

**MINUTES OF KAPITI COAST DISTRICT COUNCIL
COUNCIL MEETING
HELD ONLINE VIA ZOOM
ON THURSDAY, 26 AUGUST 2021 AT 9.30AM**

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

IN ATTENDANCE: Mr Wayne Maxwell, Ms Natasha Tod, Mr Sean Mallon, Mrs Janice McDougall, Mr Mark de Haast, Mr James Jefferson, Ms Sacha Haskell, Mr Tim Power, Ms Sarah Wattie, Ms Leeza Boyd, Ms Leyanne Belcher, Mr Grayson Rowse.

Community Board Chair Kathy Spiers, Community Board Chair Holly Ewens, Community Board Chair James Westbury, Community Board Chair Chris Papps

APOLOGIES: Nil

**LEAVE OF
ABSENCE:** Nil

1 WELCOME

2 COUNCIL BLESSING

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

3 APOLOGIES

Cr Jackie Elliott advised that she may have to leave for part of the meeting, and Mayor K. Gurunathan would leave the meeting early.

4 DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

Cr Holborow declared a conflict of interest in relation to item 12 on the Agenda.

5 PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Tina Pope, on behalf of the Paekākāriki Community Board, spoke to Councillors in relation to item 8.1 on the agenda, 2021 Representation Review - Decision on Initial Proposal. Ms Pope responded to questions from members.

Richard Mansell spoke to Councillors in relation to item 8.1 on the agenda,, 2021 Representation Review - Decision on Initial Proposal, and responded to questions from members.

Margaret Stevenson-Wright, on behalf of the Waikanae Community Board, spoke to Councillors in relation to item 8.1 on the agenda, 2021 Representation Review - Decision on Initial Proposal,. Ms Stevenson-Wright responded to questions from members.

Cr Prvanov read out letter from Mr Graham Trask regarding agenda item 8.1, 2021 Representation Review - Decision on Initial Proposal.

6 MEMBERS' BUSINESS

- (a) Public Speaking Time Responses.
This was covered in item 8.1 on the Agenda.
- (b) Leave of Absence
There were none.
- (c) Matters of an Urgent Nature (advice to be provided to the Chair prior to the commencement of the meeting)
There were none.

7 MAYOR'S REPORT

The Mayor presented his report

MOTION

RESOLUTION CO2021/52

Moved: Cr Sophie Handford

Seconder: Cr Jackie Elliott

That the Mayor's report be accepted.

CARRIED

8 REPORTS

8.1 2021 REPRESENTATION REVIEW - DECISION ON INITIAL PROPOSAL

Janice McDougall presented the report and responded to questions from members.

RESOLUTION CO2021/53

Moved: Mayor K Gurunathan

Seconder: Cr Angela Buswell

That the Council:

1. Agree, in accordance with sections 19H and 19J of the Local Electoral Act 2001, to adopt its initial proposal for the review of its representation arrangements for at least the 2022 triennial elections as follows:
 - 1.1. Kāpiti Coast District Council to comprise of the mayor elected at large and ten councillors, specifically five councillors elected to wards and five councillors elected district-wide.
 - 1.2. Kāpiti Coast District Council be divided into three wards, these being:
 - 1.2.1. **Kāpiti ki te Raki / Northern Ward** (one ward councillor), the proposed boundaries and of which are shown at Appendix 1.
 - 1.2.2. **Kāpiti ki Waenga / Central Ward** (three ward councillors), the proposed boundaries and of which are shown at Appendix 1.
 - 1.2.3. **Kāpiti ki te Tonga / Southern Ward** (one ward councillor), the proposed boundaries and of which are shown at Appendix 1.

2. Notes that the current Ōtaki, Waikanae, Paraparaumu-Raumati and Paekākāriki Community Boards are not included in the representation arrangements set out in the initial proposal.
3. Notes the following in relation to the initial proposal:
 - 3.1. the total number of councillors will remain at 10 with a mixed representation model, comprising five ward councillors and five district-wide councillors, plus the mayor, to provide effective representation for Kāpiti Coast District.
 - 3.2. the reasons for the change in the number of wards and ward boundary changes are to better reflect the district's communities of interest and to provide fairer representation (specifically in relation to the Kāpiti ki te Raki / Northern Ward and Kāpiti ki Waenga / Central Ward).
 - 3.3. the reasons that the initial proposal does not include community boards is because Kāpiti Coast District Council is satisfied that the existing communities of interest are represented by the proposed ward structure, and that there are alternative ways to maintain and strengthen local community representation within Kāpiti Coast District Council structures.
 - 3.4. as the Kāpiti ki te Raki / Northern Ward is non-complaint with the fair representation (+/- 10% rule), if the initial proposal is confirmed by Council as its final proposal, the proposal must be automatically referred to the Local Government Commission for a binding determination under section 19V(5) of the Local Electoral Act 2001.
 - 3.5. that in accordance with section 19Y(1) of the Local Electoral Act 2001 if no submissions are received on the initial proposal, then this proposal must become the final proposal.
4. Agree that the above initial proposal be submitted for formal public consultation, including inviting submissions from 1 September 2021 to 4 October 2021.
5. Resolve to establish a representation review editorial committee constituting the Mayor, Deputy Mayor, Cr McCann and Cr Handford with the delegated authority to approve the consultation material ahead of the public notice on 1 September 2021.

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

Against: Crs Jackie Elliott, Gwynn Compton, Jocelyn Prvanov and Bernie Randall

CARRIED 7/4

CARRIED

8.2 REVIEW OF THE GENERAL BYLAW 2010

Leeza Boyd presented the report which was taken as read, Ms Boyd and Tim Power responded to questions from members.

RESOLUTION CO2021/54

Moved: Deputy Mayor Janet Holborow

Seconder: Cr Angela Buswell

23. That Council notes that the General Bylaw 2010:

- 23.1. was adopted on 28 January 2010, when the consolidated Kapiti Coast District Council General Bylaw 1991 was split into a series of topic-specific bylaws
- 23.2. holds a range of administrative provisions common to the individual bylaws, and
- 23.3. under the Local Government Act 2002, is due for review and will be automatically revoked on 28 January 2022 if a new bylaw is not adopted

24. That Council note that:

- 24.1. modern legislative practices dictate that legislation be as simple, consolidated and not re-state matters already addressed in other legislation, and
- 24.2. the majority of provisions in the General Bylaw 2010 are redundant because they are covered in other legislation or replicated by existing provisions in individual bylaws

25. That Council note that:

- 25.1. since 2018, relevant General Bylaw 2010 provisions have been copied into individual bylaws as part of their regular statutory reviews, and
- 25.2. by the end of the year, only six of the 11 individual bylaws will still retain a link to the General Bylaw 2010

26. That Council note that the review also identified five other minor or technical additional amendments that would improve the accuracy and clarity of several individual bylaws

27. That Council agrees to:

- 27.1. revoke the General Bylaw 2010 as of 31 December 2021
- 27.2. 31 December 2021, by making the 15 amendments detailed in the Appendix
- 27.3. improve the accuracy and clarity of several individual bylaws effective 31 December 2021, by making the five additional amendments detailed in the Appendix.

CARRIED

9 CONFIRMATION OF MINUTES

9.1 CONFIRMATION OF MINUTES

RESOLUTION CO2021/55

Moved: Cr Jackie Elliott
Seconder: Cr Sophie Handford

The minutes of the Council meeting of 24 June 2021 be accepted as a true and correct record.

The minutes of the Council meeting, as amended, of 29 July 2021 be accepted as a true and correct record

CARRIED

Mayor K Gurunathan left the meeting at 1:13 pm.

10 PUBLIC SPEAKING TIME

- Covering other items if required
- Public Speaking Time responses

11 CONFIRMATION OF PUBLIC EXCLUDED MINUTES**12 PUBLIC EXCLUDED REPORTS****RESOLUTION TO EXCLUDE THE PUBLIC****PUBLIC EXCLUDED RESOLUTION CO2021/56**

Moved: Cr Gwynn Compton

Seconder: Cr Sophie Handford

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
11.1 - Confirmation of Public Excluded minutes	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 withholding would exist under section 6 or section 7
12.1 - Appointment of A Community Representative to the Grants Allocation Subcommittee	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 withholding would exist under section 6 or section 7

CARRIED

RESOLUTION CO2021/59

Moved: Cr Martin Halliday

Seconder: Deputy Mayor Janet Holborow

That the Council moves out of a public excluded meeting

CARRIED

The Council came out of Public Excluded business having resolved:

RESOLUTION CO2021/58

That Council appoints for the remainder of the 2019-2022 Triennium:

(a) Michelle Scullion as community representative on the Grants Allocation Subcommittee for the Creative Communities New Zealand Scheme;

That Council approves the release of this report 'Appointment of Community Representative to the Grants Allocation Subcommittee' (excluding Appendices) and the resolutions from public excluded session.

Appendices

- 1 Report: Appointment of a Community Representative to the Grants Allocation Subcommittee- released from Public Excluded business

The Council meeting went into public excluded session at 1.15pm.

The Council came out of public excluded session at 1.37pm

The Council meeting closed at 1.38pm.

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CHAIRPERSON