



RĀRANGI TAKE AGENDA

Hui Kaunihera | Council Meeting

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

Te Rā | Date: Thursday, 23 March 2023

Te Wā | Time: 9.30am

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

**Darren Edwards
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 23 March 2023, 9.30am.

Kaunihera | Council Members

Mayor Janet Holborow	Chair
Deputy Mayor Lawrence Kirby	Deputy
Cr Glen Cooper	Member
Cr Martin Halliday	Member
Cr Sophie Handford	Member
Cr Rob Kofoed	Member
Cr Liz Koh	Member
Cr Jocelyn Prvanov	Member
Cr Kathy Spiers	Member
Cr Shelly Warwick	Member
Cr Nigel Wilson	Member

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1 NAU MAI | WELCOME

2 KARAKIA A TE KAUNIHERA | COUNCIL BLESSING

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

“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.”

3 WHAKAPĀHA | APOLOGIES

**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE |
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 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

Nil

6 NGĀ WHAKAWĀ | HEARINGS

Nil

**7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI
TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA**

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence

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

9 TE PŪRONGO A TE KORORMATUA | MAYOR'S REPORT

Nil

10 PŪRONGO | REPORTS

10.1 KAPITI COAST DISTRICT COUNCIL - SPEED MANAGEMENT PLAN (CONSULTIVE DRAFT)

Kaituhi | Author: **Ron Minnema, Transport Safety Lead**

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

TE PŪTAKE | PURPOSE

- 1 The purpose of this report is to seek approval to consult with the public and key stakeholders on the 'Kapiti Coast District Council's: *Speed Management Plan 2023 – 2033* (For consultation).

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

- 2 Land Transport Rule: Setting of Speed Limits 2022 (the 'Rule') requires Road Controlling Authorities to develop *Speed Management Plans* which once certified by Waka Kotahi enables Road Controlling Authorities to change speed limits. It is proposed that a draft *Speed Management Plan* is consulted on with the community and the feedback incorporated into a final version that will be submitted to Council for approval in August 2023.

TE TUKU HAEPAPA | DELEGATION

- 3 Council has the delegation to accept this report.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council receives this report.
- B. That Council agrees to consult on the Kapiti Coast District Council – Speed Management Plan 2023 – 2033 (For consultation).
- C. That Council notes that:
 - C.1 if approved by Council submissions on the *Speed Management Plan* will open on 24 April and close on 9 June 2023.
 - C.2 following the receipt of submissions, the *Speed Management Plan* will be amended, and a final version will be presented to Council for adoption. Once adopted this will enable (1) the *Speed Management Plan* to be submitted for inclusion in the Wellington *Regional Speed Management Plan* (2) budgets for speed related infrastructure to be included in the LTP (3)

TŪĀPAPA | BACKGROUND

- 4 Land Transport Rule: Setting of Speed Limits 2022 came into force on 19 May 2022.
 - 4.1 The purpose was to establish an integrated speed management planning process (Speed Management Plans) that considers how safety infrastructure and speed limits can be combined effectively to achieve a safe transport system.
 - 4.2 The Rule requires Road Controlling Authorities to:
 - 4.2.1 use reasonable efforts to reduce speed limits around 40% of schools by 30 June 2024, with the balance being completed by 31 December 2027.
 - 4.2.2 confirm that the speed limits on roads with a 70 km/h speed limit are safe and appropriate or propose to change the speed limit to other than 70km/h.
- 5 *Speed Management Plans*, once certified by Waka Kotahi enables speed limits to be changed, noting that the Speed Limits Bylaw 2015 (amended 2021) by which speed limits were changed previously was revoked by Council on 26 January 2023.

- 6 Developing and implementing *Speed Management Plans* will contribute to the Governments Road to Zero Strategy that has an intermediate target of reducing deaths and serious injuries by 40% by 2030.
- 7 Waka Kotahi have developed a *Speed Management Guide* to assist Councils to develop their *Speed Management Plans* that focuses nationally on several high benefit areas that cover 25% of all roads where the safe and appropriate speed limit is less than the current posted speed limit, i.e., Streets around Schools, Road Corridors, Areas.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 8 A key principle of Speed Management Planning is setting a safe and appropriate speed limit, i.e., a safe and appropriate speed limit is a speed limit that gives the best chance of survival without serious injury to anyone involved in a crash noting that a pedestrian/ cyclist struck at:
 - 8.1 50km/h has an 80% chance of being killed.
 - 8.2 30km/h has an 10% chance of being killed.
- 9 If all speed limits on the Kapiti Coast were reduced to safe and appropriate speed limits, then the majority of roads on the Kapiti Coast (excluding State Highways) would have their speed limits reduced to either 30 or 40km/h.
- 10 The *Speed Management Plan* proposes a staged approach as an alternative to reducing speed limits on all roads by focusing on:
 - 10.1 Streets around Schools.
 - 10.2 Road Corridors.
 - 10.3 Areas including town centres.
 - 10.4 Marae.
- 11 This approach:
 - 11.1 reflects the high benefit areas identified by Waka Kotahi.
 - 11.2 will ensure that the Waka Kotahi requirements are met enabling certification of the *Speed Management Plan*.
 - 11.3 will deliver a *Speed Management Plan* that is affordable and can be delivered within the required time frames.
 - 11.4 will enable lessons learnt to be applied to future *Speed Management Plans*.
- 12 The *Speed Management Plan* comprises two parts being:
 - 12.1 Part A – What Council proposes to implement to the end of 2027 comprising high benefit areas highlighted in the *Speed Management Guide*.
 - 12.2 Part B – What Council is planning to implement beyond 2027.
- 13 The *Speed Management Plan* will be reviewed every three years as required by the 'Rule' to enable the inclusion of requests for speed management infrastructure to be included in the Wellington Regional Land Transport Plan funding bids.
- 14 As a result:
 - 14.1 the deadline for this *Speed Management Plan* to be submitted for inclusion in the 2024-2027 Regional Land Transport Plan is September 2023.
 - 14.2 planning for the review of this *Speed Management Plan* for inclusion in the 2027 – 2030 Regional Land Transport Plan is likely to commence in late 2025/ early 2026 to meet the estimated September 2026 deadline.

Ngā kōwhiringa | Options

15 Council is seeking feedback on:

15.1 Part A: What Council proposes to implement to the end of 2027 comprising the high benefit areas, i.e.,

15.1.1 Schools.

15.1.2 Road Corridors.

15.1.3 Areas including town centres and marae.

15.2 Part B: What Council is planning to implement beyond 2027. For example:

Option	Description
1	Expand safe and appropriate speed limits around schools.
2	Expand safe and appropriate speed limits around areas such as town centres or neighbourhoods
3	Install infrastructure along road corridors to reduce travel speeds, and to assist pedestrians/ cyclists to cross safely.
4	Apply safe and appropriate speed limits to all local roads on the Kapiti Coast, i.e., speed limits on the majority of roads would reduce.

16 Feedback is requested on the proposed changes outlined in Appendix A of the *Speed Management Plan* - Part A¹ as these changes are scheduled to be implemented by the end of June 2024.

17 Feedback is requested on the options outlined in Part B of the *Speed Management Plan* as the feedback will guide future updates of the *Speed Management Plan*. For example:

17.1 what areas within the Kapiti Coast will have speed limits reduced to safe and appropriate speed limits?

17.2 when will these speed limits be reduced?

17.3 what infrastructure will need to be implemented to encourage compliance with the safe and appropriate speed limits?

Tangata whenua

18 Waka Kotahi's *Speed Management Guide* recommends that 'Maori must be engaged with from the development stage of the plan'.

19 Council's Iwi Relationship Team have been involved in providing advice on how best to partner with iwi and incorporate their feedback and whakaaro.

20 Iwi representatives were invited to the Council briefing 7 February 2023 upon which the *Speed Management Plan* is based.

21 *The Speed Management Plan*:

21.1 was modified to incorporate feedback from the briefing.

21.2 has identified marae which would benefit from a safe and appropriate speed limit on the road frontage.

¹ Councils must use reasonable efforts to implement changes around 40% of schools by the end of June 2024

21.3 includes proposals to install bilingual school traffic signs.

22 Council is seeking feedback from iwi on the *Speed Management Plan*.

Panonitanga āhuarangi | Climate change

23 Adoption of the *Speed Management Plan* will contribute to addressing climate change by creating a sustainable low carbon, safe and healthy land transport system.

24 Setting safe speed limits that are appropriate for the comfort and safety of people travelling by active modes or accessing public transport can have a significant impact on generating a 'shift' by reducing car dependence and making environmentally friendly modes more appealing and accessible.

25 The plan aligns with the Government Policy Statement on Transport where climate change is one of the key strategic priorities.

Ahumoni me ngā rawa | Financial and resourcing

26 The estimated cost of this Plan is summarised in the following table.

Part A	2021 - 24 ²	2024 - 27	2027 - 30
Schools	\$310,000	\$1,470,000	-
Corridors	\$20,000	-	-
Areas (Town centres)	-	\$190,000	-
Part B	2021 - 24	2024 - 27	2027 - 30
Long term	-	-	To be confirmed
Total	\$330,000	\$1,660,000	To be confirmed

27 Funding of the safety and speed reduction infrastructure in 2024 – 27 assumes that funding assistance will be provided from the National Land Transport Programme.

28 It is possible that following receipt of submissions that the proposed scope of work may alter which in turn may result in changes to the estimates.

Ture me ngā Tūraru | Legal and risk

29 The 'Rule' requires Council's to use reasonable efforts to implement new speed limits for at least 40% of all schools directly accessed from roads under its control by 30 June 2024 with the balance of schools completed by 31 December 2027.

Ngā pānga ki ngā kaupapa here | Policy impact

30 Adoption of the *Speed Management Plan* aligns with the Kapiti Coast District Council Sustainable Transport Strategy (2022).

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

31 The purpose of this paper is to seek approval to consult on the Kapiti Coast District Council – *Speed Management Plan* 2023 – 2033 (For consultation). Community input is seen as critical to a robust and successful speed management process.

Te mahere tūhono | Engagement planning

32 Council will be consulting on the *Speed Management Plan* in accordance with clause 3.9 (2) of Land Transport Rule: Setting of Speed Limits 2022, i.e., in accordance with the consultation principles specified in Section 82 of the Local Government Act 2002 as specified.

² Funded from existing budgets

- 33 A Communications and engagement plan has been prepared to support this process.

Whakatairanga | Publicity

- 34 A Communications and engagement plan has been developed to support community and stakeholder understanding and will drive engagement through the consultation process.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Speed Management Plan 2023-33 (For consultation) - March 23 [↓](#)
2. Speed Management Plan 2023-33 - Appendix A (Concept Plans) [↓](#)



Kāpiti Coast District Council

Speed Management Plan 2023-33

(For consultation)

March 23

Version history

Version	Date	Description	Owner	Revision Due
1	8/03/2023	Draft	Ron Minnema	

Have your say on safer speeds for Kāpiti roads

Land Transport Rule: Setting of Speed Limits 2022 became operational in May 2022.

Your feedback on this draft Speed Management Plan is important and will help us:

- Confirm the changes to be made before the end of 2027
- Plan for the future of the Kapiti road network beyond 2027.

The community's feedback on what this plan proposes for the streets around schools, our important road corridors and busy areas like town centres is vital.

We need to know if you support the safe and appropriate speed limits proposed around the Kapiti District.

We'd also like to hear of any other improvements that you would like Council to consider (to support the current proposal) for inclusion in future Speed Management Plans.

To have your say:

- Visit kapiticoast.govt.nz/TBC and complete or download an online survey.
- Visit any of our libraries or service centres to find a hard copy survey to complete.
- Completed surveys can be left in a drop box, emailed to speedlimits@kapiticoast.govt.nz, or posted to 175 Rimu Road, Paraparaumu 5032, New Zealand.

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1.Introduction

A. Setting safe and appropriate speeds for Kapiti Roads

The way speed is managed on our roads is changing.

Government rules introduced last year require a new approach to speed management all over New Zealand, with a focus on making sure we have safe and appropriate speeds on all roads.

Safe and appropriate speeds are travel speeds that are appropriate for the function, design safety and use of the road.

Speed kills. In the event of a crash, regardless of its cause, the speed of the impact is the most important factor influencing whether people in the crash survive.

All around New Zealand, many posted speed limits are higher than they should be, and in Kāpiti there have been community calls for changes to 'safe' speeds for many years.

Our transport network of roads and pathways is used by many people, of all ages and abilities, in different ways and for different purposes. Given ours is a growing and increasingly busy community, it has never been more important to make sure our roads are safe for everyone.

This document introduces the first '*Speed Management Plan*' for the Kāpiti Coast. It outlines how the transport network is expected to look in 10 years' time and provides a three-year implementation programme for high-benefit areas – school zones, town centres and road corridors.

Our vision is:

By 2033 at least 40% of local roads on the Kapiti Coast will have safe and appropriate speed limits.

We need your feedback. Please read on and make a submission by 9 June 2023.

B. Background

The Government has identified better speed management as vital to improving road safety and reducing the harm and costs of crashes in New Zealand.

Guidance on achieving safer speeds is outlined in the new *Land Transport Rule: Setting of Speed Limits 2022* (the 'Rule').

The Rule requires all Road Controlling Authorities, like the Kāpiti Coast District Council, to develop and consult on long-term *Speed Management Plans* to be used in the setting of speed limits. The *Speed Management Plans* will guide the development, sharing and certification of speed limit changes.

Adopted by the Government as part of the *Tackling Unsafe Speeds Programme*, the Rule will contribute to the aims of the *Road to Zero* strategy (New Zealand's road safety strategy for 2020–30) by taking a whole-of-network approach where speed is considered alongside investments in safety infrastructure.

The *Road to Zero* strategy envisions a New Zealand where no one is killed or seriously injured in road crashes. It targets a reduction of 40 percent in annual deaths and serious injuries by 2030.

As the owners and managers of more than 400km of roads and 400km of footpaths and shared paths, the Kāpiti Coast District Council has an important role in contributing towards achieving this target. We support the aims of the *Road to Zero* strategy wholeheartedly.

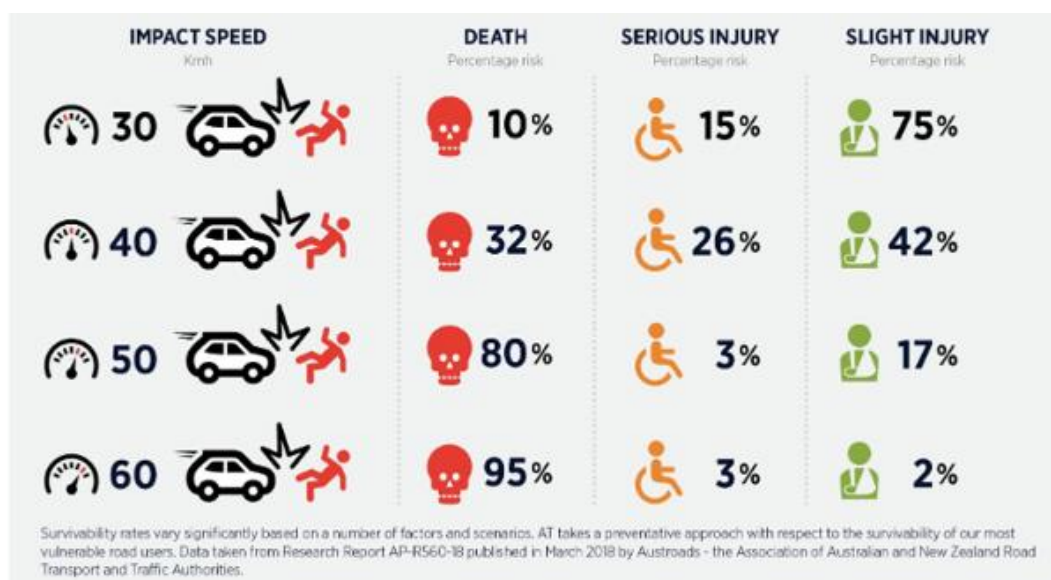
The first Kāpiti Coast Speed Management Plan will cover the period between 2023 and 2033 and will be updated with community input every three years.

C. Why does speed management matter?

Safe and appropriate speed limits give people the best chance of survival without serious injury if they are involved in a crash.

The likelihood of someone being killed in a crash, if struck by a vehicle at 50km/h, is 80 percent. At 30km/h it is 10 percent. Refer to Figure 1 for further details.

Figure 1: Death and injury percentages



Safer speeds work. In Auckland, deaths and serious injuries on roads and streets reduced by 30 percent and 21 percent respectively after safe and appropriate speeds were implemented in June 2020. In comparison, across all Auckland roads for the time period (24 months), road deaths increased by nine percent.

Approximately 71 percent of injury crashes recorded nationally have involved speeds higher than New Zealand's safe and appropriate limits.

D. What's the situation in Kāpiti?

Between 2000 and 2022, 23 deaths, 235 serious injuries and 991 minor injuries were reported on Kāpiti roads.

Overall, in that period, there was a slight decrease in the number of crashes and injury crashes in Kāpiti. After a peak in 2017 of a reported high of 16 (five deaths and 11 serious injuries), the number reduced to 10 (one death and nine serious injuries) in 2022.

We would like to see the number of people killed or seriously injured continue to reduce. Safe and appropriate speeds not only reduce the risk of crashes but also make the transport network

safe for all users – both young and old – for those using active transport modes – like enabling children riding bikes to school on the road to do so safely.

The Council has heard from the community that safer roads are a priority. Many resident-developed outcome statements¹ seek calmer and safer speeds and our communities have been asking for measures to improve road safety, especially around schools.

Consultation during the Speed Limit Review in 2018/19 saw a majority of the 224 submitters support lower speeds across the district.

This proposed *Speed Management Plan* supports these objectives and in some cases is the key mechanism for achieving them.

E. Land Transport Rule: Setting of Speed Limits 2022

The Rule was introduced in 2022 last year and is the main driver of this process.

The Rule makes the setting of speed limits more efficient for Road Controlling Authorities (e.g., Kāpiti Coast District Council). It enables a network approach rather than a piecemeal, road-by-road approach, which will improve speed management planning and consultation.

The Rule requires Road Controlling Authorities to have a 10-year vision for local speed limits, and a three-year implementation programme for applying safe and appropriate speed limits and implement speed related infrastructure.

Speed Management Plans take a more holistic approach to network management where speed management is considered alongside investment in infrastructure. They empower Road Controlling Authorities to set speed limits for roads within their jurisdictions while also encouraging regional coordination.

For the Kāpiti Coast District Council, the Rule:

- allows flexibility in producing *Speed Management Plans*
- requires all Wellington region Road Controlling Authorities to develop and consult on their own plans, which will eventually form the basis of the Regional *Speed Management Plan*
- requires Road Controlling Authorities to use reasonable efforts to reduce speed limits around schools by 31 December 2027, with an interim target of 40 percent of schools by 30 June 2024.

In addition, the Rule:

- requires Regional Transport Committees to coordinate input from Road Controlling Authorities in developing regional *Speed Management Plans* to align with the Regional Land Transport Planning (RLTP) process. The RLTP sets the direction for transport in the region for the next 10-30 years. It identifies regional priorities and sets out the transport projects we intend to invest in.
- introduces regional speed management planning on a three-year cycle that aligns with the National Land Transport Programme which is a three-year programme that sets out how Waka Kotahi NZ Transport Agency, working with its partners, plans to invest the National Land Transport Fund (NLTF) to create a safer, more accessible, better connected and more resilient land transport system that keeps New Zealand moving.

¹ [Local outcome reports - Kāpiti Coast District Council \(kapiticoast.govt.nz\)](https://www.kapiticoast.govt.nz/local-outcome-reports)

2.Speed Management

A. Developing a Speed Management Plan

Speed Management Plans align with road to Zero and the current Government Policy Statement on Land Transport'. Waka Kotahi NZ Transport Agency (Waka Kotahi) has identified 'high benefit areas' as immediate priorities for Road Controlling Authorities.

The Waka Kotahi *Speed Management Guide* outlines how Plans should be developed to deliver consistently safe and appropriate speed limits that are aligned with the *Road to Zero* strategy.

Figure 2 and Table 1 draws together the requirements of the Rule, four principles designed to be applied together, and the One Network Framework, which categorises safe and appropriate speed limit ranges for New Zealand's streets and roads.

Figure 2: Speed management principles



Table 1: One Network Framework safe and appropriate speed limits (SAAS)

Category	Description	SAAS ² (km/h)
Activity streets (urban)	These streets provide access to shops and services by all modes. They have a significant movement demand as well as place, so competing demands need to be managed within the available road space.	30 - 40
Local streets (urban)	These streets provide quiet and safe residential access for people of all ages and abilities, and foster community spirit and local pride.	30
Main streets (urban)	These streets have an important place function and a relatively important movement function. They support businesses, on-street activity and public life and connect with the wider transport network.	30 - 40
Urban connectors	These streets provide the safe, reliable and efficient movement of people and goods between regions and strategic centres and mitigate the impact on adjacent communities.	40 - 60
Per-urban roads (Rural)	These roads primarily provide access from residential property on the urban fringe, where the predominant adjacent land use is residential, but usually at a lower density than in urban residential locations.	50 - 80
Rural roads	These roads primarily provide access to rural land for people who live there, and support the land-use activities being undertaken.	60 - 80
Rural connectors	These roads provide the links between rural roads and interregional connectors (State highways).	60 - 100

B. The Government Policy Statement on Land Transport

Speed Management Plans must also align with the Government Policy Statement (GPS) on land transport (2021/22–2030/31), which sets the Government's strategic priorities for land transport investment over a 10-year period.

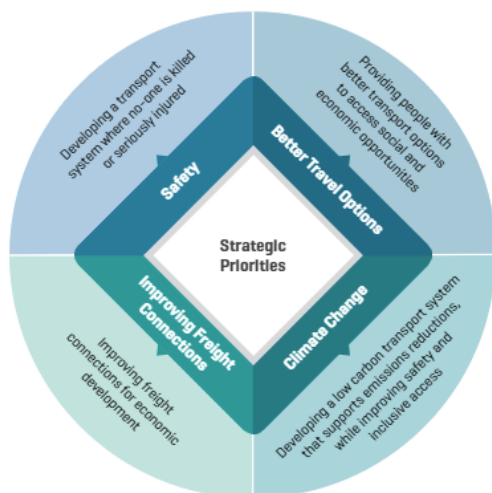
The GPS also sets out how money from the National Transport Fund will be spent on activities such as public transport, state highway improvements, local roads and road safety. Transport spending needs to meet the strategic priorities as outlined in the GPS.

Two of the strategic priorities relate directly to safety:

- Developing a transport system where no one is killed or seriously injured.
- Developing a low-carbon transport system that supports emission reductions while improving safety and inclusive access.

² A safe and appropriate speed limit will typically be at the lower end of the range, unless design and infrastructure criteria are met to justify a higher speed limit.

Figure 3: Government Policy Statement – strategic priorities



The proposed *Speed Management Plan* aligns with the GPS strategic priorities. This will allow the Council to apply for funding for speed-related infrastructure through the National Land Transport Programme (NLTP). This funding will assist the Council in implementing the Plan and achieving a safer transport network. The initial submission for the 2024–27 NLTP is due in September 2023.

Although the Plan has a strong focus on safety, it will also contribute to the other priorities. This is expanded on in Table 2.

Table 2: Kāpiti Coast District Council *Speed Management Plan* alignment with the GPS priorities.

GPS priority	Alignment
Safety	In line with the <i>Road to Zero</i> strategy and the 2021 GPS, the Plan is working towards a local transport network where no one is killed or seriously injured. The Plan seeks to improve safety on our roads through reduced speed limits and associated infrastructure in high-priority areas.
Better travel options	The focus on schools and urban areas and road corridors will lead to safe and appropriate speeds that will also encourage more people to walk, cycle and use other forms of active transport.
Climate change	Managing speeds can encourage more active travel, which can in turn can help reduce vehicle kilometres travelled and carbon emissions.
Improving freight connections	Speed reductions will lead to reduced crashes on the local transport network, making journeys more reliable. Also, reducing speed limits to safe and appropriate speed limits and installing infrastructure (e.g., traffic calming) in high-priority areas will encourage freight vehicle drivers to use appropriate routes and improve their efficiency.

C. Priorities

This *Speed Management Plan* outlines what a transport network could look like in 10 years and provides a three-year implementation programme.

Because implementing safe and appropriate speed limits nationally is likely to take some time, Waka Kotahi has identified **high benefit areas** for speed management interventions to be implemented in the short to medium term. These cover approximately 25 percent of all New Zealand roads where the safe and appropriate speed limits are less than the posted speed limits. They are:

- road corridors where lowering speed limits to align with the safe and appropriate speed limits will produce the most safety benefits

- all streets surrounding schools, including streets outside school frontages and within 100m of school boundaries. These streets are likely to be subject to lower variable speed limits in the short term and lower permanent speed limits in the long term.
- areas where the highest concentrations of active road users are expected, such as town centres, employment areas, other commercial areas and surrounding local streets.

Under the Rule, Road Controlling Authorities are required to:

- use reasonable efforts to implement new speed limits for:
 - at least 40 percent of all schools directly accessed from roads under their control by 30 June 2024
 - the remaining schools by 31 December 2027
- review speed limits on roads that have existing 70km/h speed limits, with the proposed speed limits to be other than 70km/h.

D. The role of Infrastructure

In the past, infrastructure was installed to reduce speeds on individual streets and roads in some town centres, for example speed humps on Marine Parade at Paraparaumu Beach.

In the long term, many areas on the Kāpiti Coast may have existing speed limits reduced to safe and appropriate speed limits.

How these speed limits are implemented will vary from place to place. It is not feasible, practical or indeed desirable to build traffic-calming (e.g., speed humps, raised safety platforms) infrastructure everywhere.

The current focus is on installing infrastructure focused on the high-benefit areas. Infrastructure, like speed humps and raised safety platforms, will be used where it will be most effective.

We will also look at using temporary or semi-permanent infrastructure to support safe and appropriate speed limit changes in urban roads and streets.

E. Responsibilities

Speed Management Plans are a tool for developing, sharing and certifying proposed speed limit change. Accordingly, several organisations are involved in their formulation.

Table 3: Organisation, roles and timing

Organisation	Role	Timing
Road Controlling Authorities	Provide information (<i>Speed Management Plans</i>) to Regional Transport Committees to enable the development of Regional <i>Speed Management Plans</i> .	September 2023
Regional Transport Committees	Consolidate information from Road Controlling Authorities into a regional <i>Speed Management Plan</i> , and provide a forum for addressing regional boundary consistency issues.	December 2023

3. Proposed Kapiti Coast District Council *Speed Management Plan*

A. Staged approach

This is the Kāpiti Coast District Council's first Speed Management Plan.

We are proposing a staged approach to implementing any changes to the transport network. This will (1) allow us to identify what works and what does not and apply that information when reviewing the Plan (2) help us to deliver the Plan with the resources available (3) and allow us to focus on the high-benefit areas. These are:

- streets around schools
- road corridors
- areas where there are high concentrations of active roads users, such as town centres, and marae.

It is proposed that we:

- prioritise changes that need to be made in the next 10 years, with an initial focus on addressing safety in the **high benefit areas** identified by Waka Kotahi
- investigate roads where proposed speed limits differ from Waka Kotahi's assessments as to what is safe and appropriate.

Once the Director of Land Transport has certified our *Speed Management Plan*, Waka Kotahi can publish the Plan, following which Kāpiti Coast District Council can implement the changes in speed limits.

Table 4: High-benefit timeline summary

Priority	Timeline	High-benefit area description
1	2023-24	Road corridors with a focus on roads with 70km/h speed limits Marae Schools with variable speed limits
2	2024–27	Schools with permanent speed limits Marae Town centres
3	2030 onwards	Based on community feedback

We are not:

- looking at changing speed limits on State highways as these are the responsibility of Waka Kotahi.
- proposing to change speed limits along the entire length of urban connector roads such as Kāpiti Road, Mazengarb Road, Te Moana Road and Mill Road.

Over the years we have continued to receive requests from the community for traffic-calming measures and lower speed limits for specific areas and individual streets.

Each request is assessed to determine whether it fits under one of the above high-benefit areas, and where a request aligns with a high-benefit area it has been included in the three year Implementation Plan. Otherwise, there is an opportunity for it to be considered for inclusion in future *Speed Management Plans*.

This *Speed Management Plan* has two parts:

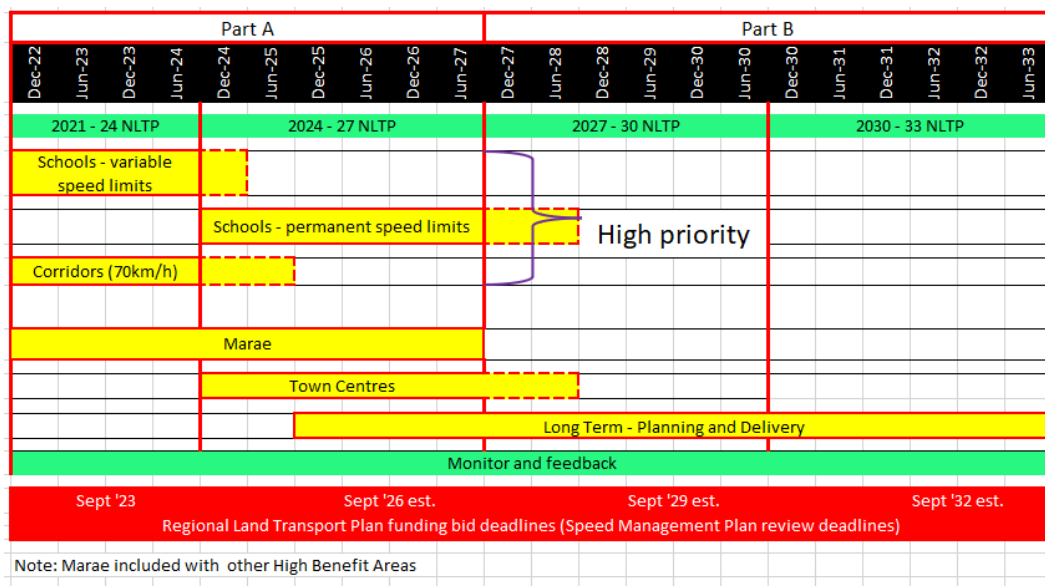
- Part A – What the Council proposes to **implement** up to the end of 2027, comprising high priority high-benefit areas.
- Part B – What the Council is **planning** to implement beyond 2027.

Speed-management infrastructure implemented now does not preclude further changes being made in the future.

B. Timeline

The timeline for the proposed planning and delivery of the high-benefit areas is illustrated in Table 5 and may be altered to take advantage of or complement the delivery of other high-benefit areas.

Table 5: Speed Management Plan timeline



C. Review

The *Speed Management Plan* will be reviewed every three years. This will allow the inclusion of requests for speed management infrastructure in the Wellington Regional Land Transport Plan funding bids. The first deadline for funding bids is September 2023.

As a result:

- the deadline for this *Speed Management Plan* to be finalised is September 2023. This will enable the inclusion of speed-related infrastructure in the 2024–27 Regional Land Transport Plan that signals to Waka Kotahi the projects for which the region is seeking funding.
- planning for the review of the Plan for inclusion in the 2027–30 Regional Land Transport Plan is likely to start in late 2025 or early 2026 to meet the estimated September 2026 deadline.

D. Part A: Speed Management Plan – three-year implementation plan

i. High-benefit areas – selection criteria

The criteria used to assess high benefit areas are outlined as follows, with concepts illustrating the proposed scope of works provided in Appendix A.

Road corridors

Roads:

- identified by Waka Kotahi as 'high benefit'.
- with existing 70km/h speed limits that must be reviewed by Road Controlling Authorities with the proposed speed limits to be other than 70km/h.
- where the proposed speed limits differ from Waka Kotahi's assessments of what is safe and appropriate.

Streets around schools

All 20 schools within the Kāpiti Coast District have been identified by Waka Kotahi as high benefit. This means the Council is required to use reasonable efforts to implement new speed limits for:

- at least 40 percent of all schools directly accessed from roads under its control by 30 June 2024.
- the remaining schools by 31 December 2027.

It is proposed that either variable or permanent 30km/h speed limits be installed as per the criteria outlined in Table 6.

Table 6: Streets around schools criteria

Type	Criteria	Infrastructure (examples)
Variable (by the end of June 2024)	<ul style="list-style-type: none"> Installed on roads adjoining schools where significant increases in traffic (vehicle, cycle and pedestrian) are generated immediately before and after school by the schools. During other periods, volumes of all traffic are low. 	<u>Standard treatments</u> Signs, markings, variable speed limit signs (LED/static). <u>On occasion</u> Zebra crossings on raised safety platforms.
Permanent (by the end of December 2027)	<ul style="list-style-type: none"> Installed on roads adjoining schools where additional traffic (vehicle, cycle and pedestrian) is generated continuously by adjacent land uses (for example, shops, transport hubs, car parks). 	Signs, markings, painted threshold treatments, humps, zebra crossings on raised safety platforms.

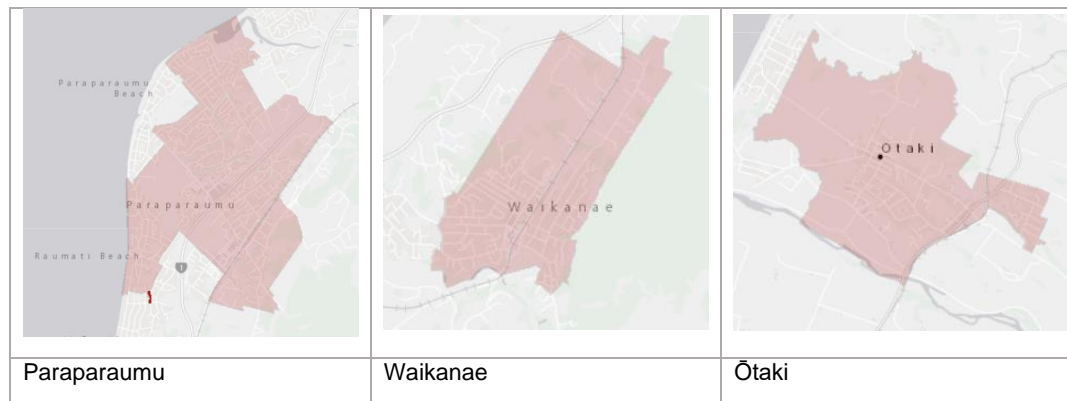
Marae

The Kāpiti District has four marae: Whakarongotai (Waikanae), Raukawa (Ōtaki), Te Pou o Tainui (Ōtaki) and Kaitihiku (Te Horo). Except for Kaitihiku, which is accessed from a private road, marae have been identified as benefiting from permanent 30km/h speed limits on the roads fronting them.

Areas

Areas that have been identified by Waka Kotahi as 'high benefit' are illustrated in Figure 4.

Figure 4: Potential 'high benefit' areas (Source: Waka Kotahi)



In accordance with the staged approach, it is proposed that we:

- not reduce speed limits in all the high-benefit areas highlighted above
- reduce the speed limits to 30km/h as safe and appropriate speed limits in several town centres.

ii. Monitoring and trials

To assess the effectiveness of any changes and to apply lessons to future *Speed Management Plans*, speeds will be monitored before and after installation and the results reported to the Council and the community. In addition, we will seek feedback from the community on the effectiveness of proposed road treatments, and there may be opportunities to trial some treatments to assist in reducing speeds.

iii. What would it cost?

Table 7: Speed Management Plan – cost estimate for Part A

High-benefit areas	2021–24 ³	2024–27	2027–30
Streets around schools	\$310,000	\$1,470,000	-
Road corridors	\$20,000	-	-
Town centres	-	\$190,000	-
Long term	-	-	To be confirmed
Total	\$330,000	\$1,660,000	To be confirmed

If the Council is unsuccessful in obtaining Waka Kotahi funding assistance for the 2024–27 period through the Regional Land Transport Plan process, there are two options:

- Option 1: Reduce the scope of works to reflect the level of funding assistance provided by Waka Kotahi.
- Option 2: Make no change to the scope of works, with the shortfall in funding being topped up by the Council.

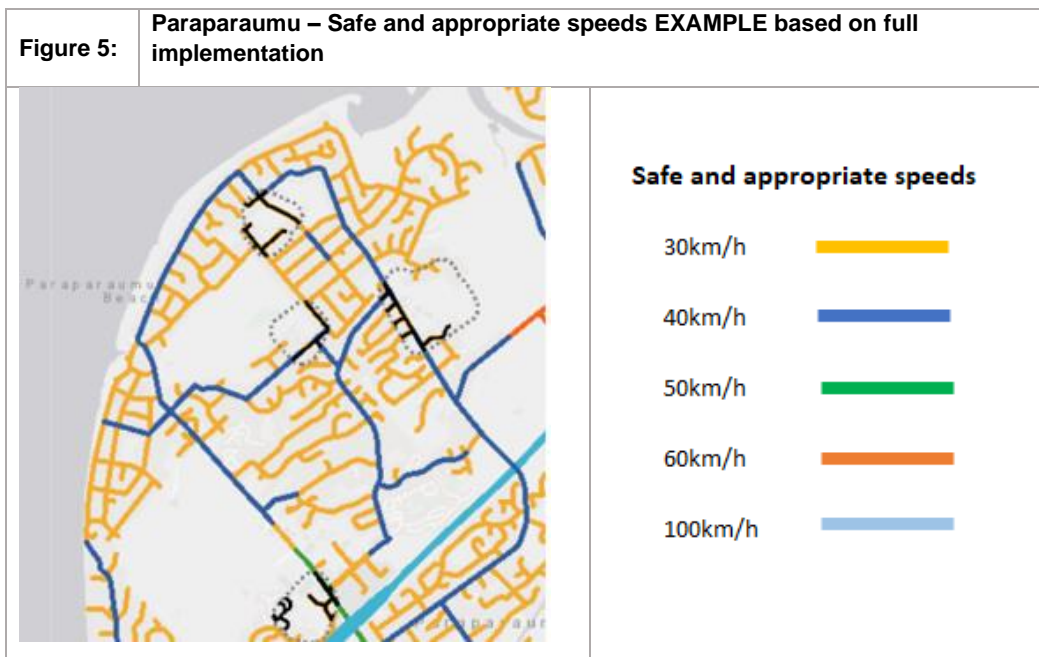
E. Part B: Speed Management Plan

i. Planning

The second part of our *Speed Management Plan* covers what the Council plans to do beyond 2027 to meet Waka Kotahi requirements. This will be a potential step change towards implementing safe and appropriate speeds on the Kāpiti Coast and will be guided in part by community feedback.

If the safe and appropriate speeds outlined by Waka Kotahi are implemented on all roads within the Kāpiti District, speed limits in the future (the 'end state') could look like the example shown in Figure 5.

³ Funded from existing budgets.

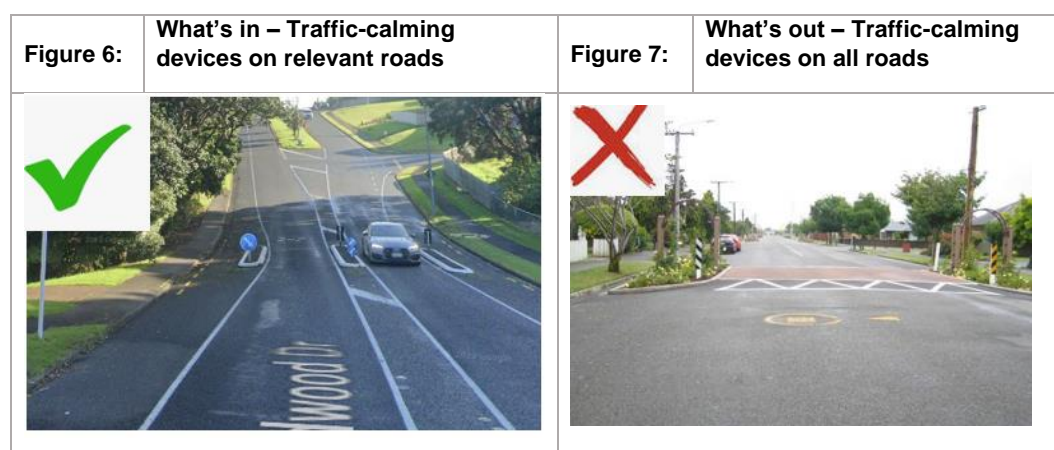


Reaching the end state will take some time and will be the subject of future *Speed Management Plans*.



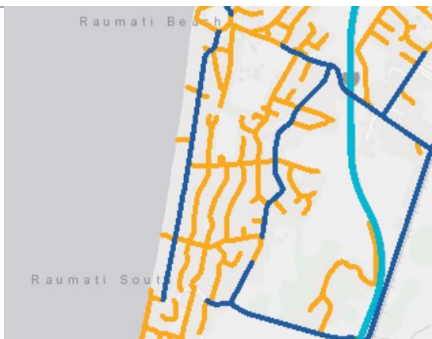

The challenge for the Kāpiti Coast is to identify how and when we will get to the 'end state' and applying the lessons learned from implementing the Plan in the different stages.

At this point we are:

- proposing to install traffic-calming devices on relevant roads where infrastructure is required to complement safe and appropriate speed limits as illustrated for example in Figure 6.
- not proposing to install traffic-calming devices on all roads, as illustrated in Figure 7.



We have identified options for transitioning to the 'end state' as illustrated in Figure 8.

Figure 8: Long-term options		30km/h	40 km/h
Option 1: Expand school zones		Option 2: Expand areas	
			
<ul style="list-style-type: none"> Extend the existing speed-limit buffer around schools to 1km for primary schools and 2.25km approx. for high schools. This is the distance that most students are prepared to walk or cycle. A benefit of this option is that it reduces the risk of fatalities, serious injuries and near misses in the areas around schools. This will improve safety for students and the community and further encourage and create the opportunity for children to walk and bike to school safely. <p>— 2km approx. from Paraparaumu College</p>		<ul style="list-style-type: none"> Implement a 30km/h zone area for defined neighbourhoods. <ul style="list-style-type: none"> How are neighbourhoods prioritised? How are neighbourhoods spatially defined? Extend the existing speed limit buffer around town centres to 400m as this is generally accepted as an appropriate walking distance. 	
Option 3: Road corridors		Option 4: Reduce speeds on all roads	
			
<ul style="list-style-type: none"> Install infrastructure along road corridors to reduce travel speeds along the road corridor and/or to provide opportunities for pedestrians/ cyclists to cross the road corridors safely. For example: <ul style="list-style-type: none"> Construct Pedestrian Refuges Extend kerbs at intersections to slow the entry/ exit speeds of vehicles. 		<ul style="list-style-type: none"> Reduce speed limits on all roads within the Kāpiti District to safe and appropriate speed limits. The effects of this could be, for example: <ul style="list-style-type: none"> 40km/h – Kāpiti Road, Mazengarb Road 30km/h – local roads. 	

ii. Implementation programme

A high-level implementation programme covering the period to the end of 2027 and focusing on the high-benefit areas is illustrated in Figures 9 - 12 and Table 8. Detailed concepts for the high-benefit areas as identified for the Kāpiti Coast are illustrated in Appendix A.

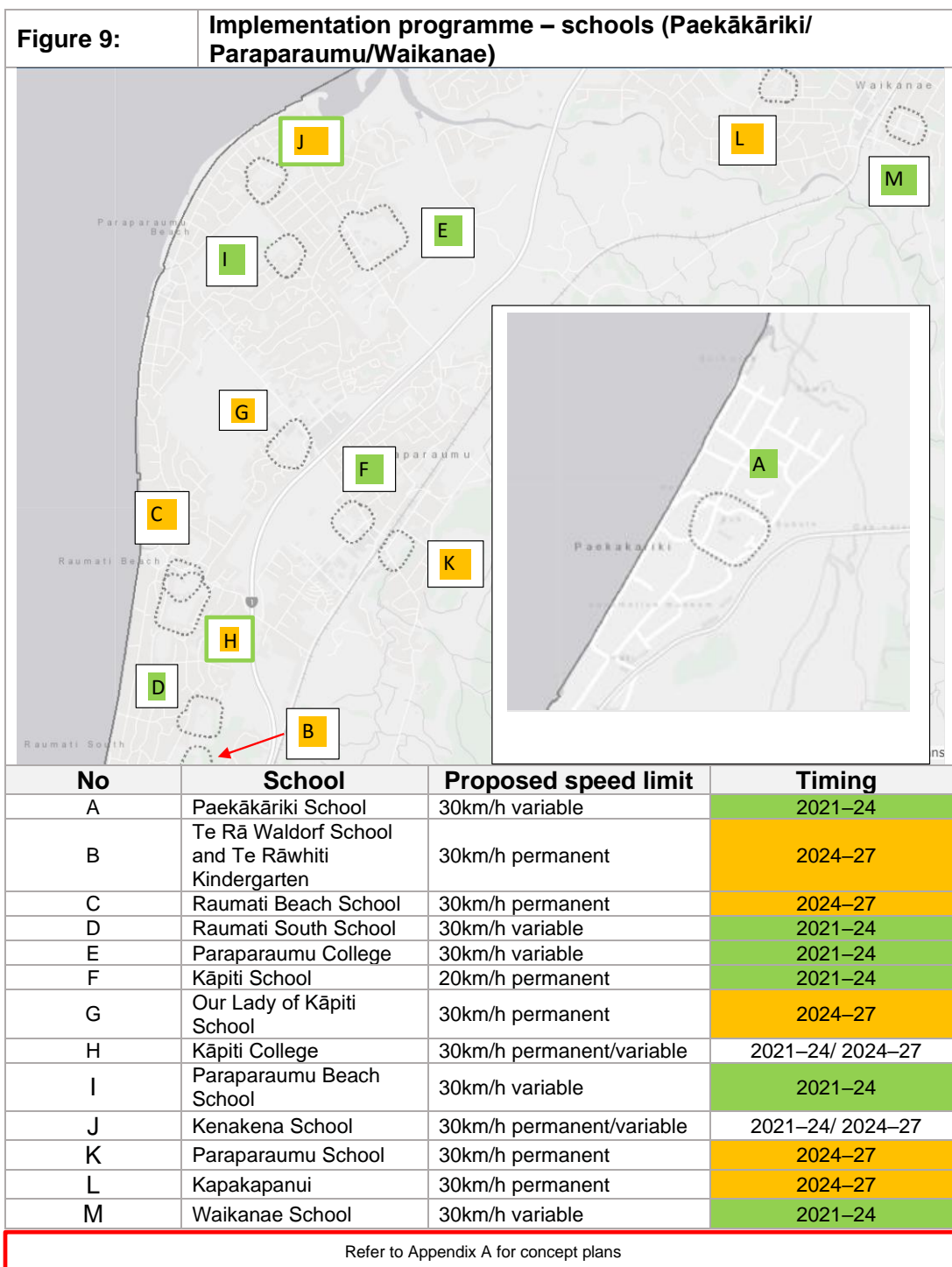


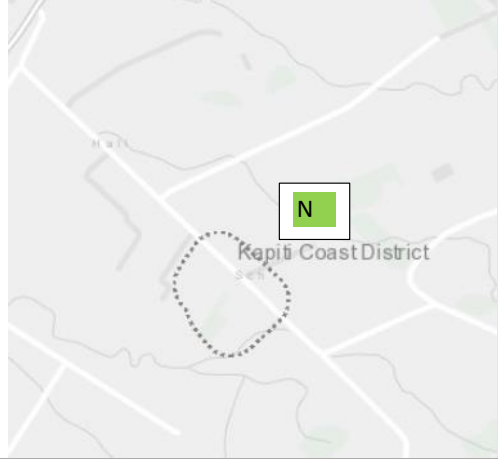
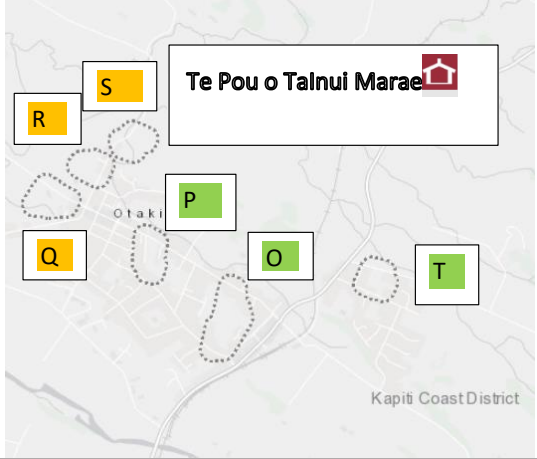
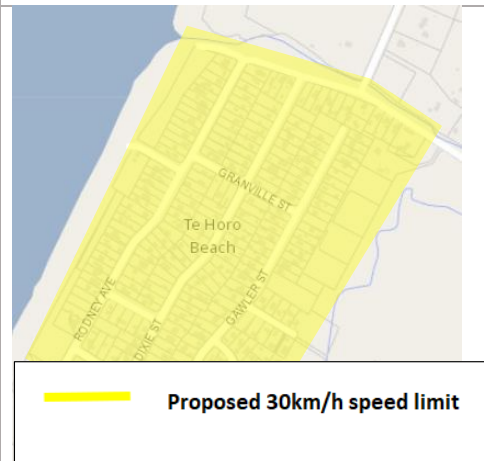
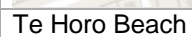
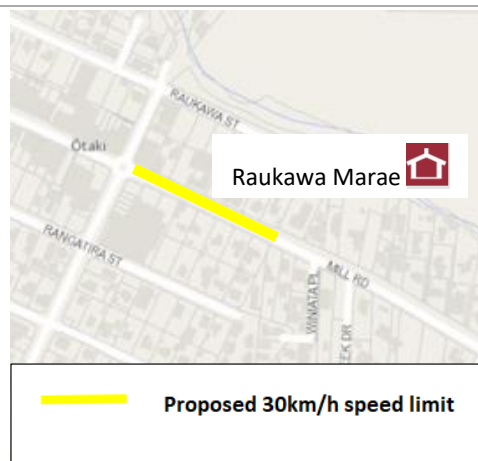
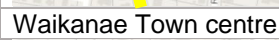
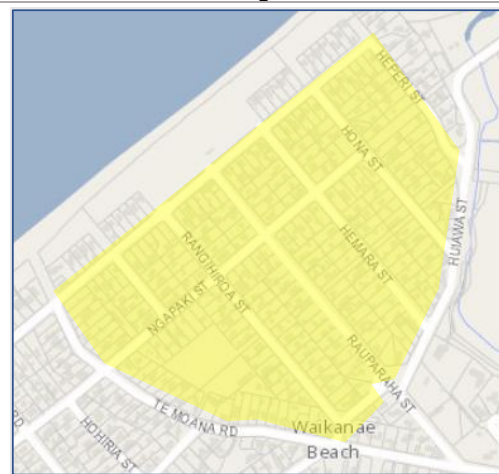
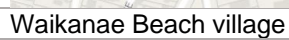
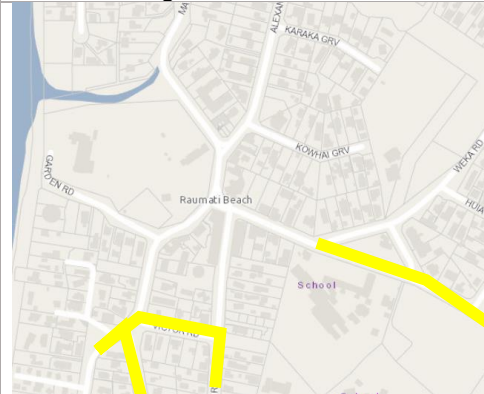
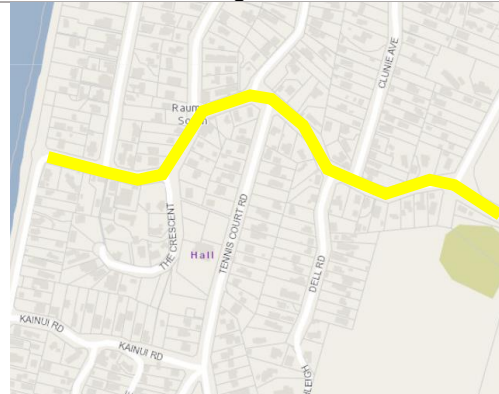
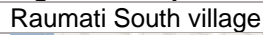
Figure 10: Implementation Programme - Schools (Ōtaki#1)		Figure 11: Implementation Programme - Schools (Ōtaki#2)	
			
No	School	Proposed speed limit	Timing
N	Te Horo School	30km/h variable	2021–24
O	Ōtaki College	30km/h variable	2021–24
P	Ōtaki School	30km/h variable	2021–24
Q	Te Kura-a-iwi Whakatupuranga Rua Mano	30km/h permanent	2024–27
R	Te Kura Kaupapa Māori o Te Rito	30km/h permanent	2024–27
S	St Peter Chanel School	30km/h permanent	2024–27
T	Waitohu School	30km/h variable	2021–24
Refer to Appendix A for concept plans			

Table 8: Implementation programme – Road corridors				
Road	Current speed limit (km/h)	Safe and appropriate speed limit (km/h)	Proposed speed limit (km/h)	Comments
Valley Road (From 221 Valley Road south to end at Waterfall Road)	80	60	60	High-benefit road corridor (MegaMaps, Waka Kotahi)
Riverbank Road (Old SH1 to 80m southeast of Titoki Street)	70	40	50	Interim measure, as reducing the speed limit to the safe and appropriate speed limit (40km/h) would result in a speed limit that is out of context with the adjacent speed limits. The reduced speed limit would add approximately 22 seconds to a trip along the length of this part of Riverbank Road.
Riverbank Road (35m west of Aotaki Street to 65m south of Rangiu Road)	70	60	60	The reduced speed limit would add approximately 11 seconds to a trip along the length of this part of Riverbank Road.
Peka Peka Road (94 Peka Peka Road to 62m east of Paetawa Road)	80	80	60	The safe and appropriate speed limit has not taken into account the fact that this road is part of the Kāpiti Coast Cycle Route, which is used heavily by cyclists who have to ride partly in the traffic lane due to the lack of a sealed shoulder. The reduced speed limit would add approximately 26 seconds to a trip along the length of this part of Peka Peka Road.
Refer to Appendix A for concept plans				

Figure 12: Implementation programme – town centres and marae



Refer to Appendix A for concept plans

Appendix A: Concept Plans



For installation by June 2024



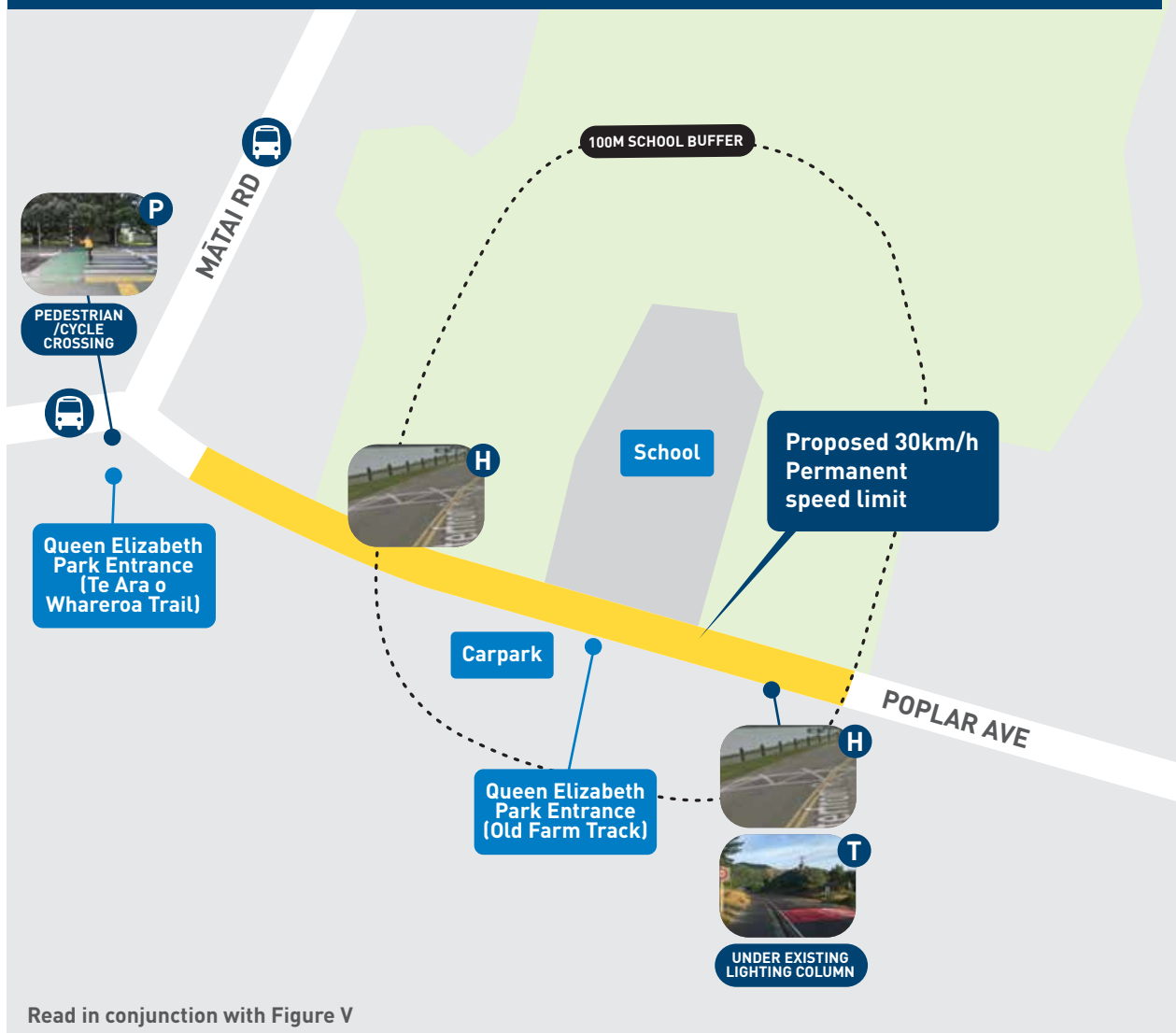
New signs
installed



Install Static
Variable School
speed limit signs

B: TE RA WALDORF SCHOOL AND TE RAWHITI KINDERGARTEN

POPLAR AVE



For installation 2024-27



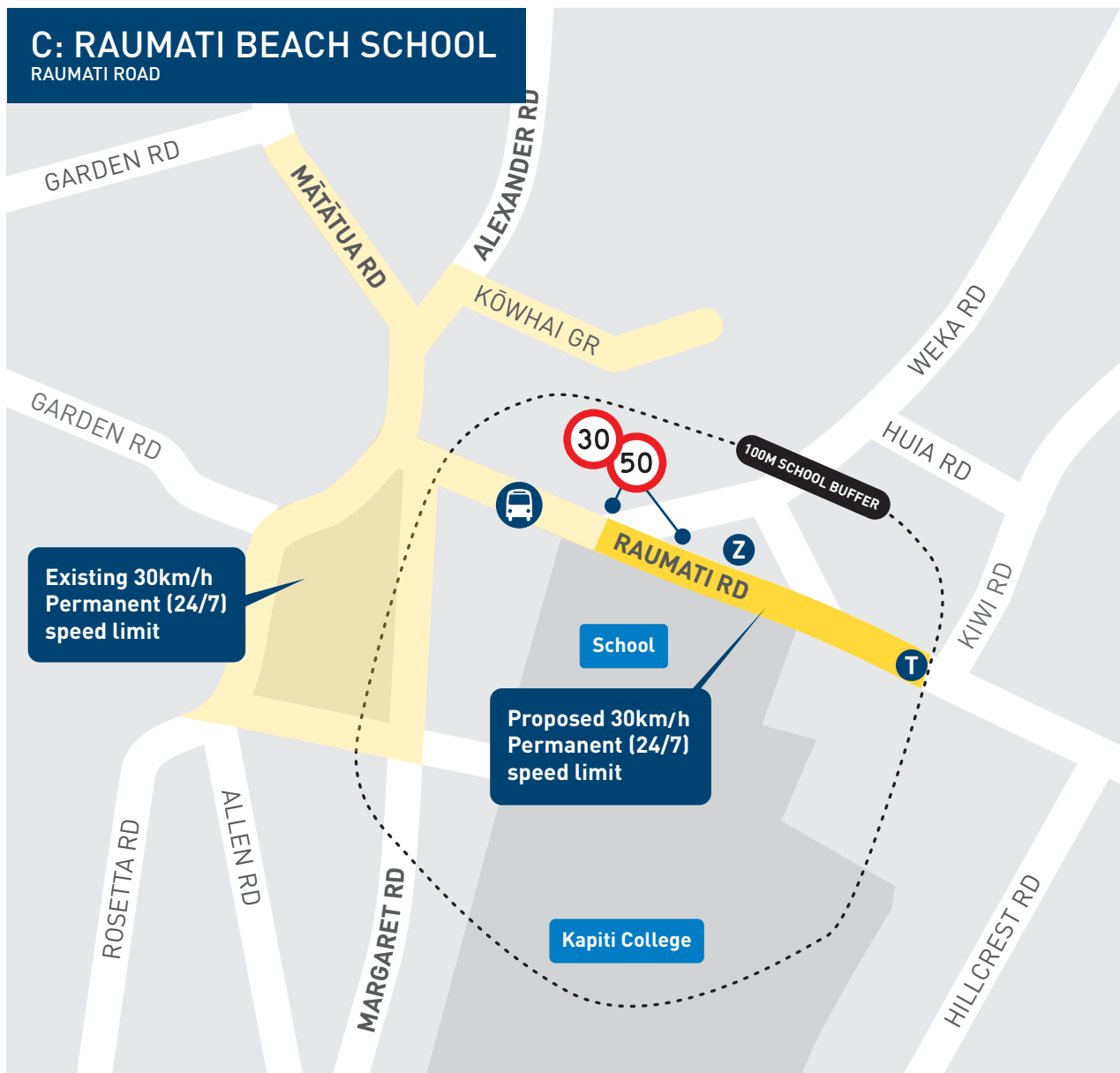
Dual cycle/
pedestrian
crossing (P)
in raised
platform



Construct Hump/
platform (H)



New Threshold
treatment (T),
e.g., 30/50



For installation 2024-27



Supply and install double sided speed limit signs, e.g., 30/50



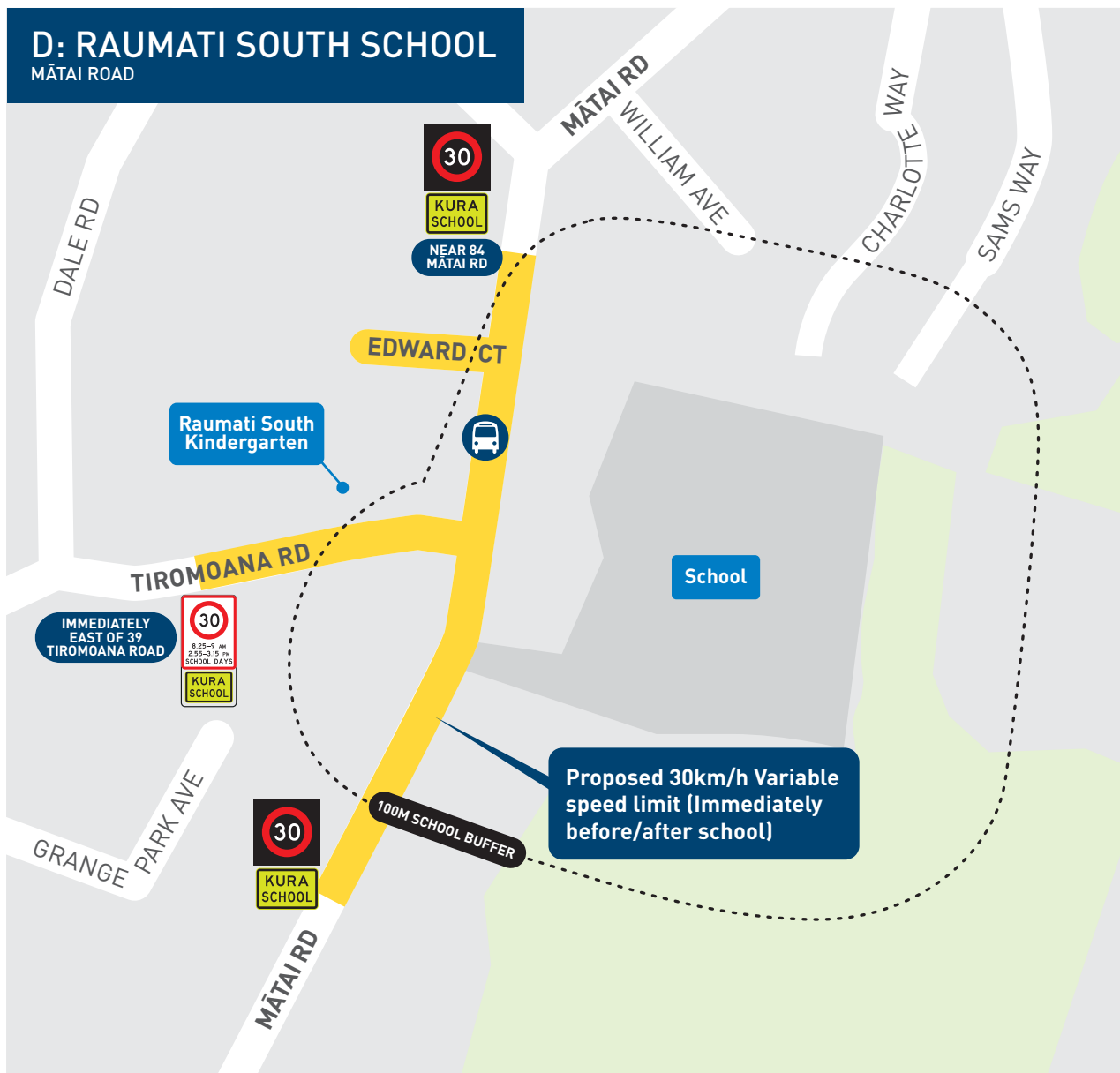
Z

Reconstruct existing Zebra Crossing on Raised Safety Platform (Z)



T

New Threshold treatment (T), e.g., 30/50



For installation by June 2024



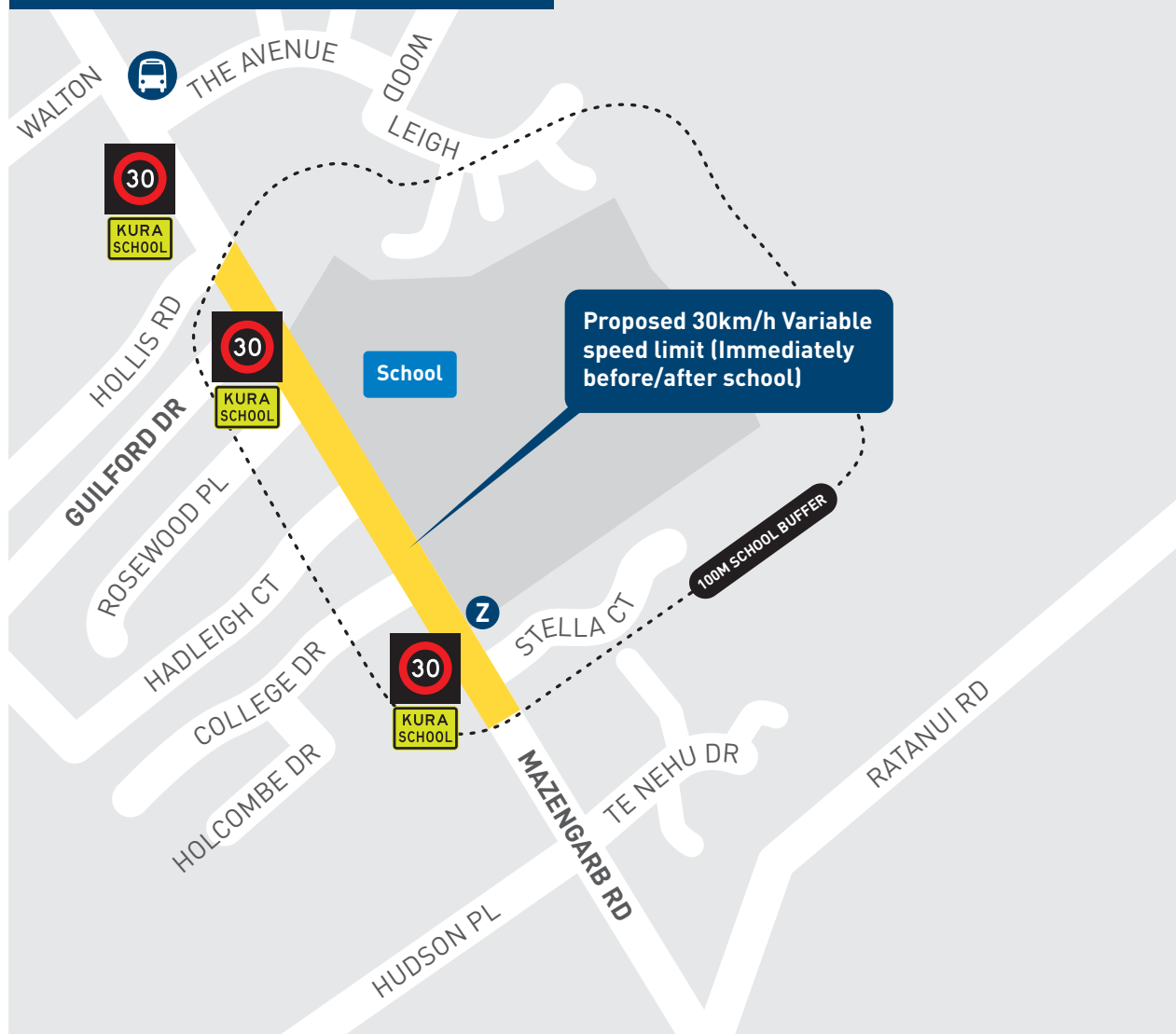
Install Kura
School
Variable



Install Static
Variable School
speed limit signs

E: PARAPARAUMU COLLEGE

MAZENGARB ROAD



For installation by June 2024



Install Kura
School
Variable

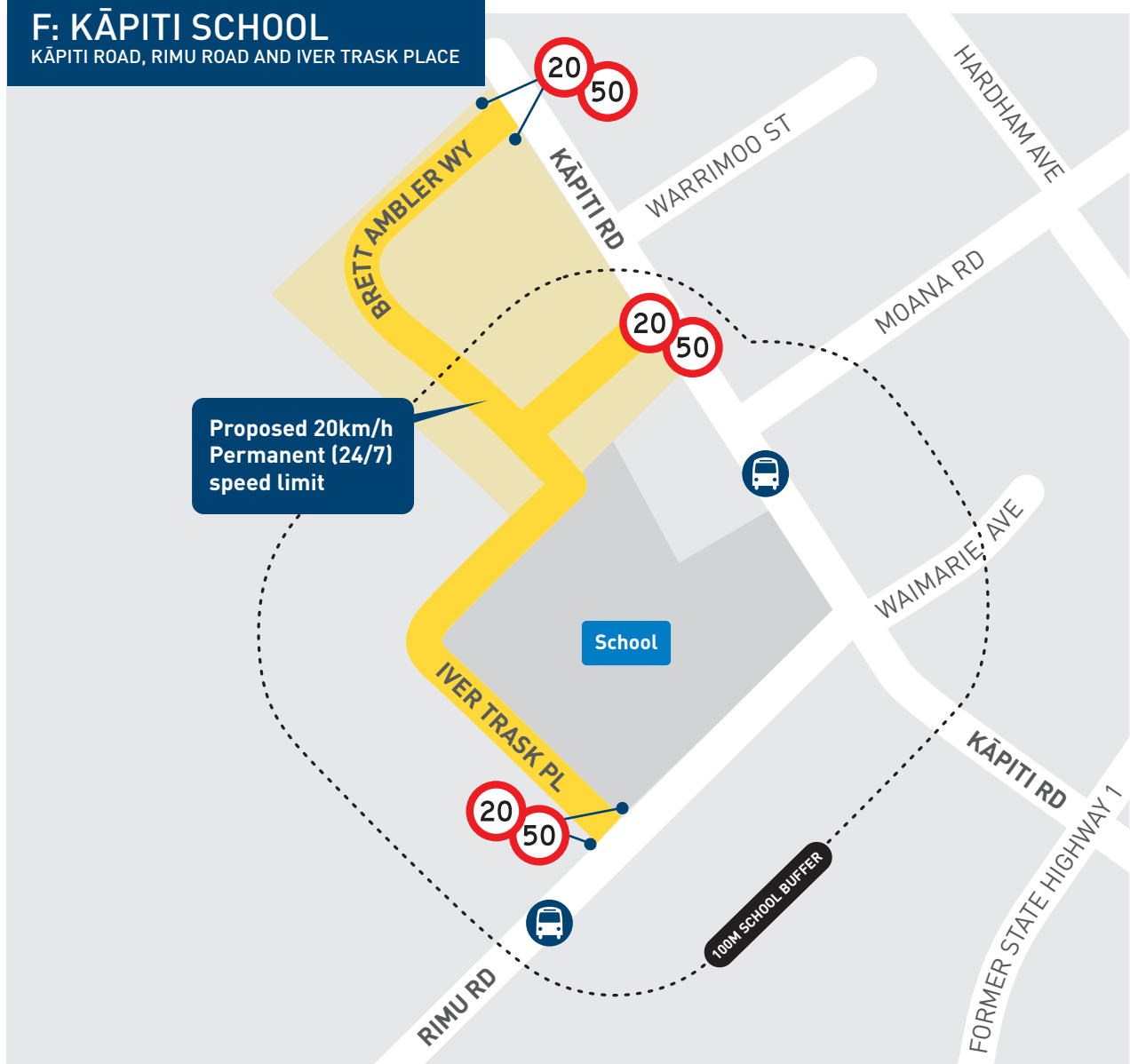
For installation 2024–27



We propose a new
Zebra Crossing (Z) at
existing crossing point,
includes lighting
upgrade, no Raised
Safety Platform

F: KĀPITI SCHOOL

KĀPITI ROAD, RIMU ROAD AND IVER TRASK PLACE



For installation by June 2024



Supply and install double sided speed limit signs

G: OUR LADY OF KĀPITI SCHOOL

MILNE DRIVE



For installation 2024–27




R Construct Pedestrian Refuge (R) plus Kerb Crossing ramps, and lighting upgrade



T New Threshold treatment (T), e.g., 30/50

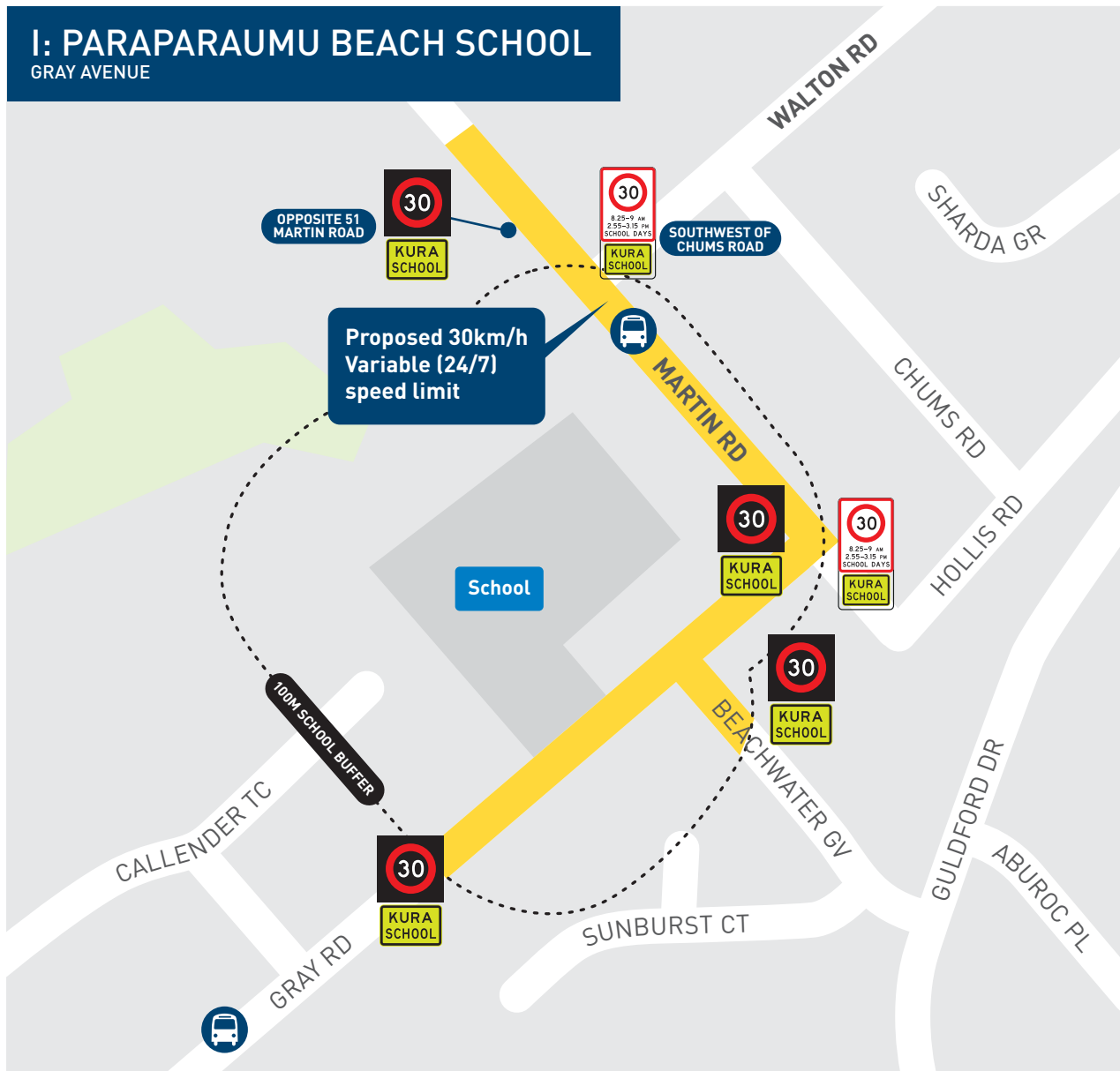


For installation by June 2024

For installation 2024-27

New Threshold treatment (T), e.g., 30/50

I: PARAPARAUMU BEACH SCHOOL GRAY AVENUE



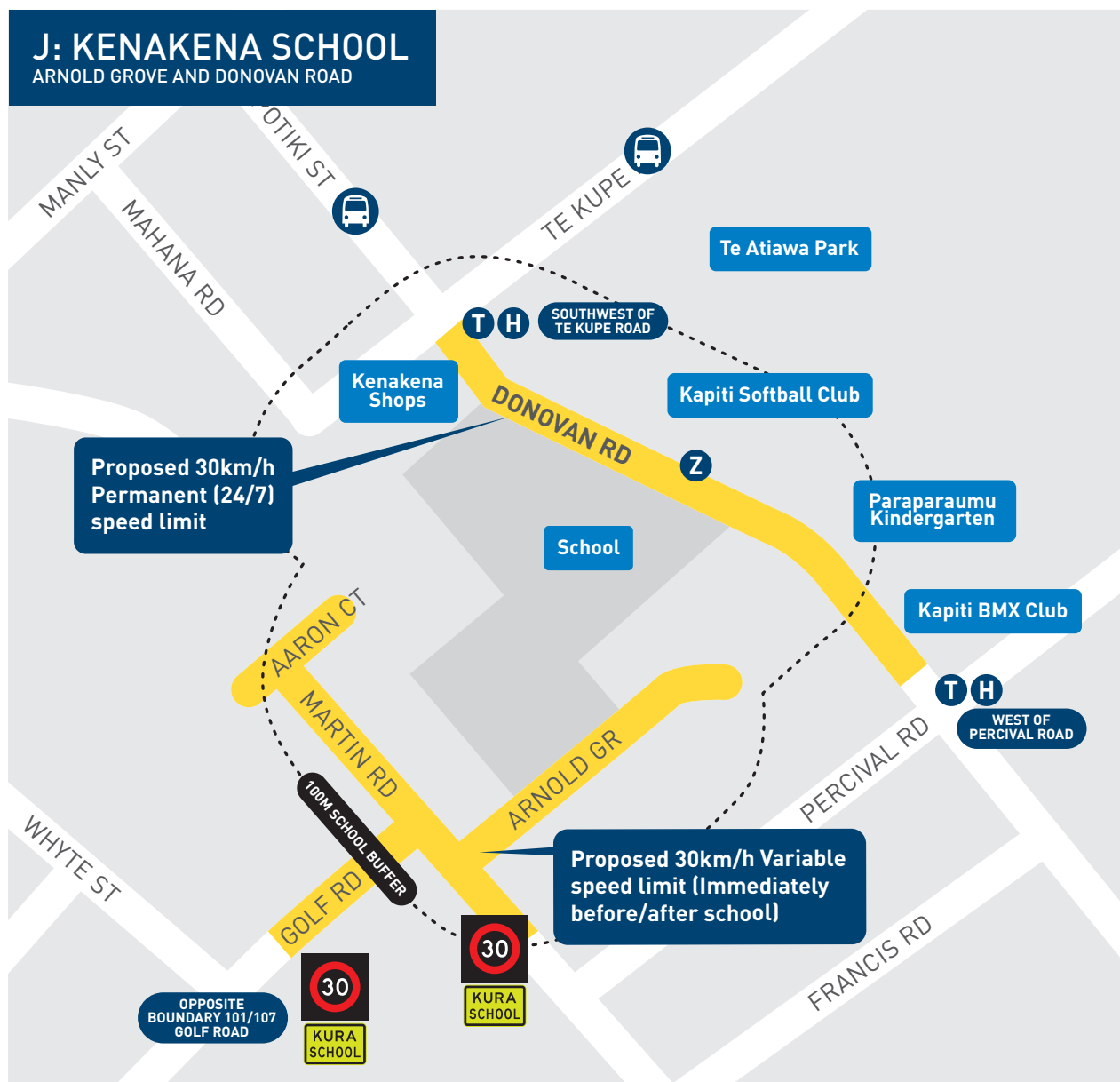
For installation by June 2024



Install Static
Variable School
speed limit signs



Install
Kura
School
Variable



For installation by June 2024



For installation 2024–27



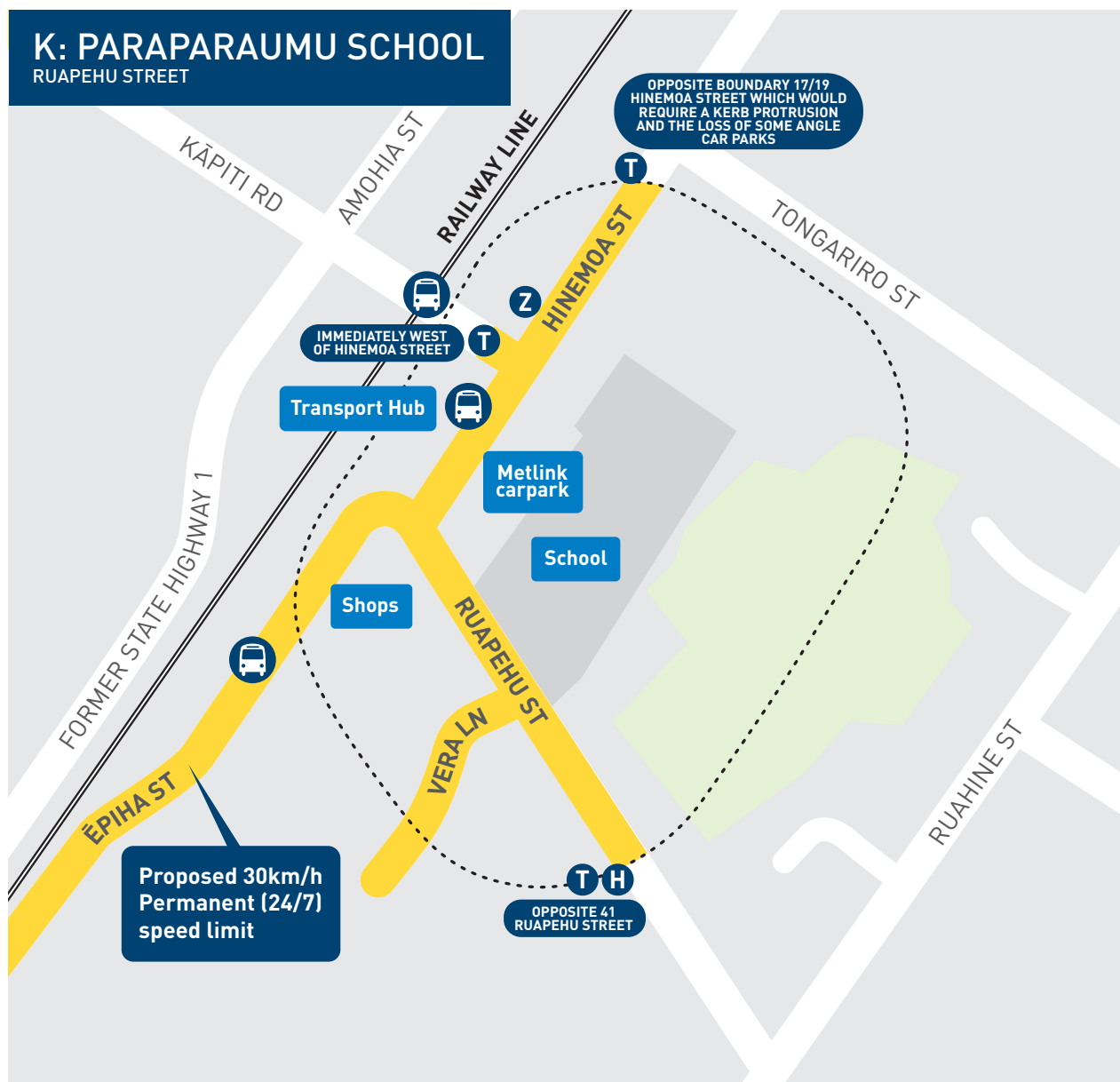
New Threshold treatment (T), e.g., 30/50



Construct Hump/platform (H)



Reconstruct existing Zebra Crossing (Z) on Raised Safety Platform



For installation 2024-27



Z Reconstruct existing Zebra Crossing (Z) on Raised Safety Platform



H Construct Hump / platform (H)



T New Threshold treatment (T), e.g., 30/50



For installation 2024–27



Supply and install double sided speed limit signs, e.g., 30/50



Reconstruct existing Zebra Crossing (Z) on Raised Safety Platform



Construct Hump / platform (H)



New Threshold treatment (T), e.g., 30/50

M: WAIKANAĒ SCHOOL

SEDDON STREET, HIRA STREET, UTAUTA STREET AND WĪNĀRA AVENUE



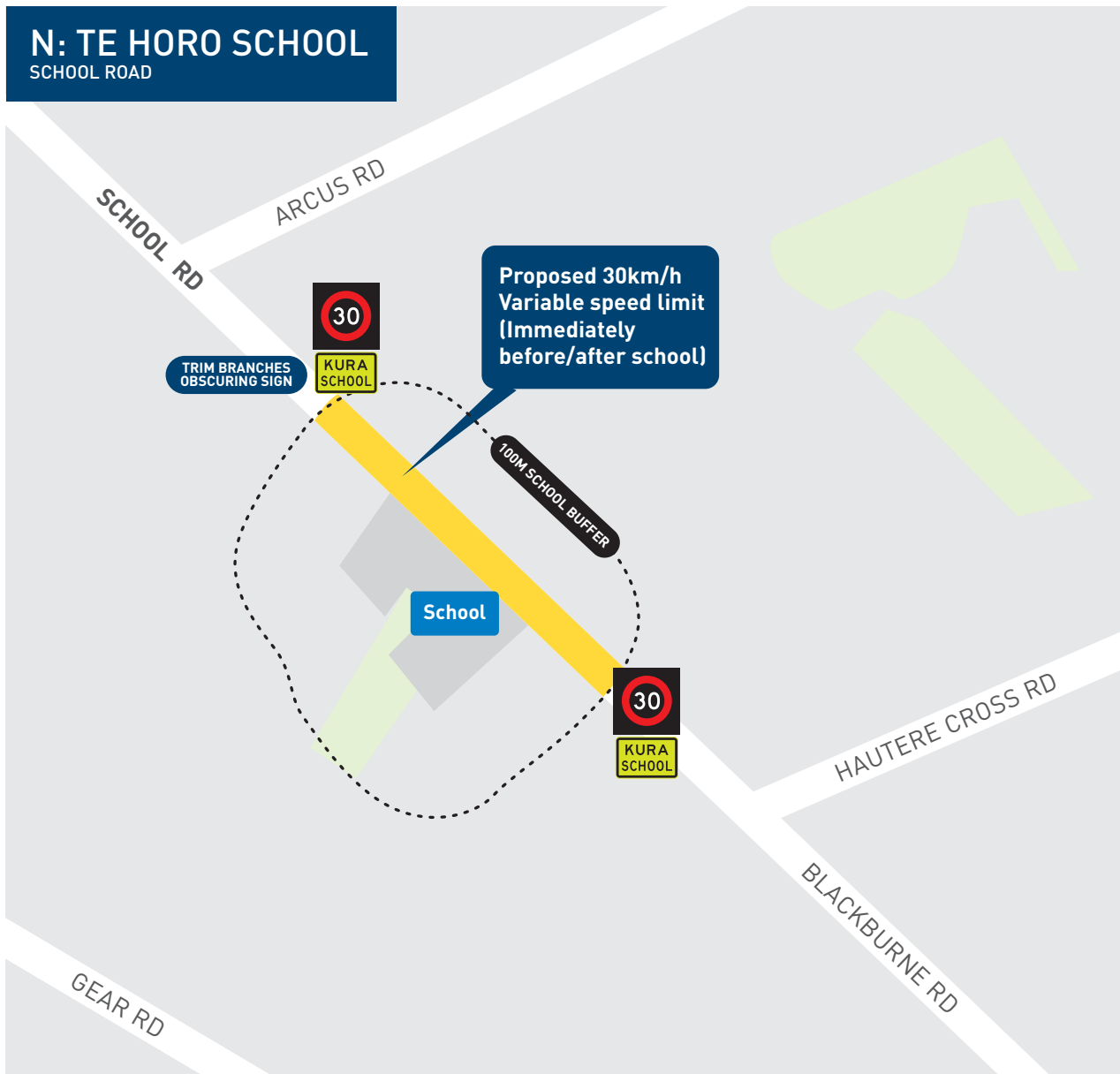
For installation by June 2024



Install
Kura
School
Variable



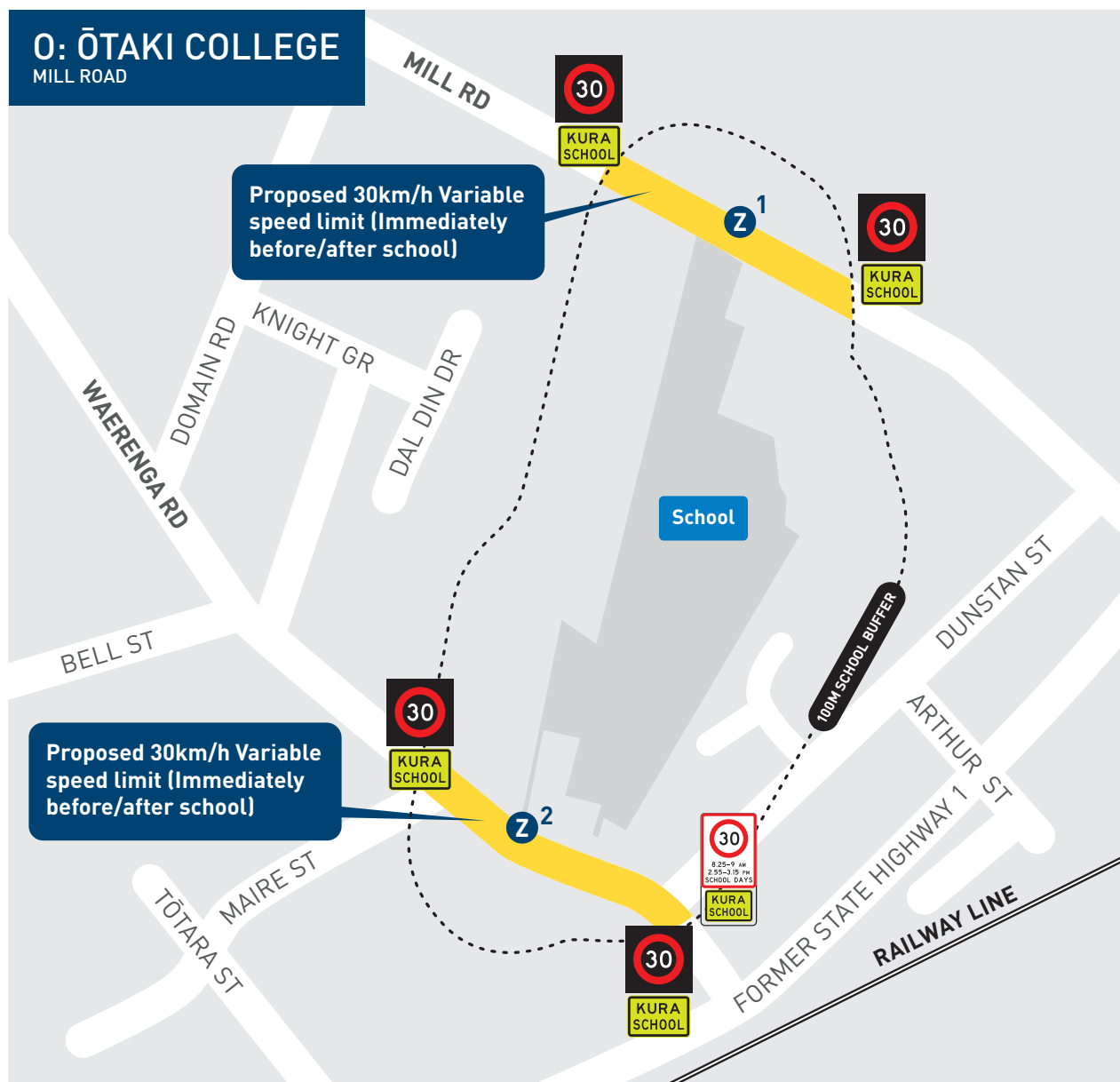
Install Static
Variable
School speed
limit signs



For installation by June 2024



Install
Kura
School
Variable



For installation 2024-27



- 1** Reconstruct existing Zebra Crossing (Z) on Raised Safety Platform



- 2** Remove existing Zebra Crossing (Z) and construct new Raised Safety Platform near 160 Waerenga Road

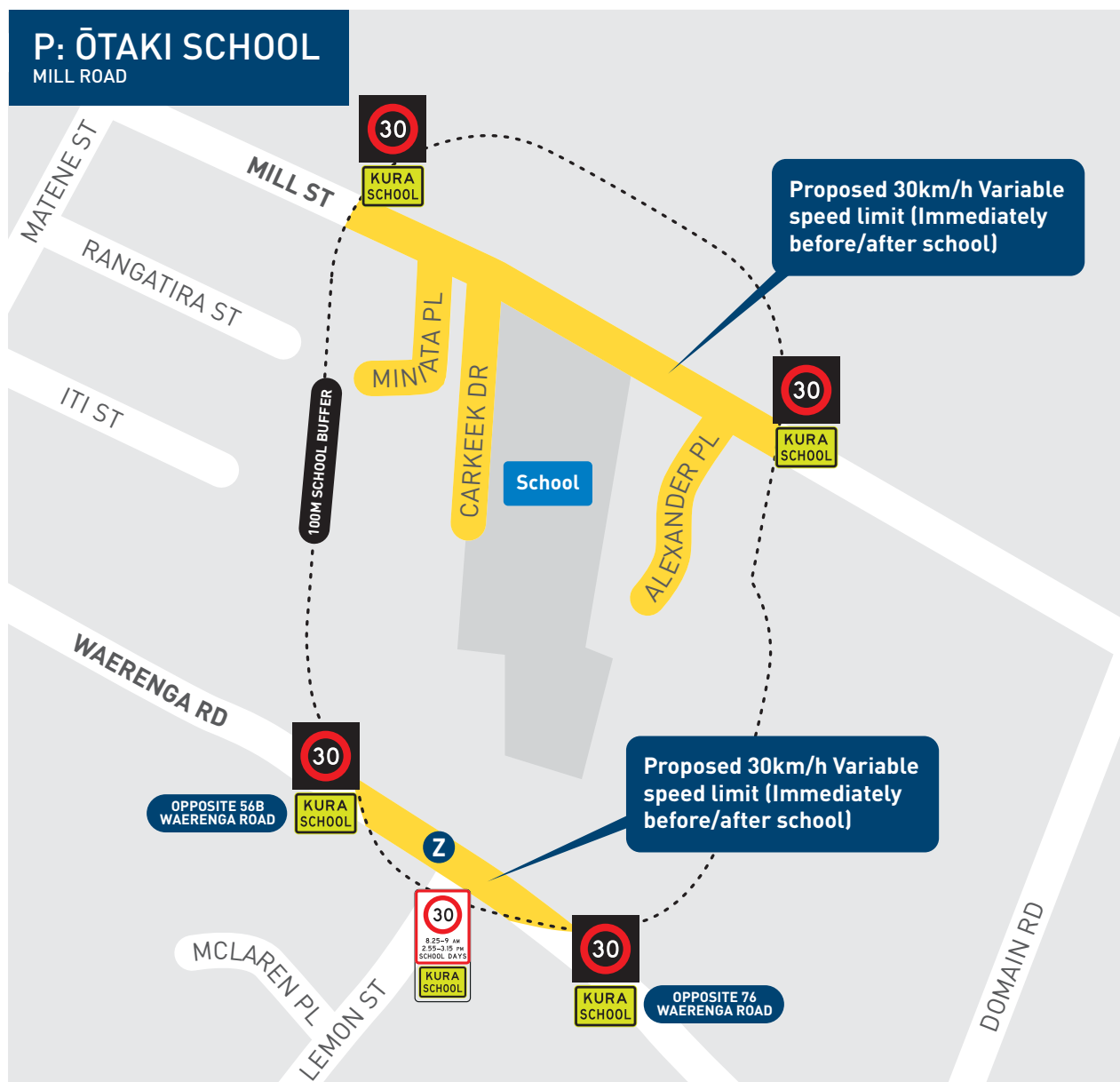
For installation by June 2024



Install
Kura
School
Variable



Install
Static
Variable
School
speed
limit signs



For installation 2024-27



Z Reconstruct existing Zebra Crossing (Z) on Raised Safety Platform

For installation by June 2024



Install Kura School Variable



Install Static Variable School speed limit signs

Q: TE KURA-A-IWI WHAKATUPURANGA RUA MANO

TE RAUPARAHA STREET AND TASMAN ROAD



For installation 2024–27



Upgrade Threshold treatment (T) with 30 km/h speed limit signs and road markings



Construct Hump/platform (H)

R: TE KURA KAUPAPA MĀORI O TE RITO

TE RAUPARAHA STREET



For installation 2024–27



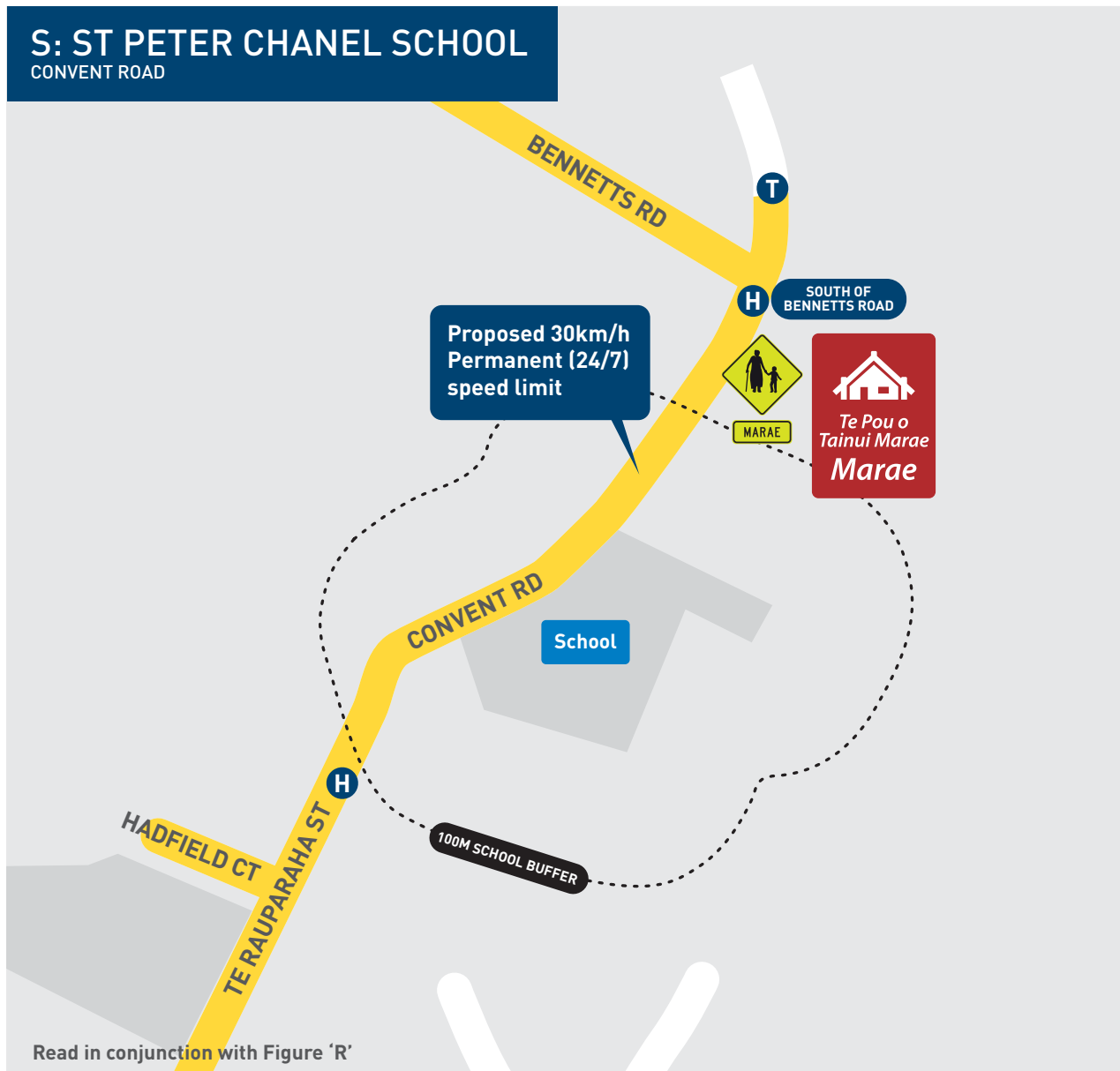
Supply and install double sided speed limit signs, e.g., 30/50



Construct Hump/platform (H)

S: ST PETER CHANEL SCHOOL

CONVENT ROAD



For installation 2024–27



T New Threshold treatment (T), e.g., 30/50



H Construct Hump/platform (H)



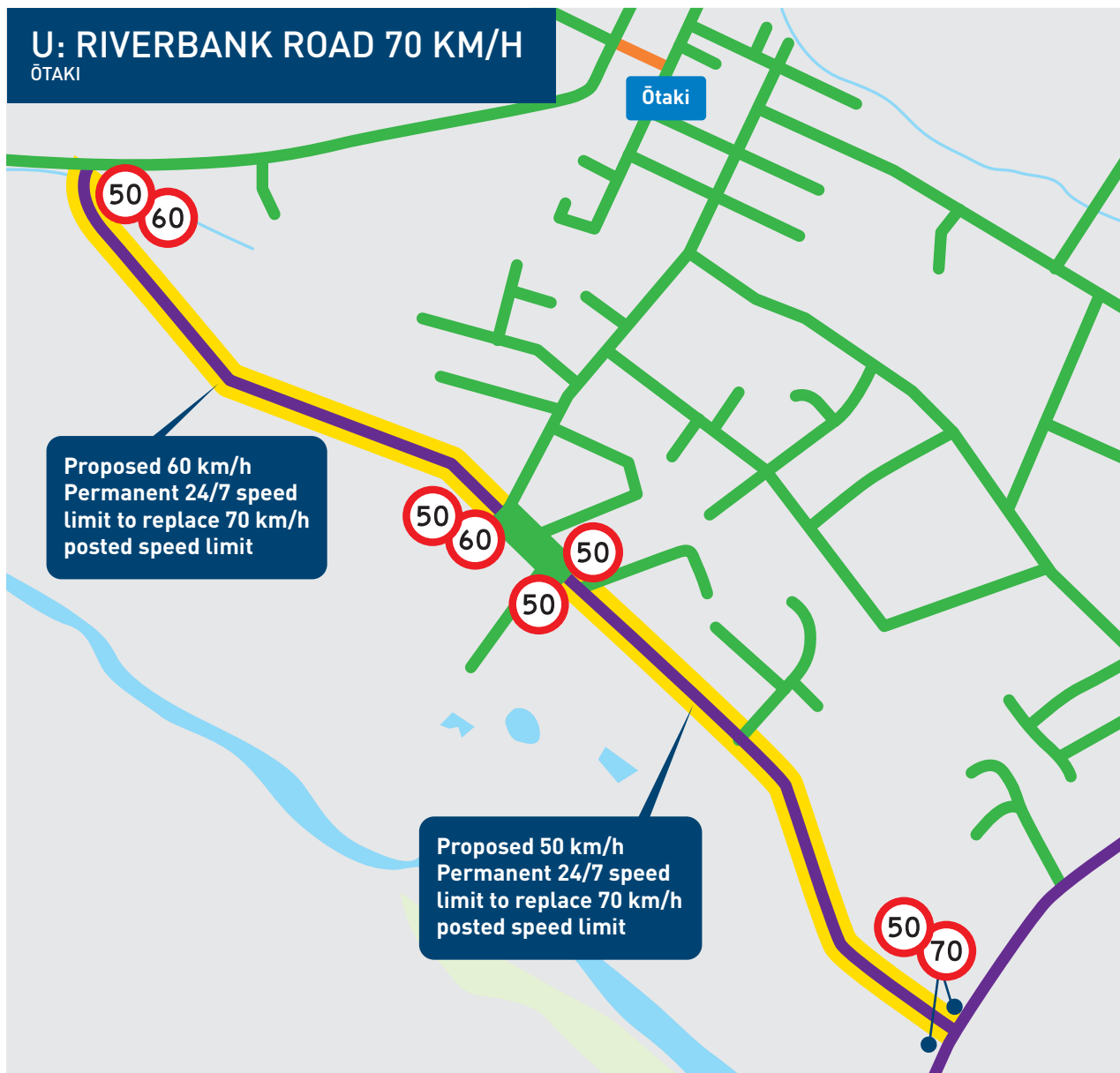
Install marae signs



For installation by June 2024



Install Kura
School
Variable



For installation by June 2024



Replace existing speed limit signs, e.g., 50/70 or 50/60



Supply and install double sided speed limit signs, e.g., 50/60 or 50/70

Existing posted speed limits

- 30 km/h
- 50 km/h
- 70 km/h

V: RAUMATI SOUTH VILLAGE



For installation 2024–27



Supply and install double sided speed limit signs, e.g., 30/50



New Threshold treatment (T), e.g., 30/50

Existing posted speed limits

- 30 km/h
- 40 km/h
- 50 km/h

W: RAUMATI BEACH VILLAGE



For installation 2024–27



H Construct
Hump/
platform

Existing posted speed limits

- 20 km/h
- 30 km/h
- 50 km/h

X: WAIKANAE BEACH VILLAGE



For installation 2024–27



Supply and install double sided speed limit signs, e.g., 30/50



T New Threshold treatment (T), e.g., 30/50



H Construct Hump / platform (H)

Existing posted speed limits

50 km/h

Y: ŌTAKI TOWN CENTRE



For installation 2024–27



T New Threshold treatment (T), e.g., 30/50



Install marae signs (location to be confirmed)

Existing posted speed limits

Orange line: 30 km/h
Green line: 50 km/h

Z: WAIKANAĒ TOWN CENTRE



For installation 2024–27



Supply and install double sided speed limit signs, e.g., 30/50



Install marae signs (location to be confirmed)



New Threshold treatment (T), e.g., 30/50

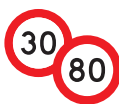
Existing posted speed limits

50 km/h

AA: TE HORO BEACH



For installation 2024–27



Supply and install double sided speed limit signs, e.g., 30/80



T New Threshold treatment (T), e.g., 30/50



H Construct Hump / platform (H)

Existing posted speed limits

- 50 km/h
- 60 km/h
- 80 km/h

10.2 GOVERNANCE STATEMENT 2022-2025 TRIENNIUM

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

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

TE PŪTAKE | PURPOSE

- 1 For Council to consider and adopt the updated Local Governance Statement in accordance with the requirements of Section 40(1) of the Local Government Act 2002.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

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

TE TUKU HAEPAPA | DELEGATION

- 3 Under Section 40(1) of the Local Government Act 2002, Council is required to adopt a Governance Statement within six months after each triennial election.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council adopts the Governance Statement 2022-2025 Triennium (in Appendix 1) as required under Section 40(1) of the Local Government Act 2002.
- B. That Council authorises the Chief Executive to make administrative updates to the Governance Statement as necessary throughout the triennium to reflect any changes in circumstances or amendments Council may make to policies, plans or other information contained or referenced in the Governance Statement.

TŪĀPAPA | BACKGROUND

- 4 As provided for under Section 40(1) of the Local Government Act 2002, a Governance Statement is a collection of information about:
 - the processes through which Council engages with its community,
 - how the Council makes decisions, and
 - how the community can influence those decisions.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 5 Council needs to adopt an updated Governance Statement and make it publicly available before 8 April 2023 in order to comply with the provisions of the Local Government Act 2002.

Ngā kōwhiringa | Options

- 6 The proposed Governance Statement attached as Appendix 1 contains the most up-to-date Governance Structure, information about Council, Council's Elected Members, the meeting processes, key strategy, planning and policy documents and how to contact Council.
- 7 The Governance Statement appended to this report will in due course be transferred to the website as a digital-only version to further support transparency and enhance the accessibility of the statement.

Tangata whenua

- 8 Under Section 40(1)(i) of the Local Government Act 2002, the Governance Statement must contain '*policies for liaising with, and memoranda or agreements with Māori*'.

- 9 Section 9. Māori Partnerships in the Governance Statement has been drafted in consultation with the Iwi Partnerships team and outlines the legislative obligations Council is required to meet as well as the governance and participatory mechanisms in place to meet the obligations to local iwi and the wider Māori community. This section also summarises Te Whakaminenga o Kāpiti and the memorandum of partnership that Council entered with local mana whenua iwi (Ātiawa ki Whakarongotai Inc, Te Rūnanga o Raukawa and Te Rūnanga o Ngāti Toa Rangatira).

Panonitanga āhuarangi | Climate change

- 10 There are no climate change considerations.

Ahumoni me ngā rawa | Financial and resourcing

- 11 There are no financial and resourcing considerations.

Ture me ngā Tūraru | Legal and risk

- 12 There are no additional legal considerations. The Governance Statement has been reviewed by Council's legal services team.

Ngā pānga ki ngā kaupapa here | Policy impact

- 13 There are no policy considerations.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 14 An engagement plan is not required.

Whakatairanga | Publicity

- 15 Once adopted the Governance Statement will be made publicly available on the Council website.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Governance Statement 2022-2025 [↓](#)

LOCAL GOVERNANCE STATEMENT 2022 – 2025

How we deliver for our community

kapiticoast.govt.nz


Kāpiti Coast
DISTRICT COUNCIL
Me Huri Whakamuri, Ka Titiro Whakamua

What is a local governance statement?

The Kāpiti Coast District Council's Local Governance Statement sets out how the Council delivers for its community, how it makes decisions and how you can influence local democratic processes.

It provides information under the following broad categories:

- functions, responsibilities and activities of the Council
- governance structures and processes
- the way elected members make decisions
- the role of elected members and how they relate to each other and to the management of the Council
- electoral arrangements
- public access to key individuals and official information
- key policies of the local authority
- local legislation affecting the Council.

Council is required to produce this statement under Part 4 Section 40 of the Local Government Act 2002 (LGA) and must update it within six months following each triennial election. We may also update it at any other time to make sure it is accurate.

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Our Kāpiti Coast



53,940 people (2018 Census).

8,980 people of Māori descent (Infometrics).

Median age is 47.9 years.

Anticipating 32,000 new residents by 2051.



Over 40 km of coastline.

71,400ha of mainland area.



Over 100 hectares of parks.

49 playgrounds.

Over 100kms of cycling, walking and bridleway trails.



420km of roading network.

420km of footpath.



Our mana whenua partner are the three iwi of Te Āti Awa ki Whakarongotai, Ngāti Raukawa ki te Tonga and Ngāti Toa Rangatira.



Over 15,000,000 litres of water consumed daily.



Three community pools and two splash pads – around 290,000 visitors annually.

Four community libraries – over 400,000 items loaned in 2022.



Over 8,000 registered dogs.

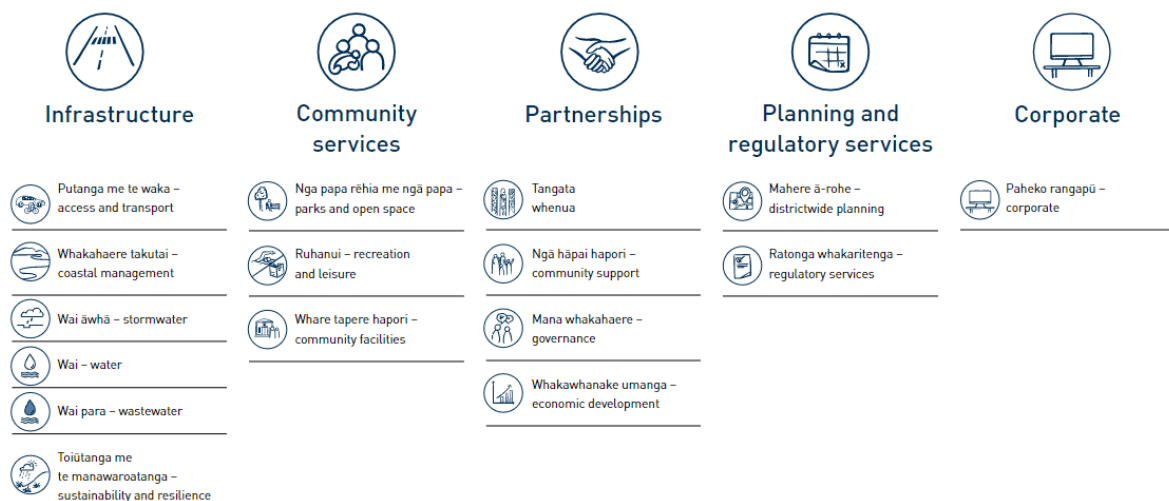
1. Functions, responsibilities and activities

The role of the Kāpiti Coast District Council is to lead and represent our community, and to enable democratic local decision-making to promote the social, economic, environmental and cultural wellbeing of the Kāpiti Coast.

The Council has a variety of responsibilities including:

- managing the district's infrastructure including roads, sewage disposal and stormwater
- managing community facilities including libraries, parks and recreational facilities
- district development and marketing
- regulatory services relating to building, plumbing and drainage, environmental health, alcohol licencing, animal control, parking and bylaws
- Emergency Management (Civil Defence) planning and training.

The full scope of the Council's business is represented in the five groups of activities below.



Read more about what the Council delivers for the community at

www.kapiticoast.govt.nz/deliveringforkapiti

2. Legislation that guides us

Local government operates under more than 100 pieces of legislation. The most significant of these are:

- **Local Government Act 2002**

The purpose of this Act is to provide democratic and effective local government that recognises the diversity of New Zealand communities. It provides a framework and powers for local authorities to decide which activities they undertake and how to undertake them.

- **Resource Management Act 1991 and Resource Management System Reform**

This is New Zealand's main legislation on how we should manage the environment. In February 2021, the Government announced it would repeal the Resource Management Act and enact new legislation to transform the way New Zealand manages the environment. These changes will have major implications on the role and responsibilities of local government and resource management.

- **Local Government Rating Act 2002**

This Act provides local authorities with flexible powers to set, assess and collect rates to fund local government activities. It ensures that rates are set in accordance with decisions that are made in a transparent and consultative manner.

- **Local Government Official Information and Meetings Act 1987**

This Act sets out the requirements of local authorities for the availability to the public of official information and the open and public transaction of business at meetings of local authorities. The aim is to enable more effective participation by the public in the actions and decisions of local authorities, and to promote the accountability of local authority members and officials.

We also have specific legislation covering things like the fencing of swimming pools, gaming, sale of alcohol and the safety of food premises.

3. Contacting the Council

If you need to contact the Council, you can do so using the methods below:

Website

www.kapiticoast.govt.nz

Postal address

Private Bag 60 601
Paraparaumu 5254

Phone

04 296 4700
0800 486 486 (Toll Free)

Email

kapiti.council@kapiticoast.govt.nz

Head Office and Service Centres*Head Office and Service Centre*

175 Rimu Road
Paraparaumu 5032
04 296 4700
Mon – Fri, 9am – 5pm

Ōtaki Service Centre

81 – 83 Main Street, Ōtaki 5512
06 364 9317
Mon – Fri (except Wed), 9am – 5pm
Wed, 10am – 5pm

Waikanae Service Centre

Mahara Place, Waikanae 5036
04 296 4761
Mon – Fri (except Wed), 9am – 5pm
Wed, 10am – 5pm

Democracy Services

For public speaking requests at the Council, committee and subcommittee meetings, contact the Democracy Services team on 04 296 4700 or via email

democracy.services@kapiticoast.govt.nz

Stay informed**Website and social media**

www.kapiticoast.govt.nz

Facebook, Instagram and YouTube: @Kapiticoastdistrictcouncil

Everything Kāpiti e-newsletter

www.kapiticoast.govt.nz/everythingkapiti

Antenno

A free mobile app that sends you Council-related notifications

www.kapiticoast.govt.nz/antenno

4. Meet your Council

Our Council consists of the Mayor and 10 Councillors. The Council is elected, along with all other Councils in New Zealand, every three years. The Mayor is elected by the district at large (which means by the whole district), whereas the Councillors are elected by specific areas called wards as well as at large. There are four wards of the Kāpiti Coast District – Ōtaki, Waikanae, Paraparaumu and Paekākāriki-Raumati wards.

For the 2022 – 2025 triennium they are:

Mayor	Janet Holborow
Deputy Mayor	Lawrence Kirby (Districtwide Councillor)
Councillors	
Ōtaki Ward	Shelly Warwick
Waikanae Ward	Jocelyn Prvanov
	Nigel Wilson
Paraparaumu Ward	Glen Cooper
	Martin Halliday
	Kathy Spiers
Paekākāriki-Raumati Ward	Sophie Handford
Districtwide	Rob Kofoed
	Liz Koh

Councillors can also be allocated certain roles and responsibilities and appointed to committees and subcommittees. More detail is provided later in this document and on our website www.kapiticoast.govt.nz/your-council.

Meet your Council – Mayor and Councillors

**Mayor Janet Holborow**

Phone: 04 296 1628
Email: janet.holborow@kapiticoast.govt.nz

**Cr Lawrence Kirby**

Deputy Mayor/Districtwide Councillor

Mobile: 021 499 790
Email: lawrence.kirby@kapiticoast.govt.nz

**Cr Glen Cooper**

Paraparaumu Ward Councillor

Mobile: 027 2719 818
Email: glen.cooper@kapiticoast.govt.nz

**Cr Martin Halliday**

Paraparaumu Ward Councillor

Mobile: 021 599 648
Email: martin.halliday@kapiticoast.govt.nz

**Cr Sophie Handford**

Paekākāriki–Raumati Ward Councillor

Mobile: 021 0894 7590
Email: sophie.handford@kapiticoast.govt.nz

**Cr Rob Kofoed**

Districtwide Councillor

Mobile: 027 536 4614
Email: rob.kofoed@kapiticoast.govt.nz

**Cr Liz Koh**

Districtwide Councillor

Mobile: 021 313 339
Email: liz.koh@kapiticoast.govt.nz

**Cr Jocelyn Prvanov**

Waikanae Ward Councillor

Mobile: 021 111 0825
Email: jocelyn.prvanov@kapiticoast.govt.nz

**Cr Kathy Spiers**

Paraparaumu Ward Councillor

Mobile: 027 363 5416
Email: kathy.spiers@kapiticoast.govt.nz

**Cr Shelly Warwick**

Ōtaki Ward Councillor

Mobile: 021 949 214
Email: shelly.warwick@kapiticoast.govt.nz

**Cr Nigel Wilson**

Waikanae Ward Councillor

Mobile: 021 284 3339
Email: nigel.wilson@kapiticoast.govt.nz

Meet your Council – Community Boards

Kāpiti Coast District Council—Community Board Members

Paekākāriki
Community
Board



Sean McKinley
Chair, Paekākāriki Community Board
Mobile: 029 931 2654
Email: sean.mckinley@kapiticoast.govt.nz



Kelsey Lee
Deputy Chair, Paekākāriki Community Board
Mobile: 022 606 1325
Email: kelsey.lee@kapiticoast.govt.nz



Sorcha Ruth
Paekākāriki Community Board
Mobile: 020 4100 00756
Email: sorcha.ruth@kapiticoast.govt.nz



Christian Judge
Paekākāriki Community Board
Mobile: 022 687 9661
Email: christian.judge@kapiticoast.govt.nz

Raumati
Community
Board



Bede Laracy
Chair, Raumati Community Board
Mobile: 027 447 3779
Email: bede.laracy@kapiticoast.govt.nz



Jonny Best
Deputy Chair, Raumati Community Board
Mobile: 021 232 9981
Email: jonny.best@kapiticoast.govt.nz



Tarn Sheerin
Raumati Community Board
Mobile: 022 081 2787
Email: tarn.sheerin@kapiticoast.govt.nz



Tim Sutton
Raumati Community Board
Mobile: 020 409 93556
Email: tim.sutton@kapiticoast.govt.nz

Paraparaumu
Community
Board



Glen Olsen
Chair, Paraparaumu Community Board
Mobile: 022 416 9770
Email: glen.olsen@kapiticoast.govt.nz



Karl Webber
Deputy Chair, Paraparaumu Community Board
Mobile: 022 104 6677
Email: karl.webber@kapiticoast.govt.nz



Guy Burns
Paraparaumu Community Board
Mobile:
Email: guy.burns@kapiticoast.govt.nz



Bernie Randall
Paraparaumu Community Board
Mobile: 021 204 6975
Email: bernie.randall@kapiticoast.govt.nz

Meet Your Council – Community Boards

Ōtaki
Community
Board



Cam Butler

Chair, Ōtaki Community Board

Mobile: 021 703 095
Email: cam.butler@kapiticoast.govt.nz



Simon Black

Deputy Chair, Ōtaki Community Board

Mobile: 021 674 323
Email: simon.black@kapiticoast.govt.nz



Jackie Elliott

Ōtaki Community Board

Mobile: 021 045 2762
Email: jackie.elliott@kapiticoast.govt.nz



Chris Papps

Ōtaki Community Board

Mobile: 027 201 6435
Email: christine.papps@kapiticoast.govt.nz

Waikanae
Community
Board



Richard Mansell

Chair, Waikanae Community Board

Mobile:
Email: richard.mansell@kapiticoast.govt.nz



Michael Moore

Deputy Chair, Waikanae Community Board

Mobile: 027 275 1127
Email: michael.moore@kapiticoast.govt.nz



Tonchi Begovich

Waikanae Community Board

Mobile:
Email: tonchi.begovich@kapiticoast.govt.nz



Michelle Lewis

Waikanae Community Board

Mobile: 021 195 7635
Email: michelle.lewis@kapiticoast.govt.nz

Item 10.2 - Appendix 1

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5. Elected Members' roles and conduct

Councillors

Councillors (acting as the Council) are responsible for governance, including:

- development and adoption of Council policy
- monitoring the performance of the Council
- prudent stewardship of Council resources
- employment of the Chief Executive
- appointment of the Electoral Officer
- representation of district residents and ratepayer interests.

Unless otherwise provided in the LGA or in the Council's Standing Orders, the Council can only act by majority decision at meetings. Any individual member (including the Mayor) has no authority to act on behalf of the Council, unless this is specifically provided for by statute or the Council has expressly delegated such authority.

Mayor

The Mayor is elected by the district as a whole (at large) and, as one of the elected members, shares the same responsibilities as other members of the Council.

The Mayor has specific responsibility for:

- providing leadership to elected members and to the people of the Kāpiti Coast District
- leading the development of the Council's plans (including the Long-term Plan and the Annual Plan), policies and budgets for consideration by the members of the Council
- in exercising this leadership role, the Mayor has the power to:
 - appoint the Deputy Mayor
 - determine the number of committees and subcommittees, their terms of reference and composition
 - appoint the chairs of these committees and subcommittees.

The Mayor also has the following roles:

- presiding at Council meetings – the Mayor is responsible for ensuring the orderly conduct of business during meetings (as determined by [Standing Orders](#))
- advocating on behalf of the community – this may involve promoting the community and representing its interests (such advocacy will be most effective where it is carried out with the knowledge and support of the Council).

- primary spokesperson for the Council
- ceremonial head of the Council
- fulfilling the responsibilities of a Justice of the Peace (ex-officio)
- lead liaison with Central Government
- leading projects relating to transport and urban development
- leading other major projects.

Deputy Mayor

The Deputy Mayor is appointed by the Mayor at the first meeting of the Council. Under usual circumstances, the Deputy Mayor exercises the same roles as other elected members. If the Mayor is absent or incapacitated, the Deputy Mayor must perform all of the responsibilities and duties and may exercise the powers of the Mayor (as summarised above). The Deputy Mayor may be removed from office by resolution of the Council.

Committee Chairperson

Council or the Mayor may create one or more committees and subcommittees of the Council. The Mayor may appoint committee/subcommittee chairpersons or they may be appointed by the Council using the election processes prescribed in Clause 25 of Schedule 7 of the LGA. A committee/subcommittee chairperson is responsible for presiding over meetings, ensuring that the committee/subcommittee acts within the powers delegated to it by the Council as set out in the Council's Governance Structure. A committee/subcommittee chairperson may be removed from office by resolution of the Council.

Community Boards

Community boards are the grass roots of local democracy where people in each of our towns and villages can take their concerns or seek assistance. Community Boards consist of four members elected alongside the Council at the local elections.

A board's role is to advocate for its residents, but it also has powers to make decisions about issues within its boundaries and as per the powers delegated to it by the Council. Boards may also make submissions to the Council and other statutory agencies.

Community boards are constituted under section 49 of the LGA to:

- represent and act as an advocate for the interests of their community
- consider and report on any matter referred to it by the Council and any issues of interest or concern to the community board

- maintain an overview of services provided by the Council within the community
- make an annual submission to the Council on expenditure in the community
- communicate with community organisations and special interest groups
- undertake any responsibilities delegated by the Council.

Code of Conduct

Our Code of Conduct provides guidance on the standards and behaviour expected from all elected members of the Kāpiti Coast District Council. Schedule 7 of the LGA, requires a local authority to adopt a code of conduct and once adopted all elected members are required to comply with the code.

Our current Code of Conduct was adopted on 12 December 2013 and is available on the Council's website. The code may only be amended by a 75 per cent or more vote of the Council.

Elected members have specific obligations for their conduct under the following legislation:

Local Government Act 2002	<p>This Act includes obligations to act as a good employer in respect of the Chief Executive and to abide by the current Code of Conduct and Standing Orders.</p> <p>It also requires a declaration of pecuniary interests within 120 days of coming into office and by the last day in February in each subsequent year of the triennium.</p>
Local Authorities (Members' Interests) Act 1968	<p>This Act regulates the conduct of elected members in situations where there is, or could be, a conflict of interest between their duties as an elected member and their financial interests (either direct or indirect).</p>
Secret Commissions Act 1910	<p>This Act prohibits elected members from accepting gifts or rewards which could be seen to influence them in a particular way.</p>
Crimes Act 1961	<p>This Act prevents the acceptance of gifts or rewards for acting in a certain way and prohibits the use of official information for private profit.</p>

Financial Markets Conduct Act 2013	This Act prohibits elected members from accepting gifts or rewards which could be seen to sway them to perform their duties in a particular way.
Health and Safety at Work Act 2015	This Act details the responsibility of councillors in respect to health and safety.
Public Records Act 2005	This Act provides a framework to keep central and local government organisations accountable by ensuring records are full and accurate, well maintained and accessible.

Remuneration Policy

The Remuneration Authority is responsible for setting the amount that each Council can spend on remunerating its elected members. The Authority sets the salary of the Mayor and provides guidance to the Council on the salary of the Councillors.

Read more about the current remuneration on our website www.kapiticoast.govt.nz/your-council

5. Governance Structure

Several different decision-making bodies exist so the Council can make decisions that are inclusive and efficient. These include full Council meetings as well as various committees, community boards and advisory groups.

More information, including meeting calendars can be found on our website

www.kapiticoast.govt.nz/your-council

Council

Meetings of the full Council hold the highest authority in the Council decision-making structure. The full Council meets monthly and is chaired by the Mayor. It would be inefficient for all decision-making to happen at full Council, so it delegates many of its powers to various committees and subcommittees.

Some powers of the Council cannot be delegated. These include the powers to make a rate, to make a bylaw and to adopt an Annual Plan, Long-term Plan, or Annual Report. In addition, the Council has decided to retain some powers that could have been delegated.

Committees and subcommittees

After each triennial election the Mayor establishes the committees of the Council under Section 41A of the LGA, and appoints chairs to them. The Mayor is a member of all committees, except for the Kāpiti Coast District Licensing Committee.

The structure adopted for the 2022 – 25 triennium includes full Council, one committee of the whole Council which meets monthly, two major subcommittees and five committees with each committee/subcommittee having its own terms of reference and certain powers delegated to it by the Council. Council retains the power to revisit the structure at any point throughout the triennium.

Committees

- Strategy, Operations and Finance Committee | Te Komiti Rautaki, Whakahaere, me te Ahumoni
- Risk and Assurance Committee | Te Komiti Whakamauru Tūraru
- Appeals Hearing Committee | Te Komiti Rongonga Pīra
- Chief Executive Performance and Employment Committee | Te Komiti Arotake Mahi a te Tumu Whakarae
- Grants Allocation Committee | Te Komiti Tuku Tahua Pūtea
- Campe Estate Committee | Te Komiti mō te Waihotanga Iho a Campe

Subcommittees

- Social Sustainability Subcommittee | Te Komiti Whāiti Toitūtanga Pāpori
- Climate and Environment Subcommittee | Te Komiti Whāiti Āhuarangi me te Taiao

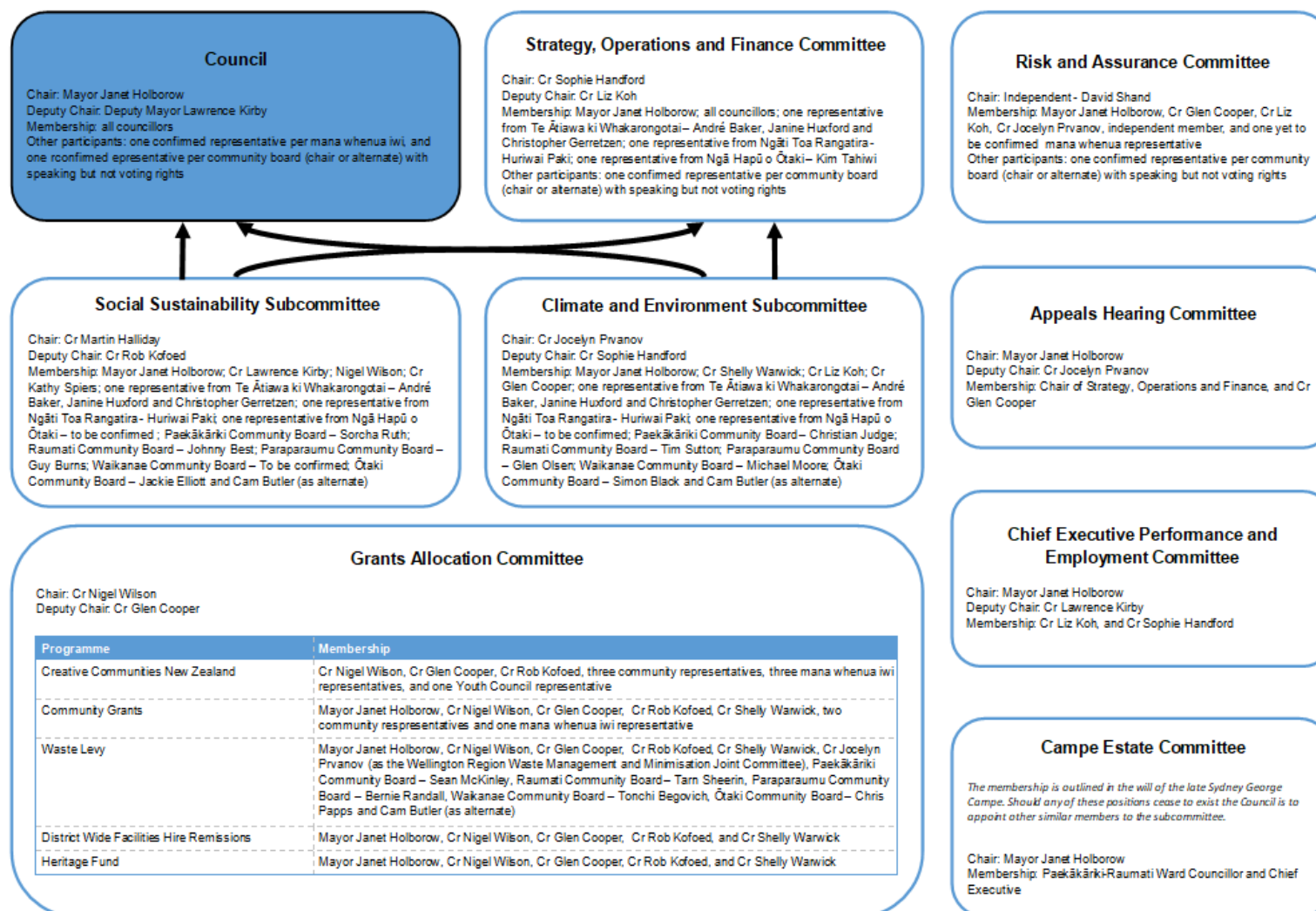
See page 18 for full governance structure.

Joint committees

The Council also participates in the following Joint Committees with other Councils from around the region.

- Wellington Region Waste Management and Minimisation Joint Committee
- Wellington Regional Strategy Joint Committee
- Wellington Regional Transport Committee
- Wellington Region Civil Defence Emergency Management Group

Kāpiti Coast District Council Governance Structure 2022-2025



Community Boards | Poari ā-Hapori

The Kāpiti Coast District has five community boards:

Paekākāriki

Chair	Sean McKinley
Deputy Chair	Kelsey Lee
Membership	Christian Judge, Sorchia Ruth and Councillor Sophie Handford

Paraparaumu

Chair	Glen Olsen
Deputy Chair	Karl Webber
Membership	Guy Burns, Bernie Randall, Councillor Kathy Spiers and Councillor Glen Cooper

Raumati

Chair	Bede Laracy
Deputy Chair	Johnny Best
Membership	Tarn Sheerin, Tim Sutton and Councillor Sophie Handford

Waikanae

Chair	Richard Mansell
Deputy Chair	Michael Moore
Membership	Tonchi Begovich, Michelle Lewis, Richard Mansell and Councillor Nigel Wilson

Ōtaki

Chair	Cam Butler
Deputy Chair	Simon Black
Membership	Jackie Elliott, Chris Papps and Councillor Shelly Warwick

Read more on community boards at <https://www.kapiticoast.govt.nz/community-boards>

District Licensing Committee

In addition to the committees and subcommittees listed above, a District Licensing Committee is appointed by the Council to administer the Council's alcohol licensing framework as required by the Sale and Supply of Alcohol Act 2012.

This committee is chaired by Councillor Nigel Wilson and makes decisions on licensing matters required by the Act.

Read more on the District Licensing Committee at www.kapiticoast.govt.nz/your-council

6. Electoral system

Voting is one way you can have your say in how our district runs. Elections of local authorities are held once every three years. Our next elections will be held in 2025 to elect our mayor, councillors and community board members. All elections are currently held by postal voting.

The STV system

Since August 2002, the Kāpiti Coast District Council has elected its members under the Single Transferable Voting (STV) system whereby electors rank the candidates in order of preference.

Using this system, successful candidates must receive a quota (share of votes) of the votes cast. When there are enough candidates with a quota to fill all the seats, they are the winners. The quota needed for a candidate to be elected is determined by the number of seats and the number of votes cast is achieved by redistributing votes. In the first round of counting, the candidates with the highest and lowest number of votes are identified. The lowest-polling candidates are then excluded. This process continues for as many iterations as necessary.

Changing our voting system

Under the Local Electoral Act 2001 (LEA), the Council can resolve to change the electoral system it uses to elect its members or it can conduct a binding poll. Alternatively, five percent of electors can initiate a poll by signing a petition demanding that a poll be held. If a poll of electors is held to determine the electoral system to be used, the system that is chosen cannot be changed for at least the next two triennial local authority elections, i.e. if a poll has been held on the issue, a council cannot change its electoral system for one election and then change back to the previous system for the next election.

7. Representation arrangements

It is a legislative requirement that the Mayor be elected by the electors of the district as a whole. The Council last reviewed its representation arrangements in 2021. This review changed the ward boundaries and created one additional community board.

Current representation arrangements

Wards

The Kāpiti Coast District is divided into four wards for electoral purposes. Three of the ten Councillors represent the entire District (districtwide councillors) and seven of them represent one of four specific wards:

Ōtaki Ward	One ward councillor
Waikanae Ward	Two ward councillors
Paraparaumu Ward	Three ward councillors
Paekākāriki – Raumati Ward	One ward councillor

Community Boards

The Kāpiti Coast District has five community boards. The composition of each is as follows:

Ōtaki Community Board	Four members elected by the community plus the Ōtaki Ward Councillor appointed by the Council
Waikanae Community Board	Four members elected by the community plus one of the two Waikanae Ward Councillors appointed by the Council
Paraparaumu Community Board	Four members elected by the community plus two of the three Paraparaumu Ward Councillors appointed by the Council
Raumati Community Board	Four members elected by the community plus the Paekākāriki-Raumati Ward Councillor appointed by the Council
Paekākāriki Community Board	Four members elected by the community plus the Paekākāriki-Raumati Ward Councillor appointed by the Council

The Community Boards elect their own chairperson and deputy chair at their first meeting after the triennial election. They can also resolve to change chair and deputy chair at any time throughout the triennium.

Māori Wards

The LEA gives the Council the ability to establish separate wards for Māori electors. This representation must be based on enrolment on the Māori electoral roll.

In October 2020, in consultation with the Council's three iwi partners – Te Ātiawa ki Whakarongotai, Ngā Hapū o Ōtaki and Ngāti Toa Rangatira – Councillors resolved not to establish a Māori ward for electoral purposes. The option was not seen by the Councils' iwi partners as the most effective means of strengthening their existing partnership with the Council. In May 2021, following further consultation with iwi partners, this decision was reconfirmed ahead of the 2022 local body elections.

The Council and its iwi partners will continue discussions about a Māori ward over the next triennium. Consideration of this issue is one of two preliminary decisions leading into a formal review of representation arrangements, as required by the LEA (the other decision is about the choice of electoral system).

At the beginning of the 2022-2025 triennium, the Council confirmed a role for mana whenua within its governance structure including positions for mana whenua with voting rights on the Strategy, Operations and Finance Committee and its two subcommittees, as well the ability to participate at Council, but not vote. This was reflective of the Council's established partnership with iwi through the Memorandum of Partnership in place since 1994. This decision was made in accordance with Clause 31, Schedule 7 of the LEA which allows the Council to appoint non- elected members to a committee if the person has the skills, attributes or knowledge to assist the work of the committee.

Review of Representation Arrangements

The Council is the voice of local people, representing and balancing a range of interests. The Council is required to review its representation arrangements at least once every six years. The Council must follow the procedure set out in the LEA when conducting this review and should also follow guidelines published by the Local Government Commission. This review involves consultation with the community to determine:

- the electoral system used to elect representatives
- if Councillors should be elected district-wide or by wards
- the number of wards
- if there should be separate Māori wards

- if there should be community boards and, if so, how many.

The Act gives the public the right to make a written submission to the Council on any proposed representation reviews and the right to be heard in support of their submission, if they so wish. The Council considers all submissions and may change its proposals as a result. If a person who made a submission is not satisfied with the Council's amended proposal, they can appeal or object the decision, which is then referred to the Local Government Commission. The Commission must make a binding decision on the appeal. Further details on the matters that the Council must consider in reviewing its membership and basis of election can be found in Part 1A Sections 19A-19ZI of the LEA.

The Council conducted a review of its representation arrangements in 2021, ahead of the 2022 local authority elections. The next representation review will be carried out in 2027, in time for the 2028 elections.

8. Our meeting processes

When does the Council meet?

The legal requirements for Council meetings are set down in the LGA and the Local Government Official Information and Meetings Act 1987 (LGOIMA).

For an ordinary meeting of the Council, at least five days' notice of the time and place of the meeting must be given. In most circumstances, the upcoming month's meetings are publicly notified before the start of the month. Extraordinary meetings can generally be called with three working days' notice or 24 hours' notice in some circumstances.

Meetings are advertised in the local news media, social media and via the Council's website.

Who can attend?

All Council and Committee meetings are open to the public, unless there is reason to exclude the public. The LGOIMA contains a list of the circumstances where Councils may consider items in a 'public excluded' setting. These circumstances generally relate to protection of personal privacy, professionally privileged or commercially sensitive information, and the maintenance of public health, safety and order.

Although meetings are open to the public, members of the public do not have speaking rights unless prior arrangements are made (by contacting Democracy Services).

Agendas

Meeting agendas are public documents, although parts may be withheld if public excluded circumstances apply. Agendas set out what will be discussed at a meeting and include information and any associated reports listed on the meeting agenda. Agendas will be made available to the public two days before each meeting on our website

www.kapiticoast.govt.nz.

Standing orders

During Council, Committee/Subcommittee and Community Boards meetings, all participants must follow Standing Orders (a set of procedures for conducting meetings) unless Standing Orders are suspended by a vote of 75 percent (or more) of the members present.

The Council adopted a revised set of Standing Orders at a meeting on 24 November 2022. This version is largely based on the version developed for the local government sector by Ko Tātou Local Government New Zealand. Standing Orders are available on the Council's website.

The Mayor or Committee Chair is responsible for maintaining order at meetings and may, at his or her discretion, order the removal of any member of the public for disorderly

conduct, or remove any member of the Council who does not comply with Standing Orders.

Minutes

Minutes of meetings must be kept as evidence of the proceedings of the meeting. These must be made publicly available, subject to the provisions of the LGOIMA. Meeting minutes are available to the public as soon as possible after the meeting on our website www.kapiticoast.govt.nz

9. Māori partnerships

In recognition of the Crown's responsibility under the Treaty of Waitangi, the Council has obligations towards mana whenua and Māori broadly to take account of the Treaty of Waitangi under a number of statutes, such as the LGA (requiring opportunities for Māori to contribute to the Council's decision-making processes), Resource Management Act 1991, Reserves Act 1977 and Conservation Act 1987. This includes principles and requirements for the Council to facilitate Māori participation in all decision-making processes as well as appropriate consultation with Māori on different issues (refer Section 4, Parts 2 and 6 of the LGA).

The Council's Long-term Plan 2021 – 41 commits to an enduring relationship between mana whenua and kaunihera (Council) at the heart of our activities for the community and the wider relationships that surround us.

In observing the functions and duties as prescribed in legislation, the Council has established a range of governance and participation mechanisms that enable the Council to meet its obligations and responsibilities under the Treaty of Waitangi to local iwi and the wider Māori community.

Iwi Partnerships and Co-Governance

We have one of the longest standing partnerships, by way of a Memorandum of Partnerships, with our three iwi (Te Ātiawa ki Whakarongotai, Ngāti Raukawa and Ngāti Toa Rangatira), which has been in place since 1994. We have been working to refresh our partnership arrangements so they are fit for the future. This includes capacity funding, as well as a wider participation on our governance arrangements. To encourage sharing at a formal level, Te Whakaminenga o Kāpiti meet on a regular basis (usually six weekly), to discuss issues of mutual importance, indicate areas of concern and revise procedures, as necessary.

Guided by the advice of Mana Whenua, the Council decided in 2021 not to create a Māori ward as part of the representation review. It was their preference that we work on other mechanisms first, however, this decision is likely to be revisited this triennium. The Council voted in June 2022 to appoint mana whenua representatives to the Strategy and Operations Committee and a number of its other committees, and the current Council has decided to continue with these representation arrangements this triennium. For the 2022 – 2025 triennium, the Council has voted to appoint mana whenua representatives to its Strategy, Operations and Finance Committee and a number of its committees and subcommittees to enhance the role of iwi in its decision-making structures. Many of our cornerstone projects, such as our river recharge project, have benefitted from the contribution of iwi as partners in governance and project groups.

Review of Te Whakaminenga o Kāpiti

In 2017, Te Ātiawa ki Whakarongotai Charitable Trust commenced a review of its partnership with Kāpiti Coast District Council and, in 2019, withdrew from Te Whakaminenga o Kāpiti. Council has continued to work with Te Ātiawa ki Whakarongotai Charitable Trust to strengthen the partnership and respond to the findings of their review that were presented to the Council in October 2020. In January 2023, Te Ātiawa ki Whakarongotai signalled their return to Te Whakaminenga o Kāpiti.

10. Engagement with operational management

A key to the efficient running of any council is that there is a clear division between the role of Elected Members and that of management. Your elected council are the governors of the city, whereas administration is the job of the Chief Executive and their team.

The LGA requires the Council to employ a Chief Executive who is solely responsible to the elected members for the management of the Council's affairs and for all policy advice to elected members.

Reporting to the Chief Executive are six Group Managers. The Group Managers are responsible to the Chief Executive for the successful management of the activities and delivery of strategic priorities.

The Chief Executive has some specific responsibilities under the LGA. They are responsible to the local authority for:

- implementing the decisions of the local authority
- providing advice to members of the local authority and to its community boards
- ensuring that all responsibilities, duties and powers delegated to him or her or to any person employed by the local authority, or imposed or conferred by an Act, regulation or bylaw, are properly performed or exercised
- ensuring the effective and efficient management of the activities of the local authority
- facilitating and fostering representative and substantial elector participation in elections and polls
- maintaining systems to enable effective planning and accurate reporting of the financial and service performance of the local authority
- providing leadership for the staff of the local authority
- employing, on behalf of the local authority, the staff of the local authority
- negotiating the terms of employment of the staff of the local authority.

Kāpiti Coast District Council Organisational Structure



11. Consultation and engagement with the community

The Council provides a range of opportunities for the community to participate in the decision-making process, including:

- Long-term Plan (three-yearly)
- Annual Plan (where substantial changes to the Long-term Plan are proposed)
- Representation Review
- District Plan Review
- Policy or Bylaw Reviews.

The Significance and Engagement Policy describes how the Council puts community participation into action as part of the decision-making process and sets out:

- how and when communities can expect to be engaged in decisions about different issues, assets or other matters depending on the level of significance
- the assets considered by the Council to be strategic assets
- when Council will use, or considers it appropriate to use, the special consultative procedure set out in Section 83 of the LGA.

When engaging with the community, the Council is committed to:

- encouraging contributions from people who may be affected by, or interested in, an issue, proposal or decision
- provide relevant, timely and balanced information so people can contribute in a meaningful way
- provide appropriate ways for people to have their say
- after a decision is made, inform the community what the Council decision is and the reasons for that decision.

Have your say at www.haveyoursay.kapiticoast.govt.nz

12. Strategies, planning and policy documents

Council strategies, planning and policy documents are developed through consultation with the community, iwi and key stakeholders, and then approved by the Council. Documents are periodically reviewed as and when appropriate; for example, when required by legislation, or in accordance with a timeframe within the document itself, or in response to a specific request from the Council.

You can read all of Council's strategies, plans and policies at www.kapiticoast.govt.nz/documents

Long-Term Plan

The Council develops a Long-term Plan (LTP) every three years which sets the long-term direction for the Council and the district. It provides a forecast of the activities that are expected to be delivered in the next three years and projections for those in following years.

The plan provides the basis for the Council's work and is subject to consultation. It details the outcomes that the Council's activities contribute to, the associated cost of providing those and the indicators that will be used to measure the Council's performance. The LTP, a plan for growth and resilience, was adopted by the Council on 24 June 2021. The next LTP will be adopted for the financial year beginning 2022/23.

Read the current LTP on the Council's website www.kapiticoast.govt.nz/documents

Annual Plan and Annual Report

The Council produces the Annual Plan in years two and three of the LTP. The Annual Plan confirms what activities will take place in the particular year, the expected cost and how they will be funded.

The Annual Report presents an account of the Council's performance over the financial year from 1 July to 30 June. It outlines what the Council committed to during the year and how it delivered on those activities, providing accountability to ratepayers.

Read the current Annual Plan and Annual Report on the Council's website www.kapiticoast.govt.nz/documents

District Plan

The District Plan is the primary document used to manage land use and development within the district. The Council is required to review the plan in full every 10 years, although it is updated through regular plan changes.

The plan, a legal requirement under the Resource Management Act 1991, outlines the controls for land use and subdivision in our district, and specifies our desired environmental outcomes. It must give effect to national policy statements, national environmental standards and regional policy statements. It is also guided by Council policies, including the Council's growth strategy, Te tupu pai – Growing well, which outlines our vision and framework for diverse, high-quality development over the next 30 years.

The District Plan became operative on 30 June 2021.

Read more about the District Plan at www.kapiticoast.govt.nz/district-plan

Equal Employment Opportunities Policy

The Kāpiti Coast District Council is committed to equal opportunity in the recruitment, employment, training and promotion of its employees. The Council aims to make sure that all work opportunities at the Council are provided fairly.

The Equal Employment Opportunities Policy was first adopted on 30 October 2004 and reviewed and updated in accordance with the corporate policy review cycle.

Revenue and Financing Policy

This policy describes how the Council's spending – operating and capital – is funded (where the money comes from). For example, most of our capital expenditure (CAPEX), such as work on our stormwater network, is partly funded by borrowing. Operating expenditure (OPEX), for services such as our parks and libraries, is largely funded from rates income.

This policy also looks at who benefits from an activity and therefore who should contribute to paying for it. For example, does the whole community benefit – such as from supply of drinking water – or is it a single user such as a homeowner applying for a building consent. It is reviewed every three years as part of the LTP process in accordance with the LGA.

Significance and Engagement Policy

Council is committed to engaging with our communities, and increasing community participation in our work. Our Significance and Engagement Policy sets out how and when our communities can expect to be engaged in decisions about different issues, assets, or other matters, depending on their level of significance. It also helps ensure elected members are informed at the beginning of a decision-making process about the extent of any public engagement that is required and expected before a particular decision is made.

Through the LGA minor changes were approved to make the policy more accessible and better reflect and clarify our engagement framework. Our engagement framework is based on the International Association for Public Participation (IAP2) model, which is considered best practice in New Zealand and overseas. The policy will next be reviewed in 2023 as part of the LTP process.

Treasury Management Policy

This policy provides a framework for all of the Council's treasury management activities, and defines key responsibilities and operating parameters in which treasury activity is to be carried out.

Development Contributions Policy

The Development Contributions Policy provides the Council with a means of recovering the costs of specific growth infrastructure that is required for new development, where the development results in an increase in demand on the district's infrastructure. Development contributions are a key component of the Council's strategy for funding growth-related capital work.

Changes to the Development Contributions Policy and associated fee schedule were approved by the Council as part of the 2021-41 LTP. The policy and fee schedule will be revised as part of the next LTP.

13. Official information requests

Under the LGOIMA any person may request information from the Council. Individuals can also request their own personal information under the Privacy Act 1993.

LGOIMA covers requests that are made about or around another person, issue or event. Key purposes of LGOIMA are to progressively increase the availability of information and to promote accountability and transparency.

The Privacy Act allows individuals to request access to information the Council holds regarding that individual and to request corrections to personal information.

When making a request, it is not necessary to state that a request is being made under LGOIMA or the Privacy Act. However, a request should be as specific as possible about the information that is being sought. Requests can be made verbally, however, it is preferable, to ensure accuracy, that requests are made in writing. Assistance will be given to requesters, when required, to aid in the process.

Email

informationrequest@kapiticoastgovt.nz

Phone

(04) 296 4700

Postal Address

Postal: 175 Rimu Road, Private Bag 60601 Paraparaumu 5254

LGOIMA specifies timelines for providing a response, time restrictions for transferring requests to another agency, and timelines for deciding whether to grant the request. A response will be given as soon as practicable and no later than 20 working days, unless an extension is required.

Once a request is made, the Council must supply the information unless a good reason for withholding exists under the acts and the information is not outweighed by the public interest test under LGOIMA.

LGOIMA sets out the reasons for withholding information. These include, that if releasing the information would:

- prejudice maintenance of the law
- endanger the safety of any person
- compromise the privacy of any person
- disclose confidential or commercial information that may prejudice a third party
- cause offence to tikanga Māori or would disclose the location of waahi tapu

- prejudice public health or safety
- compromise legal professional privilege
- disadvantage the local authority while carrying out negotiations or commercial activities
- allow information to be used for improper gain or advantage.

LGOIMA also sets out the reasons for requests to be refused, which include:

- the information will soon be publicly available
- the information does not exist or cannot be found
- the information cannot be made available without substantial collation or research.

Where a request is refused or information is withheld, Council must give its reasons and advise the person making the request that there is a right to have the decision reviewed by an Ombudsman.

The Council is entitled to charge for official information requests. The requester will be notified if a charge is to be applied and given the option to refine the request if possible. The Council will not proceed with collating the information until the requester has confirmed in writing that the charges are accepted. Charges are set in the LTP and are amended if required through the Annual Plan process. Official information requests pertaining to personal information incur no charges

More information about requests for official information is available on our website.

14. Legislation

In addition to the legislation that applies to all local authorities, the Kāpiti Coast District Council is bound by some local legislation (acts that apply specifically to it).

Bylaws

Under Part 8 of the LGA, Councils can create and apply bylaws in their areas to address and manage a range of matters. Council must review its bylaws no later than five years after the date on which the bylaw was made, and then no later than ten years after it was last reviewed. The bylaws currently in force are:

Title	Description	Adopted
Beach Bylaw 2021	Manages human activities on the beach and protects the beach environment.	25 March 2021
Cemeteries Bylaw 2016	Enables the Council to control and set standards for the operation of cemeteries within the Kāpiti Coast District under the Council's ownership or control.	29 September 2016
Control of Alcohol in Public Places 2018	Enhances the safety of the public by providing alcohol-free zones in public places to reduce the incidence of alcohol-related harm.	6 December 2018
Dog Control Bylaw 2019	Promotes better care and control of dogs.	14 March 2019
Keeping of Animals, Bees and Poultry Bylaw 2021	Manages the keeping of animals, poultry and bees throughout the Kāpiti Coast District to make sure they do not create a nuisance or become a threat to public health and safety.	30 September 2021
Public Places Bylaw 2017	Maintain standards of public health and safety, protects the public from nuisance, minimises potential for offensive behaviour and manages various types of land under the Council's control.	29 June 2017
Solid Waste Management and Minimisation Bylaw 2021	To monitor and regulate the collections, transportation, disposal and management of waste, and to encourage the reduction of waste (both in the generation and disposal of waste). It also provides for the promotion of Council's waste minimisation and waste reduction.	10 December 2020
Speed Limit Bylaw 2015	Allows the Council to set speed limits by resolutions, on all roads under its ownership or control and in certain designated locations specified in the bylaw.	15 October 2015
Trade Waste Bylaw 2019	Regulates the discharge of trade waste to a sewage system operated by the Council.	24 January 2019
Transport Bylaw 2022	Sets the requirements for parking and control of vehicular or other traffic on any road, public car park, reserve or any other public place owned or controlled by the Council.	24 February 2022
Water Supply Bylaw 2013	Ensures safe and sufficient potable water supplies are delivered throughout the Kāpiti Coast District.	29 August 2013

10.3 PUBLIC ART PANEL REVISED TERMS OF REFERENCE AND APPROVAL TO APPOINT MEMBERS FOR 2022-2025

Kaituhi | Author: **Rosie Salas, Arts Museums and Heritage Advisor**

Kaiwhakamana | Authoriser: **Mike Mendonça, Acting Group Manager Place and Space**

TE PŪTAKE | PURPOSE

- 1 This report seeks the Council's approval for:
 - appointments to the Public Art Panel for the 2022-2023 triennium; and
 - amendments to the Terms of Reference for the Public Art Panel.

HE WHAKARĀPOPOTO | EXECUTIVE SUMMARY

TE TUKU HAEPAPA | DELEGATION

- 2 The Council has the authority to make appointments to the Public Art Panel.

TAUNAKITANGA | RECOMMENDATIONS

It is recommended that Council:

- A. appoint Robin Simpson to the Public Art Panel, as Arts/Urban design professional representative;
- B. appoint Josie Whelan to the Public Art Panel, as Arts/Urban design professional representative;
- C. appoint Janet Bayly, as nominated by Mahara Gallery Trust, to the Public Art Panel, as Mahara Gallery representative.
- D. approve in principle the appointment of the nominated representative of Te Whakaminenga o Kāpiti, with the formal nomination to be received at a later date;
- E. agree that Council will be advised of the Te Whakaminenga o Kāpiti representative through the Elected Members Bulletin when that nomination is made;
- F. approve amending the Terms of Reference for the Public Art Panel to include the ability to co-opt additional members to provide needed expertise for strategy development and for specific Ngā toi Māori projects;
- G. approve amending the Terms of Reference for the Public Art Panel to enable a stronger focus on strategic advisory role and less on operational matters; and
- H. approve amending the Terms of Reference for the Public Art Panel to enable the establishment of an annual honorarium for the two independent members, the Mahara Gallery representative, and the Te Whakaminenga o Kāpiti representative.

TŪĀPAPA | BACKGROUND

- 3 The Kāpiti Coast District Council (Council) develops and manages public art for the district guided by its Strategy for Supporting the Arts (2012) and Public Art Policy (2013). The Public Art Policy establishes the Public Art Panel (the Panel).

Appointments to the Panel

- 4 The current Terms of Reference (TOR) for the Panel (Attachment 1) state there are five members: a Council-appointed member, representatives from Mahara Gallery and Te Whakaminenga o Kāpiti, and two arts/urban design professionals.

- 5 On 3 November 2022, Council appointed Councillor Liz Koh as the elected member on the Panel.
- 6 Mahara Gallery Trust has nominated Janet Bayly, Director of the Mahara Gallery, as their representative.
- 7 Te Whakaminenga has been approached for their nomination to the Panel. At the time of submitting this report, they are still considering this nomination, and will advise as soon as they have selected a representative. The Council is asked to approve in principle Te Whakaminenga's nomination, which will be advised to Council at a later date.
- 8 In February 2023, expressions of interest for the two open positions were called for from the public, with advertisements placed in local newspapers and in The Big Idea newsletter, which reaches many arts professionals nationwide. Officers also invited and received expressions of interest from the two independent Panel members in this position for the previous triennium, Robin Simpson and Nick Ray.
- 9 Information about each candidate for these two positions is attached in Attachment 2, Biographies of applicants for Public Art Panel independent positions.
- 10 An assessment panel of Council officers reviewed and evaluated the applications received for the two positions from arts and public spaces experts in March 2023. The assessment found that it was a strong field of applicants, and selected two preferred candidates, Robin Simpson and Josie Whelan.

Strategic considerations

- 11 The Panel's role in this triennium will be largely focused on contributing to the strategic development of the arts, culture, and heritage, as a key stakeholder in the development of a Culture and Creativity strategy. This supports fulfilling the outcome *A positive response to our district identity* and the long-term goal *An attractive and distinctive Kāpiti identity and sense of place that make people proud to live work and play here*.
- 12 To support the Panel and to focus and clarify its strategic role, some minor amendments to the TOR are proposed, noting that there may be the opportunity for a full review of the Panel's role following the adoption of the new strategy.

Community wellbeings

- 13 The work of the Panel aligns with the requirement under the Local Government Act 2002 (s10 1b) for councils to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.
- 14 Public art plays an important role in contributing to all the community wellbeings, in creating and responding to artworks, and in participating in art activity. Public art creation is often community-led, resulting in significant contributions to social and cultural well-being, and can be a drawcard for visitors to the district.
- 15 Increasingly, public artworks reflect environmental themes in their subjects, and use sustainable materials in their creation. The Panel has advised directly on both these considerations.
- 16 In Kāpiti Coast District, the opportunity for local artists to create public art also contributes to economic well-being of the district.

Partnership with Mana Whenua

- 17 The Panel includes a dedicated representative of Te Whakaminenga o Kāpiti. Also, the Panel has in the last triennium's strategic discussions agreed that it is extremely important to reflect our Māori heritage and narratives in public art, and any consideration of proposed public artworks includes engaging with mana whenua.

HE KŌRERORERO | DISCUSSION

Amendments to the Terms of Reference: Role and membership of the Panel

- 18 The Terms of Reference (TOR) for the Panel were last reviewed in 2017. (see Attachment 1)
The TOR determined the role of the Panel as:

To provide input into the Council's public art programme, including advising on Site Priorities and selection, strategic aims, budget utilisation, external proposals, bequests, donations, or loans of artwork for public spaces, and protocols for artwork opening/unveiling, relocation and removal.

To determine commissioning process artist selection methods and developing artists' brief, selecting artists, and approving artists concepts and detailed designs for the production of public artworks.

- 19 The TOR also state that Council may choose to alter these terms of reference at any time.(Paragraph 33, page 4)

Reasons for amendments to the TOR

- 20 The role of the Panel has become more focused in recent years on providing a strategic oversight of public art in Kāpiti District.
- 21 Panel members in the last triennium observed that much of their business involved considering strategic directions for public art and reviewing how artistic designs already proposed for large infrastructure projects might fit with that direction. The Panel also noted that growing occurrence of community-led public art, and that the strategic direction might be more to support this aspect rather than commissioning large public artworks.
- 22 Going forward, it is important the Panel as a key stakeholder in developing the Culture and Creativity Strategy has strong strategic insights and skills, and can drive help drive the strategy delivery once it is in place.
- 23 Following the Cultural and Creative Strategy development in this calendar year, there may be a need to fully review the role and of the Public Art Panel. In the meantime, officers are proposing some minor amendments to the TOR to recognise the work the Panel will be doing in this triennium.
- 24 The Panel itself suggested the terms of membership be broadened to include the option of co-opting members during the triennium, if needed, to provide:
- Stronger input from mana whenua given the importance of Māori heritage and narratives reflected in public art is increasingly important.
 - More diverse representation on the Panel.
- 25 Paragraph 25 (page 3) of the TOR states that the membership of the Panel is voluntary and there will be no remuneration for members' time, or for attendance at meetings. Paragraph 27 states there is no Council operating budget allocated to the Public Art Panel.
- 26 However, the budget for travel expenses was increased in 2021/22 to enable a small honorarium to be paid to members to cover some of their expenses.
- 27 The demands on Panel members' time and expertise have increased in the last triennium. Although this is an advisory Panel, the level of expertise expected is high. Given the importance of the work ahead as a key stakeholder in the strategy development and delivery, officers recommend offering to offer a yearly honorarium to nominated members, funded from the Arts Maintenance travel expenses budget. (This does not change the voluntary nature of the appointment but recognises members' contribution.)
- 28 For the above reasons, some amendments to the TOR are proposed. Details of the minor amendments are in Attachment 3.
- 29 These amendments:
- place greater emphasis on the Panel's strategic and advisory role;
 - remove a few activities that are operational in nature and can be carried out by Council officers without the need for Panel advice;

- add the ability of the Panel to co-opt temporary members if needed to strengthen expertise; and
- allow a yearly honorarium to appointed members to recognise their contribution and cover some of their expenses.

Appointments to the Panel:

- 30 The TOR outline the skills and experience required of panel members. The TOR state that *The Panel shall have five members, including dedicated roles for:*
- *an arts professional nominated by Te Whakaminenga o Kāpiti*
 - *a representative nominated by Mahara Gallery Trust*
 - *an elected member of Council*
 - *Members will be selected for their artistic expertise, experience and networks, and to ensure that collectively the Panel has the following skill areas (see list of criteria in TOR).*
- 31 As noted above, Council appointed Liz Koh as the Elected Member representative at the Council meeting on 3 Nov 22.
- 32 Mahara Gallery Trust appointed Janet Bayly as their representative. She has been a member of the Panel since it was established and provides a depth of knowledge about art and artists in the district. Her re-appointment also provides continuity and a depth of understanding of previous Panels' decisions and considerations.
- 33 Te Whakaminenga o Kāpiti, as noted above, is still considering their nomination of a representative of Te Whakaminenga o Kāpiti, and will notify Council of their confirmed nomination at a later date.
- 34 Expressions of interest were received from five strong applicants. (see Attachment 2, *Biographies of applicants for Public Art Panel independent positions*). In assessing nominations for the independent professionals positions, officers considered diversity, the value of continuity, 'fit', and ability to contribute to the development of a new Culture and Creativity Strategy.
- 35 The two candidates proposed complement one other and the wider panel and provide significant experience and expertise in strategic development alongside a freshness of approach. They directly engage with a wide range of artists and community members, particularly the younger and differently-abled members of the community.
- 36 The evaluation panel's overall comments for each candidate are included in Attachment 2. For the two preferred candidates it is noted:
- Robin Simpson is widely respected in the greater region and beyond, for her extraordinary depth and breadth of experience and skills in urban design and integration of Public Art into planning. She has already contributed much to Council design of developments through her membership of the Panel and other work, and her appointment will provide a valuable continuity to the strategic discussion and direction as the Culture and Creativity strategy progresses.
 - Josie Whelan brings experience in public art delivery and strategic development but also a strong link as an arts educator to younger artists in the community. She has local understanding as a resident of the district, and clear commitment, enthusiasm, and drive to deliver to community arts and creativity outcomes. She is a clear fit to the criteria for the independent arts professional position.

Tangata whenua

- 37 Officers have noted the importance of the mana whenua perspective in developing the strategic direction for and delivery of public art in Kāpiti Coast District. With the dedicated representative appointed by Te Whakaminenga, there is a regular voice for mana whenua on

the Panel, but also may seek additional input from experts in Ngā Toi Māori to strengthen that perspective.

Panonitanga āhuarangi | Climate change

- 38 Public art is a powerful medium through which many artists raise awareness of climate change and sustainability. The selection of Panel members who are aware of the importance of this is important as they will influence Council's strategic direction with public art, and decisions in what and how public artworks are commissioned and constructed.
- 39 The recommended nominees are known to carefully consider the strategic direction for public art in relation to awareness of environmental sustainability. They also consider investment in artworks that may not withstand the effects of increasingly strong weather events, and using more sustainable materials for construction.

Ahumoni me ngā rawa | Financial and resourcing

- 40 As explained in paragraphs 15-17, membership is voluntary but there is an expenses fund of for members' travel (\$4215 in 2022/23) It is proposed to draw on this fund for an annual honorarium of \$800 for each year in this triennium to be available for Panel members.
- 41 This also provides leeway for providing meeting expenses to a co-opted member as suggested in paragraph 13-14.

Ture me ngā Tūraru | Legal and risk

- 42 There are no legal issues.

Ngā pānga ki ngā kaupapa here | Policy impact

- 43 Changes to the TOR slightly change the focus of the Panel in the current Public Art Policy away from some more operational responsibilities to a more strategic focus. It is anticipated that the new Culture and Creativity Strategy will generate a new or revised policy for the arts including public art in due course.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

- 44 Officers have consulted with Te Whakaminenga on the nomination of their representative to the Panel, and have set up a regular briefing mechanism for the Te Whakaminenga representative to feedback to Te Whakaminenga.
- 45 Officers will brief or report to Council as needed about Panel activities in the next triennium.
- 46 There is no other requirement for engagement planning.

Whakatairanga | Publicity

- 47 Officers will communicate the appointment of the new Panel through standard Council public channels including the Everything Kāpiti newsletter and the Council website.

NGĀ ĀPITI HANGA | ATTACHMENTS

- 1. Public Art Panel Terms Of Reference 2017 [↓](#)
- 2. Attachment 2 Biographies of applicants for Public Art Panel independent positions [↓](#)
- 3. Attachment 3 Amendments to the Public Art Panel TOR [↓](#)

PUBLIC ART PANEL TERMS OF REFERENCE

2017

Goals

1. The Public Art Panel is appointed by the Kāpiti Coast District Council to act as an expert advisor on the Council's public art programme and to make decisions on the selection of public artworks that assist the Council to implement its public art programme and Public Art Policy.
2. By encouraging, providing and managing public art the Council aims to:
 - 2.1. promote Kāpiti Coast District's sense of community, civic pride and distinctive identity;
 - 2.2. acknowledge and celebrate the whakapapa and history of tangata whenua as well as matawaka cultural identity through toi Māori;
 - 2.3. provide opportunities for artists to work in and with communities in public places;
 - 2.4. encourage a culture of creativity and innovation in the public realm, which heightens people's understanding and enjoyment of art, including introducing work from noted artists living and/or working outside the District;
 - 2.5. contribute significantly to the development of cultural tourism and economic development in the District;
 - 2.6. acknowledge and celebrate the diverse communities within the District;
 - 2.7. provide opportunities for young people to lead or be involved in the creation of public art;
 - 2.8. integrate public art into public space design including town centres, facilities and open space.

Membership

3. The panel shall have five members, including dedicated roles for:
 - an arts professional nominated by Te Whakaminenga o Kāpiti
 - a representative nominated by Mahara Gallery Trust
 - an elected member of Council
4. Members will be selected for their artistic expertise, experience and networks, and to ensure that collectively the panel has the following skill areas:
 - credibility and relationships in the community, especially the creative community
 - experience in the commissioning of public art
 - ability to identify strong artistic concepts
 - knowledge of local, national and international public art history
 - knowledge of Kāpiti's geography, local environments social and built heritage
 - appreciation of Kāpiti's changing demographics and diversity and the opportunities and challenges these pose to the development of the district

- a globally informed perspective of the role creativity plays in place-making and transformation
 - commitment to understanding the principles of Te Tiriti o Waitangi
 - knowledge of tikanga Māori and toi Māori
5. Council staff will manage the Council's public art programme, facilitate engagement, and provide secretariat support to the Public Art Panel.

Appointment Process

6. Council will appoint one of its elected members to the panel.
7. The Public Art Panel will be appointed by the Council from a shortlist prepared by Council staff in response to expressions of interest and nominations from Te Whakaminenga o Kāpiti and Mahara Gallery.
8. Expressions of interest for two positions on the Public Art Panel will be called for through advertising.

Tenure

9. Members of the Public Art Panel are appointed for a three-year term that coincides with the then current Council triennium.

Roles and Responsibilities

10. The panel will appoint a Chair at its first meeting of each triennium.
11. The role of the Public Art Panel is to provide input into the Council's public art programme, including advising on:
- Site priorities and selection;
 - Timelines;
 - Strategic aims;
 - Budget utilisation;
 - Artworks to be deaccessioned or relocated;
 - External proposals, bequests, donations or loans of artwork for public spaces;
 - Protocols for artwork opening/unveiling, relocation and removal.
12. The Public Art Panel is authorised to determine the following:
- Commissioning processes, artist selection methods and brief development;
 - Selecting artists to respond to a brief, and reviewing expressions of interest;
 - Approving artist concepts and detailed designs for the production of public artworks.
13. Recommendations and progress reports to Council or delegated committee will be developed by Council staff with advice from the panel.

Meetings

14. Meetings will be held as required.

15. The quorum of the meeting shall be a simple majority of the panel.
Recommendations and decisions of the panel are made by a simple majority of those present, except that decisions about selection of a public artwork must be a unanimous decision of the full panel.
16. Each member has one equal vote.
17. Any member who is absent from three consecutive meetings of the panel without leave of absence from the panel, or without reason satisfactory to the panel, shall cease to be a member of the panel.
18. Meeting agendas, minutes and arrangements (notifications, room bookings and so on) will be made by Council staff. Meetings will not generally be open to the public (unless the panel chooses to make a meeting public).

Process and Jurisdiction

19. The Public Art Panel will provide advice and input for the development of Council's public art programme.
20. Once the public art programme has been approved the Public Art Panel have delegated authority to select public artworks provided that:
 - The location and priority for the artwork has been approved by the Council;
 - The cost of the artwork is within the approved budget;
 - The decision of the Public Art Panel is unanimous.
21. The Public Art Panel's recommendations and decisions must be developed with reference to and in accordance with the Council's Strategy for Supporting the Arts (April 2012), the Council's Public Art Policy (August 2013) and the Council's public art acquisitions budget and approved programme.
22. The Public Art Panel should ensure that recommendations and decisions are made with due regard to New Zealand laws including those regarding copyright, censorship and obscenity.
23. Council will enter into formal agreements with artists and suppliers.
24. The Public Art Panel can advise Council staff on public communications and engagement plans. The Public Art Panel cannot make public statements on behalf of the Council.

Remuneration

25. Membership is a voluntary role, and there will be no remuneration for members' time, or for attendance at meetings.

Resources and budget

26. Council will make available meeting rooms and any Council-owned presentation equipment required for meetings.
27. There is no Council operating budget allocated to the Public Art Panel. Council staff time will be met from existing operating budgets.

Fund sources and management

28. Council makes provision for the capital expenditure on public art in its Annual Plan process. The Council or the Public Art Panel may seek to secure additional funds from outside sources (e.g., central government agencies, corporate or private funders) for public art. Details of expenditure are included in the Council's regular financial reports.
29. Council will make payments to artists and suppliers associated with the agreed public art programme.

Code of Conduct

30. Members are required to declare any conflict of interest with any matter to be discussed by the panel.
31. Members are not permitted to directly or indirectly benefit from their participation in the Public Art Panel during their tenure, and for a period of 12 months following the completion of their term.
32. Members are required to:
- prepare for and actively participate in meetings;
 - act in a courteous manner, respecting views and opinions of others;
 - respect the decision of the consensus view as adjudicated by the Chair;
 - publicly support recommendations made by the panel even if their personal view differs from the consensus view; and
 - treat information with sensitivity and confidentiality as appropriate.

Evaluation and review

33. Council may choose to alter these terms of reference at any time.
34. Council reserves the right to review the operations of, or need for, the Public Art Panel at any time.

Attachment 2 Biographies of applicants for Public Art Panel independent positions

1. Robin Simpson (Preferred candidate)

Robin was a member of the Public Art Panel in the 2019-22 triennium.

Robin is a highly qualified and awarded landscape architect and urban designer, with a wide experience of public multidisciplinary projects, many of which have involved public art as an integral feature of placemaking.

Currently Wellington based, she has been a former resident of Kāpiti, with ongoing family connections. Her familiarity with the district is furthered by undertaking projects in the area currently.

She offers her wide experience in taking strategies into implementation, and familiarity with diverse project stakeholders, to the important and exciting field of creative and cultural expression in this artistically rich region. She brings her experience as a member of the Nelson Tasman Design Review panel, working with Nelson/Tasman Councils on new developments, the urban design review panel for Wellington's Waterfront from 2004, and (currently) the Christchurch City Council Urban Design Panel.

Her experience as urban designer and peer reviewer covers transport infrastructure projects and public domain design including transport interchanges, mixed use developments, housing community development, parks, waterfronts and civic sites. She has provided peer review for local government, including KDC, WCC, Regional Government and Government Agencies such as Waka Kotahi.

Robyn says:

I have been a member of the 2020-2022 Public Art Panel for Kāpiti District Council. I have enjoyed the projects, people and process of contributing positively to strategy development and outcomes. I am keen to build on this and offer my services for a repeat term, if this would be of assistance.

It is with a desire to contribute to the flourishing cultural and creative expressions of the Kāpiti communities, and to successful processes and outcomes, that I am putting myself forward as a member of the Public Art Panel for the upcoming term.

Robin fosters a collaborative approach amongst disciplines, supported by strong communication and liaison skills. She understands well the importance of working with iwi to achieve outcomes, having worked in Auckland on major roading design projects involving engagement with many different iwi).

Evaluation panel comment:

Robin is widely respected in the greater region and beyond for her extraordinary depth and breadth of experience and skills in urban design and integration of Public Art into planning. She has already contributed much to Council design of developments through her membership of the Panel and other work, and her appointment will provide a valuable continuity to the strategic discussion and direction as we develop and deliver our Culture and Creativity strategy.

2. Josie Whelan (Preferred candidate)

Josie is a trained Art Teacher and has been working within the Arts & Cultural Heritage sector for over 10 years, and within Art education for over 22 years, including at SCAPE public Art Ōtautahi/Christchurch. She grew up in Kāpiti and lives locally in Paekākāriki and currently works as the Senior Education Officer at Pātaka Art + Museum in Porirua.

Josie worked for nine years as the Education & Community Engagement Manager for SCAPE Public Art, the largest producer of public art in Aotearoa. In her role there, she developed in-depth knowledge of all aspects of public art production and delivery, from developing briefs, to working alongside artists and fabricators in their production. She worked with over 100 contemporary local, national and international artists and was directly responsible for developing briefs for community engaged artists and for the shortlisting and selection of artists based on the criteria set.

Through the Re:ACTIVATE Emerging Artist Public Art Development programme, Josie has experience in working with aspiring artists to produce temporary public artworks (some now permanent pieces in private and public collections). She also managed the Education and Public Programmes, worked on SCAPE's Long-Term Strategic Plan, developed and began implementing SCAPE's Accessibility Policy, and worked with governance bodies, developing a strong understanding of the importance of governance and the role which boards and panels have within organisations in the Arts sector.

Josie says:

As an arts educator, I am deeply committed to inclusion, accessibility, and diversity. I am currently on Porirua City Council's Diversity & Inclusion Committee. I have a strong understanding of the guiding principles of Te Tiriti o Waitangi, and value this significant area of our cultural history which is embedded in our physical history and material culture.

I am well aware of the Cultural Heritage Sector and of working within a Local Council framework in my role at Pātaka. I have a strong working knowledge of local government structures and operational procedures.

I would highly value the opportunity to contribute to and support both the strategic vision, and offer my practical knowledge in public art production by joining the Public Art Panel in my local community of the Kāpiti Coast.

Evaluation panel comment:

Josie brings experience in public art delivery and strategic development but also a strong link as an arts educator to younger artists in the community. She has local understanding as a resident of the district, and clear commitment, enthusiasm, and drive to deliver to community arts and creativity outcomes. She is a clear fit to the criteria for the independent arts professional position.

3. Nick Ray

Nick was a member of the Public Art Panel in the 2019-22 triennium.

Nick is a design consultant in Workplace strategy and planning, who has lived in Kāpiti since 2013. He has worked with many organisations to assist them in the development of strategies relating to their workplaces that are then defined as briefs for designers and architects to deliver against. He sees the commission of public art as an exercise in balancing often competing demands and expectations that requires a flexible approach to achieve good outcomes. He is a member and previous committee member of the Wellington Architectural Centre, and a personal interest in art, including attending art classes at Tutere Gallery in Waikanae. He has a good knowledge of Kāpiti artists and arts environment.

Nick has a diverse background, with experience in interior design, accounting, IT consulting and project management, and workplace consulting. Organisations he has led projects for include the Ministry of Housing and Urban Development, Pharmac, the Ministry of Social Development National Office, Worksafe, Department of Internal Affairs and the Institute of Environmental Science and Research (ESR).

His wide experience provides Nick with a different perspective to seeking outcomes with a pragmatic approach that enables him to make connections where others don't and seek out alternative approaches and solutions. At the heart of these projects is active engagement with stakeholders combined with the ability to analyse and comprehend often complex information to develop viable solutions. Nick understands that the commissioning and delivery of Public Art has similar challenges to his work in dealing with a wide range of stakeholders and often complex sets of drivers that have to be understood and resolved to meet an agreed set of overall strategic objectives.

Nick recognises the importance of making the connection between all the different aspects of public art and having a communication strategy to make this visible "tell the stories" which he believes are not very visible at this moment. He believes in the importance of any art strategy to be a "strategy about community" - to be proactively connected with iwi and community.

Nick Says

Having served on the panel since 2020 I believe that the experiences that I have gained would add value to the new panel providing continuity to enable us to hit the ground running and build on what has gone before. I'm keen to work with the new panel to develop the work we started in the previous triennium to embrace a wider view of Public Art and think more strategically. It felt like we were at the start of a journey in this area as we completed our previous term with the panel and the council team becoming aligned around a similar vision for Public Art as part of the wider Culture and Community Strategy.

Evaluation panel comment

Nick was the Chair of the Public Art Panel in the last triennium and gave valuable contribution especially to strategic directions discussions during that time. However, there were other candidates with a closer fit to the criteria and who would also bring continuity to the Panel's work.

4. Sandra Smillie

Sandra is a practising artist with a strong background in design and business strategy and development. She has a diverse range of experience and skills across different areas of management, including design thinking, logistics and supply chain leadership, operational leadership, research and analysis, curating planning and organisation, and creativity design and innovation.

Sandra is currently employed by Mahara Gallery to assist the Board and Director in developing and delivering on strategic outcomes, including growing the gallery profile and generate opportunities to amplify the impact on our community, & enhance sustainable funding across our new exhibition space. She also works with Creative Manaaki as the Curator and Installer of exhibitions in Kāpiti businesses and organisations, and has her own company to help small and medium businesses to grow and thrive, using design thinking principles to develop insights and unearth strategic choices, that address gaps or create new opportunities for future growth.

Previously she has worked as a strategic specialist, business development, and logistics manager with Z Energy and Shell NZ, but moved from the fuel industry to pursue a career in the creative and design-led sectors.

Sandra also has prior experience in heritage conservation and research, the visual arts, history, and art history.

Sandra says:

I am a person who looks forward at 'making a difference', big or small. I would bring to the panel a strong strategic and collaborative approach, having Design Thinking as a key aspect of my capabilities. I am a big picture thinker, that can adapt to both analytical and creative approaches to problem solving, and while I have a strong interest in learning from the past, I focus on outcomes and what's possible for the future.

I value diversity in the people I work with and can adapt and grow my leadership style to get the best out of a team or build strong relationships with stakeholders.

Evaluation panel comment

Sandra was a strong candidate who fits the criteria for assessment, but the assessors agreed that the other candidates were stronger.

5. Ellie Smith

Ellie is a freelance arts professional and strategic consultant working in the galleries, libraries, archives, and museums (GLAM) sector, mostly with Supercuts Projects, a Tauranga-based Arts, Culture and Heritage Consultancy.

Ellie splits her time between Tauranga and Wellington. She has most recently been working with Tauranga City Council in a strategic capacity to revise their Public Art Policy, and finalising a new Public Art Framework to guide the city's commissioning over the next decade.

She also has been managing the Council's Civic Art Collection, including establishing a new collection management system which digitises both the Civic and Public Art Collections, to enable greater community engagement and knowledge of the City's collections.

She has experience in curation and was the lead writer in the development of the free app "City Art Walk" which taking art lovers around Tauranga's public artworks and telling their hidden stories.

Ellie has previously held roles at the Peggy Guggenheim Collection in Venice, Tauranga Art Gallery, and Baycourt Community and Arts Centre.

Ellie believes public art can be powerful and transformative, allowing space for communities to tell their stories, giving a sense of belonging and contributing to a vibrant living environment, and also enhancing the experience of a community for visitors. She also understands the potential for public art to contribute to a local economy by offering employment and income to local creatives and suppliers, and by contributing to a place's reputation as a tourist destination.

Ellie says:

Public art offers an incredible opportunity for local artists, and for artists from across the motu, to connect with the landscape, engage with communities, provoke conversations and contribute to Kāpiti Coast's sense of place and identity.

I have a strong knowledge of public art in New Zealand, its importance to communities, as well as experience in commissioning and curating art in public spaces. I believe I will bring a fresh perspective, strategic insight, as well as a genuine love for the power of public art to the Panel. I would consider it a great privilege to act as an advisor to Kāpiti Coast District Council as they embark on this next stage of their Arts, Culture and Creativity journey.

Evaluation panel comment:

Ellie was a strong candidate who fits the criteria for assessment, but the assessors agreed that the other candidates were stronger.

PUBLIC ART PANEL TERMS OF REFERENCE 2017

23 March 2023: Excerpts showing proposed amendments (in red).

Tenure

9. Members of the Public Art Panel are appointed for a three-year term that coincides with the then current Council triennium.

ADD: The Panel may co-opt additional temporary members during the triennium where stronger or more diverse expertise is required to advise on a particular activity of project.

Roles and Responsibilities

11. The role of the Public Art Panel is to provide input into the Council's public art programme, including advising on:

AMEND TO: The role of the Public Art Panel is to provide strategic direction, oversight, and advice on the Council's public art programme, including advising on:

- Site priorities and selection;
- Timelines;
- Strategic aims;
- Budget utilisation;
- **REMOVE (Operational): Artworks to be deaccessioned or relocated;**
- External proposals, bequests, donations or loans of **(ADD) large or valuable artwork** for public spaces;
- **REMOVE (Operational): Protocols for artwork opening/unveiling, relocation and removal.**

...

Remuneration

25. Membership is a voluntary role.

REMOVE: and there will be no remuneration for members' time, or for attendance at meetings.

ADD: A yearly honorarium is available to appointed members to cover some of their expenses and recognise members' contribution.

Resources and budget

...

27. There is no Council operating budget allocated directly to the Public Art Panel.

ADD: However, the Council has a budget for travel expenses which will be drawn on to provide a small honorarium to members to recognise their contribution.

10.4 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

Kaituhi | Author: **Sarah Wattie, Governance & Legal Services Manager**

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

TE PŪTAKE | PURPOSE

- 1 This report seeks Council's consideration and approval of amendments to Council delegations to the Chief Executive and Staff, including changes to the Resource Management Act 1991 delegations.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 Not required.

TE TUKU HAE PAPA | DELEGATION

Council has the authority to consider this matter. Clause 32, Schedule 7 of the Local Government Act 2002 empowers the Council to delegate its responsibilities, duties and powers in accordance with the restrictions set out in this provision.

TAUNAKITANGA | RECOMMENDATIONS

- A. That the Council adopts the revised Council Delegations to Chief Executive and Staff as shown in Attachment 1 to the report 'Amendments to the Council Delegations to Staff'.
- B. That the Council adopts the revised Resource Management Act 1991 Delegations to Staff as shown in Attachment 2 to the report 'Amendments to the Council Delegations to Staff'.
- C. That the Council notes the existing delegations shown in Attachment 1 and Attachment 2 to the report 'Amendments to the Council Delegations to Staff'.

TŪĀPAPA | BACKGROUND

- 3 The purpose of local government under clause 10(1) of the Local Government Act 2002 is to enable democratic local decision-making and action by, and on behalf of, communities; and to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. Legislative compliance with central Government's legislative and regulatory programme supports Council to do this in a fair and efficient manner.
- 4 Council has a range of legislative functions, duties and powers. It is not always efficient or practical for elected members to carry out all of these functions, duties and powers, which is reflected in various statutes that provide Council with the legal authority to delegate to Council staff. Delegated authority allows for administrative efficiency and ensures timeliness in the conduct of Council's daily business.
- 5 In particular, Council has the authority to delegate to officers under clause 32 of Schedule 7 of the Local Government Act 2002. Clause 32 of the Local Government Act 2002 also sets out certain powers that cannot be delegated as follows:

"32. Delegations– (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of a local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except–

- (a) the power to make a rate; or*
- (b) the power to make a bylaw; or*
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or*

- (d) *the power to adopt a long-term plan, annual plan, or annual report; or*
- (e) *the power to appoint a chief executive; or*
- (f) *the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement.*
- (h) *the power to adopt a remuneration and employment policy.”*

- 6 Most legislation provides the Chief Executive with the discretion to sub-delegate to Council staff. However, some Acts prescribe the way delegations must be made. For example, the Resource Management Act 1991 (RMA) does not allow the Chief Executive the power to sub-delegate and in this case, delegations must be approved by Council.
- 7 The Council’s delegations to Chief Executive and staff are monitored on a regular basis and reported back to Council for amendment as required, in response to changes in either staff or legislation.

HE KÖRERORERO | DISCUSSION

CLARIFICATION OF PROPERTY ACT DELEGATIONS

- 8 For the avoidance of doubt staff have recommended the below addition to the current Council to CE and Staff Property Act 2007 delegations in order to explicitly refer to the landlord, property manager and tenant arrangements.

Legislation and Authority	Powers Delegated
Property Law Act 2007 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council, including, but not limited to acting as a Lessee, Lessor, or Tenant under the Act and any regulations made under the Act.

ALIGNING DELEGATIONS WITH THE GOVERNANCE STRUCTURE

- 9 Amendments have been made to the Council to CE and Staff Delegations to reflect the changes in the new [Governance Structure](#).
- 10 The full Council to CE Delegations are in Attachment 1 and contain all the above amendments.

AMENDED RESOURCE MANAGEMENT ACT 1991 DELEGATIONS

- 11 A number of amendments are required to Council’s delegations to staff under the RMA, which are set out in the table below. These changes relate to a new Iwi Partnerships Group, the Strategy and Growth Group and the Governance and Legal Services, Parks, Open Space and Environment, Resource Consents and Compliance, Project Management Office (PMO), Property Facilities and Maintenance, Resource Consents and Compliance and Environmental Standards teams. The amended RMA delegations and glossary are in Attachment 2.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Positions	Amendments to RMA delegations
Building Officer – TA Functions	A new role in the Building team. Position to include sections 35, 35A and 332 .
Chief Advisor, Strategy and Growth	A new role to support the Strategy and Growth group. Position to include sections 35, 35A, 311, 314-321, 338, 343B and 343C .
Clerk of Works – Development Management	A replacement title for Clerk of Works – Development Control to align with the team. Position to include sections 22, 35, 35A, 36(5), 36AA(1), 36AAB(1), 109, 110, 113, 114, 126, 220, 240, 243, 314-321, 330, 332, 333, 343B and 343C .
Development Management Auditor	A replacement title for the RMA Compliance Officer role to reflect the direction of legislation relating to development control. Position to include sections 22, 35, 35A, 36(5), 36AA(1), 36AAB(1), 109, 128, 129, 222, 237 B-H, 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B and 343C .
Group Manager Iwi Partnerships	A new Group Manager role. Position to include sections 35, 35A, 311, 314-321, 338, 343B, 343C and Note 2 .
Investigator – Monitoring, Compliance, and Enforcement	A new role in the Environmental Standards to lead investigations across the team with a main focus on dog control. Position to include sections 22, 35, 35A, 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B and 343C .
Parks, Open Space and Environment team new titles: Advisor – Cemeteries, Burials and Cremations Biodiversity and Landscapes Advisor Team Leader Open Space Planning	Positions to include sections 35, 35A, 330 and 333 . Programmes Manager Biodiversity and Landscapes title no longer required.

Recommended amendments to Council delegations to staff under the Resource Management Act 1991	
Positions	Amendments to RMA delegations
Planning Projects Team Leader	A new role in the Resource Consents and Compliance team. Position to include sections 10, 10B, 22, 32, 35, 35A, 36(5), 36AA(1), 36AAB(1), 37, 37A, 41B, 42, 42A, 44A, 55, 86D, 87AAD, 87BA-BB, 87E, 87F, 87G, 88, 89A, 91, 91F, 92, 92A, 92B, 95, 95A-E, 95F, 98, 99, 99A, 100, 101, 102, 103, 104, 104A, 104B, 104C, 104D, 105, 106, 108, 108A, 109, 110, 113, 114, 124, 124A, 124B, 124C, 125, 126, 127, 128, 129, 132, 133A, 134, 138, 139, 139A, 149B, 149G, 149W, 149ZD, 168, 168A, 169, 171, 173, 174, 175, 176A, 181(3), 184, 189A, 190, 195A, 198 A-M, 220, 221, 222, 223, 224, 226(1)(e), 227, 234, 235, 237, 237 B-H, 240, 241, 243, 267(1A)(b), 268A(3)(b), 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B, 343C and Sch1 cl3, cl3A, cl3B, cl4, cl6, cl7, cl8, cl8AA, cl8B, cl8C, cl11, cl16, cl16B, cl20, cl20A, cl23, cl24, cl29(2), cl34 and cl35.
Project Coordinator	A new position for the PMO. Position to include sections 35, 35A, 332 and 333.
Property Administration Officer	A new role in the Property Facilities and Maintenance team. Position to include sections 35, 35A, 330 and 333.
Team Leader Development Management	A replacement title for the Development Control Team Leader role to align the team with a development management focus. Position to include sections 22, 32, 35, 35A, 36(5), 36AA(1), 36AAB(1), 37, 37A, 41B, 42A, 44A, 55, 87E, 87F, 87G, 88, 91, 92, 92A, 92B, 95, 95A-E, 95F, 98, 99, 99A, 100, 104, 104A, 104B, 104C, 104D, 105, 108, 108A, 109, 110, 113, 114, 126, 127, 128, 129, 132, 149B, 149G, 149ZD, 168, 169, 176A, 220, 221, 222, 223, 224, 234, 235, 237, 237 B-H, 240, 243, 314-321, 322-324, 325A, 327, 328, 330, 332, 333, 336, 338, 343B, 343C and Sch1 cl3, cl3A, cl3B and cl4.
Team Leader Legal Support Services and Official Information	A new role in the Governance and Legal Services team. Position to include sections 35, 35A and 38(5).

He take | Issues

12 No issues are considered in this report.

Ngā kōwhiringa | Options

13 No options are provided in this report.

Tangata whenua

14 Note the new Group Manager role to focus on a mutually mana-enhancing partnership with mana whenua. There are no further tāngata whenua considerations arising from these delegations.

Panonitanga āhuarangi | Climate change

15 There are no climate change considerations triggered by this report.

Ahumoni me ngā rawa | Financial and resourcing

16 There is no direct financial impact from these changes to delegations.

Ture me ngā Tūraru | Legal and risk

17 This paper has been reviewed by the Council's Governance and Legal Services Manager.

Ngā pānga ki ngā kaupapa here | Policy impact

18 Appropriate delegations facilitate efficiency and effectiveness in the conduct of Council business, and assist staff to deliver on Council outcomes.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

19 This decision has a low level of significance under the Council's Significance and Engagement policy.

Te mahere tūhono | Engagement planning

20 No consultation or engagement is required relating to the process of making these amendments.

Whakatairanga | Publicity

21 No publicity is required for these minor amendments.

NGĀ ĀPITI HANGA | ATTACHMENTS

1. Attachment 1: Council Delegations to CE and Staff [↓](#)
2. Attachment 2: Council RMA Delegations to Staff with Glossary [↓](#)

DELEGATIONS MADE BY COUNCIL TO CHIEF EXECUTIVE AND STAFF

The Council makes its delegations under the various powers of delegation referred to in this instrument. In the absence of a reference to a specific power, the Council makes the delegation under clause 32 of Schedule 7 of the Local Government Act 2002.

For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw;
- a reference in this document to a Council Committee includes any Committee that replaces or corresponds to that Committee and involves substantially the same duties;
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that Council officer position and involves substantially the same duties; and
- all financial limits stated in these delegations are GST exclusive.

Note: all delegations are subject to the restriction set out in clause 32(1) of Schedule 7 of the Local Government Act 2002, that the following powers are not included in these delegations:

- (a) the power to make a rate;
- (b) the power to make a bylaw;
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan;
- (d) the power to adopt a long-term plan, annual plan, or annual report;
- (e) the power to appoint a chief executive;
- (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement;
- (g) the power to adopt a remuneration and employment policy.

DELEGATIONS MADE BY COUNCIL TO CHIEF EXECUTIVE AND STAFF

The Deputy Chief Executive is delegated all the following responsibilities, duties and powers of the Chief Executive and may act for the Chief Executive in:

- the formal and recorded absence of the Chief Executive; or
- an emergency where the Chief Executive cannot be contacted.

When employed, an Interim Chief Executive is delegated all the following responsibilities, duties and powers of the Chief Executive.

Legislation and Authority	Powers Delegated
Building Act 2004, any regulations made under that Act, and the Building Code (Schedule 1 to Building Regulations 1992) To the Chief Executive with power of sub-delegation to officers.	Under section 232 of the Building Act 2004 – delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a Territorial Authority and Building Consent Authority under the Building Act 2004, any regulations made under that Act and the Building Code (Schedule 1 to the Building Regulations 1992) including delegation to the Chief Executive (with the power to sub-delegate) to write off sundry debts to the value of \$1,000, except : <ul style="list-style-type: none"> • the adoption, amendment or replacement of the Council's policy on dangerous, earthquake prone and insanitary buildings as required by sections 131 and 132;

	<ul style="list-style-type: none"> the making of arrangements to transfer functions to another building authority under section 213; the transfer of functions, duties or powers of a territorial authority to another territorial authority under sections 233-236; the setting of fees or charges under section 219.
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Legislation and Authority	Powers Delegated
Building Research Levy Act 1969 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act.

Legislation and Authority	Powers Delegated
Burial and Cremation Act 1964 and any regulations made under that Act, including the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967 To the Chief Executive with power of sub-delegation to officers except that the Chief Executive may not sub-delegate the power to appoint officers under section 19 of the Act.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to: <ul style="list-style-type: none"> manage cemeteries as set out in sections 8 and 9; sell burial plots under section 10; appoint officers under section 19 to assist in execution of Act; enable burials of poor persons to take place free of charge under section 49; prosecute in relation to offences under sections 54AA to 57; give notice, advertise and remove dilapidated or neglected monuments or tablets under the Burial and Cremation (Removal of Monuments and Tablets) Regulations 1967.

Legislation and Authority	Powers Delegated
COVID-19 Recovery (Fast-track Consenting) Act 2020 To the Chief Executive.	Delegation of authority to nominate a person or persons to represent the Council on an expert Panel as required by the COVID-19 Recovery (Fast-track Consenting) Act 2020.
To the Chief Executive and the Group Manager Infrastructure Services.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a 'Requiring Authority' under the Act.
To the Chief Executive and the Group Manager Regulatory Services, Principal Advisor Regulatory Services, Resource Consents and Compliance Manager and the District Planning Manager.	Delegation of authority to exercise and administer all responsibilities, duties and powers as a 'Nominated Person' representing Council under the Act and in order to provide expert advice and information and recover reasonable costs under the Act.
	NB: this Act remains in force two years after assent or if extended and as such will automatically be removed from the CE to Staff Delegations at the point it is repealed.

Legislation and Authority	Powers Delegated
Criminal Procedure Act 2011 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers and the Enforcement Decision Group.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Dog Control Act 1996 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to: <ul style="list-style-type: none"> • appoint dog control officers and dog rangers under section 11 and section 12; • classify a person as a probationary owner under section 21, remove that classification under section 23 and require that person to undergo probationary training under section 23A; • disqualify a person from being an owner of a dog under section 25; • classify a dog as dangerous under section 31; • provide consent for disposal of dangerous dog to other persons if satisfied that conditions are met as set out in section 33; • classify as menacing by behaviour, characteristic or breed as set out in section 33A and section 33C, and require a menacing dog to be neutered under section 33EB; • authorise persons other than dog control officers to issue infringement notices under section 66; • impound and subsequently dispose of a dog under section 69; • dispose of or return under section 70 a dog impounded for barking; • retain a dog threatening public safety under section 71; • dispose of dog seized as set out in section 71A.

Legislation and Authority	Powers Delegated
Family Violence Act 2018 and any regulations made under that Act, including the Family Violence Regulations 2019 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under Part 9 "Public registers not publishing identifying information related to protected person" of the Family Violence Act 2018 and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Fencing Act 1978 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the regulation.

Legislation and Authority	Powers Delegated
Food Act 2014 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act except those powers specified in section 34 of the Act (which relates to the power to grant an exemption).

Legislation and Authority	Powers Delegated
Freedom Camping Act 2011 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to appoint enforcement officers under section 32 of the Act.

Legislation and Authority	Powers Delegated
Gambling Act 2003 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers. Delegation does not include the adoption, amendment or replacement of a class 4 venue policy under sections 101 – 102.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to consider applications for territorial authority consent for class 4 venue licenses in accordance with the class 4 venue policy and: <ul style="list-style-type: none"> • grant consent with or without specifying the maximum number of machines that can be operated at the venue; or • not grant consent.

Legislation and Authority	Powers Delegated
Health Act 1956 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act including but not limited to: <ul style="list-style-type: none"> • the power to appoint Environmental Health Officers under section 28; • the power to issue cleansing orders under section 41; • the power to issue repair or closing orders under section 42; • issuing consent for the establishment of any offensive trade under section 54; • the power to initiate proceedings under section 33 in respect of nuisances; • the Council's powers in relation to back-flow prevention systems and devices under section 69ZZZ;

	<ul style="list-style-type: none"> the power to cleanse and disinfect premises or articles under section 82.
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Legislation and Authority	Powers Delegated
Impounding Act 1955 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to appoint poundkeepers, deputies and rangers under section 8 and section 9 for the proper carrying out of the provisions of this Act, except the powers contained in section 14(1) of the Act (setting pound fees).

Legislation and Authority	Powers Delegated
Infrastructure Funding and Financing Act 2020 and any regulations made under that Act To the Chief Executive.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a responsible infrastructure authority, a SPV (Special Purpose Vehicle) and a responsible levy authority.
To the Chief Financial Officer.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a responsible infrastructure authority, a SPV (Special Purpose Vehicle) and a responsible levy authority. Not including delegations under Part 4 Subpart 3.
To the Group Manager Infrastructure Services.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council acting as a responsible infrastructure authority and a SPV (Special Purpose Vehicle).

Legislation and Authority	Powers Delegated
Land Transport Act 1998 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of Council under the Act, any regulations made under that Act and associated requirements of the Land Transport Rules including but not limited to the power to: <ul style="list-style-type: none"> appoint parking wardens under section 128D.

Legislation and Authority	Powers Delegated
Litter Act 1979 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the powers to: <ul style="list-style-type: none"> appoint litter control officers as set out in section 5; require the provision and maintenance of litter receptacles under section 9; issue notices under section 10 in relation to litter; make grants or spend money on campaigns for the abatement or prevention of litter under section 11; issue infringement notices under section 14.

Legislation and Authority	Powers Delegated
<p>Local Government Act 1974 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to:</p> <ul style="list-style-type: none"> • repair local roads (section 319(a)); • make various alterations to roads, such as levels, etc (section 319(c) to (i) and (k) to (j)); • allocate property numbers (section 319B); • contribute to an adjoining districts road maintenance (section 324); • seek payments for betterment (section 326); • construct footpaths and channels (section 331); cycle tracks (section 332); dividing strips (section 333); monuments, etc (section 334); lighting (section 334A); vehicle crossings (section 335); transport shelters (section 339); • require alterations to pipes and drains and apparatus on or under roads (section 337); • grant rights to lay pipes (section 338); • enable construction of motor garages (section 340) (subject to RMA process); • enter into leases of air space or subsoil (section 341); • contribute to the cost of railway, subways or bridges (section 341A); • enable gates and cattle stops (section 344); • contribute towards Maori road ways (section 324A); • declare roads to be limited access roads; • permit the construction of private roads; • permit the construction of cellars or excavation in the vicinity of road (section 354); • require the removal of overhanging trees (section 355); • remove abandoned vehicles from roads (section 356); • prosecute in relation to penalties for damage to roads (section 357); • provide parking places in buildings and transport stations under section 591; • make and maintain drainage channels (sections 509 to 511); • make allowances (grants) to the owner of land to enable work to keep drainage channels clear (section 514); and • issue infringement notices and prosecute for offences under the Act.

Legislation and Authority	Powers Delegated
<p>Local Government Act 2002 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except:</p> <ul style="list-style-type: none"> the powers set out in clause 32(1)(a) to (h) of Schedule 7 of the Act; any Local Government Act 2002 power expressly reserved to the Council or expressly delegated by the Council to a committee; where sections 138 or 140 of the Local Government Act 2002 apply; or as limited by the conditions set out below. <p>Delegation of authority to affix the Council's common seal:</p> <ul style="list-style-type: none"> to any warrants issued by the Council where the warrants authorise entry onto private land on behalf of the Council; to any document that has been prepared to implement a resolution previously made by the Council; and in any other situation where the Council is directed by legislation to use its common seal; <p>providing that the signature of the Chief Executive followed by that of the Mayor or Deputy Mayor and one Councillor have first been obtained and that the use of the common seal is recorded in a register and advised to Council on a weekly basis via the Elected Members Bulletin.</p> <p>Delegation of authority to approve and enter into, and where required to affix the common seal:</p> <ul style="list-style-type: none"> any deed and agreement entered into by Council under clauses 7-12 (electronic instruments) and clause 13 (paper instruments) and schedule 3 (for classification of instruments) of the Land Transfer Regulations 2018 (note that leases, easements, instruments and other land-related documents are deemed to have the same effect as deeds and should be executed as deeds); <p>provided the signature of the Chief Executive and witness is obtained.</p> <p>Without limiting the powers delegated to the Chief Executive above, the Chief Executive may:</p> <ul style="list-style-type: none"> implement any proposal or decision contained within the Council's Long Term Plan (LTP) or Annual Plan or other adopted Council policy; issue warrants under the Local Government Act 2002 or any other enactment under which Council officers may be warranted; appoint enforcement officers under section 177 of the Act; give approval to matters or activities relating to land or buildings under the control, authorisation or ownership of the Council, except as limited by clause 32(1)(c) of Schedule 7 of the Act; grant leases of residential properties (see note above about deed execution);

Legislation and Authority	Powers Delegated
	<ul style="list-style-type: none"> grant leases of Council property where the term of the lease is 10 years or less, including right of renewals (see note above about deed execution); grant licences to occupy Council property where the term of the licence is 3 years or less (see note above about deed execution); grant easements over land (see note above about deed execution); and enter into other deeds, contracts or agreements (including but not limited to leases of non-Council property and licences to occupy non-Council property). <p>The following conditions apply to the exercise of the Chief Executive's delegated powers under the Act:</p> <ul style="list-style-type: none"> The Chief Executive may commit Council expenditure for any deeds, contracts or agreements up to \$2.4million, for any one deed, contract or agreement, including the authority to enter into such a deed, contract or agreement, providing that before exercising these powers the Chief Executive is satisfied that full allowance has been made and remains for the proposed expenditure in an approved budget and that, if applicable, all tenders accepted over a value of \$250,000 are reported to the Strategy, and Operations and Finance Committee; The Chief Executive may sub-delegate the authority to commit the Council to expenditure for any deeds, contracts or other agreements e.g. mediation, leases of non-Council property and licences to occupy non-Council property, and subject to any conditions that the Chief Executive may impose, for a lesser amount than \$600,000 and no more than an officer's financial delegation, for any one deed, contract or agreement, including the authority to enter into such a deed, contract or agreement, providing that before exercising these powers the sub-delegate is satisfied that full allowance has been made and remains for the proposed expenditure in an approved budget and that, if applicable, all tenders accepted over a value of \$250,000 are reported to the Strategy, and Operations and Finance Committee;; The Chief Executive (with the power to sub-delegate) may write off sundry debts (excluding rating debts) up to the value of \$1,000 per debt. <p><i>See the 'Reserves Act 1977 delegations' for delegations in respect of leases on reserve land. See also Appendix 1 for Execution Requirements and Appendix 2 for Use of the Common Seal.</i></p>

Legislation and Authority	Powers Delegated
Local Government Official Information and Meetings Act 1987 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers and, in respect of Parts 2 to 5 of the Act, to employees.	Delegation, under section 42 of the Local Government Official Information and Meetings Act 1987, of authority to exercise and administer all responsibilities, duties and powers of the Council under Parts 2 to 5 of the Act and any regulations made under the Act, except those in section 32 (which relates to responses to recommendations made by the Ombudsman under section 30(1)). Delegation, under clause 32 in Schedule 7 of the Local Government Act 2002, of authority to exercise and administer all responsibilities, duties and powers of the Council under section 44A of the Act.

Legislation and Authority	Powers Delegated
Local Government (Rating) Act 2002 and any regulations made under that Act To the Chief Executive, the Group Manager Corporate Services, Chief Financial Officer, Manager Financial Accounting and Manager Financial Planning and Performance.	Delegation, under section 132, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, except : <ul style="list-style-type: none"> • the power to make further delegations; • functions, powers and duties conferred by subpart 2 of Part 1 (key provisions on what is rateable, i.e. who must pay rates, and kinds of rates that may be set); • functions, powers and duties conferred by subpart 1 of Part 5 (replacement of rates).

Legislation and Authority	Powers Delegated
Machinery Act 1950 and any regulations made under that Act, including the Amusement Devices Regulations 1978 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act including the Amusement Devices Regulations 1978, including but not limited to the power under section 21A of the Act to authorise, permit and carry out inspections in relation to amusement devices.

Legislation and Authority	Powers Delegated
National Animal Identification and Tracing Act 2012 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Privacy Act 2020 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Property Law Act 2007 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council, including but not limited to, acting as a Lessee, Lessor or Tenant, under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Public Works Act 1981 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to the power to: <ul style="list-style-type: none"> • deal with trees on roads (sections 133 to 135); • enter onto land (under section 234) to repair public works; • control excavations near public works (under section 237); • remove property abandoned on land for a public work (under section 239); • bring action for damages to public works (under section 238) and to recover land from persons holding illegal possession (under section 240); • prosecute in respect of offences against the Act.

Legislation and Authority	Powers Delegated
Racing Industry Act 2020 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Railways Act 2005 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including but not limited to: <ul style="list-style-type: none"> • the section 74 duty to maintain drains above or under railway infrastructure; • the section 83 duty to maintain level crossings.

Legislation and Authority	Powers Delegated
Rates Rebate Act 1973 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Rating Valuations Act 1998 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	Delegation, under section 50(1) of the Rating Valuations Act 1998, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Reserves Act 1977 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers.	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers* of the Council in its role as landowner, Administering Body or where appointed to control and manage, and as a delegate of the Minister of Conservation, under the Reserves Act 1977 and any regulations made under the Act and management plans including but not limited to the power to:</p> <ul style="list-style-type: none"> a) publicly notify the intention to grant a lease, licence, easement, concession or permit and where no objections are received, to grant the lease, licence, easement, or permit. <p>Except:</p> <ul style="list-style-type: none"> a) the power to declare land to be a reserve and the power to hear objections and make a decision on whether to confirm the resolution under section 14 (other than the power to attend to gazettal under section 14(4); b) the power to exchange reserve land for other land under section 15; c) the power to classify reserves, by Gazette notice, according to their principal or primary purpose under section 16(1); d) the power to give full consideration to objections and submissions under 16(4); e) the power to change a classification or purpose of a reserve, consider objections and form an opinion that the change in the classification of a scenic, nature, scientific or historic reserve is justified under section 24(1), 24(2)(e), 24(3) and 24(5); f) the power under section 25(1) to dispose of land in such manner and for such purposes as the Minister specifies following the revocation of the reservation of any public reserve (or part of one) under section 24; g) the power to approve reserve management plans under section 41(1); h) the power to give or decline approval for the erection of shelters, huts, cabins, lodges etc on any recreation or scenic reserve under section 45; i) the power under section 55(2)(a), (d), (e), (f) and (g) to decline or give consent to specific activities on a scenic reserve; j) the power under section 58(b) to set apart and use part of a reserve as a site for residences and other buildings;

Legislation and Authority	Powers Delegated
	<p>k) the power under section 73(5) to consent or decline consent in writing to a member of an administering body becoming the lessee of any land under the control of that body;</p> <p>l) the power under section 75(1) and (2) to consent or decline to consent to the afforestation of a recreation or local purpose reserve;</p> <p>m) the power to make bylaws under section 106;</p> <p>n) the power to grant licences pursuant to Section 48A of the Reserves Act 1977 for the use of a reserve for a communications station (such granting of licences to be subject where appropriate to the approval of the appropriate Minister of the Crown and the provision of the First Schedule of the Reserves Act 1977);</p> <p>o) the power to hear and report to Council on submissions and to make recommendations to Council on decisions, relating to the revocation of reserve land;</p> <p>p) the power to determine from time to time whether a park has Districtwide importance and is therefore not a "local" park;</p> <p>q) any power that is expressly required by the Act to be exercised by resolution of the Council.</p> <p>For the avoidance of doubt: Exceptions b) and p) do not preclude the power to recommend or report to a the Strategy and Operations Committee or Council on these matters.</p> <p><i>* For leases, easements, transfers and other documents dealing with land, see notes about deed execution under the 'Local Government Act 2002 delegations'. See also Appendix 1 for Execution Requirements and Appendix 2 for Use of the Common Seal.</i></p>
<p>To the following positions with no power of sub-delegation:</p> <ul style="list-style-type: none"> • Group Manager Place and Space • Property and Parks Asset Planning Manager • Parks, Open Space and Environment Manager • Property and Facilities Maintenance Manager 	<p>Delegation of the power under section 74 of the Reserves Act to issue and cancel licences to occupy reserves temporarily.</p>

Legislation and Authority	Powers Delegated
<p>Residential Tenancies Act 1986 and any regulations made under that Act</p> <p>To the Chief Executive with power of sub-delegation to officers.</p>	<p>Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Residential Tenancies Act 1986 and any regulations made under the Act.</p>

Legislation and Authority	Powers Delegated
Resource Management Act 1991 and any regulations made under that Act To the Chief Executive and the Deputy Chief Executive with no power of sub-delegation	Delegation, under section 34A of the Resource Management Act 1991, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including delegation to the Chief Executive to write off sundry debts to the value of \$1,000, except : <ul style="list-style-type: none"> • the power of delegation; or • the power of approval of a policy statement or plan under clause 17 of Schedule 1.

Legislation and Authority	Powers Delegated
Resource Management Act 1991 and any regulations made under that Act To the Chief Executive and the Deputy Chief Executive with no power of sub-delegation	Delegation, under section 34A of the Resource Management Act 1991, of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act, including delegation to the Chief Executive to write off sundry debts to the value of \$1,000, except : <ul style="list-style-type: none"> • the power of delegation; or • the power of approval of a policy statement or plan under clause 17 of Schedule 1; • the power of approval of a private request for change to the District Plan under clause 25 of Schedule 1.

Legislation and Authority	Powers Delegated
Sale and Supply of Alcohol Act 2012 and any regulations made under that Act To the Chief Executive.	<ul style="list-style-type: none"> • Delegation of the power in section 197(5) to appoint a chief licensing inspector. • The Chief Executive is provided with general authority to exercise his/her power of delegation under section 198 of the Act.

Legislation and Authority	Powers Delegated
Summary Proceedings Act 1957 and any regulations made under that Act To the Chief Executive with power of sub-delegation to officers and the Enforcement Decision Group.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Statutory Land Charges Registration Act 1928 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act

Legislation and Authority	Powers Delegated
Trespass Act 1980 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as occupier of any place or land.

Legislation and Authority	Powers Delegated
Unit Titles Act 2010 To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act and any regulations made under the Act.

Legislation and Authority	Powers Delegated
Urban Development Act 2020 and any regulations made under that Act To the Chief Executive.	Delegation of authority to nominate a person or persons, or not, as a governing officer with conditions under section 290 of the Act. Delegation of authority to approve Kāinga Ora delegate under 297(2) of the Act. Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council relating to a specified development project, under section 217 of the Act.
To the Group Manager Corporate Services, Group Manager Infrastructure Services and Chief Financial Officer.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council relating to collecting levies and recovering costs for specified development projects, under section 217 of the Act.

Legislation and Authority	Powers Delegated
Utilities Access Act 2010 and any regulations made under that Act To the Chief Executive.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council as a Utility Operator.

Legislation and Authority	Powers Delegated
Waste Minimisation Act 2008 and any regulation made under that Act. To the Chief Executive with power of sub-delegation to officers.	Delegation of authority to exercise and administer all responsibilities, duties and powers of the Council under the Act except the power to: <ul style="list-style-type: none"> • prepare, adopt, amend or revoke a waste management and minimisation plan; or • make or review a bylaw.

Legislation and Authority	Powers Delegated
Kapiti Coast District Council General Bylaw and all other Bylaws To the Chief Executive with power of sub-delegation to officers	The Council appoints the Chief Executive as an authorised officer under the Kapiti Coast District Council General Bylaw, and as the appropriate officer designation under all other Bylaws. Delegation of authority to exercise and administer all responsibilities, duties and powers of Council under the Kapiti Coast District Council General Bylaw and all other Bylaws, including but not limited to authority to do all things necessary to: <ul style="list-style-type: none"> • implement and uphold the Kapiti Coast District Council General Bylaw and all other Bylaws; • appoint Council staff members as authorised officers under the Kapiti Coast District Council General Bylaw, and appoint Council staff members as officers with the appropriate officer designation under all other Bylaws; • sub-delegate generally and particularly any of those powers conferred upon the Chief Executive under the Kapiti Coast District Council General Bylaw and all other Bylaws.

Appendix 1 Execution requirements

1. For documentation that must be executed by Council (as per section 32 of Schedule 7 of the Local Government Act 2002), the signatures of the Chief Executive, Mayor and one Councillor are required, and the common seal affixed.
2. For matters delegated to the Chief Executive, the signature of the Chief Executive is required and a witness (please note Council's financial delegations must also be met)
3. For matters delegated by the Chief Executive to Council officers (i.e. Group Managers), the signature of the officer is required and a witness (please note Council's financial delegations must also be met).

Appendix 2 Use of the common seal

Please note that the use of the common seal is required when Council must execute an agreement for certain transactions under the following Acts:

- Sections 22(2) of the Bylaws Act 1910 provides that any bylaw, or copy of a bylaw authenticated by the common seal of the local authority shall be sufficient evidence of the existence, publication, validity, and provisions of the bylaw and the date of its coming into operation.
- Section 12(8) of the Bylaws Act 1910 refers to the Council issuing under common seal a bylaw that has been quashed in part or amended by the High Council.
- Clause 17 of Schedule 1 of the Resource Management Act 1991 provides that approvals of proposed policy statements or plans must be done by affixing the common seal.
- Section 174(1) of the Local Government Act 2002 wherever a Council officer is authorised under the Local Government Act 2002 or other Act to enter private land on behalf of the Council, the Council must provide a written warrant with the common seal affixed as evidence of authorisation.
- Section 258H of the Local Government Act 2002 relates to the execution of documents using the common seal when a commission is appointed by the Minister in the place of a local authority.
- Section 345(1)(a) of the Local Government Act 1974 refers to the Council conveying or transferring or leasing land, that is no longer required as a road, to be done using the common seal.
- Section 80 of the Local Government (Rating) Act 2002 provides that the Council must in the case of the sale or lease of abandoned land, execute a memorandum of transfer or lease using the common seal, on behalf of the ratepayer whose interest has been sold or leased.
- Clause 8 of Schedule 1 of the Receiverships Act 1993 provides for the use of the common seal where a receiver is appointed and needs to execute documents in the name of the local authority in relation to assets charged in favour of the appointer of the receiver.

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For the avoidance of doubt:

- a reference in this document to an enactment, regulation or bylaw includes any amendment to the relevant provisions of that enactment, regulation or bylaw and any enactment, regulation or bylaw that, with or without modification, replaces or corresponds to that enactment, regulation or bylaw; and
- a reference in this document to a Council officer position includes any Council officer position that replaces or corresponds to that

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23 March 2023

positions to positions under section 34A of the Municipal Management Act 1991 (MMA)	300	302	303	305	306	309	310C	301A	301B	301C	301D	301E	301F	301G	301H	301I	301J	301K	301L	301M	301N	301O	301P	301Q	301R	301S	301T	301U	301V	301W	301X	301Y	301Z	302A	302B	302C	302D	302E	302F	302G	302H	302I	302J	302K	302L	302M	302N	302O	302P	302Q	302R	302S	302T	302U	302V	302W	302X	302Y	302Z	303A	303B	303C	303D	303E	303F	303G	303H	303I	303J	303K	303L	303M	303N	303O	303P	303Q	303R	303S	303T	303U	303V	303W	303X	303Y	303Z	304A	304B	304C	304D	304E	304F	304G	304H	304I	304J	304K	304L	304M	304N	304O	304P	304Q	304R	304S	304T	304U	304V	304W	304X	304Y	304Z	305A	305B	305C	305D	305E	305F	305G	305H	305I	305J	305K	305L	305M	305N	305O	305P	305Q	305R	305S	305T	305U	305V	305W	305X	305Y	305Z	306A	306B	306C	306D	306E	306F	306G	306H	306I	306J	306K	306L	306M	306N	306O	306P	306Q	306R	306S	306T	306U	306V	306W	306X	306Y	306Z	307A	307B	307C	307D	307E	307F	307G	307H	307I	307J	307K	307L	307M	307N	307O	307P	307Q	307R	307S	307T	307U	307V	307W	307X	307Y	307Z	308A	308B	308C	308D	308E	308F	308G	308H	308I	308J	308K	308L	308M	308N	308O	308P	308Q	308R	308S	308T	308U	308V	308W	308X	308Y	308Z	309A	309B	309C	309D	309E	309F	309G	309H	309I	309J	309K	309L	309M	309N	309O	309P	309Q	309R	309S	309T	309U	309V	309W	309X	309Y	309Z	310A	310B	310C	310D	310E	310F	310G	310H	310I	310J	310K	310L	310M	310N	310O	310P	310Q	310R	310S	310T	310U	310V	310W	310X	310Y	310Z	311A	311B	311C	311D	311E	311F	311G	311H	311I	311J	311K	311L	311M	311N	311O	311P	311Q	311R	311S	311T	311U	311V	311W	311X	311Y	311Z	312A	312B	312C	312D	312E	312F	312G	312H	312I	312J	312K	312L	312M	312N	312O	312P	312Q	312R	312S	312T	312U	312V	312W	312X	312Y	312Z	313A	313B	313C	313D	313E	313F	313G	313H	313I	313J	313K	313L	313M	313N	313O	313P	313Q	313R	313S	313T	313U	313V	313W	313X	313Y	313Z	314A	314B	314C	314D	314E	314F	314G	314H	314I	314J	314K	314L	314M	314N	314O	314P	314Q	314R	314S	314T	314U	314V	314W	314X	314Y	314Z	315A	315B	315C	315D	315E	315F	315G	315H	315I	315J	315K	315L	315M	315N	315O	315P	315Q	315R	315S	315T	315U	315V	315W	315X	315Y	315Z	316A	316B	316C	316D	316E	316F	316G	316H	316I	316J	316K	316L	316M	316N	316O	316P	316Q	316R	316S	316T	316U	316V	316W	316X	316Y	316Z	317A	317B	317C	317D	317E	317F	317G	317H	317I	317J	317K	317L	317M	317N	317O	317P	317Q	317R	317S	317T	317U	317V	317W	317X	317Y	317Z	318A	318B	318C	318D	318E	318F	318G	318H	318I	318J	318K	318L	318M	318N	318O	318P	318Q	318R	318S	318T	318U	318V	318W	318X	318Y	318Z	319A	319B	319C	319D	319E	319F	319G	319H	319I	319J	319K	319L	319M	319N	319O	319P	319Q	319R	319S	319T	319U	319V	319W	319X	319Y	319Z	320A	320B	320C	320D	320E	320F	320G	320H	320I	320J	320K	320L	320M	320N	320O	320P	320Q	320R	320S	320T	320U	320V	320W	320X	320Y	320Z	321A	321B	321C	321D	321E	321F	321G	321H	321I	321J	321K	321L	321M	321N	321O	321P	321Q	321R	321S	321T	321U	321V	321W	321X	321Y	321Z	322A	322B	322C	322D	322E	322F	322G	322H	322I	322J	322K	322L	322M	322N	322O	322P	322Q	322R	322S	322T	322U	322V	322W	322X	322Y	322Z	323A	323B	323C	323D	323E	323F	323G	323H	323I	323J	323K	323L	323M	323N	323O	323P	323Q	323R	323S	323T	323U	323V	323W	323X	323Y	323Z	324A	324B	324C	324D	324E	324F	324G	324H	324I	324J	324K	324L	324M	324N	324O	324P	324Q	324R	324S	324T	324U	324V	324W	324X	324Y	324Z	325A	325B	325C	325D	325E	325F	325G	325H	325I	325J	325K	325L	325M	325N	325O	325P	325Q	325R	325S	325T	325U	325V	325W	325X	325Y	325Z	326A	326B	326C	326D	326E	326F	326G	326H	326I	326J	326K	326L	326M	326N	326O	326P	326Q	326R	326S	326T	326U	326V	326W	326X	326Y	326Z	327A	327B	327C	327D	327E	327F	327G	327H	327I	327J	327K	327L	327M	327N	327O	327P	327Q	327R	327S	327T	327U	327V	327W	327X	327Y	327Z	328A	328B	328C	328D	328E	328F	328G	328H	328I	328J	328K	328L	328M	328N	328O	328P	328Q	328R	328S	328T	328U	328V	328W	328X	328Y	328Z	329A	329B	329C	329D	329E	329F	329G	329H	329I	329J	329K	329L	329M	329N	329O	329P	329Q	329R	329S	329T	329U	329V	329W	329X	329Y	329Z	330A	330B	330C	330D	330E	330F	330G	330H	330I	330J	330K	330L	330M	330N	330O	330P	330Q	330R	330S	330T	330U	330V	330W	330X	330Y	330Z	331A	331B	331C	331D	331E	331F	331G	331H	331I	331J	331K	331L	331M	331N	331O	331P	331Q	331R	331S	331T	331U	331V	331W	331X	331Y	331Z	332A	332B	332C	332D	332E	332F	332G	332H	332I	332J	332K	332L	332M	332N	332O	332P	332Q	332R	332S	332T	332U	332V	332W	332X	332Y	332Z	333A	333B	333C	333D	333E	333F	333G	333H	333I	333J	333K	333L	333M	333N	333O	333P	333Q	333R	333S	333T	333U	333V	333W	333X	333Y	333Z	334A	334B	334C	334D	334E	334F	334G	334H	334I	334J	334K	334L	334M	334N	334O	334P	334Q	334R	334S	334T	334U	334V	334W	334X	334Y	334Z	335A	335B	335C	335D	335E	335F	335G	335H	335I	335J	335K	335L	335M	335N	335O	335P	335Q	335R	335S	335T	335U	335V	335W	335X	335Y	335Z	336A	336B	336C	336D	336E	336F	336G	336H	336I	336J	336K	336L	336M	336N	336O	336P	336Q	336R	336S	336T	336U	336V	336W	336X	336Y	336Z	337A	337B	337C	337D	337E	337F	337G	337H	337I	337J	337K	337L	337M	337N	337O	337P	337Q	337R	337S	337T	337U	337V	337W	337X	337Y	337Z	338A	338B	338C	338D	338E	338F	338G	338H	338I	338J	338K	338L	338M	338N	338O	338P	338Q	338R	338S	338T	338U	338V	338W	338X	338Y	338Z	339A	339B	339C	339D	339E	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To Council for Approval
23 March 2023

Note 1 To the following positions, power to authorise, on Council's behalf, agreement to any consent orders arising from proceedings in the Environment Court (after consultation with the Chairperson or in their absence the Deputy Chairperson from the Council Committee with responsibility for managing planning or regulatory matters – at the time of making these delegations this is the Strategy and Operations Committee).

Note 2 To the following positions, power to write off sundry debts under the RMA 1991 to the value of \$1,000.

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Glossary of [Resource Management Act 1991](#) Sections Delegated to Staff (Appendix 2)

Section

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- 44A Local authority recognition of national environmental standards

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- 58I Local authority recognition of national planning standards *Subpart 2—*
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- 58N Guiding principles

RMA delegations glossary to Council 29 September 2022

Initiating Mana Whakahono a Rohe

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- 58Q Time frame for concluding Mana Whakahono a Rohe

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Streamlining decision-making on resource consents

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- 92A Responses to request
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Public notification and limited notification of applications

- 95 Time limit for public notification or limited notification
- 95A Public notification of consent applications
- 95B Limited notification of consent applications
- 95C Public notification of consent application after request for further information or report

10.5 APPOINTMENT OF MANA WHENUA REPRESENTATIVE

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

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

TE PŪTAKE | PURPOSE

- 1 This report asks Council to consider and appoint a mana whenua iwi representative as proposed by Ngā Hapu o Ōtaki to Council, to its committees and subcommittees as outlined below in accordance with the Governance Structure adopted on 24 November 2022.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

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

TE TUKU HAE PAPA | DELEGATION

- 3 Council has the authority to consider and appoint representatives to its committees and subcommittees under the Local Government Act 2002.
- 4 Council has provided for mana whenua representatives to participate at Council and to be appointed to various committees and subcommittees in its governance structure for the 2022-2025 Triennium.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council appoint Kim Tahiwī as the representative for Ngā Hapū o Ōtaki to attend the Social Sustainability Subcommittee, the Climate and Environment Subcommittee and Grants Allocation Committee – Creative Communities NZ scheme meetings in line with the formally adopted Governance Structure and Delegations 2022-2025.
- B. That Council note that remuneration for mana whenua representatives was confirmed in the Governance Structure and Delegations document, as agreed by Council on 24 November 2022.

TŪĀPAPA | BACKGROUND

- 5 On 24 November 2022, Council adopted its formal Governance Structure and Delegations for the 2022-2025 triennium.
- 6 As part of the Governance Structure and Delegations, Council confirmed its commitment to its partnership with the mana whenua of the District comprising the iwi and hapū of Ngā Hapū o Ōtaki (Ngāti Raukawa), Ngāti Toa Rangatira and Ātiawa ki Whakarongotai Charitable Trust. To strengthen mana whenua participation in Council decision-making, Council has resolved to include mana whenua iwi representatives in the membership of its committees and subcommittees as set out in its Governance Structure and Delegations 2022-2025.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 7 As resolved on 24 November 2022, Council may appoint mana whenua representatives as follows:
 - 7.1 **Council** – three mana whenua representatives, one per each iwi with speaking rights only
 - 7.2 **Strategy, Operations and Finance Committee** – three mana whenua representatives, one per each iwi with voting rights

- 7.3 **Social Sustainability Subcommittee** – three mana whenua representatives one per each iwi with voting rights
- 7.4 **Climate and Environment Subcommittee** – three mana whenua representatives one per each iwi with voting rights
- 7.5 **Risk and Assurance Committee** – one mana whenua representative in total with voting rights (via a recruitment process)
- 7.6 **Grants Allocation Committee** – three mana whenua representatives to the Creative Communities NZ programme and one mana whenua representative to the Community Grants programme – all with voting rights
- 8 Mana whenua representatives may attend public excluded meetings of the above committees and subcommittees and may also attend briefings and workshops relevant to their role in the governance structure.
- 9 Non-appointed mana whenua representatives may also attend meetings of Council and/or its committees/subcommittees with speaking rights at the discretion of the Chair.

Ngā kōwhiringa | Options

- 10 Ngā Hapū o Ōtaki are mana whenua in the Kāpiti Coast district and have been parties to a formal memorandum of understanding with Kāpiti Coast District Council since 1994.
- 11 Ngā Hapū o Ōtaki have already nominated Kim Tahiwī as their representative for Strategy, Operations and Finance Committee meetings which was formally confirmed on at the 8 December 2022 Council meeting. Kim Tahiwī is now also nominated as their representative to the Social Sustainability Subcommittee, the Climate and Environment Subcommittee and the Grants Allocation Committee – Creative Communities Scheme meetings.
- 12 Ngā Hapū o Ōtaki's representation arrangements to date are therefore:

Mana Whenua Representation

Committee/Subcommittee	Number of Representatives	Iwi and Name of Representative	Voting Rights
Council	Three – one per mana whenua iwi	TBC	No – only speaking rights
Strategy, Operations and Finance Committee	Three – one per mana whenua iwi	Kim Tahiwī	Yes
Social Sustainability Subcommittee	Three – one per mana whenua iwi	Kim Tahiwī	Yes
Climate and Environment Subcommittee	Three – one per mana whenua iwi	Kim Tahiwī	Yes
Risk and Assurance Committee	One representative	TBC	Yes
Grants Allocation Committee – Creative Communities NZ	Three representatives	Kim Tahiwī	Yes
Grants Allocation Committee - Community Grants	One representative	TBC	Yes

- 13 We have not yet received a formal nominee from Ngā Hapū o Ōtaki to represent them at Council meetings. Non-appointed mana whenua representatives may however attend Council, committee and subcommittee meetings at the discretion of the Chair, pending formal nominations in line with the Governance Structure and Delegations 2022-2025.

Tangata whenua

- 16 Mana whenua have been consulted and have provided representatives for this report.

Panonitanga āhuarangi | Climate change

- 15 There are no climate change considerations.

Ahumoni me ngā rawa | Financial and resourcing

- 16 Council resolved on 24 November 2022 to reimburse each mana whenua iwi (Ngāti Toa Rangātira, Ngā Hapū o Ōtaki and Ātiawa ki Whakarongotai Charitable Trust) for the contribution of their representatives as set out in the Governance Structure and Delegations document by paying each iwi an annual fee, equivalent to the remuneration of a full-time elected member (Tier 6) which is currently \$48,964.00.
- 17 Mana whenua representatives may also claim for travel and other administrative expenses under the non-elected member claims and expenses policy.

Ture me ngā Tūraru | Legal and risk

- 18 There are no additional legal considerations.

Ngā pānga ki ngā kaupapa here | Policy impact

- 19 There are no policy considerations.

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

- 20 An engagement plan is not required to implement this decision.

Whakatairanga | Publicity

- 21 The appointments will be announced via Council communications channels and promoted to media.

NGĀ ĀPITI HANGA | ATTACHMENTS

Nil

10.6 CONFIRMATION OF COMMUNITY BOARD REPRESENTATIVE

Kaituhi | Author: **Steffi Haefeli, Manager Democracy Services**

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

TE PŪTAKE | PURPOSE

- 1 This report asks Council to confirm Bede Laracy, Chair of the Raumati Community Board as the community board representative to the Risk and Assurance Committee in accordance with the Governance Structure adopted on 24 November 2022.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

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

TE TUKU HAE PAPA | DELEGATION

- 3 Council has the authority to consider and confirm representatives to its committees and subcommittees under the Local Government Act 2002.
- 4 Council has provided for community board representatives to participate at Council and to be appointed to various committees and subcommittees in its governance structure for the 2022-2025 Triennium.

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council, in line with the formally adopted Governance Structure and Delegation 2022-2025, confirm Bede Laracy as the Raumati Community Board representative to the Risk and Assurance Committee for the triennium effective from the date of this meeting on 23 March 2023.

TŪĀPAPA | BACKGROUND

- 5 On 24 November 2022, Council adopted its formal Governance Structure and Delegations for the 2022-2025 triennium.
- 6 As part of the Governance Structure and Delegations, Council confirmed its commitment to enabling community board participation and representation at the Council table in order to strengthen local decision making. Council has resolved to include community board representatives and in some cases an alternative community representatives in the membership of its committees and subcommittees as set out in its Governance Structure and Delegations 2022-2025.
- 7 On 26 January 2023, Council confirmed Community Board representation to Council, its committees and subcommittees. At the time, the Raumati Community Board did not nominate a representative for the Risk and Assurance Committee.

HE KŌRERORERO | DISCUSSION

He take | Issues

- 8 As resolved on 24 November 2022, Council may confirm community board representatives as follows:
 - 8.1 **Council** – five community board representatives (chair or alternate), one per community board speaking rights only
 - 8.2 **Strategy, Operations and Finance Committee** – five community board representatives (chair or alternate), one per community board with speaking rights only

- 8.3 **Social Sustainability Subcommittee** – five community board representatives (or alternatively a nominate community representative) – one per community board with voting rights
- 8.4 **Climate and Environment Subcommittee** – five community board representatives (or alternatively a nominate community representative) – one per community board with voting rights
- 8.5 **Risk and Assurance Committee** – five community board representatives (chair or alternate), one per community board with speaking rights only
- 8.6 **Grants Allocation Committee** – five community board representatives to the Waste Levy programme – one per community board with voting rights
- 9 Community Board representatives may also attend other meetings of committees and subcommittees with speaking rights at the discretion of the Chair.
- 10 Non-appointed community board representatives may also attend meetings of Council and/or its committees/subcommittees with speaking rights at the discretion of the Chair.

Ngā kōwhiringa | Options

- 11 The Kāpiti Coast District has five community boards:

Ōtaki Community Board	Four members elected by the community plus the Ōtaki Ward Councillor appointed by Council
Waikanae Community Board	Four members elected by the community plus one of the two Waikanae Ward Councillors appointed by Council
Paraparaumu Community Board	Four members elected by the community plus two of the three Paraparaumu Ward Councillors appointed by Council
Raumati Community Board	Four members elected by the community plus the Paekākāriki-Raumati Ward Councillor appointed by Council
Paekākāriki Community Board	Four members elected by the community plus the Paekākāriki-Raumati Ward Councillor appointed by Council

- 12 As per the Governance Structure and Delegations 2022-2025, Council confirmed the following Community Board representation arrangement at the meeting held on 26 January 2023.

Confirmed Community Board Representation

Committee/Subcommittee	Community Board and Name of Representative		Voting Rights
Council	Paraparaumu	Glen Olsen	No – only speaking rights
	Raumati	Bede Laracy	
	Waikanae	Richard Mansell	
	Paekākāriki	Sean McKinley and Kelsey Lee as alternate	
	Ōtaki	Cam Butler and Simon Black as alternate	
Strategy, Operations and Finance Committee	Paraparaumu	Glen Olsen	No – only speaking rights
	Raumati	Bede Laracy	
	Waikanae	Michael Moore	

	Paekākāriki	Sean McKinley and Kelsey Lee as alternate	
	Ōtaki	Simon Black and Jackie Elliott as alternate	
Social Sustainability Subcommittee	Paraparaumu	Guy Burns	Yes
	Raumati	Jonny Best	
	Paekākāriki	Sorcha Ruth	
	Ōtaki	Jackie Elliott and Cam Butler as alternate	
	Waikanae	TBC	
Climate and Environment Subcommittee	Paraparaumu	Glen Olsen	Yes
	Raumati	Tim Sutton	
	Paekākāriki	Christian Judge	
	Ōtaki	Simon Black and Cam Butler as alternate	
	Waikanae	Michael Moore	
Risk and Assurance Committee	Paraparaumu	Bernie Randall	No – only speaking rights
	Waikanae	Richard Mansell	
	Paekākāriki	Sean McKinley	
	Ōtaki	Cam Butler and Simon Black as alternate	
	Raumati	TBC	
Grants Allocation Committee – Waste Levy Programme	Paraparaumu	Bernie Randall	Yes
	Raumati	Tarn Sheerin	
	Waikanae	Tonchi Begovich	
	Paekākāriki	Sean McKinley	
	Ōtaki	Chris Papps and Cam Butler as alternate	

Tangata whenua

There are no tangata whenua considerations. →

Panonitanga āhuarangi | Climate change

14 There are no climate change considerations.

Ahumoni me ngā rawa | Financial and resourcing

- 15 The remuneration of community boards is set by the Remuneration Authority and no additional budgetary considerations are required.
- 16 Community Board representatives may also claim for travel and other administrative expenses under the elected member remuneration, expenses and allowances policy.

Ture me ngā Tūraru | Legal and risk

17 There are no additional legal considerations.

Ngā pānga ki ngā kaupapa here | Policy impact

18 There are no policy considerations.

TE WHAKAWHITI KŌRERO ME TE TŪHONO | COMMUNICATIONS & ENGAGEMENT

Te mahere tūhono | Engagement planning

19 An engagement plan is not required to implement this decision.

Whakatairanga | Publicity

20 The appointments will be announced via Council communications channels and promoted to media.

NGĀ ĀPITI HANGA | ATTACHMENTS

Nil

10.7 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 21 February 2023 to 7 March 2023.

HE WHAKARĀPOOTO | EXECUTIVE SUMMARY

- 2 An executive summary is not required.

TE TUKU HAEPAPA | DELEGATION

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

TAUNAKITANGA | RECOMMENDATIONS

- A. That Council receives this report.
- B. That the Council considers the following recommendation from the Raumati Community Board meeting on 21 February 2023:
 - That the Raumati Community Board requests that Council develops a community education plan to enable Raumati residents to participate effectively in the Takutai Kāpiti process and reports back before the next meeting.
- C. That the Council notes and considers the following recommendations from the Ōtaki Community Board meeting on 7 March 2023:
 - For noting: That the Chair of the Ōtaki Community Board write to the Remuneration Authority requesting an increase in the funding of Community Board members for all community boards in Kāpiti given the increased complexity of matters requiring advocacy from Community Boards resulting in an increased time commitment from Board members
 - For consideration: The Board recommends that Council also advocate for community boards in Kāpiti receiving additional funding from the Remuneration Authority.

TŪĀPAPA | BACKGROUND

- 4 During the period of 21 February 2023 to 7 March 2023, Standing Committee and Community Board meetings took place on the following dates:

Raumati Community Board	21 February 2023
Waikanae Community Board	28 February 2023
Ōtaki Community Board	7 March 2023

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

- 5.1 On 21 February 2023 the Raumati Community Board met to discuss:

- Initiatives Funding Criteria

- Update from Place and Space
 - Bus stop and parking upgrades in Raumati
 - Adoption of Standing Orders 2022-2025
 - Elected Members Remuneration, Expenses and Allowances Policy
 - Consideration of Applications for Funding
 - Confirmation of Minutes
 - Matters under action
- 5.2 On 28 February 2023 the Waikanae Community Board met to discuss:
- Update: Speed Management Plan 'Heads Up'
 - Consideration of Applications for Funding
 - Adoption of Standing Orders 2022-2025
 - Elected Members Remuneration, Expenses and Allowances Policy
 - Matters under action
- 5.3 On 7 March 2023 the Ōtaki Community Board met to discuss:
- Update: KYS Graffiti Project
 - Update: Speed Management Plan 'Heads Up'
 - Adoption of Standing Orders 2022-2025
 - Elected Members Remuneration, Expenses and Allowances Policy
 - Consideration of Applications for Funding
 - Confirmation of Minutes
 - Matters under action

HE KŌRERORERO | DISCUSSION

He take | Issues

- 6 Within the reports and recommendations considered by Standing Committees and Community Boards from 21 February 2023 to 7 March 2023, there were two recommendations made to Council.
- 7 One recommendation was made at the Raumati Community Board meeting on 21 February 2023 in relation to developing a community education plan to facilitate community engagement in the Takutai Kāpiti process.
- 7.1 The recommendation was:
- 7.1.1 That the Raumati Community Board requests that Council develops a community education plan to enable Raumati residents to participate effectively in the Takutai Kāpiti process and reports back before the next meeting.
- 7.2 Council officers note that:
- 7.2.1 The Strategy and Growth group are working on a communication plan which will be agreed with the Coastal Adaption Project. This is expected to include communication with Community Boards.
- 8 There were two motions made at the Ōtaki Community Board meeting on 7 March 2023 in relation to advocating to increase the remuneration of all community board members, due to an increased time commitment from members.
- 8.1 The two motions carried were:

- 8.1.1 That the Chair of the Ōtaki Community Board write to the Remuneration Authority requesting an increase in the funding of Community Board members for all community boards in Kāpiti given the increased complexity of matters requiring advocacy from Community Boards resulting in an increased time commitment from Board members.
- 8.1.2 The Board recommends that Council also advocate for community boards in Kāpiti receiving additional funding from the Remuneration Authority.
- 8.2 Council officers note that:
 - 8.2.1 Council last considered the Elected Members' Remuneration and Positions of Responsibility on 24 November 2022. The Remuneration Authority has now gazetted its amended determination confirming the decision. The Remuneration Authority also releases a new determination annually with the next one expected in July 2023.
 - 8.2.2 The Remuneration Authority is currently seeking feedback from Elected Members and Councils ahead of 14 April 2023. The feedback will inform any changes that will need to be put in place for the next Local Body Elections.

Ngā kōwhiringa | Options

- 9 Options are not required for this report.

Tangata whenua

- 10 There are no additional tangata 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 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**11.1 CONFIRMATION OF MINUTES**

Author: Kate Coutts, Democracy Services Advisor

Authoriser: Janice McDougall, Group Manager People and Partnerships

Taunakitanga | Recommendations

That the minutes of the Council meeting of 23 February 2023 be accepted as a true and correct record.

That the minutes of the Council meeting of 2 March 2023 be accepted as a true and correct record.

APPENDICES

1. Council minutes 23 February 2023 [↓](#)
2. Council minutes 2 March 2023 [↓](#)

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
HUI KAUNIHERA | COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 23 FEBRUARY 2023 AT 9.34AM**

PRESENT: Mayor Janet Holborow, Deputy Mayor Lawrence Kirby, Cr Glen Cooper, Cr Martin Halliday, Cr Sophie Handford, Cr Rob Kofoed, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Kathy Spiers, Cr Shelly Warwick, Cr Nigel Wilson

IN ATTENDANCE: Mr André Baker (Ātiawa ki Whakarongotai), Mr Huriwai Paki (Ngāti Toa Rangatira), Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Cam Butler, Mr Darren Edwards, Mr Sean Mallon, Ms Susan Owens, Mr Mike Mendonça, Ms Kris Pervan, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Ms Sarah Wattie, Ms Jo Bryan, Ms Jennifer Allen, Ms Anita Williams, Ms Fiona Story, Mr James Jefferson, Ms Angela Bell, Ms Lesley Olsson, Ms Jacquie Muir, Ms Brandy Griffin, Mr Dylan Perrett, Ms Jacqui Cull, Ms Nicky Holden

APOLOGIES Deputy Mayor Lawrence Kirby (arrived at 11:50am) and Kirsten Hapeta (Ngā Hapū o Ōtaki)

LEAVE OF ABSENCE: Nil

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting, and André Baker opened with karakia.

2 KARAKIA | COUNCIL BLESSING

Cr Koh read the Council blessing.

3 WHAKAPĀHA | APOLOGIES

APOLOGY | WHAKAPĀHA

RESOLUTION CO2023/11

Moved: Cr Sophie Handford

Seconder: Cr Jocelyn Prvanov

That the apologies received from Deputy Mayor Lawrence Kirby and Kirsten Hapeta be accepted.

CARRIED

**4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE |
DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA**

There were none.

5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were none.

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

6 NGĀ WHAKAWĀ | HEARINGS

There were none.

7 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Martin Frauenstein spoke in regard to 10.1 Review into Future for Local Government Submission.

David Ogden spoke in regard to 10.2 Noting Paper: Climate Emergency Action Update, 13.1 Appointment of the Chair and Independent Member of the Risk and Assurance Committee, and 13.2 Property Update. Mr Ogden answered members' questions.

8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS**(a) Leave of Absence**

There were none requested.

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

There were none.

9 TE PŪRONGO A TE KORORMATUA | MAYOR'S REPORT

There was no report.

10 PŪRONGO | REPORTS**10.1 REVIEW INTO THE FUTURE FOR LOCAL GOVERNMENT SUBMISSION**

Kris Pervan, Manager Strategy and Growth and Jo Bryan, Strategy Manager, spoke to the report and answered members' questions.

The Mayor proposed an amendment to replace the Deputy Mayor with Cr Sophie Handford in the recommendation, which was accepted.

RESOLUTION CO2023/12

Moved: Cr Nigel Wilson

Seconder: Cr Rob Kofoed

It is recommended that Council:

- A. Note that the Panel's report contained draft recommendations only and that there will be other opportunities for consultation if the review progresses through to reform at a later date.
- B. Endorse the Review into the Future for Local Government submission subject to any specific feedback.
- C. Agree that the Mayor, Cr Sophie Handford and Chief Executive agree any final changes to the submission on behalf of Council and that the submission be provided to the Panel before 28 February 2023.

CARRIED

10.2 NOTING PAPER: CLIMATE EMERGENCY ACTION UPDATE

Sean Mallon, Group Manager Infrastructure Services and Brandy Griffin, Principal Policy Advisor,

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

spoke to the report and answered members' questions.

RESOLUTION CO2023/13

Moved: Cr Liz Koh

Seconder: Cr Martin Halliday

It is recommended that Council:

- A. Note the Climate and Environment Subcommittee received this report on 9 February 2023, provided feedback, and directed for this report to be submitted to Council as a noting paper
- B. Note the Kāpiti Coast District Council Climate Emergency Action Framework
- C. Note the progress on the Kāpiti Coast District Council Climate Emergency Action Plan from 1 July 2022 to 31 December 2022.

CARRIED

The meeting adjourned at 11:05 am and resumed at 11:24 am.

10.3 KEEPING OF ANIMALS, BEES & POULTRY BYLAW 2021 AND DOG CONTROL BYLAW 2019 - MINOR AND TECHNICAL CHANGES

Angela Bell, Chief Strategy and Lesley Olsson, Policy Advisor, spoke to the report and answered members' questions.

RESOLUTION CO2023/14

Moved: Cr Shelly Warwick

Seconder: Cr Liz Koh

That Council approve the list of amendments to the Keeping of Animals, Bees & Poultry Bylaw 2021 and Dog Control Bylaw 2019 as specified in Attachments 1 and 2 to this report.

CARRIED

10.4 WELLINGTON REGION TRIENNIAL AGREEMENT 2022-2025

Steffi Haefeli, Manager Democracy Services spoke to the report.

RESOLUTION CO2023/15

Moved: Cr Sophie Handford

Seconder: Cr Nigel Wilson

- A. That Council agrees to enter into the Wellington Regional Triennial Agreement 2022-2025 as attached in draft at Appendix 1 of this report.
- B. That Council delegates to the Mayor and Chief Executive the authority to make any minor amendments required as a result of minor changes requested by other local authorities in the region as part of the adoption process.
- C. That Council authorises the Mayor, on behalf of Council, to sign the Agreement.

CARRIED

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

10.5 REPORTS AND RECOMMENDATIONS FROM STANDING COMMITTEES AND COMMUNITY BOARDS

Steffi Haefeli, Manager Democracy Services spoke to the report and answered members' questions.

RESOLUTION CO2023/16

Moved: Mayor Janet Holborow

Seconder: Cr Rob Kofoed

A. That Council receives this report.

B. That the Council considers the following recommendations to Council from the Paraparaumu Community Board meeting on 14 February 2023:

- That the Paraparaumu Community Board asks Kāpiti Coast District Council to stop work on the Te Uruhi Gateway Development at MacLean Park and abandon this project.
- That Council notes that this matter will be considered at its special meeting on 2 March.
- That Council consider remunerating Community Board members for attending committee and subcommittee meetings.
- That Council notes that the next opportunity will be through the Remuneration Authority Determination Process.

CARRIED**10.6 DELEGATION OF POWER TO GRANT LEAVE OF ABSENCE**

Steffi Haefeli, Manager Democracy Services spoke to the report and answered members' questions.

RESOLUTION CO2023/17

Moved: Cr Kathy Spiers

Seconder: Cr Nigel Wilson

That the Council delegate the power to grant Elected Members a leave of absence to Mayor Janet Holborow.

CARRIED

Deputy Mayor Lawrence Kirby entered the meeting at 11:50 am via Zoom.

11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES**11.1 CONFIRMATION OF MINUTES****RESOLUTION CO2023/18**

Moved: Cr Nigel Wilson

Seconder: Cr Rob Kofoed

That the minutes of the Council meeting of 26 January 2023 be accepted as a true and correct record.

CARRIED

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

12 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2023/19

Moved: Cr Sophie Handford

Seconder: Cr Shelly Warwick

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
12.1 - Confirmation of Public Excluded Minutes	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)	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
13.1 - Appointment of the Chair and Independent Member of the Risk and Assurance Committee	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
13.2 - Property Update	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)	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

The Kaunihera | Council meeting went into public excluded session at 11:59am.

COUNCIL MEETING MINUTES

23 FEBRUARY 2023

RESOLUTION CO2023/20

Moved: Cr Nigel Wilson

Seconder: Cr Martin Halliday

That the Kaunihera | Council moves out of a public excluded meeting.

CARRIED

The Kaunihera | Council came out of public excluded session at 12:49pm.

13.1 APPOINTMENT OF THE CHAIR AND INDEPENDENT MEMBER OF THE RISK AND ASSURANCE COMMITTEE

The following resolution was passed to release the report, with exception of Appendices 2-9, from the public excluding meeting.

RESOLUTION CO2023/21

Moved: Cr Liz Koh

Seconder: Cr Nigel Wilson

That Council approves the release of this report, Appointment of the Chair of the Risk and Assurance Committee with the exception of Appendices 2-9 from public excluded session.

CARRIED**Appendices**

- 1 Appointment of the Chair and Independent Member of the Risk and Assurance Committee Report

The Kaunihera | Council meeting closed at 12:49pm.

.....
HEAMANA | CHAIRPERSON

ADDITIONAL KAUNIHERA | COUNCIL MEETING MINUTES

2 MARCH 2023

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
ADDITIONAL KAUNIHERA | COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 2 MARCH 2023 AT 2.00PM**

PRESENT: Mayor Janet Holborow, Cr Glen Cooper, Cr Martin Halliday, Cr Sophie Handford, Cr Rob Kofoed, Cr Liz Koh, Cr Jocelyn Prvanov, Cr Kathy Spiers, Cr Shelly Warwick, Cr Nigel Wilson

IN ATTENDANCE: Mr André Baker, Mr Huriwai Paki, Ms Kim Tahiwai, Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Cam Butler, Mr Sean McKinley, Mr Darren Edwards, Mr Mark de Haast, Mr Sean Mallon, Ms Janice McDougall, Ms Kris Pervan, Ms Alison Law, Mr Tim Power, Mr Darren Grant, Ms Philippa Ross-James, Ms Steffi Haefeli, Ms Anna Smith, Ms Fiona Story

WHAKAPĀHA | APOLOGIES: Deputy Mayor Lawrence Kirby

LEAVE OF ABSENCE: There were none.

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting and André Baker opened with karakia.

2 KARAKIA | COUNCIL BLESSING

Cr Sophie Handford read the Council blessing.

3 WHAKAPĀHA | APOLOGIES

APOLOGY

RESOLUTION CO2023/23

Moved: Cr Jocelyn Prvanov

Seconder: Cr Sophie Handford

That the apology received from Cr Lawrence Kirby be accepted.

CARRIED

4 TE TAUĀKĪ O TE WHAITAKE KI NGĀ MEA O TE RĀRANGI TAKE | DECLARATIONS OF INTEREST RELATING TO ITEMS ON THE AGENDA

There were none.

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5 HE WĀ KŌRERO KI TE MAREA MŌ NGĀ MEA E HĀNGAI ANA KI TE RĀRANGI TAKE | PUBLIC SPEAKING TIME FOR ITEMS RELATING TO THE AGENDA

Gwynn Compton spoke on the Te Uruhi project advocating for the project not to proceed.

Conrad Petersen spoke on the Te Uruhi project and the report in the agenda.

Richard Young spoke on the Te Uruhi project.

Clare Holden spoke to the Te Uruhi project and the resource consent process and advocated with the project not to proceed.

Christopher Ruthe spoke on behalf of Kāpiti Improvement Society (KIS) on the Te Uruhi project.

Keith Jefferies spoke to the Te Uruhi project.

Fred Davies spoke to the Te Uruhi project and the resource consent process and advocated for consultation with impacted parties if the project was to proceed.

Michael Alexander spoke to the Te Uruhi project and advocated for the project not to proceed using Government funding in the light of the recent Cyclone on the east coast.

Dale Evans spoke to the Te Uruhi project and advocated for the project not to proceed.

6 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

(a) Leave of Absence - There were none.

(b) Matters of an Urgent Nature – There were none.

7 PŪRONGO | REPORTS

7.1 TE URUHI FACILITY PROJECT

Sean Mallon, Group Manager Infrastructure services, introduced the item and took the report as read.

In place of considering the report recommendations, Cr Koh moved an amendment to the next item, the notice of motion -Te Uruhi Project, as left to lie on the table at the 24 November 2022 Council meeting.

7.2 NOTICE OF MOTION -TE URUHI PROJECT

RESOLUTION CO2023/24

Moved: Cr Liz Koh

Seconder: Cr Martin Halliday

That the Kāpiti Coast District Council rescind and revoke all prior resolutions and amendments relating to the Kāpiti Island Gateway – Te Uruhi project; (see attached list of resolutions as supplied by KCDC as Under Standing Orders clause 23.1(b))

And further moves the Chief Executive to instruct staff and contractors to cease all work on progressing the Kāpiti Island Gateway – Te Uruhi project

That Council reflects on the key outcomes Te Uruhi was seeking to achieve and, alongside key partners and stakeholders, builds on or develops work streams to deliver on these aspirations. We see the aspirations as including;

- to enhance biosecurity and visitor experience of travelling to Kāpiti Island

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- to provide opportunity for mana whenua stories to be told in an integrated, visible and mana enhancing way
- to refine and tell our Kāpiti story, to support our destination marketing and sense of self and place.

That Council notes the report and recommendations from staff on Te Uruhi Facility Project.

CARRIED

**8 TE WHAKAŪNGA O NGĀ ĀMIKI KĀORE E WĀTEA KI TE MAREA |
CONFIRMATION OF PUBLIC EXCLUDED MINUTES**

There were none.

André Baker closed with karakia

The Kaunihera | Council meeting closed at 3.04pm.

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HEAMANA | CHAIRPERSON

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION

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

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

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
12.1 - Confirmation of Public Excluded minutes	<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)(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>
13.1 - Property Disposal	<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>

13.2 - Strategic Property Acquisition	<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>	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
13.3 - Appointment of District Licensing Committee list members	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
13.4 - Appointment of Independent Member to the Risk and Assurance Committee	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
13.5 - Appointment of Community Representatives to the Grants Allocation Committee	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
13.6 - Property Update	Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice	Section 48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting

	or disadvantage, negotiations (including commercial and industrial negotiations)	would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7