

**MINUTES OF THE KĀPITI COAST DISTRICT COUNCIL  
COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBER, GROUND FLOOR, 175 RIMU ROAD, PARAPARAUMU  
ON THURSDAY, 29 FEBRUARY 2024 AT 9.31AM**

**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 Nigel Wilson

**IN ATTENDANCE:** Ms Kim Tahiwī (Ngā Hapū o Ōtaki), Mr Cam Butler, Mr Richard Mansell, Mr Glen Olsen, Mr Darren Edwards, Mr Mark de Haast, Mr Sean Mallon, Ms Kris Pervan, Mr Gareth Eloff, Ms Laura Willoughby, Mr Tim Power, Ms Kate Coutts, Ms Steffi Haefeli, Ms Sarah Wattie, Mr Evan Dubisky, Ms Jessica Mackman, Mr Stephen Cross, Mr Darryn Grant

**WHAKAPĀHA | APOLOGIES:** Cr Kathy Spiers, Cr Shelly Warwick, Mr André Baker (Ātiawa ki Whakarongotai), and Mr Bede Laracy (Chair of the Raumati Community Board)

## 1 NAU MAI | WELCOME

The Mayor welcomed everyone to the meeting, and acknowledged the recent passing of Fa'anānā Efeso Collins by inviting everyone to stand for a moment of silence.

## 2 KARAKIA | COUNCIL BLESSING

At the invitation of the Mayor, Cr Sophie Handford read the Council blessing.

## 3 WHAKAPĀHA | APOLOGIES

### APOLOGY

#### RESOLUTION CO2024/1

Moved: Deputy Mayor Lawrence Kirby  
Seconder: Cr Martin Halliday

That the apology received from Cr Kathy Spiers, Cr Shelly Warwick, Mr André Baker (Ātiawa ki Whakarongotai), and Mr Bede Laracy (Chair of the Raumati Community Board) 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 no declarations of interest relating to items on the agenda.

## 5 TE WHAKATAKOTO PETIHANA | PRESENTATION OF PETITION

There were no petitions presented.

## 6 NGĀ WHAKAWĀ | HEARINGS

There were no hearings.

## 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

Kevin Burrows and Jacky Renouf, on behalf of the Older Persons' Council, spoke to Item 10.1 Affordable Housing Trust: Trust Establishment.

John Le Harivel spoke to Item 10.1 Affordable Housing Trust: Trust Establishment.

David Ogden, on behalf of Grey Power, spoke to Item 10.1 Affordable Housing Trust: Trust Establishment and Item 10.3 Governance Structure and Delegations Review. Mr Ogden answered members' questions.

## 8 NGĀ TAKE A NGĀ MEMA | MEMBERS' BUSINESS

### (a) Leave of Absence

There were no requests for a leave of absence.

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

There were no matters of an urgent nature.

## 9 TE PŪRONGO A TE KOROMATUA | MAYOR'S REPORT

There was no Mayor's Report tabled.

## 10 PŪRONGO | REPORTS

### 10.1 AFFORDABLE HOUSING TRUST: TRUST ESTABLISHMENT

Kris Pervan, Group Manager Strategy and Growth, and Stephen Cross, Programme Manager Housing, spoke to the report; and alongside Darryn Grant, Strategic Development Director and Tim Power, Legal Counsel answered members' questions.

#### RESOLUTION CO2024/2

Moved: Cr Martin Halliday

Seconder: Cr Liz Koh

That the Council:

- A. **Approve** in principle the Trust Deed attached at Appendix 1 for the establishment of an independent housing trust in Kāpiti, including:
  - A.1 Trust Board composition described at clause 2 of Schedule 2 of the Trust Deed
  - A.2 The appointment process for Trustees described at Schedule 2 of the Trust Deed.
- B. **Delegate** the power to finalise the Trust Deed, including any required amendments made on legal advice that do not affect the fundamentals of the Trust, to the Chief Executive and Mayor
- C. **Approve** 'Kāpiti Coast Affordable Housing Trust' as the placeholder name for the Trust
- D. **Approve** in principle the draft Relationship Framework Agreement (RFA; attached at Appendix 3)

- E. **Delegate** the power to finalise the RFA, including any required non-substantive amendments, to the Chief Executive and Mayor
- F. **Note** the skills and experience required by Trustees set out at clause 4.3 of Schedule 2 of the Trust Deed
- G. **Approve** the appointment of an Independent Recruitment Consultant to assist Council to appoint the Council-appointed Trustee to assist the Panel to appoint independent trustees
- H. **Delegate** to the Chief Executive the power to appoint the Council-appointed Trustee
- I. **Note** the establishment plan for the Trust will proceed in three stages:
  - I.1 Stage 1: Council-led: February to June 2024
  - I.2 Stage 2: Joint Council and Trust-led: July to December 2024
  - I.3 Stage 3: Trust-led: January 2025 onwards.
- J. **Note** the next steps for the project including further decisions needed by Council to be discussed at the meeting of 2 May 2024.

**CARRIED**

## 10.2 AMENDMENTS TO COUNCIL DELEGATIONS TO STAFF

Sarah Wattie, Manager Governance and Legal Services, spoke to the report.

### RESOLUTION CO2024/3

Moved: Cr Nigel Wilson  
Seconder: Mayor Janet Holborow

That the Council:

- A. **Adopts** the revised *Council Delegations to Chief Executive and Staff* as shown in Attachment 1 to the report 'Amendments to Council Delegations to Staff'.
- B. **Adopts** the revised *Resource Management Act 1991 Delegations to Staff* as shown in Attachment 2 to the report 'Amendments to Council Delegations to Chief Executive and Staff'.

**.CARRIED**

Cr Martin Halliday left the meeting at 10.20 am and returned to the meeting at 10.20am.

## 10.3 GOVERNANCE STRUCTURE AND DELEGATIONS REVIEW

Steffi Haefeli, Manager Democracy Services spoke to the report and alongside Darren Edwards, Chief Executive, answered members' questions.

Recommendation C within Item 10.3 on the agenda was revised by Council to include the Climate and Environment Subcommittee.

### RESOLUTION CO2024/4

Moved: Cr Nigel Wilson  
Seconder: Cr Sophie Handford

- A. That the Council, as appended in Appendix 1, adopts the amended membership of the Strategy, Operations and Finance Committee, the Social Sustainability Subcommittee and the Climate and Environment Committee as a result of Chris Gerretzen's resignation from

Te Ātiawa ki Whakarongotai Charitable Trust.

- B. That Council, as appended in Appendix 1, adopts the amended delegations for the Social Sustainability Subcommittee and the Climate and Environment Subcommittee to include:
  - B.1 the authority to approve criteria for and disbursement of grant funding as approved through the Long-term Plan or Annual Plan.
- C. That Council, as appended in Appendix 1, adopts the amended delegations for the Social Sustainability Subcommittee and the Climate and Environment Subcommittee to include the authority to receive and consider regular updates in relation to regional transport matters.
- D. That Council, as appended in Appendix 1, adopts the amended delegations for the Risk and Assurance Committee to include:
  - D.1 the authority to review the Annual Plan and Long-term Plan reports and consultation documents, including any audit reports, and make recommendations ahead of the plans being approved by Council.
  - D.2 the authority to receive six-monthly updates on Council's emergency management, resilience and recovery, and make recommendations to Council on opportunities for improvement.
- E. That Council, as appended in Appendix 1, adopts the amended appointment of Councillor Martin Halliday as an alternate representative to the Regional Transport Committee.

**CARRIED**

Cr Rob Kofoed left the meeting at 10.28am and returned to the meeting at 10.29am.

Cr Glen Cooper left the meeting at 10.36am and returned to the meeting at 10.37am.

#### **10.4 REPORTS AND RECOMMENDATIONS FROM COMMUNITY BOARDS**

Jessica Mackman, Acting Team Leader Democracy Services spoke to the report. Sean Mallon, Group Manager Infrastructure and Asset Management, and Sarah Wattie, Manager Governance and Legal Services answered members' questions.

Recommendation C and D within Item 10.4 on the agenda were revised by Council, and a further recommendation E was added.

#### **RESOLUTION CO2024/5**

Moved: Cr Nigel Wilson

Seconder: Deputy Mayor Lawrence Kirby

- A. That Council receives this report.
- B. That Council notes the three recommendations from the Paraparaumu Community Board meeting on 5 December 2023:
  - B.1 That Council considers renaming the path alongside Wharemauku Stream to Dianne Ammundsen Path, as this decision was previously deferred in 2017.
  - B.2 That Council considers alternative concepts from local artists for the proposed artworks at the skate park and adjoining areas in Maclean Park.
  - B.3 That Council considers prioritising local artists for future procurement processes across Kapiti Coast district.
- C. That Council requests council staff to investigate naming the path alongside Wharemauku Stream to Dianne Ammundsen Path or another appropriate name, and that a report is brought to Council or the community board(s) with relevant delegations to consider.

- D. That Council notes that the recommendations relating to the Maclean Park project regarding the procurement of local artists has been responded to by council staff and the matter is being resolved.
- E. That Councillors will take this matter to the Public Art Panel for their consideration.

**CARRIED**

## 11 TE WHAKAŪ I NGĀ ĀMIKI | CONFIRMATION OF MINUTES

### 11.1 CONFIRMATION OF MINUTES

#### RESOLUTION CO2024/6

Moved: Deputy Mayor Lawrence Kirby  
 Seconder: Cr Jocelyn Prvanov

That the minutes of the Council meeting of 14 December 2023 be accepted as a true and correct record.

**CARRIED**

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

## 13 PURONGO KĀORE E WĀTEA KI TE MAREA | PUBLIC EXCLUDED REPORTS

### RESOLUTION TO EXCLUDE THE PUBLIC

#### PUBLIC EXCLUDED RESOLUTION CO2024/7

Moved: Deputy Mayor Lawrence Kirby  
 Seconder: Cr Nigel Wilson

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)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons  Section 7(2)(i) - the withholding of the information is necessary to enable Council	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

	to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations)	
<b>13.1 - Reappointment of District Licensing Committee List Member</b>	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
<b>13.2 - Acquisition of Land</b>	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	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
<b>13.3 - Property Acquisition</b>	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	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
<b>13.4 - Disposal Update</b>	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  Section 7(2)(h) - the withholding of the information is necessary to enable Council to carry out, without prejudice or disadvantage, commercial activities	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
<b>13.5 - Verbal Property and Strategic Development Update</b>	Section 7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, 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

	(including commercial and industrial negotiations)	the disclosure of information for which good reason for withholding would exist under section 6 or section 7
<b>CARRIED</b>		

The Kaunihera | Council meeting went into public excluded session at 10.57am.

<b>RESOLUTION CO2024/13</b>
Moved: Deputy Mayor Lawrence Kirby
Seconder: Cr Martin Halliday
That the Kaunihera   Council moves out of a public excluded meeting.
<b>CARRIED</b>

The Kaunihera | Council came out of public excluded session at 2.53pm.

**13.1 APPOINTMENT OF DISTRICT LICENSING COMMITTEE LIST MEMBERS**

The following resolution was passed to release the report (excluding appendices) and the resolutions from public excluded business.

<b>RESOLUTION CO2024/9</b>
Moved: Cr Nigel Wilson
Seconder: Cr Liz Koh
<ul style="list-style-type: none"> <li>A. That Council reappoint Susie Mills to the District Licensing Committee as list member effective from 29 February 2024.</li> <li>B. That Council acknowledge Trevor Knowles and Philip Parkinson for ten years (two terms) of dedicated service as list members of the District Licensing Committee.</li> <li>C. That Council approves the release of this report 'Reappointment of District Licensing Committee List Member' (excluding appendices) and the resolutions from public excluded business.</li> </ul>
<b>CARRIED</b>

At the invitation of the Chair, Kim Tahiwī (Ngā Hapū o Ōtāki) closed the meeting with karakia.

**The Kaunihera | Council meeting closed at 2.53pm.**

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**HEAMANA | CHAIRPERSON**