

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL
ADDITIONAL KAUNIHERA | COUNCIL MEETING
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU
ON THURSDAY, 10 AUGUST 2023 AT 11.05 AM**

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

IN ATTENDANCE: Mr André Baker, Ms Denise Hapeta, Mr Huriwai Paki, Mr Bede Laracy, Mr Glen Olsen, Mr Richard Mansell, Mr Darren Edwards, Mr Ewen Church, Mr Sean Mallon, Ms Janice McDougall, Ms Hara Adams, Ms Kris Pervan, Mr Tim Power, Ms Kate Coutts, Ms Steffi Haefeli, Ms Anna Smith, Mr Evan Dubisky, Ms Jessica Mackman, Mr James Jefferson, Ms Susan Owens, Mr Jason Holland, Mr Andrew Banks

WHAKAPĀHA | APOLOGIES: Nil

LEAVE OF ABSENCE:

1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting

2 KARAKIA | COUNCIL BLESSING

The Mayor asked Mr André Baker to open with karakia.

3 WHAKAPĀHA | APOLOGIES

There were no apologies for this meeting.

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

There were no declarations of interest relating to items on the agenda.

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

Mr Richard Mansell spoke to item 7.1 on the agenda with the intention of clearing up any misapprehension that he believed some of the other members of the public may have been under and to inform the council of the fully publicly notified process that had been followed on the Plan Change 2 process.

Cr Glen Cooper arrived at the meeting at 11:19 am.

Ms Leanne Morris spoke to item 7.1 on the agenda, and the re-zoning of Mr Mansell's land in particular. Ms Morris spoke of lack of awareness by the neighbours of Mr Mansell's plans to subdivide, and the general opposition to it.

TABLED DOCUMENTS

Ms Morris tabled a letter to the Mayor and Councillors regarding Plan Change 2.

CARRIED

Appendices

1 Letter to Mayor and Councillors

Mr Chris Webber of the local branch of the Māori Council, spoke to item 7.2 on the agenda in support of conducting public consultation on the creation of a Māori Ward, and the importance of working together and including all groups within the community.

6 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

- (a) No leaves of absence were applied for.
- (b) No matters of an urgent nature had been provided to the Chair prior to the commencement of the meeting.

7 PŪRONGO | REPORTS

7.2 ESTABLISHMENT OF A MĀORI WARD

Steffi Haefeli, Manager Democracy Services introduced the report which had been left to lie on the table and was available to answer any questions that members had regarding the report.

RESOLUTION CO2023/94

Moved: Cr Martin Halliday

Seconder: Cr Nigel Wilson

That Council

- A.2 Resolve to proceed with wider community consultation with tangata whenua and other communities ahead of a final decision on whether to establish a Māori ward this triennium prior to 23 November 2023.

CARRIED

Mr Huriwai Paki arrived at the meeting at 11:49am.

7.3 CONDUCTING A POLL TO SELECT THE ELECTORAL SYSTEM FOR THE LOCAL BODY ELECTIONS 2025

Steffi Haefeli, Manager Democracy Services introduced the report noting that this report was brought to Council as a result of the resolution passed by Council on 20 July 2023 to undertake a poll of electors on the electoral system.

RESOLUTION CO2023/95

Moved: Deputy Mayor Lawrence Kirby

Seconder: Cr Sophie Handford

- A. That Council revoke the resolution passed at the Council meeting of 20 July 2023 to undertake a poll of electors on the electoral system to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

AND

- B. That Council ask officers to bring the report on Selecting the Electoral System presented to Council on 20 July 2023 back to Council on 31 August 2023 for Council to re-consider the selection of the electoral System to be used for the next two triennial elections, in accordance with the provisions in the Local Electoral Act 2001.

CARRIED

Cr Nigel Wilson left the meeting at 12:01 pm.

Cr Nigel Wilson returned to the meeting at 12:03 pm.

7.1 DECISIONS ON INDEPENDENT HEARING PANEL’S RECOMMENDATIONS ON PLAN CHANGE 2 TO THE OPERATIVE KAPITI COAST DISTRICT PLAN

Jason Holland, District Planning Manager and Andrew Banks from Boffa Miskell introduced the report and answered questions from members.

Cr Glen Cooper left the meeting at 12:48 pm.

Cr Glen Cooper returned to the meeting at 12:49 pm.

Mr Huriwai Paki left the meeting at 1:11 pm.

Mr Huriwai Paki returned to the meeting at 1:13 pm.

The meeting adjourned at 1:17 pm and resumed at 1:58 pm.

RESOLUTION CO2023/96

Moved: Deputy Mayor Lawrence Kirby

Seconded: Mayor Janet Holborow

- B. **Option 3:** That Council:

- B.1 Identify which recommendations of the Independent Hearings Panel that it rejects, the reasons for doing so, and any alternative recommendations in Table 1 below:

Recommendation rejected	Reason	Alternative recommendation (if any)
[13](b)(i) Allow submission 023 by the Mansell family by rezoning the land covered by the submission from Rural Lifestyle to General Residential Zone	We concur with our Council Officers reply evidence (point 26, p9) stating the need for a Structure Plan for the wider area of Otaihanga including the block rejected for rezoning off Ratanui Road. “While I appreciate the submitters’ willingness to work together to overcome the ’10 per cent’, and I acknowledge the additional information	Reject submission 023 by the Mansell family by rezoning the land covered by the submission from Rural Lifestyle to General Residential Zone

		<p>provided by them in their further evidence lodged after the hearing, we remain in fundamental disagreement about the need for a structure plan. As outlined in paragraph 10 above and onwards, I consider a comprehensive structure plan of the wider area is necessary prior to any rezoning. Ultimately the timeframes set under the ISPP are not conducive to the preparation of a comprehensive structure plan for the area, and I felt it inappropriate to engage in this process as part of the ISPP given the lack of information available on the issues that may need to be addressed in the surrounding area outside of the submitters' site and the lack of ability for other parties potentially affected by the structure planning to input into the process." Quote from <u>Plan Change 2 Council Officer's Reply Evidence; Author: Katie Maxwell; Dated: 28 April 2023 – p9, point 26.</u></p> <p>We disagree with IHP conclusions for supporting the rezone:</p> <p>1) in their report points [240] & [241] rejecting the need for a Structure Plan. The use of Supplementary Statement s023 Hansen Memo 18.04.2023 points 2.2 & 2.3 does not provide enough evidence to support denying the Structure Plan.</p>	
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		<p>2) We reference Ātiawa ki Whakarongotai's Submission s100.FS.1 p2 in which they say they only "support in part" s023 then add their reasons: "KCDC has a Future urban development plan change scheduled as part of implementing the District Growth Strategy. It may be more appropriate to consider submitter's requests for rezoning as part of that plan change. Decision sought: Seek further assessment of environmental effects, including s6 RMA matters and cumulative effects of rezoning all or some of the proposed sites or deferring for future plan change."</p>	
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For: Crs Glen Cooper, Sophie Handford, Janet Holborow, Lawrence Kirby, Rob Kofoed, Jocelyn Prvanov, Kathy Spiers and Shelly Warwick

Against: Crs Martin Halliday and Liz Koh

Abstained: Cr Nigel Wilson

CARRIED 8/2

Ms Kim Tahiwai left the meeting at 1:58 pm.

Mr Huriwai Paki left the meeting at 2:10 pm.

André Baker left the meeting at 2:59 pm.

The meeting adjourned at 2:59 pm and resumed at 3:04 pm.

Cr Wilson returned to the meeting at 3:07 pm.

CARRIED

RESOLUTION CO2023/97

Moved: Cr Glen Cooper
 Seconder: Cr Shelly Warwick

That the item of business, 7.1 B.1 being discussed should lie on the table and not be discussed further until 3.30 pm..

For: Crs Glen Cooper, Martin Halliday, Rob Kofoed, Jocelyn Prvanov, Kathy Spiers, Shelly Warwick and Nigel Wilson

Against: Crs Sophie Handford, Janet Holborow, Lawrence Kirby and Liz Koh

CARRIED 7/4

The meeting adjourned at 3:10 pm and resumed at 3:30 pm.

RESOLUTION CO2023/98

Moved: Cr Liz Koh
 Seconder: Cr Kathy Spiers

That Council:

- B.2 Accept the recommendations of the Independent Hearings Panel that it does not identify in Table 1 above; and
- B.3 Except for the rejected recommendations identified in Table 1, amend the Kapiti Coast District Plan 2021 as set out in Attachment 2 (which includes minor amendments pursuant to clause 102(2) of Schedule 1 to the RMA); and
- B.4 Publicly notify its decision in accordance with clause 102 of Schedule 1 to the RMA by 20 August 2023; and
- B.5 Where Council rejects some (but not all) of the recommendations of the Independent Hearings Panel, that the public notice specifies that PC2 will become operative-in-part in accordance with clause 104(2) of Schedule 1 to the RMA on 1 September 2023 and
- B.6 Refer the recommendation(s) of the Independent Hearings Panel that it has rejected, along with the reasons for doing so and any alternative recommendations, to the Minister for the Environment in accordance with clause 101(2) of Schedule 1 to the RMA.

CARRIED

For: Crs Sophie Handford, Janet Holborow, Lawrence Kirby, Liz Koh, Kathy Spiers and Shelly Warwick

Against: Crs Glen Cooper, Martin Halliday, Rob Kofoed, Jocelyn Prvanov and Nigel Wilson

CARRIED 6/5

RESOLUTION CO2023/99

Moved: Mayor Janet Holborow
 Seconder: Cr Liz Koh

C That the Council instruct staff to:

- C.1 Investigate, and report back to Council within 6 months, on the potential scope for further changes to the District Plan related to future urban development, mana

<p>whenua (sites and areas of significance to Māori), coastal environment and flood risk;</p> <p>C.2 Consider the potential impacts of PC2 on the Council’s Infrastructure Strategy and Development Contributions Policy as part of the 2024 Long-term Plan review;</p> <p>C.3 Investigate, and report back to Council within 6 months, on the following matters:</p> <p>C.3.1 Steps to support the development of papakāinga by tangata whenua, including the development of papakāinga design guides and progressing actions related to Māori housing in the Council’s Housing Strategy 2022;</p> <p>C.3.2 Whether it is necessary to review the Council growth strategy <i>Te tupu pai – Growing Well</i>;</p> <p>C.3.3 Options to build the Council’s urban design capacity and expertise, including by building mana whenua kaupapa (values), huanga (vision) and tikanga (approach) capability, developing in-house urban design expertise and/or exploring the use of Design Review Panels.</p> <p>CARRIED</p>
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Item - 7.2 Establishment of a Māori Ward - was moved to another part of the minutes.
 Item - 7.3 Conducting a Poll to Select the Electoral System for the Local Body Elections 2025 - was moved to another part of the minutes.

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

RESOLUTION TO EXCLUDE THE PUBLIC

PUBLIC EXCLUDED RESOLUTION CO2023/100

Moved: Cr Sophie Handford
 Seconder: Deputy Mayor Lawrence Kirby

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

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

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution
<p>9.1 - Approval of Tender for Civil Works Associated with the Construction of a Reservoir at Te Manuao Road, Ōtaki</p>	<p>Section 7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>Section 7(2)(h) - the withholding of the information is necessary to enable Council</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>

	to carry out, without prejudice or disadvantage, commercial activities	
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CARRIED

RESOLUTION CO2023/102

Moved: Cr Sophie Handford

Seconder: Deputy Mayor Lawrence Kirby

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

CARRIED

The Kaunihera | Council meeting went into public excluded session at 3:55 pm.

The Kaunihera | Council came out of public excluded session at 4:03 pm.

The Kaunihera | Council meeting closed with karakia at 4:03 pm.

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HEAMANA | CHAIRPERSON