



AGENDA

Council Meeting

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

Date: Thursday, 28 July 2022

Time: 9.30am

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

**Gary Simpson
Acting Chief Executive**

Kāpiti Coast District Council

Notice is hereby given that a meeting of the Kāpiti Coast District Council will be held in the Council Chamber, Ground Floor, 175 Rimu Road, Paraparaumu, on Thursday 28 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

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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 hapori 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 SUBMISSION ON WATER SERVICES ENTITIES BILL (SUBMITTED 22 JULY 2022)

Kaituhi | Author: **Su Mon, Principal Advisor - Finance**

Kaiwhakamana | Authoriser: **Sean Mallon, Group Manager Infrastructure Services**

TE PŪTAKE | PURPOSE

- 1 This paper retrospectively reports on Council's final submission to Parliament's Finance and Expenditure Select Committee on the Water Services Entities Bill. We are reporting retrospectively as the timing of the consultation period did not allow us to bring the final submission back to Council following the Council briefing on 5 July 2022 and prior to submissions closing on 22 July 2022.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An Executive Summary is not required for this paper.

TE TUKU HAEPAPA | DELEGATION

- 3 In accordance with the Governance Structure and Delegations, the Council has the delegation to retrospectively receive this submission.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council notes the submission made to Parliament's Finance and Expenditure Select Committee on the Water Services Entities Bill attached as Attachment A to this report.

TŪĀPAPA | BACKGROUND

- 4 The Water Services Entities (WSE) Bill establishes four publicly owned water services entities that aim to provide safe, reliable, and efficient water services in place of local authorities. This is the first of two bills associated with the Three Waters Reform. It had its first reading on 9 June 2022 and is currently with the Select Committee, who called for submissions on the Bill from 9 June 2022.
- 5 This first Bill establishes the new water entities and provides the governance and accountability framework alongside transitional arrangements. The WSE Bill reflects a number of key recommendations made by the Governance Working Group (that includes nine iwi and ten local authority representatives), on an earlier exposure draft of the Water Entities Bill.
- 6 Submissions on the first Bill closed at 11.59pm on Friday 22 July 2022.
- 7 The second WSE Bill is anticipated in September 2022 and will cover links to land use planning, economic and consumer protection; detailed implementation arrangements including asset and debt transfer and powers and functions covering pricing and charging.
- 8 Council previously made a submission to the government on the *Three Waters Reform proposal* on 1 October 2021 available at [Submissions we've made - Kāpiti Coast District Council \(kapiticoast.govt.nz\)](https://www.kapiticoast.govt.nz/submissions-weve-made).

HE KŌRERORERO | DISCUSSION

- 9 While there is overall support for the intent of the WSE and Three Waters Reforms to provide safe, reliable, and efficient water services in place of local authorities, a number of concerns have been identified, some of which reflect areas of concerns previously raised in the *Three Waters Reform proposal* submission in October 2022.

- 10 Council staff discussed a number of potential issues with Council on 5 July 2022 that have informed the submission.
- 11 Analysis of the Bill has also been informed by discussion on the preparation of submissions by both Local Government New Zealand (LGNZ) and Taituarā – Local Government Professionals Aotearoa. Council supports both submissions alongside our own.

He take | Issues

- 12 The separation of the two Bills makes it difficult to fully understand proposed changes for the management of three waters and the impacts on Council and our community at this point in time. The submission, attached as Attachment A, communicates Council's full set of discussion points on the WSE Bill. These are summarised into the key themes below:
- Governance
 - Levels of local service
 - Supporting engagement and participation
 - Affordability and pricing
 - Links to planning and growth
- 13 **Governance**
- Council supports changes to protect against the privatisation of water assets and provide greater iwi and local government knowledge and representation as part of WSEs governance arrangements. Council seeks further changes to strengthen WSE linkages to local government's functions and responsibilities, including recognition of community wellbeing, processes for engaging with communities and transparency around monitoring and reporting of its operations.
- 14 **Levels of local service**
- Council has spent years and considerable investment in establishing its supporting water networks and agreed levels of service to its communities. Council is concerned at the risk of these agreed service standards becoming lost under new arrangements. It seeks additional provisions to ensure current levels of investment, prioritisation and level of service will be recognised from Councils key documents and agreements such as long-term plans, infrastructure strategies and growth plans. Provisions ensuring a means to communicate these transparently, including any changes, should be included as part of ongoing processes.
- 15 **Supporting engagement and participation**
- Communities should continue to have similar opportunities to engage and provide feedback on their needs and circumstances. While we support the use of consumer forums, ensuring communities have clear and available channels to engage with WSEs will be important. Council recommends building the capacity and capability of mana whenua to participate in wider water management processes and the costs of this being met by central government.
- 16 **Affordability and pricing**
- Council is concerned around the potential affordability of future changes on our community and would like to see this introduced as an assessment factor for charging. Further clarity is necessary for funding as there is a concern with lead in times and impacts for preparing the next long-term Plan, including how this relates to the collection and use of development contributions.
- 17 **Links to planning and growth**
- Council has undertaken extensive planning and infrastructure investment work to position Kapiti for Growing Well. Council wants to ensure WSEs are required to operate in a way that recognises Councils' role for placemaking and community wellbeing so the vision for growth and development can be achieved. This includes the need for agility and further clarity on

how WSEs respond to needs to unlock growth and development in the face of changing circumstances and priorities.

- 18 The submission points are explained more fully in the submission at Attachment A to this report.

Ngā kōwhiringa | Options

- 19 Submissions on the WSE Bill close at 11.59pm on Friday 22 July 2022, with late submissions not being accepted. While this timing precluded bringing a draft submission to Council prior to the cut-off date, the scope and potential issues were presented at a briefing to Council on 5 July. Feedback was reflected in the final submission submitted on 22 July 2022.

Tangata whenua

- 20 The Council did not engage directly with iwi on this submission.
- 21 In its submission Council supported the focus on Te Mana o Te Wai and the need for WSEs to partner closely with mana whenua. Also raised within the submission is the need for capacity and capability building for mana whenua, this is essential to enable meaningful participation and will need funding support from central government.

Panonitanga āhuarangi | Climate change

- 22 The contents of this consultation do not have direct implications for Council's climate change response. However, future arrangements for three waters will change responsibilities impacting both Council's adaptation and emissions work. Further understanding of these potential changes will need to be undertaken once the full extent, timing and transitional responsibility around WSEs and councils is clear.

Ahumoni me ngā rawa | Financial and resourcing

- 23 There are no financial considerations for this submission. However, the future transition of three water assets and responsibilities will have a significant impact on Council's balance sheets and financial planning and investment processes going forward. The full extent and nature of these are still to be understood ahead of the second WSE Bill.

Ture me ngā Tūraru | Legal and risk

- 24 The submission document does not have direct legal implications, Council's views are being presented as part of a submission process to Parliament's Finance and Expenditure Select Committee.

Ngā pānga ki ngā kaupapa here | Policy impact

- 25 The submission does not have direct implications on Council policies. However, future changes to the governance and structure of water management could impact Council's current planning, growth and water management strategies and policies. These changes will be subject to the final legislation and transitional processes of the three water reforms.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 26 An engagement plan is not required for this submission as no decision is being sought.

Whakatairanga | Publicity

- 27 Council's submission on the WSE Bill will be made available on Council's *Submissions We've Made* webpage.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Attachment A: KCDC Submission on Water Services Entities Bill [↓](#)

22 July 2022

Secretariat
Finance and Expenditure Committee
Select Committee Services
Parliament Buildings
WELLINGTON 6160

Dear Finance and Expenditure Committee,

SUBMISSION ON THE WATER SERVICES ENTITIES BILL

1. Thank you for the opportunity to submit on the Water Services Entities Bill. Kāpiti Coast District Council acknowledges that how we deliver water services across New Zealand needs to change and is supportive of the need for reform. However, we still have concerns around the proposed approach and remain unconvinced about how the Three Waters Reform will generate benefits for Kāpiti.
2. Council is committed to achieving positive three waters outcomes for the Kāpiti Coast community and we want to ensure that our community's needs continue to be prioritised and met in the face of climate change and unprecedented growth.
3. Council acknowledges that the Water Services Entities Bill is the first legislative step in the Government's reform process. While this first step addresses some of the key concerns raised to date by Councils, we also note the ability to comment fully and comprehensively is limited without the details of the second Bill, which focuses on linkages to other core areas of Council's responsibility.
4. Notwithstanding, we have identified a number of recommendations for the select committee to further strengthen the relationship for WSEs alongside the remaining role and responsibilities of local authorities.

Background

5. The Kāpiti Coast has been recognised for its strategic approach to water over many years and continues to deliver quality three water (drinking water, wastewater, and stormwater) outcomes. Our approach to demand management and long-term sustainable provision of potable water has been acknowledged by the Office of the Auditor General. We've focused on spending money on our core infrastructure and putting in place the many elements that contribute to managing our water efficiently, such as water meters, a river recharge system, grey water tanks, and upgrades to our water treatment plants. We're currently advancing significant projects in both wastewater and stormwater to deliver improved environmental outcomes.
6. While we support the need for change, we have real concerns about the planned approach to Three Waters Reform, which we see as one-size-fits-all, overly complex

and difficult to implement. We're also concerned about funding, affordability, governance, and ownership aspects of the proposed model.

Governance, ownership, and representation

7. We have previously expressed our concerns around governance and ownership¹, and how to ensure our priorities are acknowledged and delivered under the proposed structure.
8. Council supports the features of the Bill that reflect the changes made as a result of the Governance, Representation and Accountability Working Group recommendations, including:
 - Protections against privatisation, which has been a key area of concern for Councils and communities.
 - Regional Advisory Panels - we agree this is a useful mechanism for feeding advice on local needs/preferences, views and concerns into the RRG.
 - WSE Boards' composition and accountability – we agree that the Boards should be competency-based, but we would like to expand the knowledge and expertise requirements to include experience in local government, broader placemaking, customer service and engagement, environment specific competencies which are transferable into delivery of infrastructure, and an understanding of social impacts including affordability.
9. Whilst the changes alleviate some of our concerns, we still feel that not all Councils are directly represented on the Regional Representation Group (RRG); the WSEs are large, bureaucratic, complex entities involving multiple layers; we're unsure of how communities will engage with large-scale entities; and we question the absence of conventional accountability mechanisms under the Local Government Act 2002 (LGA).

Kāpiti Coast District Council supports the features of the Bill that reflect the changes made in response to the Governance, Representation and Accountability Working Group recommendations, although we still have concerns around representation on the RRGs; the large, bureaucratic, complex nature of WSEs; how communities will engage with large-scale entities; and the absence of conventional accountability mechanisms under the LGA.

We also recommend that the skill sets in clauses 38(2) and 57(2) be expanded to include experience in local government, broader placemaking, customer service and engagement, environment specific competencies, and an understanding of social impacts including affordability.

¹ Kāpiti Coast District Council submission to the government on the *Three Waters Reform proposal* on 1 October 2021 available at [Submissions we've made - Kāpiti Coast District Council \(kapiticoast.govt.nz\)](https://www.kapiticoast.govt.nz/submissions-weve-made).

Te Mana o te Wai and Te Tiriti o Waitangi

10. Council supports the focus on Te Mana o te Wai, as the health of water is fundamental to all New Zealanders and their communities, and the development of Te Mana o te Wai statements.
11. We also support the requirement for WSEs to give effect to the principles of Te Tiriti o Waitangi.
12. Capacity and capability building for mana whenua is essential to enable meaningful participation and will need funding support from central government. We do not think WSEs should bear this cost alone to later be passed onto ratepayers. Funding could be in the form of a 50/50 type arrangement like Waka Kotahi. If costs increase, then additional government funding should be put into this.

Kāpiti Coast District Council recommends that building capacity and capability for mana whenua is essential for meaningful participation, and the cost of this should be funded by central government.

Community wellbeing

13. Council is concerned by the absence of reference to community wellbeing in the Bill. Promoting the wellbeing of communities is a critical role for Councils - the three waters services are fundamental to a thriving environment and vibrant economy. Healthy waterways are therefore integral in supporting community wellbeing and growing strong and resilient communities.

Kāpiti Coast District Council recommends that the Bill expressly references community wellbeing in its objectives and operating principles.

Retaining and capturing the local voice

14. One of the key issues in the three waters debate is the need to retain our 'local voice'. There is a long-standing principle of "no taxation without representation", and this reform would break that link. Elected representatives currently have the challenge of making balanced decisions between all of a Council's competing needs – for example water, roads, libraries and parks. The community has direct access to their mayor and councillors and can express their views on how well those decisions are being made.
15. Whilst the Bill goes some way to address this issue of capturing the 'local voice' through representation and establishment of Regional Advisory Panels, we need more clarity and assurances around two key aspects about local voice: strategic prioritisation and service response.

Strategic Prioritisation

16. All Councils want assurance that their priority investments, such as infrastructure to enable growth, will be delivered. There is concern that a WSE, when faced with the competing demands of 22 Councils, will prioritise work in ways that will hold back some

districts. We've already seen this play out with some Regional Land Transport Committee decisions, where smaller Councils feel their voice is lost at times.

17. For Kāpiti, the way in which WSEs prioritise investment is a very real concern as we could find ourselves in a situation where, as a result of doing a good job in maintaining our assets over the years, we are pushed well down the pecking order so others can effectively 'catch up' at the expense of residents across the Kapiti Coast district.
18. It is unclear how WSE decision-making and prioritisation processes will operate, and how those processes will incorporate local priorities and plan. There needs to be transparency around the investment decision-making and prioritisation processes of the WSEs. These should be made available to the public on the WSEs' websites.
19. Also, existing mechanisms capturing local voice must feed into the WSEs. We recommend that the various WSEs' planning and accountability documents take into account Councils' existing strategic documents and plans which have been developed in consultation with their communities (eg LTPs, AMPs, infrastructure strategies, regional policy statements and district plans etc).

Kāpiti Coast District Council recommends that there is transparency around the investment decision-making and prioritisation processes of the WSEs, and how these processes incorporate local priorities and plans.

Service Response

20. On the other end of the spectrum is concern that local service levels could deteriorate to an entity 'average'. As an example, in the 2019/20 year, the average resolution time for urgent water faults in Kāpiti was 1 hour, but for a nearby Council it was 5 hours. Our non-urgent average resolution time was 22 hours, for the comparator Council it was seven days. It is unlikely that WSEs will look favourably at differing levels of service, as this would have an impact on cost efficiency. The risk is that local service response deteriorates towards a WSE average.
21. Our communities need assurance of service in the event of failures in the infrastructure network and emergencies, and this response needs to be local and quick. We still need certainty around the on-the-ground presence of delivery and maintenance teams in different locations, who will respond to community needs.
22. Communities have existing connections and relationships with Councils, and it is likely that residents will continue to contact Councils in the first instance regarding faults etc. This could result in delays, additional costs, and inefficiencies from duplication of efforts. WSEs need to consider how they can tap into Council's existing connections or replicate them, when engaging with local communities and they must be clear on their role versus Councils'.

Kāpiti Coast District Council recommends that there is clarity regarding WSE intended service response model and standards.

Engagement with the community

23. Council supports the community engagement provisions set out in the Bill, and the establishment of consumer forums. However, we are concerned that access to WSEs' democratic processes and meetings for our community will be difficult, given Kāpiti's location and demographic.
24. Communities must have their say on things that matter to them, and the right level of influence over decisions that affect them; but adding extra administrative layers may create a system that is more complex and bureaucratic. The aggregated approach of the WSEs should not leave communities worse off than they are under the current system.
25. We would also like to raise the issue of lack of central government funding support for Councils to engage with their communities on the Three Waters reform. Councils and their communities to date have had to bear this as an additional cost to be funded through rates. We believe that central government should fund the costs associated with central policy direction.

Kāpiti Coast District Council recommends that:

- there are clear and available channels for the community to engage with WSEs, and consideration is given to accessibility concerns; and
- central government should contribute towards the cost of engaging with the community on the reform.

Role of WSEs in stormwater

26. There needs to be more clarity around the role WSEs will play regarding stormwater, in relation to growth and development planning, development control, asset management and maintenance particularly of green and sensitive water assets.
27. Due to the complexity around the legislative, policy and planning framework around stormwater, the proposals in this area are not fully developed, which makes the scope and impacts of the reform uncertain. There is concern that stormwater represents a source of material risk for WSEs and Councils that is hard to quantify.
28. Stormwater is linked to placemaking and closely connects with other Council roles and functions. Many of these involve material overlaps; they serve different functions at different times, meaning the WSEs will need to work in partnership with territorial authorities, regional Councils, and road controlling authorities to ensure continued delivery of all the multiple outcomes. This overlap in functions also makes it difficult to immediately identify stormwater assets and transfer them to the WSEs.
29. Council therefore supports LGNZ's recommendation to a staged approach to transitioning stormwater, to allow time to address its complex nature and consider the impacts of the resource management reform.

Kāpiti Coast District Council recommends that the select committee consider a staged approach to stormwater transition, which recognises the complexity in this area.

Integration with spatial and local planning processes and growth

Planning and growth

30. Water services are intrinsically linked to other Council assets and infrastructure – and to growth. Although there will be a need for WSEs to address deficits with existing infrastructure, this shouldn't be at the expense of stifling growth and development where it's needed.
31. The WSEs need to work closely with Council to ensure that their planning processes for new or upgraded infrastructure are aligned with Council's spatial development priorities, other planning processes, and give effect to our Long-Term Plans and District Growth Strategy. This alignment will allow WSEs to plan, obtain consent and construct three waters infrastructure efficiently to enable Council's growth requirements.
32. Kāpiti Coast's population has increased by 1.5 percent per year on average over recent years and this same rate is expected to continue in future. This would mean our population will grow by about 32,000 people over the next 30 years – the current population of Paraparaumu and Raumati combined.
33. Our growth strategy gives us a framework for where, when, how, and how dense, we want growth to be in our district. It helps us shape land development and manage activities across our town centres and urban, rural and business areas, to support our district's needs now, and in the future. It is also a key tool in how we respond to climate change impacts while working within the physical constraints of the district.
34. Council is also publicly notifying a District Plan change in August 2022 to enable denser growth in its centres, in walkable catchments around centres and rapid transit stops, and across all residential zoned land in the district. This intensification plan change (Plan Change 2) is also expected to include some areas of new residential zone land and more enabling papakāinga provisions, as well as new design guides, an updated set of engineering standards, and amendments to financial contributions provisions. A range of qualifying matters will also be identified.
35. Council needs to plan carefully to make sure we're 'growing well' with a thriving environment, vibrant economy and strong communities. It will also ensure that we avoid increased pressure on housing and rental stock and costs, our infrastructure, and our environment. We need to make sure our growth protects the things we value, and creates opportunities like housing choices, jobs, skills training, transport choices, and new and improved open spaces.
36. Therefore, WSEs need to operate in a way that recognises Councils' broader leadership role in placemaking and community wellbeing. This includes respect for decisions already made by Councils and communities and where possible, the WSEs' documents should adopt and give effect to Council planning and strategic documents.

Timing of response to growth

37. WSEs also need to provide timely and accurate information to support our Councils' land development and growth work. They need to provide three waters infrastructure plans for identified growth areas to support Councils' decision-making processes and help inform where growth should occur and how that growth would best be

accommodated. Once growth decisions have been made by Councils, we want WSEs to invest in the necessary three waters networks ahead of that growth.

38. Council is concerned that delays in information sharing or deferred decision-making on the part of WSEs may stall development projects. We need WSEs to be agile and timely when responding to change or development/growth opportunities in the district.
39. We also need clarity on how Councils can work with WSEs to bring forward planned infrastructure works (in a timely manner) in order to unlock potential in an area or progress the work there. How would we advance projects like the Infrastructure Acceleration Fund (IAF), which involved accelerating the work programme for multiple three waters and roading infrastructure projects in order to deliver on housing outcomes in Kāpiti, with the WSEs? Putting together the infrastructure delivery plans for the IAF process for example, required Council and developers to respond very quickly and with flexibility to Kāinga Ora's information requests and tight timeframes.

Kāpiti Coast District Council recommends that:

- the Bill's objectives and operating principles are amended to require WSEs to recognise, support and enable Councils' role in placemaking and community wellbeing, so that the vision for growth and development can be achieved; and
- more clarity is given on how WSEs will work with Councils to respond to local need to unlock growth and development in the face of changing circumstances and priorities.

Affordability, funding and pricing

Affordability

40. Kāpiti Coast is simultaneously home to some of the most affluent and some of the most deprived communities in New Zealand. While areas such as Peka Peka and Kaitawa are in the 10% that are most affluent in New Zealand, other areas such as Ōtaki and Ōtaki Beach are in the 10-20% that are most deprived². Consequently, Council must think carefully about affordability and communities' ability to pay for different services in the district.
41. We are concerned that there is currently an absence of reference to affordability in the objectives and operating principles of the Bill, considering this is one of the main issues underpinning the reform. We are unsure whether this will be addressed in the second Bill through the economic regulator, or other performance monitoring mechanisms available to the RRGs etc.
42. The WSEs need to balance increased investment and service level needs with affordability for its communities/customers. The WSE Board and RRG need to understand the different communities it represents and deprivation levels, and have the appropriate competencies to assess affordability. There also needs to be awareness of social impacts at the decision-making level.
43. Our communities need assurance and clarity around how affordability and affordability concerns will be assessed/addressed under the new entities – this includes

² Environmental Health Intelligence New Zealand (EHINZ) work on socioeconomic deprivation profile, using the New Zealand Index of Deprivation (NZDep).

considering the full impost on ratepayers after all WSE charges, local and regional Council rates, and other applicable levies have been taken into account.

Kāpiti Coast District Council recommends that:

- the Bill expressly references affordability in its objectives and operating principles; and
- WSEs refer to affordability work Councils have carried on with their communities, and that WSE boards and RRGs have appropriate skillsets and performance measures in place to ensure affordability is adequately considered.

Funding and pricing

44. Councils need more detail on how funding and pricing decisions will be made and the timing of these decisions. Although we recognise that this information will form part of the second Bill, we are concerned that the timing is a bit tight for WSEs to make their pricing and funding decisions, and for Councils to then assess the impact of these on Council's long-term planning processes and amend our funding and financing policies in response (including Revenue and Financing Policy, Rating policies, Development and Financial Contributions policies, Treasury Management Policy etc).
45. Councils are required under the LGA to make necessary amendments to our financing and funding policies and consult on these with the community. This work is significant and needs to start at least 10-12 months before the 1 July 2024 go-live date of the new entities to meet legislative timelines and ensure a smooth transition. This means the WSEs need to confirm the pricing and funding mechanisms they will use by at least 1 July 2023, to give Councils enough time to reflect the impact of changes on our next LTP. At this stage, we are unsure whether this is achievable considering the amount of work that needs to be done.
46. We are also concerned about the potential impact of the reform on Council's Development Contributions (DCs). Our current DC charges are calculated based on the planned infrastructure work programme over the period of the LTP. If the WSEs decide not to provide the network infrastructure for which DCs were previously required, Council is required under the LGA to refund the contributions we have collected from developers for that infrastructure. This is a significant financial risk to Councils and may also affect our charges linked to debt. We would like consideration given to this issue when addressing linkages to the LGA as part of the second Bill.

Kāpiti Coast District Council recommends that consideration is given to:

- the timing of the WSEs' funding and pricing decisions and ensure these are available to Councils by 1 July 2023 to allow orderly integration into the 2024 LTP process; and
- potential financial consequences for Councils related to development contributions refunds, when addressing linkages to the LGA.

Integration with other local government processes and legislation

47. Council supports the points raised by LGNZ regarding the need for the government to ensure that all the current reform programmes are integrated to form a coherent system.
48. We also echo the issues raised by Taituarā's around the need to address linkages to other legislation such as the Local Government Act 2002: Rates Rebate Scheme; the Public Works Act 1981; the Resource Management Act 1991 and successor legislation; the Land Drainage Act; the Kāinga Ora – Homes and Communities Act 2019 and the Infrastructure Funding and Financing Act 2020.

We thank the Committee for its time and effort in considering our submission, and we would appreciate the opportunity to speak to our submission at the hearings.

Yours sincerely

Gary Simpson
Acting Chief Executive
Te Tumuaki Rangatira

10.2 STORMWATER MANAGEMENT FRAMEWORK

Kaituhi | Author: **Rita O'Brien, Stormwater & Coastal Engineer**

Kaiwhakamana | Authoriser: **Sean Mallon, Group Manager Infrastructure Services**

TE PŪTAKE | PURPOSE

- 1 This report to Council:
 - 1.1 provides an overview of the feedback received from submitters on the draft Stormwater Management Framework [SMF] vision, values and outcomes,
 - 1.2 recommends adoption of the SMF vision, values and outcomes, attached as Appendix 1 to this report, and
 - 1.3 provides an update on the next steps for the development and implementation of the SMF.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required for this report.

TE TUKU HAEPAPA | DELEGATION

- 3 Under the 2019-2022 Triennium Governance Structure and Delegations, Council has the authority to consider this matter.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council:
 - A.1 note the feedback received from submitters on the draft Stormwater Management Framework [SMF] vision, values and outcomes;
 - A.2 adopt the SMF vision, values and outcomes, attached as Appendix 1 to this report, with the following three amendments in response to submitter feedback:
 - A.2.1 The addition of a new clause in the vision to distinctly incorporate existing stormwater issues;
 - A.2.2 A minor amendment to the sixth value's objective aiming to clarify that the value applies to existing developments as well as future developments; and
 - A.2.3 Reorder the outcomes so the 5th outcome about resilient neighbourhoods and ecosystems is more prominent.
 - A.3 note the next steps for the development and implementation of the SMF.

TŪĀPAPA | BACKGROUND

- 4 Increased growth and urban intensification coupled with increased rainfall and rising water levels due to climate change pose difficult and complex challenges for stormwater management in the district. These issues are enduring and unlikely to be affected by the Government's Three Waters Reform Programme.
- 5 A locally developed and agreed SMF is needed to provide an overarching structure to:
 - 5.1 give effect to *Te Mana o te Wai*, which is a cornerstone of the Freshwater National Policy Statement [NPS],
 - 5.2 mitigate [or reduce] the effects from flooding and climate change, and
 - 5.3 provide for growth and urban intensification.

- 6 On 12 May 2022, the Strategy and Operations Committee approved community engagement on the draft SMF vision, values and outcomes.
- 7 Engagement occurred from 1 to 30 June 2022 and focused on informing the community about the draft SMF and inviting feedback. A range of communication channels were used to inform key stakeholders and audiences, as outlined in Table 1 below.

Table 1: SMF engagement and communication, June 2022

Communication	Target audience	Date	Channel
Special information session	Developers and development representatives	1 June 2022	Targeted meeting
Information stand	General public	4 June 2022	Paekākāriki Market
Information stand	General public	18 June 2022	Paraparaumu Beach Market
Information stand	General public	20-30 June 2022	Paraparaumu, Waikanae and Ōtaki libraries
Mass communication	General public	During May and June 2022	Press release, website updates, Everything Kapiti newsletter and advertorial in print media
Social media campaign	General public	During May and June 2022	Facebook, Instagram and Neighbourly

Note: an 11 June 2022 information stand at Waikanae Market was cancelled due to rain.

HE KŌRERORERO | DISCUSSION

- 8 Submitters were asked to provide feedback on the draft SMF vision, values and outcomes through seven questions. Three of the questions were closed, requesting a simple yes-no response about whether the vision, values, and outcomes reflected the submitters' expectations. The remaining four questions were open-ended, with three questions asking submitters what they felt was missing from the vision, values, and outcomes and the fourth asking respondents if they had anything further to share.
- 9 Feedback was invited via Bang the Table [Council's on-line engagement platform] or via hard copy questionnaires available at the information sessions and public libraries.

DRAFT SMF VISION, VALUES AND OUTCOMES

- 10 The draft SMF vision for stormwater management in Kāpiti was:
- where water is given space to flow from the hills to the sea; the health of our water bodies is enhanced and restored; communities are thoughtfully planned to be protected from flooding and resilient to anticipated climate change impacts; and Council works in partnership with tāngata whenua to give expression to Te Mana o te Wai.*
- 11 The draft SMF included 12 values to support the vision, with six of the values to be shared by the entire community and 6 values to be specific to tangata whenua, as shown in Table 2 below.
- 12 The five proposed outcomes for the draft SMF were:

- 12.1 Te Mana o te Wai [including our stormwater network] is cared for and improved for the environment and people
- 12.2 Knowledge about Te Mana of te Wai and how it is best cared for is increased and shared
- 12.3 The framework provides a clear and usable plan that delivers quality outcomes and ensures integrity with vision
- 12.4 Iwi and Council work as partners to jointly made decisions with the support of the community
- 12.5 Stormwater management practices and stormwater infrastructure improves neighbourhoods and ecosystems, and resilience to anticipated climate change impacts

Table 2: Draft SMF values

Mana whenua Kaupapa (values)		Community values	Huanga (objective)
1	 2 Mana whakahaere	3 Governance	4 Power to make decisions is shared by Council and tāngata whenua, with the support of the community
5	 6 Kaitiakitanga	7 Stewardship	8 Our role is to be guardians and stewards of our natural resources
9	 10 Mauri	11 Care & Respect	12 Our actions recognise, restore, enhance and protect the life of our rivers and seas
13	 14 Wairuatanga	15 Holistic	16 We think and act holistically. The well-being of the environment and the well-being of people is intricately connected
17	 18 Pūkengatanga	19 Innovation	20 We take an innovative and flexible approach to managing stormwater based on good historical, technical and cultural understanding
21	 23 Hapori	24 Community	25 We build resilient communities that are connected to their awa.

SUBMITTER FEEDBACK

- 13 Thirty (30) submissions were received on the draft SMF vision, values and outcomes. All the submissions were received via Bang the Table; no submissions were received via the hard copy questionnaires.
- 14 Several of the developer’s representatives were interested in some aspects of the vision for example ‘water is given space to flow from hills to the sea’, and what these meant for flood management.
- 15 As shown in Table 3, when asked to compare the proposed vision, values and outcomes to their own aspirations for stormwater management in Kāpiti:
 - 15.1 53% replied that the draft vision reflected their aspirations
 - 15.2 60% replied that the draft values reflected their aspirations
 - 15.3 Submitters were evenly split (50-50) about the draft outcomes.

Table 3: Responses to yes-no survey questions

Survey question	Response	
	Yes	No
1. Does this vision reflect your aspirations for stormwater management in Kāpiti?	53%	47%
3. Do these values reflect your aspirations for stormwater management in Kāpiti?	60%	40%
5. Do these outcomes reflect your aspirations for stormwater management in Kāpiti?	50%	50%

16 When asked to provide more information about what was missing from the draft vision, values, outcomes, or SMF in general, 25 responded. The analysis of the feedback provided through these four open-ended questions was so consistent across each question that the responses were combined. They are discussed further in the Issues and Options sections below.

17 The full set of submission responses is attached as Appendix 2.

He take | Issues

18 The feedback was categorised according to 4 primary issue areas, as shown in Table 4. While this section of the report summarises the feedback for each issue area, proposals to address the feedback are discussed further in the Options section below.

Table 4: Primary issue areas identified in the open-ended questions

Primary theme	Number of mentions*
Managing existing stormwater problems	17
National mandates	15
Governance arrangements	11
Implementation tools	21

* Note: more than one theme could be allocated for each response.

MANAGING EXISTING STORMWATER PROBLEMS

19 Of the 25 submitters that provided additional feedback, 17 (68%) expressed concern about how the draft SMF would manage existing stormwater problems. While 3 submitters expressed a need to protect public infrastructure, all 17 expressed concerns about the protection of private property and the management of existing issues. Examples included:

- *I just don't want my house to flood ... there is a literal river flowing into my front yard.*
- *My property ... has been subject to multiple floods since December 2021.*
- *This [vision] statement talks to 'new communities being planned' but what of existing communities?*

20 This feedback indicates that the draft SMF vision, values and outcomes as proposed did not provide enough certainty to these submitters that Council will continue its current stormwater management programme focused on existing stormwater flooding issues.

NATIONAL MANDATES

21 For 15 submitters, their feedback touched on national mandates related to:

21.1 Council's Treaty of Waitangi obligations and Iwi partnership commitments; and/or

21.2 The introduction of environmental protection and water quality requirements through *Te Mana o te Wai* and the Freshwater NPS.

22 For the submitters that questioned the prominent role of mana whenua in the development and implementation of the SMF, it appeared as if these submitters did not fully understand Council's obligations under the Treaty of Waitangi, Council's commitment to its Iwi

partnership agreement, and/or the role of the Stormwater Management Steering Group. Examples from the feedback included:

- *I am concerned that Council is partnering with iwi despite this not being a democratically elected position.*
- *Co-governance is not appropriate in all aspects of management and water resources.*

23 Similarly, some submitters did not fully understand Council's obligation to give effect to *Te Mana o te Wai* and the Freshwater NPS. To these submitters, Council's primary focus should continue to be flood management to protect homes and people. Examples included:

- *Your vision should be to prevent Kapiti from flooding.*
- *The vision makes no sense. It doesn't explain what the objective is: Preventing flooding and danger to houses and people's safety.*

24 In both instances, this submitter feedback appeared to be grounded in fears that:

24.1 Co-governance arrangements between Council and iwi partners would not allow for input from the wider community or key stakeholders; and

24.2 A focus on *Te Mana o te Wai* would mean that private properties would not be protected from flooding.

GOVERNANCE ARRANGEMENTS

25 Eleven (11) submitters provided specific feedback on the SMF governance arrangements.

26 Most of these submitters felt that more opportunities for community input were required, while a few (n=3) were more specifically concerned about the shared responsibilities for stormwater management between Council and GWRC.

27 In the first instance, while these submitters understood Council's Treaty obligations, they still sought assurance that the SMF co-governance arrangements would allow for wider community participation. Examples included:

- *Why does Council only 'partner' with Iwi, when the Freshwater [NPS] requires local authorities 'to work with tangata whenua and communities ...'*
- *Currently the strategy treats landowners and land occupiers as people whose 'safety and wellbeing' simply needs protecting, yet landowners and land occupiers also want to be involved in how their resources are managed and allocated.*
- *There is no reflection of Council working in partnership with affected communities.*

28 Of the few submitters that mentioned GWRC, all did so in relation to GWRC's proposed Natural Resources Plan and/or the Whaitua process. The general consensus was that Council must align with the pNRP, participate in the Whaitua process and develop a framework that can ultimately sit alongside both.

IMPLEMENTATION TOOLS

29 Twenty-one (21) submitters expressed concerns about the implementation of the proposed SMF. While some simply requested more information about the implementation of the SMF in general, others focused on specific aspects of implementation.

30 Over half of these submitters (n=13) wanted to better understand how the SMF would balance *Te Mana o te Wai* (protecting the environment and water quality) with protecting homes and people. In essence, these submitters wanted to understand how competing interests would be resolved. Examples included:

- *... 'giving water space to flow' ... looks like existing communities being flooded [and] critical community infrastructure being lost.*
- *How does the Council prioritise the people's safety and wellbeing vs. the protection and restoration of Te Mana o te Wai?*

- *[I am concerned there will be] an imbalance with a very strong focus on the 'well-being of the environment' to the exclusion of other values.*

31 Other submitters (n=7) wanted to understand how targets would be set under the SMF and what monitoring would occur. In addition, while no submitters used the term 'climate change', the few that spoke about timeframes appeared to be referring to the need for urgent action. One submitter stated:

Policies and actions need to be more agile and within shorter timeframes than reflected in Council plans to reflect the realities of what is actually happening. Extreme events are some of the highest ever recorded.

Ngā kōwhiringa | Options

- 32 The submitter feedback provides useful insights that must be incorporated into the SMF vision, values and outcomes; the development of the policies and plans that will sit under the SMF; and our ongoing efforts to govern and implement stormwater management in the district.
- 33 The feedback highlights some of the challenges local governments face as they seek to reconcile *Te Mana o te Wai* with other directives to minimise flood risk, adapt to climate change, and provide for urban development and growth.

MANAGING EXISTING STORMWATER PROBLEMS

- 34 Local governments have legislative obligations to manage stormwater and control flooding. As such, the draft SMF does not propose any changes to Council's 37-year Stormwater Management Programme which focuses on existing stormwater issues, as prioritised by property type.
- 35 Over half of all submitters (17 out of 30, or 57%), however, requested greater certainty that Council will continue to work towards solutions for existing stormwater issues.
- 36 To address these submitters' concerns, four amendments are proposed to the draft SMF vision, values and outcomes:

36.1 An additional clause and modification of clause 4 in the vision, to emphasise the importance of a resilient network and to provide transparency for existing property owners:

The vision for stormwater management in Kāpiti is where:

1. *water is given space to flow from the hills to the sea;*
2. *the health of our water bodies is enhanced and restored;*
3. *the operation, maintenance, upgrade and renewal of our network contributes to a thriving, resilient community and healthy ecosystem;*
4. *communities are thoughtfully planned, ~~are to be~~ protected from flooding [to an agreed level of service], and resilient to anticipated climate change impacts; and*
5. *Council works in partnership with tāngata whenua to give expression to Te Mana o te Wai.*

36.2 The current agreed level of service for stormwater management is to have a primary network that conveys up to the 10-year event, and that all dwellings are flood free up to the 50-year event. Any changes or alteration to levels of service are consulted on through the long-term planning process, and are a consideration when planning the capital or operational work programme.

36.3 A minor revision to the values to emphasise the importance of new and existing communities:

Our communities are ~~We build~~ resilient ~~communities that are~~ and connected to their awa.

36.4 A reordering of the outcomes so that the 5th outcome about resilient neighbourhoods and ecosystems is brought up to a more prominent position.

Stormwater management practices and stormwater infrastructure improves neighbourhoods and ecosystems, and resilience to anticipated climate change impacts.

37 A revised version of the SMF vision, values and outcomes marked up to clearly show these three proposed amendments is attached as Appendix 1 to this report.

NATIONAL MANDATES

38 *Te Mana o te Wai* and co-governance with iwi are legislative requirements that must be included as key features in the development and implementation of the SMF.

39 In an effort to help our communities understand these requirements, Council will seek to disseminate these messages more widely through ongoing communication and engagement.

GOVERNANCE

40 There are two aspects of governance that should be considered in order to address submitter feedback.

41 First, it is important to note that the Stormwater Steering Group is an advisory group that makes recommendations to Council. Council, as elected representatives, are the final decision-making body in respect of stormwater management. To clarify this, a framework validation clause has been added to the attached SMF vision, values and outcomes document.

The Kāpiti Coast District Council Stormwater Management Framework: Vision, Values and Outcomes was adopted at a meeting of the Kāpiti Coast District Council held on 28 July 2022, after completion of a public consultation process.

42 Secondly, it is also important to note that the next step of the SMF will be the development of a suite of policies and plans (including a proposed Stormwater Bylaw) and operational workstreams. The proposed SMF vision, values and outcomes are an important first step as they will promote alignment across the wider SMF.

43 Further public consultation, allowing for wider community input, is planned. In addition, Council's policy of working with affected communities remains unchanged. In any instances where stormwater management might directly impact specific communities or levels of service, Council will work with affected parties to identify and evaluate a range of feasible options.

44 It is also important to note that Council already works closely with GWRC and will continue to do so. Council has nominated a representative to the Whaitua, and the GWRC Whaitua team have been involved in the creation of the SMF.

IMPLEMENTATION

45 As the SMF forward work programme progresses, submitter concerns about governance and process (e.g., prioritisation, targets, and timeframes) will be addressed.

46 Table 5 below provides a general overview of the programme. Each workstream will be accompanied by a specific project plan and communication plan.

47 The aim within each workstream will be to foster diverse participation and innovative problem solving. In some instances (as in the proposed development of a new Stormwater Bylaw), formal special consultative processes will be undertaken. Alternatively, in instances where complex issues prove particularly challenging, co-ordination and prioritisation might be established and consulted on through Council's Long-Term Planning processes.

48 Council will continue to receive further briefings and reports as specific project plans are development and implemented.

Table 5: Overview of the SMF forward works programme

Workstream	Timeframe	Consultation
1. Further communication about legislative mandates a) Te Mana o te Wai and the Freshwater NPS b) Iwi partnership and co-governance c) GWRC alignment (e.g. RPS, pNRP, and Whaitua)	August 2022+	One-way information campaign
2. Strategic policy framework a) Schedule N b) Hydraulic neutrality c) Climate change and resilience, including updated flood maps	In process and ongoing	To be agreed with Council through future briefings and reports. May vary depending on policy type.
3. Stormwater Bylaw	22/23 FY+	Special Consultative Procedure
4. Education – fact sheets and how to look after private networks	22/23 FY+	One-way information campaign
5. Acceptable solutions kits (for developers and property owners)	22/23 FY+	Developed with expert advice and user input
6. GWRC Whaitua process	22/23 FY+	GWRC process
7. Capital works programme	37+ years	Consulted on through the long-term planning process

Tangata whenua

- 49 The *Te Mana o te Wai* factsheet for the Freshwater NPS states that “local authorities must actively involve tangata whenua in freshwater management (including decision-making processes and monitoring and preparation of policy statements and plans).”
- 50 As water is a taonga, the commitment to a Tiriti House approach for stormwater management benefits both Council and local iwi.
- 51 Council’s Te Tiriti partners – Ātiawa ki Whakarongotai, Ngāti Toa Rangatira, and Ngāti Raukawa ki te Tonga / Ngā Hapū o Ōtaki – are all members of the Stormwater Management Framework Steering Group.

Panonitanga āhuarangi | Climate change

- 52 Climate change is an important consideration for stormwater management as the predicted impacts of climate change in the district call for more frequent and severe rainfall and storm events.
- 53 The SMF process aligns with the principles of Council’s Climate Emergency Action Framework. Two principles that are particularly relevant include:
- 53.1 Council honours Te Tiriti o Waitangi and its partnership with mana whenua. Ngāti Raukawa ki te Tonga, Ātiawa ki Whakarongotai, and Ngāti Toa Rangatira will be involved as partners in Council’s climate change response and any projects that arise from this Framework to ensure a mana enhancing partnership is nurtured throughout.
- 53.2 Decision making is inclusive, transparent, and based on on-going collaboration and consultation with the wider community, business, social service organisations, and key sectors from industry and science.

- 54 Through the development and implementation of the SMF forward work programme, Council will continue to work with affected communities to address flood risk, and to build resiliency. Ultimately, this is likely to occur through a combination of responses including protect, avoid, accommodate and, in some instances, relocate.

Ahumoni me ngā rawa | Financial and resourcing

- 55 There are no financial or resourcing implications from this proposal. Any financial and resourcing implications for the further development and implementation of stormwater management policies and plans (which will sit under the SMF), will be raised through Council's standard long-term and annual planning processes.

Ture me ngā Tūraru | Legal and risk

- 56 There are no legal risks associated with this proposal.

Ngā pānga ki ngā kaupapa here | Policy impact

- 57 It is anticipated that the SMF vision, values and outcomes will provide an overarching structure that gives effect to *Te Mana o te Wai*, mitigation [reduction] of effects from flooding and climate change, and provision for growth and urban intensification.
- 58 As the SMF vision, values and outcomes have been developed, consideration has also been given to how the framework links across all of Council's planning and strategic work streams (eg, the growth strategy, the open space strategy, and the climate change and resilience framework) as well as other national and regional initiatives (eg, the Kapiti Whaitua, Waikanae ki uta ki tai and the three waters reform).

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 59 As the SMF forward work programme is carried out, further engagement and consultation with Councillors and the community will be required. These workstreams are likely to include:
- 59.1 The re-build of Council's flood hazard models to update climate change recommendations and incorporate groundwater, the new state highways and surface models,
 - 59.2 A review of Council's hydraulic neutrality policy and low impact urban design principles,
 - 59.3 A Stormwater Management Strategy that sets out our approach to meeting GWRC's proposed Natural Resources Plan Schedule N specifications,
 - 59.4 Council's stormwater monitoring programme, which includes cultural monitoring,
 - 59.5 Integrated data management, storage, access and reporting protocols and platforms,
 - 59.6 Catchment based objectives for water quality and action plans, including programmes of work [CAPEX and OPEX],
 - 59.7 Consideration of a stormwater bylaw, and
 - 59.8 Community education programmes.
- 60 Council will have the opportunity to provide input before further instances of community engagement or consultation occur.

Whakatairanga | Publicity

- 61 Once Council has adopted the proposed SMF vision, values and outcomes, a range of communication channels will be used to inform key stakeholders and audiences, such as:
- 61.1 Digital: Council webpages and social media updates

- 61.2 Targeted: An additional meeting for developers [and their representatives] to discuss next steps
- 61.3 Media: a series of informational updates in local newspapers to not only publicise the SMF vision, values and outcomes, but to also provide more information about legislative mandates such as *Te Mana o te Wai*.

NGĀ ĀPITI HANGA | ATTACHMENTS

- 1. Stormwater Management Framework: Vision, Values and Outcomes_proposed for adoption [↓](#)
- 2. Original submissions (anonymised) [↓](#)

DRAFT - showing proposed changes in response to submitter feedback.



Stormwater Management Framework: Vision, Values and Outcomes

1 Framework Validation

The Kāpiti Coast District Council Stormwater Management Framework: Vision, Values and Outcomes was adopted at a meeting of the Kāpiti Coast District Council held on **28 July 2022**, after completion of a public consultation process.

2 Vision

The vision for stormwater management in Kāpiti is where:

- water is given space to flow from the hills to the sea;
- the health of our water bodies is enhanced and restored;
- **the operation, maintenance, upgrade and renewal of our network contributes to a thriving, resilient community and healthy ecosystem;**
- communities are thoughtfully planned, **are to be** protected from flooding **[to an agreed level of service]**, and resilient to anticipated climate change impacts; and
- Council works in partnership with tāngata whenua to give expression to Te Mana o te Wai.

3 Values

Mana whenua Kaupapa (values)	Community values	Huanga (objective)
 Mana whakahaere	Governance	Power to make decisions is shared by Council and tāngata whenua, with the support of the community
 Kaitiakitanga	Stewardship	Our role is to be guardians and stewards of our natural resources
 Mauri	Care & Respect	Our actions recognise, restore, enhance and protect the life of our rivers and seas
 Wairuatanga	Holistic	We think and act holistically. The well-being of the environment and the well-being of people is intricately connected
 Pūkengatanga	Innovation	We take an innovative and flexible approach to managing stormwater based on good historical, technical and cultural understanding
 Hapori	Community	Our communities are We build resilient and communities-that-are connected to their awa.

4 Outcomes

- Te Mana o te Wai [including our stormwater network] is cared for and improved for the environment and people.
- Knowledge about Te Mana of te Wai and how it is best cared for is increased and shared.
- Stormwater management practices and stormwater infrastructure improves neighbourhoods and ecosystems, and resilience to anticipated climate change impacts.
- The framework provides a clear and usable plan that delivers quality outcomes and ensures integrity with vision.
- Iwi and Council work as partners to jointly made decisions with the support of the community.
- ~~Stormwater management practices and stormwater infrastructure improves neighbourhoods and ecosystems, and resilience to anticipated climate change impacts.~~

DRAFT

Survey Responses
28 October 2020 - 03 July 2022

Revised Stormwater Management Framework

Have Your Say | Kāpiti Coast

Project: Stormwater Management Framework



VISITORS					
90					
CONTRIBUTORS			RESPONSES		
30			30		
30	0	0	30	0	0
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous



Respondent No: 1

Responded At: Jun 06, 2022 14:19:31 pm

Last Seen: Jun 10, 2022 00:38:36 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?
improving existing drainage for land subject to ponding

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?
It is Councils role to make sure there is fit for purpose water infrastructure to take stormwater safely to the sea. Council needs to lead not 'govern'

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?
not answered

Q7. Do you have anything else to share with us?
i am concerned that Council is partnering with iwi despite this not being a democratically elected position. I am all for consulting iwi and working with them but believe Council is going beyond its statutory mandate in the way it is setting up unelected advisory bodies with 50% iwi membership. Advisory groups should be the exception not the rule.



Respondent No: 2

Responded At: Jun 13, 2022 05:02:48 am

Last Seen: Jun 12, 2022 18:58:27 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

I just don't want my house to flood. Currently there is a literal river flowing into my front yard

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

More emphasis on protecting homes - it's storm water not rivers and streams

Q7. Do you have anything else to share with us?

not answered



Respondent No: 3

Responded At: Jun 14, 2022 18:46:06 pm

Last Seen: Jun 19, 2022 05:57:53 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

the vision should include: - council having the ability to restrict activities to parts of the public stormwater system - the protection of the public stormwater system, and the land, structures, and infrastructure associated with the stormwater system, from damage, misuse, interference, and nuisance -Ensure flood risk is managed -Avoid the effects of discharges from the Private Stormwater Drainage Network -Controlling the discharge of contaminants into the public stormwater system -monitoring

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

not answered



Respondent No: 4

Responded At: Jun 17, 2022 14:16:58 pm

Last Seen: Jun 17, 2022 03:40:51 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

1. The contribution that landowners have as guardians of their resources. Landowners are also Kaitiaki. Currently the strategy treats landowners and land occupiers as people whose "safety and wellbeing" simply needs protecting; yet landowners and land occupiers also want to be involved in how their resources are managed and allocated. While there is an acknowledgement that elected officials have a role to play in this process; landowners must be at the table too. 2. The balance is missing in the vision. Thought has been given to the health/mauri of the water body; about the protection of community from natural hazards; on how tāngata whenua are involved in the management of the resource; but no mention is made of the economy and the social and economic lives of individuals and their interaction with the s/w management system. What is the vision for that interaction? 3. The level of restoration that is expected to be given effect to. What is the "level of health" we want to see in our water bodies. This needs to be determined at a community level on a watercourse by watercourse basis - one size does not fit all. Water quality has already been the subject of GWRC's Proposed Natural Resources Plan in respect of rivers and streams. Is KCDC proposing to apply the PNRP criteria to all watercourses including the stormwater system? If so this needs to be explicit. 4. What of integrating "existing communities" - the vision talks about "communities being thoughtfully planned to be protected from flooding and resilient to anticipated climate change impacts." This statement talks to "new communities being planned" but what of existing communities and how do we make existing communities more resilient to climate change impacts? Will existing communities be prioritised for funding for upgrades to infrastructure for example? 5. How are the individual vision statements prioritised? Will one trump the other? For example will by "giving water space to flow" mean that some existing communities will become 'at risk' to increased flood hazards. How does the Council prioritise the people's safety and wellbeing vs. the protection and restoration of te mana o te wai? These needs clarification. Consideration needs to be given to the ability for people to relocate if te mana o te wai is prioritised over people's safety and well-being. 6. What is the mandate that Council is proposing to use to share governance with tangata whenua - and what does it mean "support of the community?" What would this look like beyond the current processes that are used? It is hard to support a process that we don't understand. Greater Wellington Regional Council have acknowledged that these are all sensitive topics and have devised the Whaitua Process to canvass them in terms of allocation of water in catchments. While KCDC is also party to the Ki Uta ki Tai (Mountains to Sea) group which has been formed for the Waikanae River Catchment - there has been no engagement with the community bar one workshop at the Otahanga Domain which didn't raise some of the more sensitive topics that are being raised here. I understand the Secretariat for Ki Uta ki Tai has also disengaged the Stakeholder Group (which represented landowners) without doing this crucial community consultation. The only members on the Steering Group of Ki Uta ki Tai is the Crown (DoC), GWRC KCDC and Te Āti Awa ki Whakarongotai. KCDC needs to develop a venue that gives a voice to the community on the development of this strategy beyond requesting we fill in a survey!

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

See my comments above. If these values guide decisions on funding for stormwater management; for consenting stormwater management; and for on-going maintenance of stormwater management there will be an imbalance with a very strong focus on the "well-being of the environment" to the exclusion of other values. Of the six values listed, only one 'Hapori' considers people and their livelihood; and community and the economy that surrounds the economy. Even then 'Hapori' is concerned about resilient communities - but what about people's connection to their place; what about providing sufficient housing in our community; what about providing cost effective new communities. These values are missing from this strategy.

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

I have been involved in GWRC's Global Consent for the Waikanae River and understand the complications that come from the outcome proposed of 'giving water space to flow.' It looks like existing communities being flooded. It looks like critical community infrastructure being lost. These must not become a reality as a result of this strategy. The strategy needs to have balance and also include outcomes that protect existing communities (while at the same time as building their resilience); and protecting our very special community assets (the Waikanae River Track for instance). I prepared submissions and appeals on GWRC's PNRP in relation to what was meant by the outcome sought of "restoration." GWRC decided that restoration would be determined on a catchment by catchment basis via the Whaitua. We have yet to have the Whaitua process run in Kāpiti - but KCDC should join this process along with the community in determining what level of restoration is being sought and for which watercourses.

Q7. Do you have anything else to share with us?

I would expect that before any of these values and outcomes are adopted that they would go through the Schedule 1 process of the RMA to enable a proper canvassing of the consequences of adopting the underlying principles. In general, I support the improved outcome of our water bodies but it must be achieved in a balanced manner that takes into account all elements of our society and environment.



Respondent No: 5

Responded At: Jun 18, 2022 14:59:51 pm

Last Seen: Jun 18, 2022 04:51:38 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

Yes, it would be great if the catchment of water in residential areas without stormwater access, streams or catchment ponds is reviewed and strategies developed to ease or control the current recurring ponding in these residential areas.



Respondent No:

Responded At: Jun 18, 2022 17:28:16 pm

Last Seen: Jun 18, 2022 07:05:47 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

1 There is no reflection of council working in partnership with affected communities 2 Vision needs to reflect that stormwater causes most effects when it is at the extremes of normal conditions and hence extremes are what needs to be planned for and delivered upon

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

The decisions and policies need to be strongly science and evidence-based Communities need to have stronger decision-making power not just support

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Iwi, Council and communities work as partners to jointly make decisions If there is a choice between environment or people which gets priority and what criteria are used to determine this. What timeframe are these outcomes reflected in 10,50,100 years

Q7. Do you have anything else to share with us?

Policies and actions need to be more agile and within shorter timeframes than reflected in council plans to reflect the realities of what is actually happening. Extreme events are some of the highest ever recorded.



Respondent No: 7

Responded At: Jun 18, 2022 19:25:40 pm

Last Seen: Jun 18, 2022 09:22:19 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

We want to see clean rivers and communities that are protected from floods. If this means higher rates to achieve this, we are very supportive of this for future resilience.



Respondent No: 8

Responded At: Jun 19, 2022 09:02:45 am

Last Seen: Jun 27, 2022 22:39:12 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

This statement of 26 words doesn't say anything clearly. The vision should be to the effect that the district will end up with an effective stormwater system.

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

Far too much emphasis on Tangata Whenua. An effective stormwater system needs considerable science and modern engineering, influenced by the full range of citizens living, working and playing in this district. Those citizens who are more directly affected need to ensure their concerns are heard and resolved, and the Council needs to be obliged to listen and resolve accordingly. The above statement is unnecessarily long winded and waters down the thrust of the effort.

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Again, the statement is vague. Shouldn't the outcomes reflect targets, not results.

Q7. Do you have anything else to share with us?

Seems to be a lot of bureaucracy being included in this exercise. I have not a lot of confidence that this will have any effect on the growing flood risk around Waimanu Lagoons and further upstream, and the incorrect operation of the flood control structure.



Respondent No:

Responded At: Jun 20, 2022 10:22:07 am

Last Seen: Jun 27, 2022 04:43:07 am

IP Address:

- Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No
- Q2. What are we missing from our vision?
Urgency
- Q3. Do these values reflect your expectations? Yes
- Q4. What are we missing from our values?
not answered
- Q5. Do these outcomes reflect your expectations? No
- Q6. What are we missing from our outcomes?
Urgency
- Q7. Do you have anything else to share with us?
The surrounding land is constantly underwater



Respondent No: 10

Responded At: Jun 20, 2022 10:45:32 am

Last Seen: Jun 20, 2022 00:19:33 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

there needs to be Balance with Urban intensification and spread. population growth increases demand on land, and development costs drive yield requirements for developments which in turn has an impact on amenity and area available for stormwater storage and dissipation. relinquishing land for stormwater is difficult for developers to compromise good ground for Stormwater. Soak pits under vested carriageways where appropriate would be a good solution for such

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

not answered



Respondent No: 11

Responded At: Jun 21, 2022 19:14:32 pm

Last Seen: Jun 21, 2022 08:44:08 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

[There are many conservation groups that do valuable work – tree planting, breeding native birds, wetland rehabilitation, river clean-ups, new tracks on conservation land, etc. It is important that these groups are recognised and that they are given an opportunity to participate in the stormwater management decision making processes.]

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

[Ratepayers must be given an opportunity to participate in the stormwater management decision making processes.]

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Q7. Do you have anything else to share with us?



Respondent No: 12

Responded At: Jun 22, 2022 10:31:32 am

Last Seen: Jun 22, 2022 00:24:06 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

I've got some questions I need answered in order to answer this question! (I'll ask them at the end of the survey)

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

I've got some questions I need answered in order to answer this question! (I'll ask them at the end of the survey)

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

I've got some questions I need answered in order to answer this question! (I'll ask them at the end of the survey)

Q7. Do you have anything else to share with us?

Yes. 1. What's the difference between the 2008 "Stormwater Strategy" and the proposed 2022 "Stormwater Strategy Framework"? (i.e. how will a "framework" differ from just a "Strategy?)" 2. Has there been any formal/structured review of the 2008 Stormwater Strategy, in terms of how well or not it has served each of the Kapiti Communities provided for in the Strategy? 3. What priorities/projects/works will continue under the new strategy? (for example the "2015 Review of stormwater capital works programme of 240 projects to be delivered in 45 years" that was approved as part of 2018-2038 LTP) 4. What does "partnering with Iwi" mean in terms of decision making, setting priorities, budget setting and expenditure, resourcing, and contract/supplier decisions? 5. Why does Council only "partner" with Iwi, when the Freshwater National Policy Statement requires local authorities to "work with tangata whenua and communities to set out long-term visions in the regional policy statement", and presumably KCDC's stormwater strategy too? 6. What's happened to "working with communities" as per the 2008 Stormwater Strategy? 7. How does Te Mana o te Wai "ensuring the health and well-being of the water is protected and human health needs are provided for before enabling other uses of water" reconcile with the National Policy Statement for Freshwater that requires "prioritising the health and wellbeing of water bodies, then the essential needs of people, followed by other uses"? 8. Given the almost inseparable nature of stormwater and groundwater, shouldn't the strategy explicitly cover both?



Respondent No: 13

Responded At: Jun 27, 2022 16:27:57 pm

Last Seen: Jun 27, 2022 06:25:27 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

Please do something to stop our properties in Waikanae beach from flooding!



Respondent No: 14

Responded At: Jun 27, 2022 16:53:08 pm

Last Seen: Jun 27, 2022 06:42:11 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

We get considerable ponding/flooding in our Waikanae Beach garden after heavy rain. (Our neighbour's property is "reclaimed" wetland, and drains to ours.)



Respondent No: 15

Responded At: Jun 27, 2022 17:00:49 pm

Last Seen: Jun 27, 2022 06:56:46 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

I think it is urgent to have a good look at the groundwater levels and take action asap , flooding is a big issue here



Respondent No: 16

Responded At: Jun 27, 2022 17:41:03 pm

Last Seen: Jun 27, 2022 07:35:26 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

Storm water management in the streets requires better attention. Stream outlets into the sea require better management.



Respondent No: 17

Responded At: Jun 27, 2022 18:07:57 pm

Last Seen: Jun 27, 2022 08:02:02 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

The plan appears to be cutting costs which does not meet the vision

Q7. Do you have anything else to share with us?

No



Respondent No: 18

Responded At: Jun27, 2022 2:20:04pm

Last Seen: Jun 27, 2022 12:17:31 pm

IP Address:

- Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes
- Q2. What are we missing from our vision?
not answered
- Q3. Do these values reflect your expectations? Yes
- Q4. What are we missing from our values?
not answered
- Q5. Do these outcomes reflect your expectations? Yes
- Q6. What are we missing from our outcomes?
not answered
- Q7. Do you have anything else to share with us?
not answered



Respondent No: 19

Responded At: Jun28,202206:59:50am

Last Seen: Jun 27, 2022 20:55:54 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

Use plain English. Why do you need to try and sound so clever? Your vision should be to prevent Kapiti from flooding.

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Outcome: Kapiti doesn't flood - ever!

Q7. Do you have anything else to share with us?

I have no idea what you tried to achieve with this, unless it is a box-ticking exercise.



Respondent No: 20

Responded At: Jun28,202210:09:18am

Last Seen: Jun 27, 2022 23:58:36 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

Ensuring Infrastructure maintenance and CAPEX is coordinated; e.g. with roads, and what is the priority of effort?

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

The Values in and of themselves are aspirational and endorsed, but they must not stand alone as a statement of intent. Acting on consultation is key, and as seems to be common place not listening to the Community's wishes appears to override other considerations.

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

Yes. There is too much evidence of infrastructure neglect. There is no point having a Vision and a Plan if it is not adhered to. The pattern emerging across the District is one of neglect, deferment of maintenance and an (unrealistic) expectation that Central Govt will fund or part-fund projects. How is this balanced with the local rates take. We seem to be encouraging development but maintaining infrastructure appears to follow rather than lead. This is not acceptable and compounds the rates increases, in some cases due to poor planning, deferment or over-reliance on other source funding.



Respondent No: 21

Responded At: Jun28,202210:54:05am

Last Seen: Jun 28, 2022 00:15:18 am

IP Address:

- Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes
- Q2. What are we missing from our vision?
not answered
- Q3. Do these values reflect your expectations? No
- Q4. What are we missing from our values?
The views of ratepayers
- Q5. Do these outcomes reflect your expectations? No
- Q6. What are we missing from our outcomes?
Co-governance is not appropriate in all aspects of management of water resources
- Q7. Do you have anything else to share with us?
Water, and the air we breath, are not assets owned by any particular party. Granting voting rights based on racial determination is discriminatory.



Respondent No: 22

Responded At: Jun28,202210:54:34am

Last Seen: Jun 28, 2022 00:52:29 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

There is no stormwater sytem between Te Moana Rd and Rangihiroa St, leading to regular flooding. We are paying rates for stormwater services, yet not receiving this service.



Respondent No: 23

Responded At: Jun28,202212:39:12pm

Last Seen: Jun 28, 2022 02:30:02 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

The vision makes no sense. It doesn't explain what the objective is: Preventing flooding and danger to houses and and people safety?

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Tangible outcomes you are seeking to achieve.

Q7. Do you have anything else to share with us?

Yes. My property at Wimea Road has been subject to multiple floods since December 2021. Draining of wetlands at the rear of my property to enable the building of a number of houses there 30 years ago has been completed with inadequate water egress infrastructure. As a result water accruing there at land slightly higher than mine floods my property. The wooly words of values etc are all very well, but there is little action evident to address the flooding problems at Waikanae Beach area.



Respondent No: 24

Responded At: Jun28,202214:26:18pm

Last Seen: Jun 28, 2022 04:23:26 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

Nothing else.



Respondent No: 25

Responded At: Jun 28, 2022 15:37:23 pm

Last Seen: Jun 28, 2022 05:25:11 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

I think the vision needs to include requirement to work in close co-ordination and co-operation with Greater Wgtn Council, who share responsibilities for water flow and consequently stormwater

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

I think the outcomes definition needs to include the consequences of actions undertaken as stormwater management. These can include unintended consequences (good or bad). There should also be a requirement to ensure that outcomes are measured, reported and tracked in close co-operation with GWC.

Q7. Do you have anything else to share with us?

There is no mention of how a change to the Stormwater Management Framework will make any improvements to the delivery of services. If there is going to be a change, then there must be a demonstrable reason for that change. And the outcomes need to be both measured and reported. Otherwise it is just a paper exercise with no way to justify itself.



Respondent No: 26

Responded At: Jun 28, 2022 17:37:56 pm

Last Seen: Jun 28, 2022 05:58:27 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

please explain the Maori names and their respective ideals



Respondent No: 27

Responded At: Jun 29, 2022 09:24:26 am

Last Seen: Jun 28, 2022 23:04:27 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? No

Q2. What are we missing from our vision?

Consideration of existing residential property owners affected by increased stormwater flooding due to excessive new building including the Kapiti Expressway and very large homes in the storm affected areas. The water table has risen and, as a consequence, increased flooding occurs at times of heavy rain, particularly when that coincides with high tides.

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

Too much concentration on fuzzy ideals and too little attention to factors that really matter.

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

The wording looks perfect for care of newly born babies. In the case of stormwater the desired outcome should merely be to minimise damaging effects of stormwater on existing infrastructure and property; to ensure adequate consideration is given to probable changes in stormwater build-up and flow when considering new planning applications and to take prompt remedial action when new areas of flooding due to stormwater occur.

Q7. Do you have anything else to share with us?

You have a near impossible job with inadequate funds to finance expectations. Every time you prioritise one matter you will please some residents and business owners while disappointing others.



Respondent No: 28

Responded At: Jun 29, 2022 13:28:05 pm

Last Seen: Jun 29, 2022 03:19:36 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? No

Q4. What are we missing from our values?

Governance should be shared by the community as well

Q5. Do these outcomes reflect your expectations? No

Q6. What are we missing from our outcomes?

Community should be included to work as partners as well

Q7. Do you have anything else to share with us?

not answered



Respondent No: 29

Responded At: Jul 03, 2022 09:31:31 am

Last Seen: Jul 02, 2022 23:29:31 pm

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?

not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?

not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?

not answered

Q7. Do you have anything else to share with us?

not answered



Respondent No: 30

Responded At: Jul 03, 2022 10:04:21 am

Last Seen: Jul 03, 2022 00:01:16 am

IP Address:

Q1. Does this vision reflect your aspirations for stormwater management in Kāpiti? Yes

Q2. What are we missing from our vision?
not answered

Q3. Do these values reflect your expectations? Yes

Q4. What are we missing from our values?
not answered

Q5. Do these outcomes reflect your expectations? Yes

Q6. What are we missing from our outcomes?
not answered

Q7. Do you have anything else to share with us?
No

10.3 SEEKING APPROVAL FOR PUBLIC NOTIFICATION OF PROPOSED DISTRICT PLAN CHANGE 2

Kaituhi | Author: **Jason Holland, District Planning Manager**

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

TE PŪTAKE | PURPOSE

- 1 To seek Council's approval to publicly notify Proposed Plan Change 2 ('PC2' or 'the Plan Change') to the Operative Kapiti Coast District Plan 2021 ('the District Plan') under clause 5 of Schedule 1 of the Resource Management Act 1991 ('RMA' or 'the Act').

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 PC2 proposes to amend the District Plan to:
 - 2.1 Incorporate the Medium Density Residential Standards (MDRS) into the General Residential Zone;
 - 2.2 Give effect to policies 3 and 4 of the National Policy Statement on Urban Development (NPS-UD);
 - 2.3 Provide for three new "qualifying matters" in relation to (1) and (2), specifically:
 - 2.3.1 A "Coastal Qualifying Matter Precinct";
 - 2.3.2 Kārewarewa Urupā; and
 - 2.3.3 A "Marae Takiwā Precinct";
 - 2.4 Provide for tangata whenua to develop papakāinga on ancestral land; and
 - 2.5 Amend existing financial contributions provisions to improve their efficiency and effectiveness.
- 3 In December 2021, Government passed the Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021. This legislation requires all Tier 1 councils (including Kāpiti Coast District Council) to amend their district plans to incorporate the MDRS and give effect to policies 3 and 4 of the NPS-UD. To achieve this, Tier 1 councils must prepare a plan change document called an "Intensification Planning Instrument" (IPI), and amend their district plans using a special process called the "Intensification Streamlined Planning Process" (ISPP).
- 4 PC2 is the Council's IPI, and its scope is statutorily defined under s80E of the RMA. In accordance with s80F of the RMA the Council must publicly notify PC2 on or before 20 August 2022.
- 5 In February 2022 Council adopted *Te tupu pai: Growing well*, the Council's growth strategy. PC2 is a key element of the implementation of *Te tupu pai*, and the approach to enabling intensification in urban areas outlined in PC2 is consistent with *Te tupu pai*. PC2 also supports the implementation of other Council plans and strategies, including the Long Term Plan (LTP) 2021 – 2041 and the Housing Strategy.
- 6 The preparation of PC2 has involved the participation of the tangata whenua of the district through Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, and Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga). In particular, the development of the papakāinga provisions was a collaborative effort by tangata whenua and Council to develop provisions that reflect tangata whenua aspirations for the use and development of papakāinga on their ancestral land. Providing for the development of papakāinga will support the connection between tangata

whenua and their ancestral land, and contribute to the social, cultural and economic wellbeing of current and future generations of tangata whenua.

- 7 The constraints placed on Council by the NPS-UD and the Government's amendments to the RMA have limited the ability for the Council to address some of the concerns raised by tangata whenua during the preparation of PC2 regarding the potential impacts of intensification. The Council has explored ways to address some of these concerns through PC2, and has identified that addressing the broader concerns expressed by tangata whenua will require an ongoing effort beyond PC2.
- 8 The development of PC2 has also been informed by the input of the community. The initial scoping of PC2 took into account community feedback on *Te tupu pai*. In April the Council sought public feedback on a full draft of the proposed plan change, with over 200 submitters providing feedback. Evidence of Council consideration of all feedback and amendments made to PC2 in response is provided in Attachment 4.
- 9 PC2 is likely to have a significant impact on the supply of housing enabled by the District Plan. Not only does this better enable the District to provide for housing to meet the current and future needs of the community, but it also promotes more efficient use of the existing urban environment. The level of development enabled by PC2 is likely to lead to a change in character in existing neighbourhoods and urban areas over time. Such a change is anticipated by the NPS-UD, and PC2 includes measures, such as design guides, to support positive change by encouraging high-quality development.
- 10 The level of development enabled by PC2 may impact infrastructure capacity in the long-term. This is a matter that needs to be assessed in more detail as part of the preparation of the Council's next Housing and Business Development Capacity Assessment (HBA) ahead of the next LTP.
- 11 The public notification of PC2 initiates the special ISPP statutory consultation and decision making process, which involves several steps:
 - 11.1 Public submissions on the Plan Change;
 - 11.2 Council summarises decisions requested by submitters;
 - 11.3 Further submissions on the Plan Change;
 - 11.4 An Independent Hearings Panel holds a hearing on the Plan Change;
 - 11.5 The Independent Hearings Panel makes recommendations on the Plan Change to Council;
 - 11.6 Council must publicly notify its decision on whether to accept or reject the recommendations of the Independent Hearings Panel; and either:
 - 11.6.1 Plan Change 2 becomes operative (if Council accepts the recommendations);
or
 - 11.6.2 The Minister for the Environment makes the decision (if the Council rejects the recommendations).
- 12 As directed by the Minister for the Environment, Council must complete Step 6 by 20 August 2023¹.
- 13 The following documents are attached to this paper:
 - 13.1 **Attachment 1:** Intensification Planning Instrument. This is the plan change document that identifies the proposed amendments to the District Plan. Following public notification of PC2, it is the amendments to the District Plan contained in this document on which public submissions can be made.

¹ The direction was published in the New Zealand Gazette on 27 April 2022. See: <https://gazette.govt.nz/notice/id/2022-sl1594?stageDraft>

- 13.2 **Attachments 2 through 28:** Section 32 Evaluation Report. This report has been prepared under s32 of the RMA. Its purpose is to explain the proposed plan change, and examine whether the plan change is the most appropriate means of achieving the purpose of the RMA. Each appendix to the Section 32 Evaluation Report is included as a separate attachment to this paper.

TE TUKU HAEPAPA | DELEGATION

- 14 Section 80F(1) of the RMA requires that the Council notify PC2 on or before 20 August 2022.
- 15 Schedule 1, clause 5 (1)(b)(i) of the RMA requires that if a local authority decides to proceed with a proposed plan change then it must publicly notify the proposed plan change.
- 16 Council has the authority to consider this matter.

→

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council has particular regard to, and endorses the content of, the Section 32 Evaluation Report for Proposed Plan Change 2 (Attachments 2 - 28).
- 1
- B. That Council agrees to proceed with Proposed Plan Change 2 (Attachment 1), and subject to the correction of any minor errors, approves public notification of Proposed Plan Change 2 in accordance with Clause 5 of Schedule 1, to occur on or before 20 August 2022.
- 2
- C. That Council agrees that the date for the close of submissions on Proposed Plan Change 2 is 20 working days after public notification.
- 3
- D. That Council notes that public notice of Proposed Plan Change 2 will be sent to all ratepayers in the district.

TŪĀPAPA | BACKGROUND

THE NEED FOR PC2

- 17 Since the District Plan became operative on 30 June 2021 work has commenced on a series of changes and improvements. In the LTP 2021 – 2041 Council committed to a rolling review programme of changes to the District Plan. PC2 is focussed on urban development and meeting Council's obligations under the National Policy Statement on Urban Development and Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021.
- 18 While PC2 is driven by statutory requirements, it is important to recognise that housing supply is a key resource management issue for the district. The district's population is projected to grow by at least 32,000 people over the next 30 years. At the same time, the Council's Housing and Business Development Capacity Assessment ('HBA') has identified that there is a shortfall in feasible, realisable, plan-enabled development capacity for housing in the district. This shortfall has increased as demand for housing in the district has grown, and the shortfall is currently estimated to be approximately 8,400 dwellings over 30 years².
- 19 As part of addressing this, the Council recently adopted *Te tupu pai, Growing well*, a 30-year growth strategy that outlines the ways in which the Council plans to provide for this growth in a coordinated and sustainable manner, including through the intensification of existing urban areas. PC2 is part of the implementation of *Te tupu pai*, and will contribute to addressing the

² Kāpiti Coast District Council and Greater Wellington Regional Council (2022). *Kāpiti Coast District Council Regional Housing and Business Development Capacity Assessment*. See: https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices_web.pdf

existing shortfall in development capacity by enabling an increase in plan-enabled housing supply in existing urban areas across the District, as well as a small number of new residential areas.

- 20 Housing and the relationship of tangata whenua with their ancestral land is also a significant resource management issue for iwi. Ngāti Toa Rangatira, Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga) and Te Ātiawa ki Whakarongotai, have expressed aspirations that their members are enabled to live closer to or within their ancestral homes and on their ancestral land, and that iwi, hapū and whānau are enabled to develop papakāinga that meet their needs, and reflects their own history, identity, culture, values and connections to the land.

SCOPE OF PC2

- 21 PC2 seeks to address these issues within the statutory scope that is defined and limited by s80E of the RMA. Under this provision, the plan change must:
- 21.1 Incorporate the MDRS; and
 - 21.2 Give effect to policies 3 and 4 of the NPS-UD.
- 22 In addition to this, the plan change may also include:
- 22.1 Provisions to enable papakāinga housing in the District;
 - 22.2 Amendments to financial contributions provisions; and
 - 22.3 Provisions that support or are consequential on incorporating the MDRS or giving effect to policy 3 of the NPS-UD.
- 23 Under s80G(1)(b) of the RMA, the plan change cannot be used for any other purpose.
- 24 PC2 is comprised of three packages of amendments to the District Plan, consistent with the statutory scope of the plan change outlined above. The scope of these packages is outlined in the following paragraphs and described in section 5.0 of the Section 32 Evaluation Report (Attachment 2).

Package 1: housing supply and intensification

- 25 PC2 incorporates the MDRS into the District Plan and gives effect to policies 3 and 4 of the NPS-UD. The scope of this package is as follows:
- 25.1 Incorporating the MDRS into the General Residential Zone. This includes enabling the construction of up to three, 3-storey³ residential units on a site as a permitted activity, with no minimum site sizes.
 - 25.2 Giving effect to policy 3 of the NPS-UD by enabling:
 - 25.2.1 Building heights of up to 40 metres (12-storeys) within the Metropolitan Centre Zone at Paraparaumu;
 - 25.2.2 Building heights of up to 20 metres (6-storeys) within an 800m (10 minute) walkable catchment of the Metropolitan Centre Zone, and the train stations at Paekākāriki, Paraparaumu and Waikanae;
 - 25.2.3 Building heights of up to 21 metres (6-storeys) within the Town Centre Zone at Ōtaki, Ōtaki Railway, Waikanae, Paraparaumu Beach and Raumati Beach;
 - 25.2.4 Building heights of up to 15 metres (4-storeys) within the Local Centre Zone at Waikanae Beach, Kena Kena, Mazengarb Road, Meadows and Raumati South (6-storeys is enabled in Paekākāriki Local Centre Zone because it is located within 800m of Paekākāriki station); and

³ The MDRS requires an 11 metre height limit, except that 50% of a building's roof in elevation may exceed this by 1 metre where the entire roof slopes 15 degrees or more.

- 25.2.5 Building heights of up to 14 metres (4-storeys) within a 400m walkable catchment of the Town Centre Zone, and a 200m walkable catchment of the Local Centre Zone.⁴
- 25.3 As part of incorporating the MDRS and giving effect to policy 4 of the NPS-UD, providing for three new “qualifying matters” including:
- 25.3.1 Providing for a “Coastal Qualifying Matter Precinct”, which is an interim measure intended to maintain the status-quo level of development currently provided for by the District Plan, until the management of coastal hazards is addressed through a future coastal environment plan change;
- 25.3.2 Recognising and providing for Kārewarewa Urupā at Waikanae Beach by adding it as a wāhi tapu site to Schedule 9 of the District Plan; and
- 25.3.3 Providing for a “Marae Takiwā Precinct”, which recognises that the activities that occur at a marae are likely to be sensitive to the effects of surrounding intensification, by providing for the status-quo building heights currently provided for by the District Plan to be maintained around marae.
- 25.4 As part of incorporating the MDRS and giving effect to policy 3 of the NPS-UD, some areas have been rezoned as General Residential Zone, where:
- 25.4.1 they are located next to an urban area that is connected to infrastructure services;
- 25.4.2 they have a relatively low degree of constraints (and any existing constraints can be managed through existing district plan rules);
- 25.4.3 they are not sufficiently large or complex enough to require a “structure planned” approach; and
- 25.4.4 they would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is appropriate to regularise the area into the surrounding zoning pattern.
- 25.5 In order to incorporate the MDRS and give effect to policy 3 of the NPS-UD, existing rules that limit building height, density and minimum allotment size in “special character areas” are removed from the District Plan.
- 25.6 Replacing the existing Medium Density Housing Design Guide with two new design guides, the Residential Design Guide and the Centres Design Guide, which encourage high-quality design of residential and mixed use development. These guidelines function as a matter of discretion for developments in the General Residential and Centres Zones that breach permitted activity standards for buildings.
- 25.7 Replacing all references to the Council’s *Subdivision and Development Principles and Requirements, 2012* document with references to Council’s new *Land Development Minimum Requirements, April 2022*. The *Land Development Minimum Requirements, April 2022* is the Council’s document that outlines the requirements for new or upgraded infrastructure to be provided as part of new development.

Package 2: papakāinga

- 26 PC2 provides for tangata whenua to develop papakāinga on their ancestral land within the District. This includes land held by tangata whenua under Te Ture Whenua Māori Act 1993, and general title land owned by tangata whenua where there is an ancestral connection to the land, and the land will be maintained in Māori ownership.

⁴ An extra metre has been provided for building heights in the centres zones to provide for commercial activities at the ground floor, which typically requires a higher floor-to-floor height than residential activities.

- 27 For the purposes of PC2, papakāinga are defined as *housing and any ancillary activities (including social, cultural, educational, recreational and commercial activities) for tangata whenua on their ancestral land.*
- 28 The papakāinga provisions contained in PC2 are the result of extensive work undertaken with tangata whenua, through Ngāti Toa Rangatira, Ngā Hapū o Ōtāki (Ngāti Raukawa ki te Tonga) and Te Ātiawa ki Whakarongotai.
- 29 The scope of the provisions to enable the development of papakāinga are summarised as follows:
- 29.1 A new Papakāinga Chapter that outlines the objectives and policies for papakāinga across the district.
- 29.2 New rules to provide for the development of papakāinga by tangata whenua on their ancestral land in the following zones:
- 29.2.1 The General Residential Zone;
- 29.2.2 The Town Centre Zone;
- 29.2.3 The General Rural Zone;
- 29.2.4 The Rural Production Zone;
- 29.2.5 The Rural Lifestyle Zone; and
- 29.2.6 The Future Urban Zone.
- 29.3 Rules in the above zones that provide for the development of papakāinga by tangata whenua as:
- 29.3.1 A permitted activity on land held under Te Ture Whenua Māori Act 1993; and
- 29.3.2 A restricted discretionary activity on land held in general title, where it can be demonstrated that there is an ancestral/whakapapa connection to the land, and that the land will remain in Māori ownership.

Package 3: amendments to financial contribution provisions

- 30 PC2 improves the alignment between the existing financial contributions provisions and the requirements for financial contributions outlined in the RMA. The scope of amendments to financial contributions provisions are summarised below:
- 30.1 A new policy clarifies that financial contributions can be taken for the purpose of ensuring positive effects on the environment to offset any adverse effect; and
- 30.2 A new set of general rules for financial contributions provide for matters to be considered when taking financial contributions in instances where the Council's Development Contributions Policy would otherwise not apply.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 31 Proposed PC2, which is the subject of this paper, is an updated version of draft PC2, which was presented to Council on 24 March 2022⁵. The following discussion focusses on how tangata whenua participation and community engagement has informed the development of PC2, and in particular how PC2 has changed in response to feedback received on the draft.

⁵ The development of draft PC2 is discussed in detail in the [Council Meeting Agenda for the 24th of March 2022](https://kapiticoast.infocouncil.biz/Open/2022/03/CO_20220324_AGN_2405_AT_WEB.htm). See: https://kapiticoast.infocouncil.biz/Open/2022/03/CO_20220324_AGN_2405_AT_WEB.htm

- 32 The discussion then concludes by summarising the key impacts that PC2 is likely to have on the wider community.

TANGATA WHENUA PARTICIPATION IN THE DEVELOPMENT OF PC2

- 33 Preparation of PC2 included engagement with tangata whenua through the iwi authorities of Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, and Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga). This is described in section 3.4 of the Section 32 Evaluation Report.
- 34 Prior to developing the scope of PC2, the Council received feedback from tangata whenua as part of the preparation of *Te tupu pai: Growing well* (the District Growth Strategy). This process occurred during late 2021. This feedback provided the Council with a greater understanding of matters of concern to tangata whenua in relation to growth and development, and informed the initial scoping of PC2.
- 35 Engagement with tangata whenua on the preparation of PC2 began in late 2021, with the Council providing an initial scope of PC2 to iwi for their consideration and to facilitate further discussion and participation. Since then, there have been many engagements with tangata whenua, including nine hui and wānanga that have informed the development of PC2.
- 36 The following sections discuss key matters related to the involvement of tangata whenua in the development of PC2.

Development of the papakāinga provisions

- 37 The need for the District Plan to better provide for the development of papakāinga was raised by tangata whenua prior to the development of PC2, including through submissions on the LTP and *Te tupu pai*. Providing for Māori housing solutions is also one of the objectives of the Council's Housing Strategy.
- 38 The papakāinga provisions in PC2 result from a collaborative effort by tangata whenua and Council to develop a set of provisions that reflect tangata whenua aspirations for the use and development of papakāinga on their ancestral land in the District.
- 39 The overall process for developing the papakāinga provisions involved the following:
- 39.1 A general approach to the papakāinga provisions was proposed by tangata whenua based on the provisions for papakāinga contained in the proposed Porirua District Plan.
- 39.2 From this base and after reviewing the papakāinga provisions around the country, tangata whenua developed draft provisions, which included objectives, policies and rules for papakāinga.
- 39.3 Tangata whenua and Council held a series of working hui to refine the draft provisions and discuss substantive and technical issues. These hui enabled the provisions to be refined so that they reflected the concepts and aspirations sought by tangata whenua, while being in a form that could be incorporated into the Kāpiti Coast District Plan.
- 39.4 The refined draft papakāinga provisions were incorporated into draft PC2 for community feedback.
- 40 Tangata whenua have indicated their support for the proposed papakāinga provisions.
- 41 The Council also received eight submissions from the public on the draft papakāinga provisions, most of which indicated general support for the proposed provisions.

Kārewarewa Urupā

- 42 Kārewarewa Urupā is located to the east of the confluence of the Waikanae River and the Waimeha Stream, to the south-east of the Waimeha lagoon, in the area of land around Barrett Drive and Marewa Place in Waikanae Beach. The urupā is predominantly zoned General Residential Zone (the northern corner is zoned Natural Open Space). Approximately half of the residential zoned land has been developed for housing, with the remainder of the area being presently undeveloped. Because the land is zoned General Residential Zone, the

area would ordinarily be subject to the MDRS. The urupā is not currently recognised as a wāhi tapu site in the District Plan.

- 43 The urupā is a significant burial ground for Te Ātiawa ki Whakarongotai and the tangata whenua of the district. The potential for further development at the urupā is a matter of significant concern to Te Ātiawa ki Whakarongotai. The significance of the urupā is also documented in a report published by the Waitangi Tribunal, which traverses the history of the urupā, identifies some Māori and Pākeha who are buried there, the change in ownership of the land, and the changed land-use planning regime associated with the site that has enabled its partial development⁶. Kārewarewa Urupā is discussed further in section 6.1.4 of the Section 32 Evaluation Report.
- 44 The relationship of Te Ātiawa ki Whakarongotai with Kārewarewa Urupā is a matter that the Council must recognise and provide for under s6(e) of the RMA⁷. In light of the concerns raised by Te Ātiawa ki Whakarongotai, and the information contained in the Waitangi Tribunal report, enabling the level of development provided for by the MDRS to occur on the urupā would not be consistent with this obligation. To meet this obligation, PC2 proposes to restrict new land disturbance and development on the urupā, by recognising Kārewarewa Urupā as a wāhi tapu site in Schedule 9 of the District Plan, and in the District Plan maps.
- 45 In their written feedback on draft PC2, Te Ātiawa ki Whakarongotai indicated their support for the proposal to recognise Kārewarewa Urupā as a wāhi tapu site in the District Plan. Ngā Hapū o Ōtaki also provided support for this position in their written feedback.
- 46 Because the proposal to recognise Kārewarewa Urupā as a wāhi tapu site restricts the ability for current and future land owners to disturb or develop the land, feedback was sought from landowners in the area on the proposal, as part of engagement on draft PC2. The Council received 10 submissions on the proposal. Approximately half of these submissions supported the proposal (or supported the intent), but had questions or concerns about their ability to undertake future development, and the future management of the undeveloped portion of the urupā. One submission opposed recognising the urupā as a wāhi tapu site, and the remaining submissions sought further understanding of the proposed provisions. During the process, the Council responded to several queries about the proposed provisions from landowners in the area.
- 47 The Council considered each of the submissions on the proposal to provide for Kārewarewa Urupā as a wāhi tapu site in the District Plan. In light of the concerns raised by Te Ātiawa ki Whakarongotai about further disturbance and development of the urupā, and in light of the information about the urupā contained in Waitangi Tribunal report, the Council considers that the most appropriate course of action is to continue with the proposal to recognise Kārewarewa Urupā as a wāhi tapu site in the District Plan.

Iwi feedback on draft PC2

- 48 Te Ātiawa ki Whakarongotai and Ngā Hapū o Ōtaki provided written feedback on draft PC2. This feedback is included in full in Attachment 3, and is discussed further in section 3.4.4 of the Section 32 Evaluation Report.
- 49 Key matters raised by Te Ātiawa ki Whakarongotai include:
- 49.1 Draft PC2 addresses elements of Ātiawa's input into the District Growth Strategy, including the provision of housing, development focussed around transport hubs, and enabling papakāinga development.
- 49.2 Ongoing engagement is required to ensure that the District Plan gives life to Te Ātiawa's values principles and policies outlined in the Kaitiakitanga Plan.

⁶ The report is also available on the Waitangi Tribunal website. See:

https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_159864078/Karewarewa%20Urupa%20W.pdf

⁷ Which requires that the Council recognise and provide for *the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.*

- 49.3 Support for the inclusion of Kārewarewa Urupā as a wāhi tapu site in the District Plan.
- 50 Key matters raised by Ngā Hapū o Ōtaki include:
- 50.1 Concern that imminent intensification in the Ōtaki area will have more negative impacts on the people of Ngā Hapū o Ōtaki and the taiao than positive;
- 50.2 A range of steps are critical to achieving a well-functioning urban environment before further intensification occurs, including defining the level of growth that can be sustained by waterways and the environment, providing for the development of infrastructure, and better protecting areas of importance to mana whenua (including but not limited to Raukawa marae, Te Wānanga o Raukawa, kohanga and kura, Rangiātea church, and an area of whānau housing close to the marae).
- 50.3 Support for the proposed papakāinga provisions.
- 50.4 Support for steps to increase the protection of the Kārewarewa Urupā.
- 50.5 Ngā Hapū o Ōtaki intend to work towards the protection of a number of wāhi tapu in the Ōtaki area over the coming years.
- 51 In their written feedback on draft PC2, Ngā Hapū o Ōtaki made clear their position that the legislation under which PC2 has been prepared has limited their ability to meaningfully engage in, and for their aspirations to be provided for through, the preparation of PC2. Ngā Hapū o Ōtaki has advised the Council that they have raised these concerns directly with the Ministers of the Crown responsible for the legislation.
- 52 Opportunities to address these concerns have been explored, within the limitations placed on Council by government legislation, to address some of these matters. As a result, draft PC2 has been amended to provide for the following:
- 52.1 A “Marae Takiwā Precinct” has been incorporated into the plan change. This precinct recognises that marae are particularly sensitive to the effects caused by intensification on surrounding sites, including overlooking and increased obstruction of views towards significant maunga. Rather than enabling increased height and density, the precinct retains the current building heights provided for by the District Plan in the area surrounding Raukawa Marae in Ōtaki and Whakarongotai Marae in Waikanae. The precinct also requires the Council to consider the owners of marae as affected persons when considering resource consent applications for development on surrounding sites.
- 52.2 The matters of discretion for development that breaches the MDRS have been strengthened to ensure that effects on cultural values are considered where development is proposed near a site of significance to Māori.
- 53 Addressing the concerns raised by Ngā Hapū o Ōtaki will require ongoing work by Council in partnership with tangata whenua. Future work programmes that provide for this include (but are not limited to):
- 53.1 **Implementation of the National Policy Statement on Freshwater Management.** Work to implement the National Policy Statement on Freshwater Management, in particular the Kāpiti whitua process led by Greater Wellington Regional Council. This process will provide a greater degree of certainty about the capacity and limitations of Kāpiti’s freshwater catchments in relation to the range of different land uses that occur in the District.
- 53.2 **Infrastructure capacity assessment.** The infrastructure capacity assessment undertaken as part of the Council’s next Housing and Business Development Capacity Assessment (HBA) will be prepared ahead of the 2024 LTP. This will identify whether there are any shortfalls in long-term infrastructure capacity needing to be addressed through infrastructure planning.
- 53.3 **Mana whenua district plan change.** The Council intends to prepare a Mana Whenua plan change. The plan change will be scoped and prepared in partnership with tangata

whenua, providing an opportunity for the District Plan to address a range of resource management issues.

COMMUNITY ENGAGEMENT IN THE DEVELOPMENT OF PC2

- 54 Housing was identified as a key issue for the district in the preparation of the 2021-2024 LTP. Through the LTP, the community sought that Council take a bigger role in supporting and enabling housing development. As part of this, the Council committed to updating the District Plan to ensure that the district is enabling sufficient development capacity. PC2 is a key means of achieving this.
- 55 Subsequent to the adoption of the LTP, the Council engaged with the community on the development of *Te tupu pai*, the District Growth Strategy. Consultation with the public on *Te tupu pai* occurred in October-November 2021, and the strategy was adopted by Council in February 2022. The strategy identifies how the District plans to provide for population growth over the next 30 years in a sustainable manner, and includes direction around the location and level of intensification planned for the District's existing urban areas. The level of intensification proposed by PC2 is consistent with *Te tupu pai*.
- 56 Since the development of *Te tupu pai*, the Council has also developed, consulted on and adopted a Housing Strategy. The Housing Strategy responds to community concern about housing and a desire for Council to take a bigger role in housing solutions. It includes objectives to guide Council actions for housing, in partnership with tangata whenua and alongside central government, the private sector, community housing providers and the community. PC2 responds to a number of actions outlined in the Housing Strategy, including through enabling intensification of existing urban areas, providing additional land zoned for residential development, enabling and encouraging a greater range of dwelling typologies, and providing for the development of papakāinga.
- 57 The development of PC2 has taken into account the aspirations of the community embodied in each of these documents. Community engagement on the development of PC2 is discussed further in section 3.5 of the Section 32 Evaluation Report.

Consultation on draft PC2

- 58 On 4 April 2022, the Council released to the public a draft version of PC2, and sought feedback on this over a 4 week period, with submissions closing on 2 May 2022. Because of the scale and significance of the Plan Change, the Council chose to consult on a complete exposure draft of proposed PC2, which also included explanations of the purpose of each proposed change. This enabled the community to see the extent of changes proposed to the District Plan. The Council was one of the few Tier 1 councils to consult on a draft plan change document, with many other councils opting instead to consult on the broader intent of their plan changes through discussion documents.
- 59 Draft PC2 was made publicly available through the Council website, with a dedicated webpage that included the consultation document and instructions on how to provide feedback. Feedback was also sought from the following parties, through e-mail or hardcopy letter correspondence:
- 59.1 The Minister for the Environment;
 - 59.2 The Minister of Housing;
 - 59.3 All territorial authorities within the Wellington Region, the Horowhenua District Council and the Greater Wellington Regional Council;
 - 59.4 Tangata whenua through Ngāti Toa Rangatira, Te Ātiawa ki Whakarongotai, and Ngā Hapū o Ōtaki (Ngāti Raukawa ki te Tonga);
 - 59.5 Owners of land within the proposed Kārewarewa Urupā wāhi tapu areas; and
 - 59.6 Owners of land proposed to be rezoned as General Residential Zone.

- 60 Over 200 submissions were received on draft PC2 from individuals, community groups, businesses and state entities. The Council considered all submissions received from the public, and they have been taken into account as part of the development of PC2. Attachment 4 includes a summary of each submission received, and the Council's response to each submission.
- 61 The following sections provide a summary of the feedback received on the Plan Change, and where appropriate, how draft PC2 was amended in response to this feedback.

Incorporating the MDRS and giving effect to Policy 3 of the NPS-UD

- 62 The majority of public submissions (134) were on the topic of intensification. Overall, community views on the proposed approach to intensification were split evenly between submissions in support and opposition.
- 63 Key themes raised by those opposed to intensification include:
- 63.1 Impacts on local character;
 - 63.2 Impacts on amenity (in particular outdoor living space)
 - 63.3 Potential impacts of coastal hazards on intensification;
 - 63.4 Impacts on trees, vegetation and open space;
 - 63.5 Impacts on development infrastructure capacity (particularly roads, parking and wastewater); and
 - 63.6 Impacts on social infrastructure availability (schools, medical centres, supermarkets).
- 64 The consideration given to these matters is detailed in the response to submissions contained in Attachment 4. The following provides a high-level summary of the response to these matters:
- 64.1 Regarding impacts on character and amenity values, the Council must allow urban environments, including their character and amenity values to develop and change over time, in order to provide for the level of development required by the MDRS and policy 3 of the NPS-UD. Notwithstanding this, where development is proposed of a greater density than the MDRS, the design guides provide a method for ensuring that the effects of development on amenity values are given consideration through the resource consent process. The impacts of PC2 on character and amenity values is discussed in more detail further on in this paper.
 - 64.2 Regarding the potential impacts of coastal hazards on intensification, PC2 recognises this through the Coastal Qualifying Matter Precinct, as well through providing for a range of other natural hazards (such as flood hazard) as existing qualifying matters, by ensuring that existing District Plan provisions that manage these hazards continue to apply.
 - 64.3 Regarding the impacts on trees, vegetation and open space, PC2 provides for trees and ecological sites that are currently protected by the District Plan to continue to be protected as existing qualifying matters. Existing public open space reserves also continue to be provided for, and it is noted that Council is consulting on a proposal to rezone a number of additional areas as Open Space Zone through Plan Change 1L.
 - 64.4 Regarding the impacts on development infrastructure capacity, the level of development enabled by PC2 will impact on the capacity of existing infrastructure. PC2 addresses some of these impacts through the District Plan, however the Council will need to use a range of tools outside of the District Plan, including development contributions, the Council's Infrastructure Strategy and LTP, to ensure that sufficient infrastructure capacity is provided for over the long-term. The impacts of PC2 on infrastructure capacity are discussed in more detail further on in this paper.
 - 64.5 Regarding the availability of social infrastructure, by enabling more people to live within the District's existing urban areas, PC2 supports the viability and growth of existing

social infrastructure and the development of new social infrastructure in those same urban areas.

- 65 Key themes raised by those that supported intensification include:
- 65.1 More housing is needed, in particular a greater variety of housing and more affordable housing;
 - 65.2 More people want to live on the Kāpiti Coast;
 - 65.3 People want to live closer to centres, services and public transport;
 - 65.4 Using the existing urban environment more efficiently helps address broader growth pressures and promotes lower-impact development; and
 - 65.5 PC2 should provide for bigger walkable catchments, and greater levels of intensification in and around centres and rapid transit stops.
- 66 Public feedback on the topic of intensification has led to several changes in the proposed plan change. These include:
- 66.1 Amending a range of existing and proposed policies in the Centres, Mixed Use and Urban Form and Development chapters to improve their clarity and alignment with the requirements of the NPS-UD;
 - 66.2 Submissions on the draft extent of the Residential Intensification Precinct to the south-west of Paraparaumu Metropolitan Centre Zone identified that new footpaths had been constructed in the area that would influence the extent of the walkable catchment. Technical work was undertaken to revise the walkable catchment to recognise the new footpaths, and as a result the proposed Residential Intensification Precinct in this area has been extended;
 - 66.3 Improvements to the proposed design guides, including to recognise and encourage the integration of development with multiple modes of transport, and to recognise the benefits of shading for sun protection;
 - 66.4 Amending the activity status of buildings that breach the restricted discretionary height limit in the Local Centre Zone from non-complying to discretionary; and
 - 66.5 Amendments to ensure that potable water supply and firefighting water supply are provided for new development that occurs in the General Residential Zone at Te Horo Beach⁸.

The Coastal Qualifying Matter Precinct

- 67 PC2 proposes a Coastal Qualifying Matter Precinct, the purpose of which is to maintain the current levels of development provided for by the District Plan in the part of the district that has been identified as being potentially susceptible to coastal erosion hazard, until the management of coastal hazards is addressed through a future coastal environment plan change. The Coastal Qualifying Matter Precinct is discussed further in section 6.1.3 of the Section 32 Evaluation Report.
- 68 The development of a framework for managing coastal hazards is currently being progressed through the Takutai Kāpiti community planning process. The outputs of this process will inform a future coastal environment plan change to provide for the management of coastal hazards.
- 69 12 submissions were received on the Coastal Qualifying Matter Precinct. A number of submitters thought it was a sensible approach, while other submitters thought that the precinct did not go far enough and should be extended to address coastal inundation and tsunami hazard (in addition to coastal erosion hazard). Those submissions that opposed the precinct considered that there was insufficient information to justify the qualifying matter.

⁸ The General Residential Zone at Te Horo Beach is not connected to a Council water supply network.

There was also concern that the precinct may be interpreted as a permanent hazard management solution.

- 70 The consideration that was given to these matters is detailed in the response to submissions contained in Attachment 4. In summary, regarding whether there is sufficient information to justify the qualifying matter, the Jacobs Assessment⁹, which has been used to determine the spatial extent of the precinct, is the best available source of information on coastal erosion hazard in the district, and provides sufficient information to justify the qualifying matter. Regarding whether coastal inundation and tsunami hazard should inform the spatial extent of the Coastal Qualifying Matter Precinct, it was not considered necessary to do so on the basis that both these matters are addressed through existing District Plan provisions.
- 71 To address concerns around the interpretation of the purpose of the precinct, the description of the precinct has been amended to clarify that the precinct is intended as an interim measure, and that the provisions associated with it will be reviewed as part of the future coastal environment plan change process.

New areas of General Residential Zone

- 72 As part of incorporating the MDRS and giving effect to policy 3 of the NPS-UD, some smaller areas are proposed to be rezoned as General Residential Zone, where:
- 72.1 they are located next to an urban area that is connected to infrastructure services;
 - 72.2 they have a relatively low degree of constraints (and any existing constraints can be managed through existing district plan rules);
 - 72.3 they are not sufficiently large or complex enough to require a “structure planned” approach; and
 - 72.4 they would provide a notable contribution to plan-enabled housing supply, or where this is not the case, re-zoning is appropriate to regularise the area into the surrounding zoning pattern.
- 73 There were 41 submissions on the proposal to rezone these areas as General Residential Zone, a majority of which supported the proposals.
- 74 Eight submissions opposed the proposal. Some submitters considered certain areas could be better used for commercial development or open space purposes. Some landowners in the Waikanae Future Urban Zone at 174-211 Ngarara Road expressed concerns about the impact of development on the character of the area, and capacity of roads and infrastructure to accommodate growth.
- 75 The consideration that was given to these matters is detailed in the response to submissions contained in Attachment 4. In summary, it is considered that residential development is a more appropriate use of these areas than commercial development or open space. It is noted that new residential development will be required to incorporate, or provide financial contributions towards the provision of, open space. Further, development in these areas will generally require a subdivision resource consent prior to occurring. This process, on top of development contributions required for new development, will enable the impacts of new development on infrastructure capacity to be addressed.
- 76 Several submissions sought that additional land be included in the General Residential Zone beyond the areas identified as part of draft PC2. In a number of instances, the information provided by submitters demonstrated that the area proposed met the considerations outlined in paragraph 0 above. As a result, the following additional areas have been included in proposed PC2:
- 76.1 An area of land currently zoned Future Urban Zone at 269-289 Ngarara Road (to the north of the Kāpiti Expressway);

⁹ Jacobs (2022), *Kāpiti Coast Coastal Hazards Susceptibility and Vulnerability Assessment Volume 2: Results*. See: <https://www.kapiticoast.govt.nz/media/pwynpxj1/coastal-hazard-technical-assessment-technical-report-volume-2-report.pdf>

- 76.2 An area of land currently zoned Open Space Zone (Private Recreation and Leisure Precinct) at 18 Huiawa Street, Waikanae Beach; and
- 76.3 An area of land currently zoned Rural Lifestyle Zone at 106-128 Milne Drive, Paraparaumu (this is an extension of the proposal to rezone an area of land at 132-188 Milne Drive).
- 77 A high-level estimate of the theoretical plan-enabled residential development capacity of the new areas of General Residential Zone proposed as part of draft PC2 was approximately 1,300 dwellings. It is estimated the additional areas identified above would enable 140-150 additional dwellings on top of this.

POTENTIAL IMPACTS OF PC2

- 78 The following sections summarise the key potential impacts of proposed PC2.

Development capacity

- 79 To provide for projected population growth, there is a long-term demand (out to 2051) for an additional 16,200 dwellings to be built across the District.
- 80 The Council has undertaken high-level modelling to estimate the additional theoretical residential development capacity that could be enabled by PC2¹⁰. This is summarised in the following table:

	Additional theoretical plan-enabled residential development capacity (additional dwellings)	% of capacity that needs to be feasible and realisable in order to meet long-term demand
Existing District Plan (see note 1)	17,983	90% (see note 2)
Proposed Plan Change 2 – Infill Scenario (see note 3)	46,813	34.6% (see note 5)
Proposed Plan Change 2 – Redevelopment Scenario (see note 4)	164,020	9.9% (see note 5)

Notes:

Note 1: The additional theoretical plan-enabled residential development capacity under the Operative District Plan is outlined in Council's current Housing and Business Development Capacity Assessment (HBA)¹¹.

Note 2: The Council's current HBA identifies that approximately 43% of plan-enabled residential development capacity is feasible and realisable.

Note 3: The "Infill Scenario" is based on high-level modelling undertaken as part of the preparation of PC2, and assumes that existing buildings are retained as part of development of the site.

Note 4: The "Redevelopment Scenario" is based on high-level modelling undertaken as part of the preparation of PC2, and assumes that existing buildings are removed as part of the redevelopment of the site.

Note 5: These figures represent the amount of additional theoretical development that would need to be feasible and realisable in order to meet long term demand. These figures do not represent assessed feasibility and realisability.

¹⁰ Note that this modelling is high-level only and will be superceded by modelling prepared for the Council's next review of the HBA, which will be undertaken prior to the 2024 Long-term Plan.

¹¹ See: https://wrlc.org.nz/wp-content/uploads/2022/05/HBA-Chapt-5-KCDC-with-Appendices_web.pdf

- 81 Under the existing District Plan (i.e. not accounting for PC2), a significant proportion (90%) of additional plan-enabled residential development capacity needs to be realised in order to meet long-term demand for housing. For a range of reasons, including site constraints, market conditions and developer/landowner preferences, not all plan-enabled development capacity is feasible or realisable. The feasibility modelling outlined in the Council's current Housing and Business Development Capacity Assessment (HBA) indicates that about 43% of additional plan-enabled residential development capacity is likely to be realised over the long-term. Because this is less than what is required to meet demand, there is an anticipated shortfall of around 8,400 dwellings over the long-term.
- 82 PC2 enables a significant increase in additional plan-enabled residential development capacity. This increases the likelihood that the District Plan will enable sufficient feasible and realisable development capacity to meet long term demand within existing urban areas (and the small number of areas proposed to be rezoned as part of PC2). This contributes to one of the key benefits of PC2, which is enabling more efficient use of the district's urban areas.
- 83 The above analysis is based on high-level modelling. The Council's next HBA, which must be prepared in time to inform the development of the 2024 LTP, will provide a more accurate picture of the impact of PC2 on enabling development capacity. Notwithstanding this it is likely that PC2 will contribute significantly to reducing the shortfall in development capacity over the long-term. To the extent that this occurs, this would potentially reduce the extent to which Council may be required to initiate changes to the District Plan to enable further development in "greenfield" areas (although the Council must still be responsive to private plan change requests that would add significantly to development capacity, and contribute to well-functioning urban environments).

Character and amenity in the urban environment

- 84 The level of development enabled by PC2 is likely to contribute to a change in character in the District's urban environments over time. This is consistent with the overall thrust of the NPS-UD. In particular, Objective 4 of the NPS-UD states:
- New Zealand's urban environments, including their amenity values, develop and change over time in response to the diverse and changing needs of people, communities, and future generations.*
- 85 Based on this, it is an expectation of the NPS-UD that the District Plan enable urban environments to develop and change over time in order to provide for the changing needs of the current and future community.
- 86 PC2 provides for this by amending the objectives, policies and rules in the District Plan that seek to maintain or retain existing character and amenity values in urban environments, where these are inconsistent with the requirement to incorporate the MDRS and give effect to policy 3 of the NPS-UD.
- 87 An example of this are the amendments to the policies and rules associated with "special character areas". Special character areas are located at Paekākāriki, Raumati Beach, Waikanae Garden Precinct, Waikanae Beach and Ōtaki Beach. These areas comprise approximately 13% of the District's General Residential Zone. The purpose of the policies and rules for special character areas in the District Plan is to "protect" or "retain" the existing character of these areas primarily through restricting development density. Such an approach is inconsistent with the requirement to incorporate the MDRS and give effect to policy 3 of the NPS-UD and is inconsistent with Objective 4 of the NPS-UD. As part of incorporating the MDRS and giving effect to policy 3 of the NPS-UD, PC2 proposes to remove the rules that restrict density in these areas¹². This is discussed further in section 6.1.6 of the Section 32 Evaluation Report.

¹² Except within the Coastal Qualifying Matter Precinct, based on the principle that the precinct is an interrim measure to maintain the current level of development provided for by the operative District Plan.

88 Higher density development can have adverse impacts on neighbourhoods where development is ill-considered or poorly designed. Council is able to give consideration to amenity values and encourage high-quality development through resource consents for developments that exceed the level of development permitted by the MDRS or policy 3 of the NPS-UD. PC2 achieves this by:

88.1 Including new design guides in the District Plan. The design guides outline principles and guidelines for achieving high quality design for higher-density development. The design guides provide guidance on a range of matters, including:

88.1.1 Site layout (including connectivity; access and parking¹³; private, communal and public open space; and storage, waste and service areas);

88.1.2 Built form and appearance (including building mass and height; materials and façade articulation; building entrances; and response to context); and

88.1.3 Amenity and sustainability (including landscape treatment and design; sunlight, daylight and wind; energy efficiency; and privacy and safety).

Two design guides are proposed, a Residential Design Guide and a Centres Design Guide, recognising development in the General Residential Zone is likely to be residential only, whereas development in the Centres Zones is likely to be mixed use. The design guides only apply to higher-density development¹⁴ that requires a resource consent, and are given statutory weight as a matter of discretion under rules proposed by PC2. The proposed design guides are contained in Appendix C and D of PC2 (Attachment 1).

88.2 Requiring higher density development to give consideration to identified values in special character areas. PC2 removes the rules that restrict development density in existing special character areas. As a result, the level of development provided for by the MDRS and policy 3 of the NPS-UD will be permitted in these areas. However, the policies for these areas have been amended to require that where development exceeds the level of development permitted by the MDRS or policy 3 of the NPS-UD, the development needs to consider the identified values that have contributed to the character of these areas, which includes the relationship of development to existing landforms and (in some cases) vegetation and historic subdivision pattern.¹⁵

Infrastructure

89 The demands of projected population growth in the district over the next 30 years will impact the capacity of existing infrastructure, as well as the demand for new infrastructure. The Council's current HBA identifies that there is sufficient existing or planned infrastructure capacity to cater for growth in the short-medium-term (10 years). The impact of PC2 on long-term infrastructure capacity will be quantified as part of the Council's next review of the HBA, and any shortfalls identified would need to be considered as part of Council's on-going infrastructure planning processes, including the Council's Infrastructure Strategy and LTP.

90 Provisions proposed as part of PC2, as well as Council methods that sit outside of the District Plan, seek to manage the impact of new development on infrastructure capacity. These include:

90.1 Development contributions and financial contributions. All new development, even where a resource consent is not needed, is required to pay development contributions (under the Council's Development Contributions Policy) and/or Financial Contributions

¹³ The access and parking considerations contained in the design guides will only apply where developments are required by the District Plan to provide on-site accessible parking, or where developers choose to provide on-site parking.

¹⁴ The design guides do not apply to papakāinga development enabled by PC2. As part of the policies for papakāinga proposed by PC2, the Council will actively partner with tangata whenua to prepare separate design guides for papakāinga.

¹⁵ The policies referenced here are identified as policies GRZ-P4, GRZ-P5 and GRZ-P6 in PC2. Because these policies only apply to development that exceeds the level of development permitted by the MDRS or policy 3 of the NPS-UD, they do not prevent the level of development permitted by the MDRS or policy 3 of the NPS-UD from being achieved. Additionally, because these policies require *consideration*, it is possible to undertake development that exceeds the levels of development permitted by the MDRS or policy 3 of the NPS-UD, so long as the matters outlined in the policies have been given due consideration as part of the design of the development.

(under the District Plan's Financial Contributions provisions) to contribute to the upgrading of existing infrastructure, the development of new infrastructure and the provision of reserves;

- 90.2 **Council's Land Development Minimum Requirements.** All new development must meet the requirements of the Council's Land Development Minimum Requirements, April 2022¹⁶. This is the Council's technical document that sets out minimum standards when designing and constructing infrastructure assets that support new development in the District. This document has been recently updated to provide for matters relevant to medium density development.
- 91 Some parts of the District's General Residential Zone (where the MDRS and policy 3 of the NPS-UD are required to be applied) are not connected to the Council's reticulated wastewater network. These areas are:
- 91.1 Paekākāriki;
 - 91.2 Peka Peka Beach; and
 - 91.3 Te Horo Beach.
- 92 In general, wastewater treatment and disposal in these areas is managed through septic tanks or similar systems on a site-by-site basis.
- 93 A lack of infrastructure is not a prescribed qualifying matter under the RMA. The Council sought advice on whether a lack of infrastructure could be considered as an "other" qualifying matter. Given the strong focus of the NPS-UD on providing infrastructure to enabled development capacity, it was considered that in order to treat a lack of infrastructure as a qualifying matter, a strong evidence base would be required to demonstrate that providing infrastructure to an area would lead to an absurd or illogical outcome. After seeking advice on this matter, the Council found that it would be possible to plan for reticulated wastewater infrastructure to service these areas (although such an undertaking involves risk and uncertainty that would need to be resolved, and would require time and resources to be realised). On this basis, it was determined that there was not a sufficient basis to consider a lack of infrastructure as a qualifying matter. This is discussed further in section 6.1.6 of the Section 32 Evaluation Report.
- 94 Until such time as these areas are connected to reticulated infrastructure, rules associated with wastewater servicing in both the District Plan and the Regional Plan, alongside the requirements of the New Zealand Building Code, will place practical constraints on the level of development likely to be realised in these areas.

Papakāinga

- 95 The objectives, policies and rules that provide for tangata whenua to develop papakāinga on their ancestral land are anticipated to provide for a range of positive impacts for the social, cultural and economic wellbeing of tangata whenua. These include:
- 95.1 Strengthening the connections between tangata whenua and their ancestral land;
 - 95.2 Enabling tangata whenua to live on and be sustained by their ancestral land, in accordance with kaupapa and tikanga Māori;
 - 95.3 Improving the access that tangata whenua have to affordable, warm, dry and safe housing in their own communities, with secure tenure that better enables tangata whenua to participate in their community;
 - 95.4 Removing barriers that tangata whenua face to the development of papakāinga on their ancestral land;

¹⁶ This document has been recently updated, and was formerly referred to as the *Subdivision and Development Principles and Requirements 2012*.

- 95.5 Providing for tangata whenua to exercise greater control over the use and development of ancestral land;
- 95.6 Increasing the visibility of tangata whenua in their communities and the wider District through the development of papakāinga; and
- 95.7 Enabling tangata whenua to exercise kaitiakitanga over their ancestral land, through papakāinga development.
- 96 However, it may take time for the papakāinga provisions to have an impact on tangata whenua particularly if other challenges to their development are not identified and steps taken to address them. While PC2 provides for the development of papakāinga, the Council may need to explore opportunities outside of the District Plan to support tangata whenua to develop papakāinga. This could include (but may not be limited to)
- 96.1 Considering the role that the LTP (and the Council policies that sit under the LTP) can play in supporting and enabling tangata whenua to develop papakāinga;
- 96.2 Considering the role that the range of other Council strategies and plans can play in supporting the development of papakāinga; and
- 96.3 Providing support and advice to tangata whenua on development processes.

Ngā kōwhiringa | Options

- 97 The evaluation of options considered as part of the preparation of PC2 is outlined in section 8.0 of the Section 32 Evaluation Report (Attachment 2).

Tangata whenua

- 98 Please refer to paragraphs 0 to 0 for the discussion on tangata whenua participation in the development of PC2.

Panonitanga āhuarangi | Climate change

- 99 Climate change is a particular matter that has been considered in the preparation of draft PC2. In particular, Objective 8 of the NPS-UD requires that:

urban environments:

- (a) support reductions in greenhouse gas emissions; and*
(b) are resilient to the current and future effects of climate change.

- 100 PC2 recognises the issue of climate change by:
- 100.1 enabling a greater degree of development within existing urban environments that are well serviced by public and active modes of transport, or have access to commercial activities and community facilities;
- 100.2 enabling more efficient land use and development in existing urban areas;
- 100.3 providing for a “Coastal Qualifying Matter Precinct” in the part of the District that has been identified as potentially susceptible to coastal erosion hazard, which is a hazard influenced by the effects of climate change; and
- 100.4 including design guides that promote energy efficient design and provision for active modes of transport as part of higher density development.

Ahumoni me ngā rawa | Financial and resourcing

- 101 Resourcing for an urban development plan change was provided for in Council’s LTP.
- 102 Over time, the increased level of development enabled by PC2 will lead to increased demands on the District’s transport, wastewater, stormwater, potable water supply and open space infrastructure. A corresponding investment in maintaining and upgrading existing infrastructure, as well as developing new infrastructure, will be required to meet the demands

of increased levels of development and a growing population. Costs associated with increased investment in infrastructure are managed through development contributions (under the Council's Development Contributions Policy), financial contributions under the District Plan, and through future Long-Term Plan infrastructure planning processes.

Ture me ngā Tūraru | Legal and risk

- 103 PC2 is an Intensification Planning Instrument (IPI) under the RMA. This is a novel planning instrument that has not been used before, and can only be used once. As a result, there is no precedent for how an IPI should be prepared.
- 104 Because of this, the primary legal risk associated with the preparation of PC2 has been determining the correct interpretation of the provisions of the Act that define the statutory scope of the plan change (specifically, what must be included, what may be included, and what cannot be included). To mitigate this risk, the Council has sought legal advice on the interpretation of these provisions and has taken this advice into account when preparing PC2 and the Section 32 Evaluation Report.
- 105 The Council must use the Intensification Streamlined Planning Process (ISPP) to process PC2. The Council is required to have substantively completed this process by 20 August 2023. This is a relatively short amount of time for a plan change of this nature. Should there be a large quantity of submissions, or a high degree of complexity in submissions, there is a risk that this timeframe could become unreasonable. If this is the case, the Council may be required to seek an extension of the timeframe from the Minister for the Environment.
- 106 Under the ISPP there is no scope to appeal any decision or action taken by the Council or the Independent Hearings Panel as part of the preparation of PC2 to the Environment Court (Schedule 1 clause 107 of the RMA). However, the right to seek a judicial review is preserved (Schedule 1 clause 108 of the RMA).

Ngā pānga ki ngā kaupapa here | Policy impact

- 107 PC2 supports the implementation of a range of Council strategies, plans and policies, including:
 - 107.1 **The LTP 2021-2024.** PC2 assists with achieving the Community Outcomes identified in the LTP, in particular Outcome 5: Our people have access to suitable housing in Kāpiti so that they can live and thrive.
 - 107.2 **Te tupu pai: Growing Well, the District Growth Strategy.** PC2 is a key action as part of implementing Te tupu pai, and PC2 is consistent with the direction for growth outlined in Te tupu pai.
 - 107.3 **The Housing Strategy.** PC2 assists the Council with achieving all five objectives for housing outlined in the Housing Strategy.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 108 The Council's Significance and Engagement Policy does not apply to engagement or consultation processes that are required under the RMA.
- 109 PC2 is subject to a special "Intensification Streamlined Planning Process" outlined in amendments to Schedule 1 of the RMA. The RMA requires that the Council publicly notify PC2 on or before 20 August 2022. As described below, public notification of PC2 initiates a statutory consultation and decision making process comprised of several steps.

Step	Timeframe
<p>Step 1: Public submissions.</p> <p>Once the Plan Change is notified, the public may make submissions on the Plan Change under clause 6 of Schedule 1 of the RMA.</p>	<p>Closing date for submissions must be at least 20 working days after public notification (clause 5(3)(b) of Schedule 1).</p>
<p>Step 2: Summary of submissions.</p> <p>Following the closing date for submissions, Council must summarise the submissions and the decisions requested by submitters, and then publicly notify the summary.</p>	<p>No statutory timeframe. The amount of time required will vary depending on the quantity and complexity of submissions.</p>
<p>Step 3: Further submissions.</p> <p>Some people or groups (including Council) can make further submissions on the Plan Change.</p>	<p>No more than 10 working days after public notification of summary of submissions (clause 7(1)(c) of Schedule 1).</p>
<p>Step 4: Hearing by Independent Hearing Panel.</p> <p>Following any pre-hearing dispute resolution that may occur, the Independent Hearing Panel (IHP) conducts a hearing of submitters who wish to be heard.</p>	<p>No statutory timeframe, except that the panel must give at least 10 working days notice of the place and time of the hearing (clause 8B of Schedule 1).</p>
<p>Step 5: IHP makes recommendations.</p> <p>Following the hearing, the IHP must make recommendations on the Plan Change in a written report.</p>	<p>No statutory timeframe.</p>
<p>Step 6: Council decision on IHP recommendations.</p> <p>Following receipt of the recommendations from the IHP, Council must decide whether to accept or reject the recommendations of the IHP. Council must then publicly notify its decision(s).</p>	<p>Council must notify its decision(s) on or before 20 August 2023.</p>
<p>Step 7 (if Council <i>accepts</i> IHP recommendations): Plan change becomes operative.</p> <p>If Council accepts all decisions made by the IHP, then the Plan Change (as altered by the recommendations) becomes operative once Council notifies its decisions.</p>	<p>Aligns with step 6.</p>
<p>Step 7 (if Council <i>rejects</i> IHP recommendations): Ministerial decision on rejected recommendations.</p> <p>If Council rejects any or all of the recommendations made by the IHP, then the rejected recommendations are sent to the Minister for the Environment, who makes the decision. Once the Minister notifies their decision, the Plan Change (as altered by the recommendations that are accepted by the Minister) becomes operative.</p>	<p>No statutory timeframe.</p>

110 A key decision for the Council is the time for submissions under Step 1. The minimum statutory timeframe for submissions is 20 working days, however it can be extended to a greater amount of time, at the Council's discretion.

111 It is recommended that the Council proceed with a 20 working day submission period for the following reasons:

111.1 Council is bound to complete step 6 on or before 20 August 2023, regardless of how much time is spent on earlier steps in the process. Providing for an extended

submission period at step 1 risks constraining the amount of time available for the remaining steps in the process (in particular the hearing and any pre-hearing dispute resolution).

- 111.2 Because Council recently consulted with the public on a full exposure draft of PC2 (rather than a discussion document), the community has already had a reasonable opportunity to become familiar with PC2 and provide feedback on it. In addition to this, Council also consulted with the public on the development of Te tupu pai, which is implemented in part by PC2.
- 112 Council will proactively communicate its decision to notify PC2 to the public, to encourage public awareness of proposed PC2 prior to it being publicly notified.

Whakatairanga | Publicity

- 113 The publicity required for a plan change notified under Schedule 1 of the RMA is outlined under clause 5 of that Schedule, to be read in conjunction with Section 2AC of the Act.
- 114 Under clause 5(1A) of Schedule 1 of the RMA, Council is required to either:
- (a) *send a copy of the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, to every ratepayer for the area of the territorial authority where that person, in the territorial authority's opinion, is likely to be directly affected by the proposed plan; or*
 - (b) *include the public notice, and such further information as the territorial authority thinks fit relating to the proposed plan, in any publication or circular which is issued or sent to all residential properties and Post Office box addresses located in the affected area.*
- 115 Because of the scale of proposed PC2, and the fact that it potentially affects all land in the urban environment as well as the majority of the rural environment (in relation to the papakāinga provisions), to satisfy the requirements of clause 5(1A), staff intend to exercise their delegated authority to send a copy of the public notice to all ratepayers in the District.
- 116 Clause 5() requires Council to send a copy of the proposed plan change to:
- 116.1 The Minister for the Environment;
 - 116.2 All territorial authorities within the Wellington Region, the Horowhenua District Council and the Greater Wellington Regional Council; and
 - 116.3 Iwi authorities.
- 117 Clause 5(5) relates to the availability of plan change documents at libraries and other places (e.g., service centres). In response to COVID, in 2020 Section 2AC was introduced to the RMA enabling councils to satisfy this requirement by:
- 117.1 Making proposed plan changes available in electronic form free of charge on an internet site; and
 - 117.2 Providing advice on how proposed plan changes may be obtained or accessed.
- 118 Consistent with Section 2AC of the RMA, PC2 will be made available on Council's website, and advice on how to access PC2 will be provided through the public notice and via a range of other communications. As noted above, this public notice will be sent to all ratepayers in the District.

NGĀ ĀPITIHANGA | ATTACHMENTS

1. Attachment 1 - Proposed Plan Change 2 (Intensification) (under separate cover) [⇒](#)
2. Attachment 2 - Section 32 Evaluation Report for Proposed Plan Change 2 (Intensification) (under separate cover) [⇒](#)
3. Attachment 3 - Appendix A to Section 32 Evaluation Report - Written feedback received from iwi authorities on Draft PC2 (under separate cover) [⇒](#)
4. Attachment 4 - Appendix B to Section 32 Evaluation Report - Summary of Public Feedback on Draft PC2 (under separate cover) [⇒](#)
5. Attachment 5 - Appendix C to Section 32 Evaluation Report - Summary of Proposed Amendments to the District Plan (under separate cover) [⇒](#)
6. Attachment 6 - Appendix D to Section 32 Evaluation Report - Schedule of Existing Qualifying Matters (under separate cover) [⇒](#)
7. Attachment 7 - Appendix E to Section 32 Evaluation Report - Spatial Application of NPS_UD Intensification Policies (Boffa Miskell, 2022) (under separate cover) [⇒](#)
8. Attachment 8 - Appendix F to Section 32 Evaluation Report - Kāpiti Coast Intensification Evaluation: Bulk and location analysis (Boffa Miskell, 2021) (under separate cover) [⇒](#)
9. Attachment 9 - Appendix G to Section 32 Evaluation Report - Beach Residential Precincts - Paekākāriki: Character Assessment Update (Urban Perspectives in association with Boffa Miskell, 2022) (under separate cover) [⇒](#)
10. Attachment 10 - Appendix H to Section 32 Evaluation Report - Beach Residential Precincts – Raumati: Character Assessment Update (Urban Perspectives in association with Boffa Miskell, 2022) (under separate cover) [⇒](#)
11. Attachment 11 - Appendix I to Section 32 Evaluation Report - Beach Residential Precincts – Waikanae Beach: Character Assessment Update (Urban Perspectives in association with Boffa Miskell, 2022) (under separate cover) [⇒](#)
12. Attachment 12 - Appendix J to Section 32 Evaluation Report - Beach Residential Precincts – Ōtaki: Character Assessment Update (Urban Perspectives in association with Boffa Miskell, 2022) (under separate cover) [⇒](#)
13. Attachment 13 - Appendix K to Section 32 Evaluation Report - Waikanae Garden Precinct: Character Assessment (Urban Perspectives in association with Boffa Miskell, 2022) (under separate cover) [⇒](#)
14. Attachment 14 - Appendix L to Section 32 Evaluation Report - Kāpiti Coast Urban Development Intensification Assessment (Boffa Miskell, 2022) (under separate cover) [⇒](#)
15. Attachment 15 - Appendix M to Section 32 Evaluation Report - Assessment of Kāpiti Coast Residential Intensification Area Feasibilities (Property Economics, 2022) (under separate cover) [⇒](#)
16. Attachment 16 - Appendix N to Section 32 Evaluation Report - Kāpiti Coast Urban Development Greenfield Assessment (Boffa Miskell, 2022) (under separate cover) [⇒](#)
17. Attachment 17 - Appendix O to Section 32 Evaluation Report - Waikanae Future Urban Zone High-level Issues Analysis (Boffa Miskell, 2022) (under separate cover) [⇒](#)
18. Attachment 18 - Appendix P to Section 32 Evaluation Report - Kāpiti Coast District Council – Intensification Plan Change Infrastructure Input – Stormwater (Memo) (Awa Environmental, 2022) (under separate cover) [⇒](#)
19. Attachment 19 - Appendix Q to Section 32 Evaluation Report - Paekākāriki, Peka Peka and Te Horo Wastewater Servicing Assessment (Aecom, 2022) (under separate cover) [⇒](#)
20. Attachment 20 - Appendix R to Section 32 Evaluation Report - The Kārewarewa Urupā Report (Waitangi Tribunal, 2020) (under separate cover) [⇒](#)
21. Attachment 21 - Appendix S to Section 32 Evaluation Report - Kāpiti Coast Papakāinga Commercial Land Use Economic Memorandum (Property Economics, 2022) (under separate cover) [⇒](#)
22. Attachment 22 - Appendix T to Section 32 Evaluation Report - Marae Takiwā Precinct Studies (Boffa Miskell, 2022) (under separate cover) [⇒](#)
23. Attachment 23 - Appendix U to Section 32 Evaluation Report - Alternative Sources of Information Considered for the Coastal Qualifying Matter Precinct (under separate cover) [⇒](#)

24. Attachment 24 - Appendix V to Section 32 Evaluation Report - Schedule of proposed new areas of General Residential Zone (under separate cover) [⇨](#)
25. Attachment 25 - Appendix W to Section 32 Evaluation Report - Spatial extent of proposed additions to Schedule 9 of the District Plan (Wāhi tapu) (under separate cover) [⇨](#)
26. Attachment 26 - Appendix X to Section 32 Evaluation Report - Proposed document to be incorporated by reference: Land Development Minimum Requirements, April 2022 (under separate cover) [⇨](#)
27. Attachment 27 - Appendix Y to Section 32 Evaluation Report - Record of changes made to the Subdivision and Development Principles and Requirements, 2012, through the Land Development Minimum Requirements, April 2022 (under separate cover) [⇨](#)
28. Attachment 28 - Appendix Z to Section 32 Evaluation Report - Alternatives considered to including the Land Development Minimum Requirements, April 2022 as a document incorporated by reference (under separate cover) [⇨](#)

10.4 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

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

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 28 June 2022 to 5 July 2022.

HE WHAKARĀPOPOTO | 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 28 June 2022 to 5 July 2022, Standing Committee and Community Board meetings took place on the following dates:

Paekākāriki Community Board	28 June 2022
Paraparaumu-Raumati Community Board	5 July 2022

- 5 Items discussed at each of the meetings listed in paragraph 4 are noted below:
 - 5.1 On 28 June 2022 the Paekākāriki Community Board met to discuss:
 - Update on Proposed Weigh Station/Commercial Vehicle Safety Centre
 - Takutai Kāpiti Update and introductions from the Coastal Advisory Panel
 - Consideration of applications for funding
 - Confirmation of minutes
 - Matters under action
 - 5.2 On 5 July 2022 the Paraparaumu-Raumati Community Board met to discuss:
 - Takutai Kāpiti Update and introductions from the Coastal Advisory Panel
 - Road Naming – 2 Ventnor Drive – Subdivision
 - Consideration of applications for funding
 - Confirmation of minutes
 - Matters under action

- 6 In addition, the following meetings took place:

Kāpiti Coast Older Persons' Council	29 June 2022
Kāpiti Coast Youth Council	4 July 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 Older Persons' Council met to discuss:

- Mother's Day Project
- Cycleways, Walkways, and Bridleways Board Feedback

7.2 On 4 July 2022 the Youth Council met to discuss:

- Work Ready Kāpiti
- 22/23 Programme of Work – Careers Day, Festival for the Future, Councillor Breakfast, Kāpiti Youth Enviro Summit, Recruitment, Te Wiki o Te Reo Māori, Camp, End of Year Dinner, Pickle Pot Be-In
- Other projects for consideration – Intergenerational Project with Age Concern, Youth Week (May 2023), Ngahere Hoa i Kāpiti, Zeal Nights
- Council/externally led projects to support as required – Maclean Park refresh, Te Uruhi, Paraparaumu Transport Hub, Waikanae Service Centre, Otaki Youth Space, Electoral Commission - Enrol to Vote, Annual Plan Submission
- Youth Council Coordinator Role
- KCDC Economic Development – Learning Hub Project
- Projects – Careers Day

HE KŌRERORERO | DISCUSSION

He take | Issues

8 Within the reports and recommendations considered by Standing Committees and Community Boards from 28 June 2022 to 5 July 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: Anna Smith, Democracy Services Advisor

Authoriser: Janice McDougall, Group Manager People and Partnerships

Taunakitanga | Recommendations

That the minutes of the Council meeting of 23 June 2022 be accepted as a true and correct record.

That the minutes of the Council meeting of 30 June 2022 be accepted as a true and correct record.

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

APPENDICES

1. Confirmation of minutes - 23 June 2022 [↓](#)
2. Confirmation of minutes - 30 June 2022 [↓](#)
3. Confirmation of minutes - 7 July 2022 [↓](#)

COUNCIL MEETING MINUTES

23 JUNE 2022

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 23 JUNE 2022 AT 2.30PM**

PRESENT: Deputy Mayor Janet Holborow, Cr James Cootes, Cr Jackie Elliott, Cr Gwynn Compton, Cr Jocelyn Prvanov, Cr Martin Halliday, Cr Sophie Handford, Cr Robert McCann

IN ATTENDANCE: Tim Power, Dianne Andrew

APOLOGIES: Nil

**LEAVE OF
ABSENCE:** Nil

1 WELCOME

The Deputy Mayor welcomed everyone to the meeting.

2 COUNCIL BLESSING

The Council blessing was not read.

3 APOLOGIES

APOLOGY

RESOLUTION CO2022/70

Moved: Cr James Cootes
Seconder: Cr Jocelyn Prvanov

That the apology received from Mayor K Gurunathan, Crs Buswell and Randall be accepted.

CARRIED

4 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

5 PRESENTATION OF PETITION

Nil

6 HEARINGS

Nil

7 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

COUNCIL MEETING MINUTES

23 JUNE 2022

8 MEMBERS' BUSINESS

- (a) Public Speaking Time Responses
- (b) Leave of Absence
- (c) Matters of an Urgent Nature (advise to be provided to the Chair prior to the commencement of the meeting)

9 MAYOR'S REPORT

Nil

10 REPORTS

Nil

11 CONFIRMATION OF MINUTES

Nil

12 PUBLIC SPEAKING TIME

- Covering other items if required
- Public Speaking Time responses

13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES

Nil

14 PUBLIC EXCLUDED REPORTS**RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION CO2022/71**

Moved: Cr James Cootes
 Seconder: Cr Jocelyn Prvanov

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
14.1 - Verbal report to appoint an Interim Chief Executive	Section 7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons	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

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COUNCIL MEETING MINUTES

23 JUNE 2022

		withholding would exist under section 6 or section 7
CARRIED		

RESOLUTION CO2022/75
Moved: Cr James Cootes
Seconder: Cr Jocelyn Prvanov
That the Council moves out of a public excluded meeting.
CARRIED

The Council meeting went into public excluded session at 2.32pm.

The Council came out of public excluded session at 2.55pm

The Council meeting closed at 2.55pm.

.....
CHAIRPERSON

COUNCIL MEETING MINUTES

30 JUNE 2022

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 30 JUNE 2022 AT 9.36AM**

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

IN ATTENDANCE: Community Board Members Christine Papps, Kathy Spiers (via Zoom), Richard Mansell (via Zoom).
Sean Mallon, Janice McDougall, Mark de Haast, James Jefferson, Mike Mendonca, Jo Bryan, Glen O'Connor, Angela Bell, Ian Georgeson, Matt Muspratt (via Zoom), Jason Holland, Ellen Davidson (via Zoom), Jeanette Robinson (via Zoom), Vicky Silk, Jing Zhou, Sarah Wattie, Tim Power, Steffi Haefeli, Tanicka Mason, Kate Coutts.

APOLOGIES: There were none.

LEAVE OF ABSENCE: There were none.

1 WELCOME**2 COUNCIL BLESSING**

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

3 APOLOGIES**APOLOGY****RESOLUTION CO2022/58**

Moved: Cr Angela Buswell

Seconder: Cr Martin Halliday

That the apology received from Mayor Gurunathan be accepted.

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

Cr Halliday and Cr Handford declared an interest in item 10.5 of the agenda, 2022-2024 Social Investment Fund – Expressions of Interest. These Councillors did not partake in the discussion of this item or participate in voting.

COUNCIL MEETING MINUTES

30 JUNE 2022

5 PRESENTATION OF PETITION

There was none.

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)

Citing section 9.12 of the Standing Orders Council will move into a public excluded session to discuss the matter of an urgent nature.

9 MAYOR'S REPORT

There was none.

10 REPORTS**10.1 ADOPTION OF THE 2022/23 ANNUAL PLAN**

Mark de Haast Group Manager Corporate Services gave a brief overview of the annual plan process.

Jo Bryan Manager Corporate Reporting and Mr de Haast responded members questions.

Elected members thanked all staff involved in producing this Annual Plan.

Cr Angela Buswell left the meeting at 9:46 am.

Cr Angela Buswell returned to the meeting at 9:59 am.

RESOLUTION CO2022/59

Moved: Cr Gwynn Compton

Seconder: Cr Robert McCann

For: Crs Janet Holborow, Angela Buswell, James Cootes, Gwynn Compton, Jocelyn Prvanov, Martin Halliday, Sophie Handford, Robert McCann and Bernie Randall

Against: Cr Jackie Elliott

It is recommended that the Council:

adopts the 2022/23 Annual Plan in Appendix 1 to this report;

COUNCIL MEETING MINUTES

30 JUNE 2022

delegates to the Mayor, Deputy Mayor and the Acting Chief Executive authority to make minor editorial changes to the 2022/23 Annual Plan, prior to its publication if required; and

notes that the final 2022/23 Annual Plan will be published within one month of adoption and will be made available on the Council's website and in service centres and libraries.

CARRIED**RESOLUTION CO2022/60**

Moved: Deputy Mayor Janet Holborow
 Seconder: Cr James Cootes

A motion was moved that Council suspend standing orders.

CARRIED

The meeting adjourned at 10.38am and resumed at 10.57am

RESOLUTION CO2022/61

Moved: Deputy Mayor Janet Holborow
 Seconder: Cr James Cootes

A motion was moved that Council resume standing orders.

CARRIED**RESOLUTION CO2022/62**

Moved: Cr Robert McCann
 Seconder: Cr Jackie Elliott

That the final capex budget for Te Uruhi be subject to approval prior to tender by Council once the outcome of the resource consenting process is known and newly updated costings have been made available and requests an additional report to that effect.

CARRIED**10.2 SETTING OF RATES, DUE DATES AND PENALTIES FOR 2022/23**

Mark de Haast Group Manager Corporate Services took the paper as read and responded to members questions.

RESOLUTION CO2022/63

Moved: Cr Gwynn Compton
 Seconder: Cr Martin Halliday

That the Council set the following rates under Section 23 of the Local Government (Rating) Act 2002, on rating units in the Kāpiti Coast District (District) for the financial year commencing on 1 July 2022 and ending 30 June 2023:

Districtwide General Rate

A Districtwide general rate set under section 13(2)(b) of the Local Government (Rating) Act 2002, assessed on a differential basis on all rateable rating units in the District as follows:

a rate of 0.35217 cents in the dollar (inclusive of GST) of land value on every rating unit in the urban rating area of the District as per the Council's rating area maps;

a rate of 0.13382 cents in the dollar (inclusive of GST) of land value on rating units in the rural

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COUNCIL MEETING MINUTES

30 JUNE 2022

rating area Category R1 as defined in the Funding Impact Statement;

a rate of 0.07748 cents in the dollar (inclusive of GST) of land value on rating units in the rural rating area Category R2 as defined in the Funding Impact Statement;

a rate of 0.24652 cents in the dollar (inclusive of GST) of land value on rating units in the rural rating area Category R3 as defined in the Funding Impact Statement.

Districtwide Community Facilities Rate

A Districtwide targeted rate for community facilities, set under section 16(3)(a) and 16(4)(b) of the Local Government (Rating) Act 2002, assessed on a differential basis on all rateable rating units in the District as follows:

all rateable rating units other than Accommodation/Hospitality and Motels and camping grounds - \$859.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Accommodation/Hospitality (other than motels and camping grounds) - \$1,718.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Motels and camping grounds - \$257.70 (inclusive of GST) per separately used or inhabited part of a rating unit.

Districtwide Roading Capital Value Rate

A Districtwide targeted rate for roading, set under section 16(3)(a) and 16(4)(a) of the Local Government (Rating) Act 2002, assessed on all rateable rating units in the District as follows:

a rate of 0.05512 cents in the dollar (inclusive of GST) of capital value on all rateable rating units in the District

Districtwide Stormwater Rate

A Districtwide targeted rate for stormwater, set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002, on all rateable rating units in the District's stormwater rating areas as per the Council's stormwater rating area maps as follows:

a rate of 0.01993 cents in the dollar (inclusive of GST) of capital value on all rating units.

Districtwide Water Supply Fixed Rate

A Districtwide targeted rate set under section 16 of the Local Government (Rating) Act 2002, assessed on all rating units connected or capable of being connected to the District's water supply, assessed on a differential basis as below. The Districtwide water supply fixed rate is invoiced as a daily rate for convenience.

General - \$222.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Medium Scale - \$199.80 (inclusive of GST) per separately used or inhabited part of a rating unit.

Large Scale - \$177.60 (inclusive of GST) per separately used or inhabited part of a rating unit.

Accommodation/Hospitality – \$444.00 (inclusive of GST) per separately used or inhabited part of a rating unit.

Serviceable - \$222.00 (inclusive of GST) per rating unit not connected to the district's water supply, but within 100 metres of a water main and capable of being connected.

Districtwide Water Supply Volumetric Rate

A Districtwide targeted rate set under Section 19(2)(a) of the Local Government (Rating) Act 2002 on each rating unit which is provided with a metered water supply service.

Volumetric rate of water consumed or supplied - \$1.19 (inclusive of GST) per cubic metre.

Hautere/Te Horo Water Supply Rate

A targeted rate for water supply set under section 19(2)(a) of the Local Government (Rating) Act 2002 per unit of water supplied by the Hautere/Te Horo water supply.

A fixed charge of \$399.00 (inclusive of GST) per unit of allocation to the Hautere/Te Horo water

COUNCIL MEETING MINUTES

30 JUNE 2022

supply (annual allocation of 1 unit = 1 cubic metre of water per day).

Districtwide Wastewater Disposal Rate

A Districtwide targeted rate for wastewater disposal, set under section 16(3)(b) and 16(4)(b) on rating units in the Waikanae, Paraparaumu, Raumati and Ōtaki rating areas, as per the Council's rating area maps.

General - \$466.00 (inclusive of GST) per rating unit connected to the sewerage system.

Community - \$233.00 (inclusive of GST) per water closet or urinal connected to the sewerage system.

- Educational – \$209.70 (inclusive of GST) per water closet or urinal connected to the sewerage system.
- Recreational - \$116.50 (inclusive of GST) per water closet or urinal connected to the sewerage system.
- Large Scale Commercial/Residential - \$233.00 (inclusive of GST) per water closet or urinal connected to the sewerage system, where there is more than one water closet or urinal.
- Serviceable - \$233.00 (inclusive of GST) per rating unit not connected to the sewerage system but within 30 metres of a sewer main and capable of being connected.

(9) Paraparaumu/Raumati Community Rate

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00216 cents in the dollar (inclusive of GST) of capital value on all rating units in the Paraparaumu and Raumati urban and rural rating areas as per the Council's rating area maps.

(10) Waikanae Community Rate

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00183 cents in the dollar (inclusive of GST) of capital value on all rating units in the Waikanae urban and rural rating areas as per the Council's rating area maps.

(11) Ōtaki Community Rate

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00256 cents in the dollar (inclusive of GST) of capital value on all rating units in the Ōtaki urban and rural rating areas as per the Council's rating area maps.

(12) Paekākāriki Community Rate

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.00879 cents in the dollar (inclusive of GST) of capital value on all rating units in the Paekākāriki urban and rural rating areas as per the Council's rating area maps.

(13) Commercial Rate

A targeted rate set under section 16(3)(b) and 16(4)(a) of the Local Government (Rating) Act 2002 as follows:

- a rate of 0.03665 cents in the dollar (inclusive of GST) of capital value assessed on all Commercial rating units (as defined in the Funding Impact Statement Rating Policies).

(14) Water Conservation Device Loan Rate

A targeted rate on those rating units that have received an interest free loan (up to \$5,000 plus

COUNCIL MEETING MINUTES

30 JUNE 2022

GST) for approved water conservation devices from the Council that has not yet been fully repaid, set at 10% of the amount of the original loan plus GST.

B That the Council agrees all property rates (including Hautere/Te Horo Water Supply Rate, but excluding Districtwide Water supply fixed and volumetric rates) be payable in four equal instalments due on:

Instalment Due Dates	Penalty Dates	
Instalment One	9 September 2022	12 September 2022
Instalment Two	9 December 2022	12 December 2022
Instalment Three	9 March 2023	10 March 2023
Instalment Four	9 June 2023	12 June 2023

All payments made will be receipted against the earliest outstanding rate amounts in accordance with authorised accounting procedures.

C That the Council agrees water rates (excluding Hautere/Te Horo Water Supply Rate) be invoiced separately on a quarterly basis dependent on when the relevant meter is read. Due dates for each area are specified below:

Area	Water Meters invoiced During	Due Date	Penalty Date
Paraparaumu/Raumati/Raumati Beach/Raumati South/Paekākāriki	Jul-22	26-Aug-22	29-Aug-22
	Oct-22	25-Nov-22	28-Nov-22
	Jan-23	27-Feb-23	28-Feb-23
	Apr-23	29-May-23	30-May-23
Ōtaki/Peka Peka/Waikanae Beach	Aug-22	28-Sep-22	29-Sep-22
	Nov-22	4-Jan-23	5-Jan-23
	Feb-23	29-Mar-23	30-Mar-23
	May-23	28-Jun-23	29-Jun-23
Waikanae/Nikau Valley/Ōtaihangā/Paraparaumu Beach	Sep-22	27-Oct-22	28-Oct-22
	Dec-22	24-Jan-23	25-Jan-23
	Mar-23	28-Apr-23	1-May-23
	Jun-23	28-Jul-23	31-Jul-23

D That the Council apply the following penalties on unpaid rates in accordance with sections 57 and 58 of the Local Government (Rating) Act 2002:

- a charge of ten per cent (10%) on so much of any property rate instalment that has been assessed after 1 July 2022 and which remains unpaid after the due dates as per paragraph B, to be added on the penalty dates above.
- a charge of ten per cent (10%) on so much of any property rates (including previously applied penalties) assessed before 1 July 2022 which remain unpaid on 7 July 2022. The penalty will be added on 8 July 2022.
- a charge of ten per cent (10%) will be added to any portion of a current water rates invoice that remains unpaid after the due date specified. Penalty will be added on the penalty dates shown as per paragraph C.

E That the Council agrees property and water rates be payable by cash, and eftpos at any of the following places:

- Paraparaumu, Civic Building, 175 Rimu Road, Paraparaumu
- Waikanae Service Centre, Mahara Place, Waikanae
- Ōtaki Service Centre, Ōtaki Library, Main Street, Ōtaki

COUNCIL MEETING MINUTES

30 JUNE 2022

- New Zealand Post, countrywide
- Westpac Bank, countrywide
- Greater Wellington Regional Council, 100 Cuba Street, Te Aro, Wellington
- Greater Wellington Regional Council, 34 Chapel Street, Masterton

Alternatively, payment of rates can be made to the Council by direct debit, internet banking, direct credit, telephone banking and credit card (subject to a convenience fee) through the Council's website.

CARRIED

10.3 SEEKING APPROVAL FOR PUBLIC NOTIFICATION OF PROPOSED PLAN CHANGES 1D, 1F, 1K, AND 1L TO THE OPERATIVE DISTRICT PLAN 2021

Jason Holland District Planning Manager spoke to a presentation and responded to members questions with support from, Jeanette Robinson Intermediate Policy Planner District Planning and Ellen Davidson Intermediate Policy Planner District Planning.

Cr Angela Buswell left the meeting at 11:29 am.

Cr Angela Buswell returned to the meeting at 11:35 am.

Cr Angela Buswell left the meeting at 12:11 pm.

Cr Gwynn Compton left the meeting at 12:12 pm.

Cr Angela Buswell returned to the meeting at 12:12 pm.

Cr Gwynn Compton returned to the meeting at 12:12 pm.

RESOLUTION CO2022/64

Moved: Cr Jackie Elliott

Seconder: Cr Sophie Handford

That Council has particular regard to, and endorses the content of the Section 32 evaluation reports for the following proposed plan changes to the Operative Kapiti Coast District Plan 2021:

Plan Change 1D – Reclassification of Arawhata Road, Tutanekei Street, and Ventnor Drive

Plan Change 1F – Modification of Indigenous Vegetation and Update to Key Indigenous Tree Species List

Plan Change 1K – Electoral Signage

Plan Change 1L – Council Site Rezoning

That Council agrees to proceed with the package of proposed plan changes and approves the public notification of the proposed plan changes in accordance with Clause 5 of Schedule 1 of the RMA.

CARRIED

The meeting adjourned at 12.25pm and resumed at 12.56pm

COUNCIL MEETING MINUTES

30 JUNE 2022

10.4 AMENDMENTS TO THE COUNCIL DELEGATIONS TO STAFF

Sarah Wattie Legal and Governance Manager spoke to the report and answered members questions.

Ms Wattie spoke to an amendment of one of the proposed staff recommendations.

Cr Angela Buswell left the meeting at 1:14 pm.

Cr Angela Buswell returned to the meeting at 1:27 pm.

RESOLUTION CO2022/65

Moved: Cr James Cootes
 Seconder: Cr Gwynn Compton

That the Council adopts the revised Resource Management Act 1991 Delegations to Staff as shown in Appendix 1 to the report 'Amendments to the Council Delegations to Chief Executive and Staff'.

CARRIED**RESOLUTION CO2022/66**

Moved: Cr Gwynn Compton
 Seconder: Cr James Cootes

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

Against: Crs Jackie Elliott, Jocelyn Prvanov and Martin Halliday

That the Council:

Resolves to amend delegations to staff under clause 25 of Schedule 1 of the RMA 1991, which include:

restricting the delegation of this power to the Chief Executive and the Deputy Chief Executive (hereby revoking current delegations to any other staff who are currently able to exercise this power); and

requiring staff to advise Council (through the Elected Members Bulletin or other communication such as email) as soon as any requests are received under clause 25 of Schedule 1 of the RMA 1991, and of all decisions made by staff under this provision.

CARRIED

COUNCIL MEETING MINUTES

30 JUNE 2022

10.5 2022-2024 SOCIAL INVESTMENT FUND - EXPRESSIONS OF INTEREST

Cr Halliday and Cr Handford moved back from the table and did not participate in the discussion nor did they vote.

Janice McDougall Group Manager People and Partnership introduced the report. Ms McDougall and Claire Rewi Programme Advisor (Social) answered members questions.

RESOLUTION CO2022/67

Moved: Cr Robert McCann

Seconder: Cr Angela Buswell

It is recommended that Council:

Notes the 25 expressions of interest received for the 2022-2024 Social Investment Fund as outlined in Attachment 1.

Notes the independent panel's recommendations regarding which expressions of interest should be invited to progress to the next stage by submitting formal proposals, as outlined in Attachment 4 of this report.

Agrees the following organisations should be invited to submit formal proposals:

Greater Wellington Neighbourhood Support – re-establishing Neighbourhood Support

Volunteer Kāpiti/Kāpiti Impact Trust – Capable Kāpiti Community Sector Part Two

Ātiawa ki Whakarongotai Charitable Trust – Manaaki Kapiti Kai Hub

BirthRight Levin Inc – Kete Rau

Energise Ōtaki Charitable Trust – Bright Futures 2022-2025

He Tāngata Village Trust – He Tāngata Village

Kāpiti Youth Support – Project Youth

Paekākāriki Pride Inc - Paekākāriki Pride Festival

Te Puna Oranga o Ōtaki - Hei kai aku ringa

Agrees the following expressions of interest should not proceed to the next stage and thanks these organisations for their interest:

Ātiawa ki Whakarongotai Charitable Trust – Tāngata Whaikaha

The Shed Project Kāpiti – Collaborative Community Enterprise

Age Concern Kāpiti Coast Inc – LinkAGES

Dementia Wellington Charitable Trust – Covid Recovery and Reengagement

Kāpiti Art Studio (umbrellaed by Kāpiti Impact Trust) – Kāpiti Art Studio

Kāpiti Health Advisory Group - Kāpiti Health Advisory Group

Kāpiti Vaulting Club Inc – Life skills through equines

Kidz Need Dadz Kāpiti – Community Action Plan 2022-2025

LinKapiti – Project 1 Kapiti Companion Post

Loss and Grief Centre Kapiti – He waka eke noa

Māoriland Charitable Trust – Māoriland Hauora Project

Ngā Hapū o Ōtaki (umbrellaed by Raukawa Marae) – no project name provided

Ōtaki Kāpiti Primary Schools Cluster – Hauora Project

COUNCIL MEETING MINUTES

30 JUNE 2022

The Starjam Charitable Trust – Starjam Kāpiti
 Volunteer Kāpiti – The Future of Volunteering
 Work Ready Kāpiti – Supporting Employers to Become Youth Ready
 Cr Handford and Cr Halliday abstained

CARRIED**10.6 RATES REMISSION FOR LAND PROTECTED FOR NATURAL OR CULTURAL CONSERVATION PURPOSES (UPDATE)**

Andy McKay Team Leader, Environment & Ecological Services spoke to the report acknowledging that the previous report heard by Council on May 26 2022 was missing an application.

Cr Randall left the meeting at 1.54pm

RESOLUTION CO2022/68

Moved: Cr Jackie Elliott
 Seconder: Cr Angela Buswell

That the Council approves the amount of rates remission to the property set out in the He Take | Issues section of this report in accordance with Council's Policy for Rates Remission for Land Protected for Natural or Cultural Conservation Purposes.

CARRIED**11 CONFIRMATION OF MINUTES****11.1 CONFIRMATION OF MINUTES****RESOLUTION CO2022/69**

Moved: Cr Gwynn Compton
 Seconder: Cr Sophie Handford

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

CARRIED

The Deputy Chair noted that the matter raised as an urgent nature is no longer required and closed the meeting.

12 PUBLIC SPEAKING TIME

- Covering other items if required

COUNCIL MEETING MINUTES

30 JUNE 2022

- Public Speaking Time responses

13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES

Nil

14 PUBLIC EXCLUDED REPORTS

Nil

The Council meeting closed at 1.58pm.

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CHAIRPERSON

COUNCIL MEETING MINUTES

7 JULY 2022

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD AT THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 7 JULY 2022 AT 9:31AM**

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

IN ATTENDANCE: Community Board Member Cam Butler

Gary Simpson, Sean Mallon, Janice McDougall, Angela Bell, James Jefferson, Mark de Haast (online via Zoom), Hamish McGillivray, Su Mon (online via Zoom), Steffi Haefeli, Tanicka Mason, Anna Smith, Fiona Story.

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****RESOLUTION CO2022/75**

Moved: Mayor K Gurunathan
Seconder: Cr Sophie Handford

That the apology received from Community Board Member Kathy Spiers 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

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6 HEARINGS

There were none.

7 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Mika Havel spoke to item 10.1 on the agenda Local Government New Zealand Annual General Meeting on behalf of Free Fares NZ. Mr Havel addressed public transport equity.

8 MEMBERS' BUSINESS

- (a) Public Speaking Time Responses

There were none.

- (b) Leave of Absence

LEAVE OF ABSENCE**RESOLUTION CO2022/76**

Moved: Cr Robert McCann

Seconder: Deputy Mayor Janet Holborow

That a request from Mayor K Gurnathan for a leave of absence from 8 July 2022 to 13 July 2022 be accepted.

CARRIED

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

There were none.

9 MAYOR'S REPORT

There was none.

10 REPORTS**10.1 LOCAL GOVERNMENT NEW ZEALAND ANNUAL GENERAL MEETING**

Steffi Haefeli Manager Democracy Services spoke to the paper. Ms Haefeli spoke to an additional remit which had been received after the paper to Council had been published.

Council staff responded to members questions.

RESOLUTION CO2022/77

Moved: Cr Sophie Handford

Seconder: Cr Robert McCann

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.

CARRIED

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COUNCIL MEETING MINUTES

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RESOLUTION CO2022/78

Moved: Cr James Cootes
Seconder: Cr Sophie Handford

That the Council agree to support Remit 1, Central Government funding for public transport at the Local Government New Zealand 2022 Annual General Meeting.

CARRIED**RESOLUTION CO2022/79**

Moved: Cr James Cootes
Seconder: Cr Robert McCann

That the Council agree to support Remit 2, Review of Government transport funding at the Local Government New Zealand 2022 Annual General Meeting.

CARRIED**RESOLUTION CO2022/80**

Moved: Cr James Cootes
Seconder: Mayor K Gurunathan

That the Council agree not to support Remit 3, Illegal street racing at the Local Government New Zealand 2022 Annual General Meeting.

CARRIED**RESOLUTION CO2022/81**

Moved: Cr James Cootes
Seconder: Deputy Mayor Janet Holborow

That the Council agree to support Remit 4, Bylaw infringements at the Local Government New Zealand 2022 Annual General Meeting.

CARRIED**RESOLUTION CO2022/82**

Moved: Cr James Cootes
Seconder: Cr Sophie Handford

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.

CARRIED**RESOLUTION CO2022/83**

Moved: Cr James Cootes
Seconder: Cr Angela Buswell

That the Council agree to support Remit 6 Polling, LGNZ members at the Local Government New Zealand 2022 Annual General Meeting

CARRIED

COUNCIL MEETING MINUTES

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Appendices

- 1 LGNZ Remit 6 - Polling LGNZ members

The meeting adjourned at 10.44am and resumed at 10.56am

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

Hamish McGillivray Manager Research and Policy reported on the fourth quarter, 1 March 2022 – 30 May 2022 and spoke to a presentation looking at key findings.

Mr McGillivray answered members questions.

RESOLUTION CO2022/84

Moved: Cr Robert McCann

Seconder: Deputy Mayor Janet Holborow

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.

CARRIED

10.3 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

RESOLUTION CO2022/85

Moved: Cr Sophie Handford

Seconder: Deputy Mayor Janet Holborow

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

CARRIED

11 CONFIRMATION OF MINUTES

11.1 CONFIRMATION OF MINUTES

RESOLUTION CO2022/86

Moved: Cr Sophie Handford

Seconder: Deputy Mayor Janet Holborow

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

CARRIED

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12 PUBLIC SPEAKING TIME

- Public Speaking Time responses

13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES

There were none.

14 PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2022/87

Moved: Cr Angela Buswell
 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
<p>14.1 - Infrastructure Acceleration Fund</p>	<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>	<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</p>

CARRIED

COUNCIL MEETING MINUTES

7 JULY 2022

RESOLUTION CO2022/89

Moved: Mayor K Gurnathan

Seconder: Cr Angela Buswell

That the Council moves out of a public excluded meeting.

CARRIED

The Council meeting went into public excluded session at 11.22am.

The Council came out of public excluded session at 11.43am.

The Council meeting closed at 11.43am.

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CHAIRPERSON

12 PUBLIC SPEAKING TIME

- Covering other items if required
- Public Speaking Time responses

13 CONFIRMATION OF PUBLIC EXCLUDED MINUTES

14 PUBLIC EXCLUDED REPORTS

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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
<p>13.1 - Confirmation of public excluded minutes</p>	<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)(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)(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> <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>	<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</p>

<p>14.1 - Strategic Property Acquisitions</p>	<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)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities</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>	<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</p>
<p>14.2 - Appointment of a Community Representative to the Grants Allocation Subcommittee</p>	<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 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</p>
<p>14.3 - Stormwater Asset Upgrades at Jeep Road, Clunie Avenue and Kainui Road Catchments - Contract 2021/C437</p>	<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 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</p>