COUNCIL MEETING MINUTES

26 MAY 2022

**10.6 VOTING IN ELECTRA TRUST ELECTIONS**

Steffi Haefeli Manager Democracy Services introduced the report and answered members questions.

Cr Elliott proposed a new motion which was lost.

Standing orders were suspended for a time and then resumed, at which time the original resolution was voted on.

**RESOLUTION CO2022/47**

Moved: Cr Robert McCann

Seconder: Cr Gwynn Compton

That Council vote for Sharon Crosbie, Brendan Duffy and Stephen Gregan in the Electra Trust Election 2022.

It was noted that Cr Elliott abstained from voting.

**CARRIED****MOTION**

Cr Elliott proposed a new motion.

**Motion LOST 2/8**

Moved: Cr Jackie Elliott

Seconder: Cr Bernie Randall

That Council not exercise its right to vote in the Electra Trust Elections.

For: Crs Jackie Elliott and Bernie Randall

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

**SUSPENSION OF STANDING ORDERS****RESOLUTION CO2022/48**

Moved: Mayor K Gurunathan

Seconder: Deputy Mayor Janet Holborow

A motion was moved that Council suspend standing orders.

**CARRIED**

The meeting adjourned at 12.14pm.

The meeting resumed at 12.25pm.

**COUNCIL MEETING MINUTES****26 MAY 2022****RESUMPTION OF STANDING ORDERS****RESOLUTION CO2022/49**

Moved: Mayor K Gurunathan

Seconder: Cr Robert McCann

A motion was moved that Council resume standing orders.

**CARRIED****10.7 APPOINTMENT OF ELECTORAL OFFICER**

Sarah Wattie Governance &amp; Legal Services Manager spoke to the report

**RESOLUTION CO2022/50**

Moved: Cr James Cootes

Seconder: Cr Gwynn Compton

That Council appoint Dale Ofoske, Independent Election Services Ltd, as the Electoral Officer in accordance with section 12 of the Local Electoral Act 2001.

**CARRIED**

The meeting adjourned for lunch at 12.29pm and resumed at 1.06pm.

His Worship the Mayor left the meeting during lunch. Deputy Mayor Janet Holborow took over as Chair for the remainder of the meeting.

**10.8 COUNCIL'S SUBMISSION ON GREATER WELLINGTON REGIONAL COUNCIL'S 2022 REVENUE AND FINANCING POLICY**

Mark de Haast Group Manager Corporate Services took the report as read and walked members through a presentation that had been delivered to Greater Wellington Regional Council.

Members asked a number of questions which Mr de Haast responded to.

Cr Angela Buswell left the meeting at 1:10 pm.

Cr Angela Buswell returned to the meeting at 1:33 pm.

**RESOLUTION CO2022/51**

Moved: Cr Robert McCann

Seconder: Cr Angela Buswell

That the Council note the Submission made to Greater Wellington Regional Council on its 2022 Revenue and Financing Policy attached as Appendix 1 to this report.

**CARRIED**



## COUNCIL MEETING MINUTES

26 MAY 2022

**10.9 RATES REMISSION FOR LAND PROTECTED FOR NATURAL OR CULTURAL CONSERVATION PURPOSES**

Mike Mendonca Acting Group Manager Place and Space introduced the report and responded to members questions.

Deputy Mayor Janet Holborow thanked members of the community who have these sites on their property.

**RESOLUTION CO2022/52**

Moved: Cr Jackie Elliott

Seconder: Cr Angela Buswell

That the Council approves the amounts of rates remission to the properties set out in Appendix 2 of this report in accordance with Council's Policy for Rates Remission for Land Protected for Natural or Cultural Conservation Purposes.

**.CARRIED**

**10.10 NOTICE OF MOTION - PEKA PEKA INTERCHANGE**

Cr Cootes spoke to this motion.

Cr Gwynn Compton returned to the meeting at 1:43 pm.

Cr Bernie Randall left the meeting at 1:54 pm.

Cr Gwynn Compton left the meeting at 2:02 pm.

Cr Gwynn Compton returned to the meeting at 2:03 pm.

**RESOLUTION CO2022/53**

Moved: Cr James Cootes

Seconder: Deputy Mayor Janet Holborow

That the Kāpiti Coast District Council

Notes the Waka Kotahi Single Stage Business Case for Peka Peka connectivity and its decision not to approve the proposed investment; and

Notes the community believe they have identified inadequacies with the Business Case but notwithstanding it shows that by not proceeding:

- With the opening of the Peka Peka to Otaki Expressway 2300 vehicle movements a day between Waikanae and Peka Peka Interchanges will be required to use local roads to access the Expressway, this is a significant increase from the current vehicle movements on these roads;
- Access times to and from south of Waikanae are increased for some of the Peka Peka and Te Horo communities; and

Notes the community considers the costs for acceptable connectivity at Peka Peka are seriously overstated in the Waka Kotahi Single Stage Business Case and the costs to the ratepayers of using local roads have not been adequately considered by Waka Kotahi;

- In particular the avoidable adverse impact on safety, the environment and public health arising from increased traffic through Waikanae that could be on the Expressway is simply not addressed;

Supports in principle investment by Waka Kotahi to provide south facing connectivity at Peka

**COUNCIL MEETING MINUTES****26 MAY 2022**

Peka to make best use of the Expressway investment, improve safety and avoid the costs to the community of using local roads; and to that end;

Agrees to include this issue and the further impacts of ongoing growth in the North Waikanae, Peka Peka and Te Horo areas in the KCDC Growth Strategy,

Supports ongoing work by the community to identify the errors and inadequacies in the Waka Kotahi business case within councils existing resources. Noting existing information as previously provided.

- In particular to work with the community to include, as appropriate, the outcomes from any future adopted business case in implementation work on the Growth Strategy.

Registers an interest with Waka Kotahi for a future public works requirement for any surplus land associated with a proposed Peka Peka interchange.

**CARRIED****11 CONFIRMATION OF MINUTES****11.1 CONFIRMATION OF MINUTES****RESOLUTION CO2022/54**

Moved: Cr Robert McCann

Seconder: Cr James Cootes

That the minutes of the Council meeting of 7 April 2022 be accepted as a true and correct record.

That the minutes of the Council meeting of 14 April 2022 be accepted as a true and correct record

**CARRIED**

Cr Buswell left the meeting at 2.06pm

**12 PUBLIC SPEAKING TIME**

- Public Speaking Time responses

**13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES****14 PUBLIC EXCLUDED REPORTS****RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION CO2022/55**

Moved: Cr James Cootes

## COUNCIL MEETING MINUTES

26 MAY 2022

Seconder: Deputy Mayor Janet Holborow

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each 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) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<b>13.1 - Confirmation of public excluded minutes</b>	<p>Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>Section 7(2)(f)(ii) - the withholding of the information is necessary to maintain the effective conduct of public affairs through the protection of Council members, officers, employees, and persons from improper pressure or harassment</p> <p>Section 7(2)(g) - the withholding of the information is necessary to maintain legal professional privilege</p>	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7

**CARRIED**

**RESOLUTION CO2022/55**

Moved: Cr James Cootes

Seconder: Cr Gwynn Compton

That the Council moves out of a public excluded meeting.

**CARRIED**

The Council meeting went into public excluded session at 2.07pm.

The Council came out of public excluded session at 2.07pm.

**The Council meeting closed at 2.07pm.**

**COUNCIL MEETING MINUTES**

**26 MAY 2022**

.....  
**CHAIRPERSON**

**12 PUBLIC SPEAKING TIME**

- Public Speaking Time responses

**13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES**

Nil

**14 PUBLIC EXCLUDED REPORTS****RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION**

That, pursuant to Section 48 of the Local Government Official Information and Meetings Act 1987, the public now be excluded from the meeting for the reasons given below, while the following matters are considered.

The general subject matter of each 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) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48 for the passing of this resolution</b>
<b>14.1 - Infrastructure Acceleration Fund</b>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)</p>	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7